

The Report of the Daniel Morgan Independent Panel

June 2021

Volume 1

Return to an Address of the Honourable
the House of Commons
dated 15th June 2021
for

The Report of the Daniel Morgan Independent Panel

Volume 1

Ordered by the House of Commons to be printed on 15th June 2021



© Crown copyright 2021

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

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

Any enquiries regarding this publication should be sent to us at contactus@dmip.independent.gov.uk.

ISBN 978-1-5286-2479-4
Volume 1 of 3
CCS0220047602 06/21

Printed on paper containing 75% recycled fibre content minimum

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

Daniel Morgan Independent Panel

Daniel Morgan Independent Panel
Home Office
2 Marsham Street
London
SW1P 4DF

Rt Hon Priti Patel MP
Home Secretary
Home Office
2 Marsham Street
London SW1P 4DF

May 2021

Dear Home Secretary

On behalf of the Daniel Morgan Independent Panel, I am pleased to present you with our Report for publication in Parliament.

The establishment of the Daniel Morgan Independent Panel was announced by the Home Secretary, the Rt Hon Theresa May MP, on 10 May 2013 in a written statement to the House of Commons. The remit given to the Panel was to shine a light on the circumstances of the murder of Daniel Morgan, its background and the handling of the case over the period since 1987 and in so doing to address questions arising, in particular those relating to police involvement in Daniel Morgan's murder; the role played by police corruption in protecting those responsible for the murder from being brought to justice and the failure to confront that corruption; and the incidence of connections between private investigators, police officers and journalists at the *News of the World* and other parts of the media, and alleged corruption involved in the linkages between them.

The Panel has always acknowledged and respected the fact that, at the heart of its work, there is a bereaved family. The murder of Daniel Morgan on 10 March 1987 left a widow, Iris, and two young children, Sarah and Dan, without a father; it left bereft his mother, Isobel Hülsmann and his siblings, Alastair and Jane Morgan. Isobel Hülsmann sadly died in 2017 before the Panel's Report could be published, which was a further cause of immense distress to her family. Nobody has been convicted in connection with the murder. The Report provides an account of the impact on the family of all that has happened since 10 March 1987. The Panel hopes this Report will help the family

key issues in the handling of the case since the murder occurred.

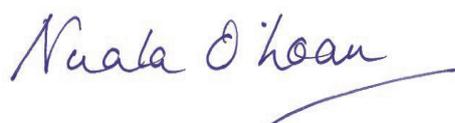
The Daniel Morgan Independent Panel commenced work formally on 17 September 2013. The Terms of Reference stated that *'It is envisaged that the Panel will aim to complete its work within 12 months of the documentation being made available.'* This created an expectation that the Panel's work would be done within a year. There was, however, no anticipation of the very significant difficulties and delays which would be encountered in accessing and bringing order to the documentation, in all its forms, nor of the large volume of material (in excess of a million pages) which would have to be considered. Indeed, the final documents were not received from the Metropolitan Police until March 2021. The Panel has always been acutely aware of the distress caused to the family of Daniel Morgan by the length of time which has been necessary for the Panel to complete its Report. No statutory powers were conferred on the Panel and this resulted in ongoing problems. It is to be hoped that lessons will be learned from our experience, for the benefit of future inquiries and panels.

The Panel has made a number of recommendations, as a consequence of what it has identified in the course of its work. They relate to important areas, where there continue to be serious shortcomings in current policy and practice in policing and the Criminal Justice System. They include ensuring that the necessary resources are allocated to the task of tackling corrupt behaviour among police officers, and the creation of a statutory duty of candour to be owed by all law enforcement agencies to those whom they serve, subject to the protection of national security and relevant data protection legislation. It is essential the recommendations are followed up and that action led by the Home Office is taken.

The vast majority of police officers act honourably and do not break their rules or engage in corrupt activity, and they do very difficult and, at times, dangerous work. However, the Metropolitan Police owe the members of Daniel Morgan's family, and the public, an apology for not confronting its systemic failings, for the failings of individual officers and for its lack of candour to the members of the family. In failing to acknowledge its many failings over the 34 years since the murder of Daniel Morgan, the Metropolitan Police placed the reputation of the organisation above the need for accountability and transparency. In so doing it compounded the suffering and trauma of the family.

The Panel expects that its findings and recommendations will be treated with the utmost seriousness. Real change is necessary to enable effective efficient policing in which the public and police officers can have trust and confidence.

Yours sincerely



Baroness O'Loan DBE MRJA
Chair, The Daniel Morgan Independent Panel

Contents

Volume 1

Letter to the Home Secretary	iii
Introduction	3
Chapter 1: The Morgan One Investigation	17
Chapter 2: The Inquest	267
Chapter 3: The Hampshire/Police Complaints Authority Investigation	301
Chapter 4: Operation Nigeria/Two Bridges	419

Volume 2

Chapter 5: The 2000 Murder Review: The Cold Case Review of the Investigation into Daniel Morgan's Murder	443
Chapter 6: Abelard One/Morgan Two Investigation	475
Chapter 7: The 2006 Report from the Commissioner of the Metropolitan Police Service to the Metropolitan Police Authority ('the 2006 Report')	603
Chapter 8: The Abelard Two Investigation	647

Volume 3

Chapter 9: Post-Abelard Two: Events after the acquittal of the Defendants in March 2011	855
Chapter 10: Corruption: Venality to lack of candour	1015
Chapter 11: The challenges of securing cooperation and lessons for future Panels	1117
Chapter 12: The Treatment of the Family	1141
Chapter 13: The Morgan Family's Experience: A selection of personal perspectives from the family of Daniel Morgan	1223
Annex A: Methodology: The Panel's approach to preparing the Report	1233
Annex B: Timeline of key events and investigations since the murder of Daniel Morgan	1245
Annex C: Glossary of Terms	1247

Introduction

1. The murder of Daniel Morgan on 10 March 1987 left his wife, Iris, without her husband, and their two young children, Sarah and Dan, without their father. It left bereft his mother, Isobel Hülsmann and his siblings, Alastair and Jane Morgan. Daniel Morgan's mother, Isobel Hülsmann, very sadly died in 2017 during the preparation of this report.

2. For more than three decades the failure to prosecute those responsible for Daniel Morgan's murder has caused great distress and concern to his family, generated a great deal of public disquiet, and affected the reputations of organisations and individuals.

3. The family of Daniel Morgan have told the Panel what a devastating impact these events have had and continue to have upon them. That impact has been compounded by the thought that police officers – the very people supposed to protect them – were involved in covering up the murder or in the murder itself. The love which his family had for Daniel Morgan and their desire for accountability has made them unwavering in seeking to bring his murderer(s) to justice. While they have not seen convictions, members of the family have kept the issue of the murder and the serious failures of the Metropolitan Police and others involved in his case in the public eye.

4. There was ongoing public concern about the allegations of police involvement in the murder and corrupt police activity during the investigations. In March 2011 after the acquittal of those accused in connection with the murder, the Metropolitan Police publicly acknowledged '*the repeated failure of the Metropolitan Police to confront the role played by police corruption in protecting those responsible for the murder from being brought to justice*'. In 2013 the Home Secretary, Theresa May MP, established the Daniel Morgan Independent Panel. The Terms of Reference for the Panel state that "*The purpose and remit of the Independent Panel is to shine a light on the circumstances of Daniel Morgan's murder, its background and the handling of the case over the whole period since March 1987. In doing so, the Panel will seek to address the questions arising, including those relating to:*

- *police involvement in the murder;*
- *the role played by police corruption in protecting those responsible for the murder from being brought to justice and the failure to confront that corruption; and*
- *the incidence of connections between private investigators, police officers and journalists at the News of the World and other parts of the media and alleged corruption involved in the linkages between them."*

5. Daniel Morgan was 37 years old when he was murdered in a dark corner of the car park of the Golden Lion public house in Sydenham, South East London. He was a private investigator, in partnership at Southern Investigations in Thornton Heath, with Jonathan Rees. His body was found at 9.40 pm. No-one has ever been convicted of the murder.

6. A timeline showing the various operations and important events which have occurred during the past 34 years, is at Annex B of this Report. There have been four¹ major police investigations into Daniel Morgan's murder, an inquest, several disciplinary investigations, complaints investigations and other operations, some of which are described briefly in this Introduction. All these matters are discussed by the Panel in the chapters of its Report.

7. During the Panel's work a public appeal for information was made and interviews were conducted by the Panel with the family, with serving and retired police officers, with other individuals who were closely involved with the police investigations and with those who had information they wished to make available to the Panel. Some witnesses approached by the Panel declined to cooperate for a variety of reasons, including fear of reprisal, even more than 30 years after the murder.

1987–1988: The Morgan One Investigation – the first investigation

8. The first investigation of Daniel Morgan's murder (the Morgan One Investigation) was conducted by the Metropolitan Police. There were multiple very significant failings in the conduct of this investigation from the moment of the discovery of Daniel Morgan's body. The management and administration of the investigation was poor, and in many respects was not compliant with relevant policies and procedures.

9. The handling of the scene of the murder was totally inadequate – it was not searched and was left unguarded. There is evidence that some of those who were arrested in connection with the murder on 03 April 1987, may have been alerted to their forthcoming arrests by a leak to the media the day before they were arrested. Jonathan Rees, his brothers-in-law Glenn Vian and Garry Vian, and DS Sidney Fillery, DC Alan Purvis and DC Peter Foley were arrested as a consequence of their involvement with the provision of security by Southern Investigations at a company called Belmont Car Auctions, which rapidly became viewed, erroneously, as possibly providing a motive for murder.

10. Alibis were not sought for all the suspects. The search warrants associated with the arrests were seriously inadequate. There was no evidential continuity for many of the exhibits seized during the investigation. Lines of enquiry were not followed through properly.

11. Many of the opportunities which were lost were not retrievable. The investigation became focused on a narrow range of issues to the exclusion of lines of enquiry which should have been followed. Nobody was prosecuted for the murder.

1988: The Inquest

12. The hearing of the Inquest into the death of Daniel Morgan took place over eight days, between 11 and 25 April 1988.

13. A significant number of witnesses were called, and evidence on various matters was heard. One witness, Kevin Lennon, a former bookkeeper at Southern Investigations, gave evidence that Jonathan Rees had asked him if he knew anyone who could kill Daniel Morgan. He also confirmed that Jonathan Rees had told him in 1986 that Catford police officers would carry out the murder of Daniel Morgan, or arrange for it, and that it would take place within the jurisdiction of Catford Police Station. He also said that DS Sidney Fillery was quite aware that Daniel

¹ The Terms of Reference refers to 'five' successive investigations. The Panel has found that there were four investigations, plus two reviews by the Metropolitan Police, and an intelligence-gathering operation (Operation Nigeria/Two Bridges).

Morgan was going to be killed, and that Jonathan Rees had told him that DS Fillery would retire from the police on the grounds of ill health and would replace Daniel Morgan at Southern Investigations.

14. Despite this the Coroner said, inaccurately, that he had heard no evidence whatsoever to point to any police involvement in the murder, and that no stone had been left unturned during the investigation. This statement was quoted by the Metropolitan Police for many years when resisting pressure for a public accounting of the failures in the investigation, and to rebut allegations about the role of police corruption. On 25 April 1988, the jury delivered their verdict that Daniel Morgan had been unlawfully killed.

1988–1990: The Hampshire Police Complaints Authority Investigation – the second investigation

15. Following the Inquest and lobbying by members of Daniel Morgan's family, a second investigation was established in June 1988. The decision was made that a police force, other than the Metropolitan Police, would carry out the investigation because of the corruption allegations. It was conducted by Hampshire Constabulary, supervised by the Police Complaints Authority. Its remit was to investigate '*allegations that police were involved in the murder of Daniel Morgan and any matters arising therefrom*'. It was understood that this was an independent investigation but a senior Metropolitan Police Officer, with full access to the investigations was appointed to work with Hampshire Constabulary in January 1989. The investigation cannot be described as having been 'independent'.

16. The Hampshire/Police Complaints Authority Investigation reported, following a change in the focus of the investigation that, whilst there was circumstantial evidence to implicate Jonathan Rees and Paul Goodridge, a business associate of Jonathan Rees and Daniel Morgan, who had been arrested by the Hampshire/Police Complaints Authority Investigation for the murder, there was no evidence to implicate a police officer by name, or the police in general as being involved. There was no evidence of wilful action(s) by any member of the Morgan One Investigation to prevent the murder being properly detected. Nobody was prosecuted for the murder.

17. Despite the fact that there was significant contradictory evidence, the Hampshire/Police Complaints Authority Investigation concluded that the manner in which the investigation was conducted by the Metropolitan Police showed determination to bring those responsible before the court.

18. It did not pursue, to the fullest extent possible, evidence that serving or former police officers were involved in the murder of Daniel Morgan; had committed crimes not connected to the murder of Daniel Morgan; or had been guilty of disciplinary offences, whether or not connected to the murder of Daniel Morgan. There is some evidence that this was deliberate conduct on the part of the Hampshire/Police Complaints Authority Investigation.

19. Despite having been made aware of the shortcomings in the Morgan One Investigation and of a specific allegation made by Paul Goodridge, in March 1990 the Police Complaints Authority wrote to Alastair Morgan stating, '*... the two enquiries carried out by the Metropolitan Police and the Hampshire Constabulary have been most thorough and have produced no evidence of police involvement in your brother's murder*'. This assessment of the quality and outcome of both investigations was inaccurate.

20. The Hampshire Constabulary, the Metropolitan Police and the Police Complaints Authority agreed, whether tacitly or expressly, to hide from the family of Daniel Morgan and from the public in general, the fact that it had evidence that the original Metropolitan Police investigation into the murder of Daniel Morgan had been ineffective, and in many respects, incompetent, and that there was important information which required further investigation.

1997–2000: Operation Nigeria/Two Bridges

21. By 1997, following a significant, wide-ranging anti-corruption investigation, intelligence existed about Jonathan Rees and former DS Sidney Fillery, who were in business as Southern Investigations (which later became Law & Commercial) and who continued to be suspects for the murder of Daniel Morgan. That intelligence indicated corrupt associations between them and serving and former police officers and criminals. A further intelligence-gathering exercise which became known as Operation Nigeria/Two Bridges was established to seek information about the suspected criminality of Jonathan Rees, former DS Fillery and others, and information about the murder of Daniel Morgan. Until July 1999, Daniel Morgan's family were not aware of Operation Nigeria/Two Bridges.

22. During Operation Nigeria/Two Bridges, evidence emerged of a conspiracy to plant Class A drugs on the wife of a client of Law & Commercial, in order to have her arrested to strengthen the client's position in an ongoing child custody battle. The disclosure necessary during the ensuing investigation and prosecution meant that the intelligence-gathering exercise had to be terminated. Jonathan Rees, DC Austin Warnes, and Simon James (the husband of the woman in question) were convicted of conspiracy to pervert the course of justice in this case.

23. The intelligence-gathering operation had been effective and it provided some useful information about those suspected of the murder of Daniel Morgan, which was shared within the Metropolitan Police, and contributed to the subsequent decision to undertake a Murder Review.

The 2000 Murder Review

24. The 2000 Murder Review began on 26 June 2000 and reported in October 2000. It made 83 recommendations for further investigation. The review was effective in its examination of the Morgan One Investigation, but it did not focus in any detail on the Hampshire/ Police Complaints Authority Investigation and as a consequence further available investigative opportunities were not identified.

2001–2003: The Abelard One/Morgan Two Investigation – the third investigation

25. A re-investigation of the murder of Daniel Morgan began in April 2001. It comprised two sides: a covert operation, and an overt investigation, established in May 2002. The two sides ran in parallel after May 2002. Together they are referred to as the 'Abelard One/Morgan Two Investigation'.

26. Multiple lines of enquiry were examined during the investigation and Jonathan Rees, Glenn Vian, Garry Vian, former DS Sidney Fillery and James Cook were arrested. Two individuals were also arrested for conspiring to provide James Cook with an alibi. However, there was insufficient evidence to prosecute any individual for the murder, and it was therefore decided that there should be no prosecution for the suspected conspiracy to provide an alibi for James Cook.

27. The Abelard One/Morgan Two Investigation was described as one of the most expensive and resource intensive re-investigations that the Metropolitan Police has conducted. Its cost exceeded £2 million. However, despite extensive attempts to secure information and evidence, the only significant evidence to emerge related to the efforts of James Cook to establish an alibi for the night of the murder.

28. During the investigation DCS David Cook, the Senior Investigating Officer, and his wife were subjected to surveillance and various attempts were made to gather information about them by people working for the *News of the World*. This caused them considerable distress.

29. In January 2012, the Crown Prosecution Service advised that there was insufficient evidence to bring charges against Jonathan Rees, former DS Fillery, Alex Marunchak and Glenn Mulcaire. The Panel agrees with the advice offered by the Crown Prosecution Service that there was insufficient evidence capable of proving that the *News of the World* surveillance of DCS David Cook was instigated by either Jonathan Rees or former DS Sidney Fillery. Nonetheless, the circumstantial evidence suggests very strongly that intrusive activity suffered by DCS Cook, his wife Jacqui Hames, and their family was arranged by former DS Fillery and Alex Marunchak.

2005–2006: Report to the Metropolitan Police Authority on the investigations of the murder of Daniel Morgan

30. After the Abelard One/Morgan Two Investigation of the murder of Daniel Morgan, his family continued to campaign and sought a public inquiry into the police handling of the case. On 08 December 2004, the Home Office Minister, Hazel Blears MP, declined to establish an inquiry.

31. The family then sought further action through the Metropolitan Police Authority, which, in October 2005, required the Metropolitan Police to submit a report into the murder of Daniel Morgan and the circumstances surrounding it. The Report was to be completed by January 2006 and was to be made available to Daniel Morgan's family.

32. Following the rejection of the initial report in January 2006, on the grounds of inadequacy, a slightly revised version was submitted in April 2006 and was accepted.

33. The Report said, inaccurately, that had DS Sidney Fillery not been involved in the first investigation, it would have been of an average and, perhaps, acceptable standard for the time, and that there was no suggestion that he was involved in the murder itself. It inaccurately described the Hampshire/Police Complaints Authority Investigation as an independent investigation, failed to examine much of the documentation, did not identify many deficiencies in the investigation and did not explain the significant change in direction of the work of that Investigation in November 1988.

34. The Report referred to Operation Nigeria/Two Bridges, in a way which gave the family of Daniel Morgan the impression that a third investigation of the murder had taken place, which was not the case, although some '*useful information*' regarding the murder had been gained.

35. Finally, the Report referred to the 83 recommendations for the future investigation of Daniel Morgan's murder contained in the 2000 Murder Review, which with the intelligence gathered during Operation Nigeria/Two Bridges had led to the establishment of the Abelard One/Morgan Two Investigation. The Report provided a detailed synopsis of that investigation. It did not identify any failings, problems or unresolved issues.

2006–2011: The Abelard Two Investigation – the fourth investigation

36. In March 2006, following the emergence of a new witness, a further investigation into the murder, the Abelard Two Investigation, was established. DCS David Cook, who was on full-time secondment to the Serious Organised Crime Agency, was appointed as Senior Investigating Officer. From December 2007, DCS Cook did not have the management or supervisory powers of a Senior Investigating Officer, which are essential to the conduct of an efficient, well-resourced, accountable investigation, but the assumption made by most within the Metropolitan Police was that he continued to act as Senior Investigating Officer. He reported directly to DAC (later AC) John Yates rather than to the relevant Head of the Homicide and Serious Crime Command.

37. AC John Yates refused to hand responsibility to others as his role changed and developed within the Metropolitan Police. This created a lacuna within which normal procedures were not followed, and DCS Cook was not managed and was able, by virtue of the seniority of his rank, to act freely in contravention of many established procedures and practices and in breach of his duties as a police officer.

38. The Abelard Two Investigation was protracted and lengthy, involving multiple investigative strands, and an extensive forensic review and reconstruction of the murder. Following extensive investigation, and the identification of further witnesses, Jonathan Rees, James Cook, Glenn Vian and Garry Vian were charged with the murder of Daniel Morgan. Former DS Sidney Fillery was charged with perverting the course of justice.

39. The Abelard Two Investigation made use of statutory procedures in the Serious Organised Crime and Police Act 2005 which permitted the debriefing of witnesses as Assisting Offenders. Three witnesses were debriefed under the new legislation, but ultimately their evidence and credibility was questioned.

40. Allegations were made of police misconduct of many different kinds by numerous different officers of the Metropolitan Police, some of very senior rank, over a period of several years. They include allegations that former DCS David Cook had had improper contact with witnesses and had attempted to influence the development of evidence, particularly through repeated unauthorised contacts with one Assisting Offender, Gary Eaton.

41. Abuse of process hearings began in October 2009. On 15 February 2010, Mr Justice Maddison stated that he had concluded that should there be a trial, the evidence of Gary Eaton would be excluded. Former DCS David Cook was ultimately responsible for the exclusion of Gary Eaton's evidence by Mr Justice Maddison. In subsequent years, a High Court Judge, Mr Justice Mitting, and then the Court of Appeal found, on the balance of probabilities, that the behaviour formed part of a broader pattern of criminal activity by DCS Cook designed to influence and even fabricate the evidence of prosecution witnesses in the Abelard Two Investigation.

42. Between 2006 and 2011 the Prosecution received thousands of documents which were then considered for disclosure to the Defence. That disclosure commenced in 2008 and lasted until the collapse of the case.

43. The Prosecution repeatedly found itself apologising to the Defence and the court for belatedly discovering documents within various police departments which seriously undermined the credibility of some of its witnesses. The mishandling of this material by the police led to the concession that disclosure might never be completed.

44. By March 2011 as a result of these devastating disclosure failures and the withdrawal and exclusion of witness evidence, the case had been withdrawn by the Prosecution, and all the Defendants had been acquitted.

1987–2021: Corruption

45. From the outset, there have been allegations that police officers were involved in the murder, and that corruption by police officers somehow played a part in protecting those who committed it from being brought to justice. In 2011, the Metropolitan Police publicly admitted for the first time that police corruption had been a factor in the failure of the first police investigation.

46. There is evidence of a culture within the Metropolitan Police in 1987, which permitted very close association between police officers who were either members of the investigation or were close to those who were part of the investigation team, and individuals linked to crime. There is extensive evidence of police officers meeting DS Sidney Fillery, Jonathan Rees and others in various public houses around the area and drinking with them, even after both DS Fillery and Jonathan Rees had been arrested and continued to be suspects for the murder of Daniel Morgan. There is evidence that the investigation of Daniel Morgan's murder was discussed on some of these occasions, and that Jonathan Rees used these social interactions to obtain information about the investigation.

47. There have been indications since 1987 that Daniel Morgan had been going to report police corruption, and to sell a story about corruption to the media. The nature of that corruption has never been established. There were a number of possibilities, some of which were never examined fully, including a connection between the recovery by Daniel Morgan of a Range Rover from Malta in February 1987, and a major fraud investigation being conducted by West Yorkshire Police.

48. In February 1989, Paul Goodridge made 'off the record' allegations about Metropolitan Police involvement in the murder to DCS Alan Wheeler of the Hampshire/Police Complaints Authority Investigation. DCS Wheeler told Roland Moyle, Deputy Chair of the Police Complaints Authority, Assistant Chief Constable John Wright and DCI Paul Blaker of Hampshire Constabulary, and the Metropolitan Police Detective Superintendent acting as Liaison Officer to the Investigation what Paul Goodridge had said to him. No further action was taken in respect of Paul Goodridge's allegations, nor further associated matters.

49. It is also possible that local officers involved in identified lucrative corrupt practices, such as, selling confidential information, assisting criminals with inside police information and 'moonlighting', thought that their police careers and pensions were under threat, and that future, potentially lucrative, options might be put at risk by Daniel Morgan's alleged intention to reveal what he knew. The evidence supporting this theory as to *why* Daniel Morgan was murdered was never seriously investigated, despite the fact that in the years following Daniel Morgan's murder, several of the police officers connected to Daniel Morgan's circles and business were investigated for and convicted of serious crime.

50. A source of recurring suspicion and mistrust in the investigations of Daniel Morgan's murder has been police officers' membership of the Freemasons. DS Sidney Fillery was a Freemason and became Master of two different Lodges in 1993 and 1996. Ten police officers who were prominent in the Daniel Morgan murder investigations were Freemasons. Investigating officers entertained doubts as to whether Masonic loyalties, which all Freemasons swear to uphold,

might conflict with those which police officers owe to each other and to the public by virtue of their office. The Panel has not seen evidence that Masonic channels were corruptly used in connection with either the commission of the murder or to subvert the police investigations.

51. Policing has long been understood as a profession in which officers stand together – a ‘blue wall’. That blue wall existed to enable and support the fight against crime. Those working in policing are often in a unique position to bring evidence of wrongdoing by colleagues to their superiors. However, in some circumstances police officers who have sought to report wrongdoing have also experienced the blue wall, and have been ostracised, transferred to a different unit, encouraged to resign, or have faced disciplinary proceedings. Members of anti-corruption units in police forces have experienced hostility and rejection because of the work which they have been appointed to do. The Panel received such evidence from serving and retired officers during its work. This is not conducive to a culture of integrity.

52. The Panel has recommended that Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services conduct a thematic investigation of the operation of the practices and procedures introduced following the adoption of the Code of Ethics in 2014. This should aim to determine whether sufficient resources are available to ensure appropriate protection of those police officers and police staff who wish to draw alleged wrongdoing to the attention of their organisations.

53. Intelligence in the early 1990s indicated officers passing to criminals, information and intelligence held on them by the Metropolitan Police in return for payment or other benefits; corrupt relationships between police officers and police informants where police officers were complicit in plans to commit crimes and share insurance reward monies; the sale of information from police computers to criminals; the sabotaging of evidence; and the unauthorised disclosure of sensitive information to journalists for payment. Former officers provided the Panel with information about such corruption which they had experienced as serving officers.

54. In February 2000, Metropolitan Police data analysis revealed 273 instances in which journalists were provided with confidential police information by Law & Commercial (formerly Southern Investigations).

55. In 2006, historical intelligence about 19 former police officers associated with former DS Sidney Fillery, Jonathan Rees and Law & Commercial, showed that ten of the police officers had been convicted and imprisoned for criminal offences including false imprisonment, perverting the course of justice, and conspiracy to pervert the course of justice, drugs offences, accepting a bribe, obtaining property by deception, supplying drugs, accepting bribes for confidential information and theft of files, fraud related to computer misuse, and bribing an officer to destroy case files.

56. As well as the ten convicted and imprisoned officers, one officer had resigned while under investigation, one had been dismissed from the Metropolitan Police for failure to meet standards of honesty and integrity, and one had been demoted but later reinstated before retirement on a full pension. Two police officers were acquitted (one of inciting a police officer to commit a corrupt act, namely providing access to the Police National Computer, and the other of misconduct in public office). The remaining four were not charged or convicted of offences.

57. Between 2006 and 2010, the Metropolitan Police became aware that the Senior Investigating Officer of the Abelard Two Investigation, DCS David Cook, had had multiple contacts with a witness who was an Assisting Offender, Gary Eaton, who was providing

extensive and very significant evidence to the investigation. This was not permitted. In 2010, Mr Justice Maddison concluded that there had probably been prompting of the witness and excluded his evidence.

58. Two public statements were made by the Metropolitan Police in 2011 and 2017 about corruption. At no point has it been indicated that the suspected corruption related to the murder itself; rather the implication has been that the suspected corruption prevented the successful prosecution of those responsible for the murder. Virtually no detail was given in these public statements as to the nature of the suspected corrupt behaviour, or how it undermined the murder investigation. The suspicion of corruption has been connected only to the ‘initial’ murder investigation and the focus of the imputed police corruption has been almost entirely on one individual officer, DS Sidney Fillery.

59. It was important to the family that an apology had been made. The Metropolitan Police was asked by the Panel what was meant by its public apology and its other admissions, public and private, of corruption. What was the corruption which had been identified? No response was received other than that, in instances where individual police officers had accepted or conceded corruption in the case, ‘*any clarity required would have to be provided by those officers themselves*’. This applied even to the contents of a letter of apology sent by Acting Commissioner Tim Godwin to Alastair Morgan in March 2011.

60. The family of Daniel Morgan suffered grievously as a consequence of the failure to bring his murderer(s) to justice, the unwarranted assurances which they were given, the misinformation which was put into the public domain, and the denial of the failings in investigation, including failing to acknowledge professional incompetence, individuals’ venal behaviour, and managerial and organisational failures. The Metropolitan Police also repeatedly failed to take a fresh, thorough and critical look at past failings. Concealing or denying failings, for the sake of the organisation’s public image, is dishonesty on the part of the organisation for reputational benefit and constitutes a form of institutional corruption.

61. Among its recommendations, the Panel has proposed the creation of a statutory duty of candour, to be owed by all law enforcement agencies to those whom they serve, subject to protection of national security and relevant data protection legislation.

2013–2021: Difficulties and delays

62. The Panel was charged to address questions relating to ‘*police involvement in the murder, the role played by police corruption in protecting those responsible for the murder from being brought to justice and the failure to confront that corruption; and the incidence of connections between private investigators, police officers and journalists at the News of the World and other parts of the media and alleged corruption involved in the linkages between them.*’

63. The treatment of members of Daniel Morgan’s family by the police and other parts of the Criminal Justice System is central to the Panel’s Terms of Reference. Delivering on that remit has taken almost eight years. Such duration and the attendant costs were not envisaged by the Home Secretary when she appointed the Panel, and Panel members certainly did not expect to be engaged for such a period; nor did they imagine that their Report would extend to some 1200 pages.

64. The difficulties and delays encountered by the Panel during the course of its work, which were the major contributing factor to the length of time it has taken, are summarised below and set out in detail in Chapter 11. However, it is appropriate to explain here the reasons for the length of the Report.

65. The Panel was tasked to examine complex events that have taken place over more than three decades and which continued during the years of the Panel's work, almost to the date of publication. A vast amount of public money – impossible now accurately to quantify, given the passage of time and lack of records – has been spent and huge police resources have been devoted to the various major investigations. Daniel Morgan's murder remains unsolved and it is right that his family and the public are given a comprehensive explanation as to why that is the case.

66. The Panel's Report examines the sequence of events and issues arising before and after the murder and explores the allegations against different individuals who are said to have been involved. It considers all the investigations of the murder and linked investigations into corruption from 1987, including associated disciplinary and criminal investigations, the most recent of which ended in 2020.

67. Several of the most recent investigations, which had not yet begun when the Panel was established, concerned the former Senior Investigating Officer of the last two police investigations, DCS David Cook. The complexity and length of these investigations was not anticipated in 2013. It was necessary to examine them in order to fulfil the Panel's Terms of Reference. The Panel could not properly complete its work and make its report to the Home Secretary while this was ongoing.

2011–2021: Further investigations and litigation

68. In March 2011, during the Abelard Two Investigation, it was discovered that former DCS David Cook had, without authorisation, disclosed information about the investigation to a journalist, Michael Sullivan. Later it was discovered that there had been hundreds of exchanges between Michael Sullivan and former DCS Cook, during which former DCS Cook had supplied large quantities of information, some of it very sensitive, without authorisation, to Michael Sullivan.

69. It emerged that DCS David Cook had decided to write a book with Michael Sullivan about corruption in the Metropolitan Police, believing that the public would benefit from knowing about such corruption, and had removed vast amounts of confidential and secret materials from investigations in which he had been involved and other investigations, and from intelligence operations to '*set the record straight*'.

70. Two searches of former DCS David Cook's home in 2012 and 2014 had led to the discovery of enormous amounts of material belonging to police and other criminal justice agencies. He had disclosed much of this material to journalists and others. He said that he had done this because, if he could not bring the murderers of Daniel Morgan to justice, then he wanted to write a book, to reveal the evidence of corruption within alliances between elements of policing, private investigation and the media. He hoped to make money from publication of the book, and from other associated activities.

71. During the period from 2011 to 2020, the circumstances surrounding the abstraction and dissemination of material by former DCS David Cook were not fully investigated.

72. Had proper investigation occurred and had the prosecutors employed by the Crown Prosecution Service discharged their duties fully, it is possible that there would have been compelling arguments as to why it would not have been in the public interest to prosecute former DCS Cook. Had proceedings been issued against former DCS Cook there would have been an obligation on the Metropolitan Police to engage in a most extensive disclosure process, given the extent of the materials which he had abstracted and disseminated without

authorisation. The extent to which it was possible for one officer to misconduct himself would have become apparent. This would have caused substantial embarrassment to the Metropolitan Police.

73. The Panel does not accept that the failure to investigate former DCS David Cook's activities properly was a mere accident or omission. As a consequence of the legal constraints under which the Panel rightly operates, it has not been possible to disclose the extent of the content of some of the material which it has seen. However, the Panel is of the view that the Metropolitan Police were aware of parts at least of this situation when the Panel was appointed by the Home Secretary in 2013, and that as more understanding emerged, the imperative was in part to protect the reputation of the police, rather than to expend resources dealing with the totality of the issues emerging.

74. Any serving officer with access to sensitive information, has the opportunity to remove it and use it for unlawful purposes. The failure of the Metropolitan Police to prevent DCS David Cook from removing materials over such a protracted time period causes concern as to the extent to which such behaviour may be continuing within the police service, unchecked.

75. The Panel's Report must not be regarded as one that is concerned only with a so-called 'historic' murder case with limited relevance to policing and the Criminal Justice System today. The legacy of previous corruption by police officers continues to have a harmful effect. Further concerted action is required to address the issues identified by the Panel in its findings and recommendations, which are highly relevant to policing today.

76. Civil proceedings against the Commissioner of the Metropolitan Police for malicious prosecution and misfeasance in public office by former DCS David Cook, by the men who had been acquitted of the charges against them by 2011, were concluded in July 2019 with the award of substantial damages, after the original decision of the High Court had been reversed by the Court of Appeal. The documentation and judgments from these proceedings were relevant to the Panel's work.

2013–2021: Access to documentation

77. The Panel's Terms of Reference stated that *'it is envisaged that the Panel will aim to complete its work with 12 months of the documentation being made available'*. They also provided that there would be *'exceptional and full disclosure to the Panel of all relevant documentation including that held by all relevant Government departments and agencies and by the police and other investigative and prosecuting authorities'*. This created an expectation that the Panel's work would be done within a year. The Panel was acutely aware of that expectation and of the distress caused to the family of Daniel Morgan by the length of time which has been necessary to do this work. There was, however, no anticipation of the very significant difficulties and delays which would be encountered in accessing documentation, in all its forms, nor of the large volume of material (in excess of a million pages) which would have to be considered. In fact, the final documents were not received from the Metropolitan Police until March 2021.

78. The Panel was not established under the Inquiries Act 2005 and therefore it did not have statutory powers. As a consequence, it has had to complete its work without the authority to compel witnesses and the production of material, and has relied, instead, on its Terms of Reference and the readiness of the Metropolitan Police and others to honour commitments made to the Home Secretary to provide *'exceptional and full disclosure'*. The publication of the Panel's Report was significantly delayed for a number of reasons, including the difficulties experienced with the Metropolitan Police as set out below. This caused major cost to the public purse: the expenditure on the Panel and its work has been more than £16 million since 2013.

79. In addition to the sheer volume of material, in order to access and consider the relevant papers, the Panel has had to overcome very serious challenges, which are set out in more detail in Chapter 11. The Panel experienced very significant delays because of the difficulties of securing agreement to disclosure by the Metropolitan Police. It also had major difficulties getting proper access to the HOLMES² databases for the Daniel Morgan investigations. This access was essential, as not all the material was available in hard copy, and the HOLMES system facilitates more effective analysis and examination. Despite frequent requests, only limited access on specified police premises was granted in 2015.

80. Repeated requests were made for access to a computer (either a laptop or a desktop) with the ability to access the HOLMES system in the Panel's offices. In June 2015 the Panel was advised that installation in the Panel's offices would cost £26,278.31, and that enhanced security would be required. When challenged the requirement for enhanced security was withdrawn. In the light of the anticipated costs and expecting to have completed its work before long, the Panel did not pursue the matter.

81. However, significant new information and voluminous material about the investigations into the murder of Daniel Morgan continued to emerge. In January 2018, a new request was made to the Metropolitan Police for a HOLMES desktop computer to be installed in the Panel's offices, or for a HOLMES laptop to be supplied. The Panel was told that the cost of installing a HOLMES desktop at its offices, and decommissioning it in due course, would be £85,000.

82. In January 2019, the Panel was advised that a HOLMES laptop could only be supplied if significant structural enhancements were made to the Panel's offices, including new strengthened walls, a new stronger secure door, and reinforced windows. When challenged it was agreed by the Metropolitan Police that these enhancements would not be required.

83. During the COVID-19 pandemic in 2020/21, when staff had to work from home, the Metropolitan Police agreed that the Panel's HOLMES expert could use an encrypted HOLMES laptop to access the relevant HOLMES accounts at his home. The laptop was provided on 02 September 2020.

1987–2021: The treatment of Daniel Morgan's family

84. The trauma of Daniel Morgan's murder and the family's grief has been compounded by their treatment at the hands of some police officers and representatives of other organisations. They have had to fight for information over decades and have been determined in their quest to get justice.

85. Although there was some good family liaison work, those responsible for various police investigations and operations repeatedly failed to explain to the family what was happening, and they have had many dreadful shocks and almost constant frustration over the years. This led to increasing distrust in the police. The experiences of the family and their personal reflections are set out at length in Chapters 12 and 13 of this Report. A few of those incidents are recounted below to demonstrate something of what the family has suffered over the years.

86. In April 1987 Isobel Hülsmann saw, on television, the news that six men, including three police officers, had been arrested for the murder of her son. Alastair Morgan was told about the arrests by a friend who telephoned him.

² HOLMES is a computerised database designed to support the police investigation of major crimes.

87. In 1988, the family were not warned about the evidence which the former bookkeeper for Southern Investigations, Kevin Lennon, was to give at the Inquest: that Jonathan Rees had persistently asked him to kill Daniel Morgan; that he had refused to do so; that Jonathan Rees had told him that police officers from Catford Police Station would either be involved in the murder or would arrange it, and that DS Sidney Fillery would retire from the police and join Jonathan Rees as a business partner. Kevin Lennon's evidence stunned Daniel Morgan's family and caused them great distress

88. In 1988, after the Inquest Isobel Hülsmann and Alastair Morgan made a complaint about the police to the Police Complaints Authority, the Hampshire/Police Complaints Authority Investigation was established. In January 1989, Jonathan Rees, Paul Goodridge and Jean Wisden were arrested in connection with the murder. Alastair Morgan learned of the arrests from the television news. The arrests were completely unexpected.

89. Isobel Hülsmann and Alastair Morgan were dissatisfied and confused. They had made a complaint. The matter had not been discussed further with them. An investigation had ensued, which was not in fact an investigation of their complaint, but they were unaware of that. The Terms of Reference for the investigation had indicated that it was an investigation into police involvement in the murder, but they could see no evidence of any such investigation. The relationship between the family and the police deteriorated again as a consequence of this situation.

90. In February 1989, Jonathan Rees and Paul Goodridge were charged with the murder of Daniel Morgan, and Jean Wisden with doing an act tending and intended to pervert the course of justice. Yet again members of Daniel Morgan's family only learned about the arrests from the media or friends.

91. In July 1999, the Metropolitan Police arranged for an article to be published in the *Daily Telegraph* about the murder of Daniel Morgan to assist in an intelligence-gathering exercise as part of Operation Nigeria/ Two Bridges. The article began: *'One of the most perplexing unsolved murder inquiries to face the Metropolitan Police — the axe murder 12 years ago of a private detective — has been re-opened following the emergence of what the force describes as 'crucial' new information. ...The Daily Telegraph understands that the new information concerns the hiding and disposal of the getaway car.'* The members of Daniel Morgan's family had not been told that any work was ongoing before the article's publication. They were shocked and distressed.

92. From 2001 the family began to experience trust and confidence in the officers who led the Abelard One/Morgan Two Investigation, DCI David Zinzan and DCS David Cook, and in DCS Cook's leadership of the subsequent Abelard Two Investigation. They were therefore very disappointed when no charges were preferred in 2003, and in 2011 when the six-year Abelard Two Investigation collapsed, and those charged with the murder, Jonathan Rees, Garry Vian, Glenn Vian and James Cook, were acquitted, as was former DS Sidney Fillery who had been charged with perverting the course of justice.

93. Following the acquittal of the Defendants, the Metropolitan Police made the first public admission that police corruption had played a role in the failure to bring those responsible for Daniel Morgan's murder and a public apology was made.

The Report of the Daniel Morgan Independent Panel

94. The multiple police failures over many years, the death of witnesses and the passage of time mean that it is most unlikely there will be a successful prosecution for Daniel Morgan's murder. The fact that those failures were not made known to the family, despite their attempts to find out what had happened during the investigations, caused further deep distress to the family, and increased their distrust of the police.

95. The final chapter in the Report sets out the personal reflections of family members and in their own words. It is a collective expression of the acute frustration and devastating disappointments over 34 years following the brutal killing of Daniel Morgan. The recollections were provided by Iris Morgan, Daniel's two children, Sarah and Dan, and Daniel's mother, Isobel Hülsmann. Alastair Morgan and Jane Morgan did not make personal comments, but their views have been given significant reference throughout the Report. Alastair Morgan has taken a prominent role campaigning on behalf of the family. He was asked whether he wished to contribute with his experiences and reflections to the Report but declined to do so. However, his views are well reflected throughout this Report, and he provided the Panel with the manuscript of his book, *'Untold: The Daniel Morgan Murder Exposed'*. Iris, Sarah and Dan Morgan have each said that they *'would not be anywhere'* without Alastair Morgan: his *'tenacity is what got the family to where we are with this today'*.

96. Although much good work was done by police officers during the various investigations, an apology is owed by the Metropolitan Police and Hampshire Constabulary to the members of Daniel Morgan's family, and to the public, for neither confronting systemic failings nor the failings of individual officers and for their lack of candour.

97. In failing to acknowledge its many failings over the 34 years since the murder of Daniel Morgan, the Metropolitan Police's first objective was to protect itself. In so doing it compounded the suffering and trauma of the family.

98. In addition to the suffering and trauma experienced by the family of Daniel Morgan, there have been decades of public concern about the failure to bring the murderer or murderers to account, and the ongoing allegations of police corruption. The ineffective deployment of enormous resources over more than three decades is a matter of significant public interest, has had a serious impact on the public purse and has prevented other important police work from being carried out. More importantly, the lack of leadership, the reluctance to confront serious issues and the refusal to be publicly and internally candid about failings and deficiencies within the organisation, in this case and others, engenders distrust among the community served by the Metropolitan Police and within the organisation itself. The support of that community, and the confidence of good police officers in the organisation which they serve, is vital to the delivery of effective efficient policing. It is to be hoped that the findings and recommendations contained in this report will lead to a change of culture and ethos throughout the police service.

Chapter 1: The Morgan One Investigation

Contents

- 1 Introduction and chronology**
- 2 The murder of Daniel Morgan: 10 March 1987**
- 3 Establishing the investigation into Daniel Morgan's murder**
- 4 The first lines of enquiry**
- 5 The identification of suspects and their arrests for the murder of Daniel Morgan**
- 6 The submission of items for forensic examination after 03 April 1987**
- 7 Possible motives for the murder of Daniel Morgan**
- 8 Further lines of enquiry during the Morgan One Investigation**
- 9 Further concerns about police officers' conduct during and in relation to the Daniel Morgan murder investigation**
- 10 The second arrest of Jonathan Rees**
- 11 D/Supt Douglas Campbell's three investigation reports**
- 12 Liaison between the Morgan One Investigation and both the Crown Prosecution Service and the Director of Public Prosecutions**
- 13 Failures in the handling of exhibits and other material seized during the Morgan One Investigation**
- 14 Enquiries emanating from the Morgan One Investigation**
- 15 Investigation into the loss by the Exhibits Officer of a briefcase containing investigation material**
- 16 The allegation that D/Supt Douglas Campbell was drunk on arrival at the crime scene on 10 March 1987**
- 17 The closure of the Morgan One Investigation**

1 Introduction and chronology

1. The first investigation of the murder of Daniel Morgan (the Morgan One Investigation) was initiated after the discovery of his body on 10 March 1987. It proved to be a complex investigation and lasted until February 1989.
2. The Panel established the laws, professional standards and obligations applicable in 1987 for the purposes of assessment of the investigation in the light of the standards of the day.
3. The Metropolitan Police made a public statement in 2011 that corruption during the first investigation was a significant factor in the failure to bring anyone to justice. This was central to the Panel's Terms of Reference and, where appropriate, the Panel assessed the conduct of police officers throughout the investigation.

Officers of significance in the Morgan One Investigation, in order of rank

- D/Supt Douglas Campbell – Senior Investigating Officer
- DI Allan Jones – Deputy Senior Investigating Officer
- DS Malcolm Davidson – Major Incident Room Manager
- DS Sidney Fillery – Catford Crime Squad
- DC Clive Blake – Exhibits Officer

1.1 Chronology of key events relating to the Morgan One Investigation

- **10 March 1987** Daniel Morgan's body was found at about 9.40 pm in the car park of the Golden Lion public house, in Sydenham, South East London. The police investigation began.
- **11 March 1987** The Morgan One Investigation identified Jonathan Rees¹ as Daniel Morgan's business partner at Southern Investigations and visited him at home after midnight, before taking him to the police station. In the course of the day, DS Sidney Fillery took a witness statement from Jonathan Rees. Various lines of enquiry are begun.
- **16 March 1987** DS Sidney Fillery and all other officers who formed part of Catford Crime Squad were returned to normal duties away from the Morgan One Investigation.
- **20 March 1987** The Morgan One Investigation team began enquiries into links between the murder and a civil action between Southern Investigations and Belmont Car Auctions.

¹ The full name of Jonathan Rees is William Jonathan Rees. The material disclosed to the Panel revealed the use of his middle name as his primary term of address. The Panel has adopted this approach throughout its report.

- **03 April 1987** Jonathan Rees, his brothers-in-law Glenn Vian and Garry Vian, his friend DS Sidney Fillery, DC Alan Purvis and DC Peter Foley were arrested for Daniel Morgan's murder.
- **22 January 1988** A report from D/Supt Douglas Campbell was sent to the Crown Prosecution Service for their decision on possible prosecutions of those arrested on 03 April 1987. The decision was made to await possible further evidence from the Inquest. No charges were ever brought by the Morgan One Investigation.
- **April 1988** The Inquest into the murder of Daniel Morgan and the resumption of the investigation.
- **07 February 1989** The closure of the investigation.

2 10 March 1987: The murder of Daniel Morgan

4. Daniel Morgan, the husband of Iris Morgan and father of Sarah (then aged six) and Dan (then aged four), was murdered on 10 March 1987. A private investigator, he had been in partnership with Jonathan Rees at Southern Investigations in Thornton Heath, South London. Shortly before his murder, he had been in the Golden Lion public house with Jonathan Rees. Daniel Morgan's body was found in the Golden Lion car park at about 9.40 pm on 10 March 1987.

5. Witness statements taken by the police in the days after the murder helped to piece together information about Daniel Morgan's movements. Daniel Morgan had left his home at 8.30 am on 10 March 1987. His wife, Iris Morgan, thought that he had been wearing his plain grey suit and a navy blue tie. She said he had been wearing his Rolex watch.²

6. The probable sequence of events that day has been identified from witness statements and telephone billing records. Inevitably, there are some discrepancies in the timings indicated by these statements. This is what witnesses told the Morgan One Investigation:

- At 9.00 am, Peter Newby, the Office Manager, arrived at Southern Investigations. Daniel Morgan was already there.
- At 10.20 am, Daniel Morgan returned to the office, having left earlier to collect a suit from the dry cleaner. He changed his clothing.³ He was wearing the suit and black shoes when he was found murdered.
- About 11.00 am, Daniel Morgan and Anthony Pearce, another employee of Southern Investigations,⁴ left Southern Investigations. Daniel Morgan served a writ at Rosan & Co. auctioneers, and then went to a meeting with a representative of CWS Property Group in Slough, according to Peter Newby.
- Paul Goodridge, an associate of Daniel Morgan and Jonathan Rees said that at 11.00 am, he went to the Southern Investigations' office. Other witnesses said that Paul Goodridge was not there. Paul Goodridge stated that, the previous day when he had been in the office, Jonathan Rees had told him that Southern Investigations

² Witness statement of Iris Morgan, MPS000006001, p7, 17 March 1987.

³ Witness statement of Anthony Pearce, MPS010459001, p4, 15 April 1987.

⁴ Anthony Pearce was also Daniel Morgan's former step-father, having previously been married to his mother, Isobel Hülsmann. (Witness statement of Isobel Hülsmann, MPS015609001, p7, 17 March 1987).

was being sued and was fighting the action in the High Court. Jonathan Rees needed £10,000 to lodge with the Court, and had asked Paul Goodridge if he knew anyone who could lend him the money. Paul Goodridge had told Jonathan Rees that he might be able to help him, but he later said that he had been *'stalling'* as he had realised that he *'could not ask the person to lend [him] the money for such a long time'*. Jonathan Rees had asked him again to try to get the money, and Paul Goodridge agreed. Paul Goodridge said he left the office at 12 noon.

- v. At about 11.00 am, Daniel Morgan served a writ at Rosan & Co. auctioneers.
- vi. At 12.30 pm, a meeting in Slough with a client was due to start, according to the entry in Daniel Morgan's desk diary.
- vii. At 3.00 pm, Daniel Morgan called Peter Newby and described the meeting as *'good'* and that a number of levy warrants had been obtained.
- viii. *'[B]etween 4.30 pm and 5.00 pm'*, Daniel Morgan returned to Southern Investigations. Jonathan Rees stated, *'we were both in the office until about 6 pm'*.
- ix. At *'about 5.15 pm'*, Person O24 went to Daniel Morgan's home to see him, but he was not there. Person O24 stated that Iris Morgan called Daniel Morgan's car phone, and he was then able to speak to him to ask if he could see him that night. He said that Daniel Morgan had told him he had a *'very important business conference tonight'* and would be late.⁵ The last incoming call to Daniel Morgan's car phone was at 4.25 pm,⁶ indicating that this account was not accurate as to timing.
- x. At 5.30 pm, Peter Newby left the office having handed Daniel Morgan the sum of £1,170 in cash. The majority of the money had been collected, Peter Newby said, from the execution of rent warrants. It had been brought to the office too late to be banked and was handed to Daniel Morgan for safe-keeping.
- xi. At 5.30 pm, according to Peter Newby, Daniel Morgan was still in the office with Jonathan Rees, Anthony Pearce, Malcolm Webb and possibly former DC Peter Wilkins (who worked occasionally with Southern Investigations), when Peter Newby left.
- xii. At 6.00 pm, Anthony Pearce saw Daniel Morgan leaving the office: *'I saw him pop his head around John REES door [sic] and say, "I'll see you in the Golden Lion at 7.30 pm."'*
- xiii. At 6.20 pm, Margaret Harrison, who worked in a nearby estate agent's office, and Daniel Morgan went for a drink, arriving at Regan's Wine Bar, Thornton Heath. They shared a bottle of wine. She stated that Daniel Morgan told her that he had to meet his partner, Jonathan Rees, at 7.30 pm. She could not remember if he told her where.
- xiv. *'At about 7.15 pm'*, Margaret Harrison and Daniel Morgan left together. She said that *'Danny was going to meet his partner John REES'*.

⁵ Witness statement of Person O24, MPS000046001, pp3-4, 13 April 1987.

⁶ Daniel Morgan Car Phone records MPS005494001, p21, 10 March 1987.

- xv. At some time between 7.15 pm and 7.50 pm, the Manager of Victoria Wines, who was a friend of Daniel Morgan, saw him on Thornton Heath High Street, with three or four beige files. She described him as in a hurry, looking *'more anxious than normal'*. She said that he carried an advertising board into her shop for her as he passed by.
 - xvi. At 7.15 pm, Daniel Morgan called his wife, Iris Morgan, from his car phone⁷ and told her that he was going to a meeting and would be home by about 8.15 pm. She said that he did not specify who he was meeting, or where he was going.
 - xvii. At *'about 7.30 pm'*, Jonathan Rees met Daniel Morgan in the Golden Lion public house.⁸ No other witnesses provided a definite arrival time. However, in evidence given in April 1988 at the Inquest into Daniel Morgan's death, Jonathan Rees suggested that he had arrived at *'7.30 quarter to eight'*,⁹ or between 7.15 pm and 7.45 pm,¹⁰ and that Daniel Morgan had arrived between 7.45 pm and 8.15 pm.
 - xviii. According to Jonathan Rees, at about 9.00 pm he left the Golden Lion public house, just before Daniel Morgan,¹¹ who, he said, had been writing with a Parker stainless steel ballpoint pen at the time (see below, paragraphs 92-96).¹²
 - xix. At 9.04 pm,¹³ Jonathan Rees received a call on his car phone.
7. It has not been possible to identify, definitively, at what time Daniel Morgan entered or left the Golden Lion public house.
8. Jonathan Rees provided limited additional information in his statement of 11 March 1987 about what happened while he and Daniel Morgan were in the Golden Lion public house:

*'We chose that Pub as we had arranged to meet Paul GOODRIDGE who was going to introduce us to a Third Party in the hope of securing a loan. However Mr GOODRIDGE failed to appear because his wife had had an accident at work so we just stayed in the Pub for a drink. Daniel was not drinking particularly heavily that evening. I think he had two or three drinks of white wine and soda. Our conversation was mainly about business and new Clients. At about 9 pm I cannot be exact about the time, we finished our drinks and made to leave the Pub. I was a few seconds ahead of him as he was held a short while making notes on a piece of paper. We said our goodbyes inside the Pub and I just walked out of the front door of the Pub and into my car which was parked in Sydenham Road almost outside the Pub. I was not made aware by Daniel where he had parked his car, although I assumed he had parked it in the rear car park. I assume that Daniel left the Pub by the rear door as I think he was only a very short time behind me and I would have noticed if he followed me through the front.'*¹⁴

7 Daniel Morgan Car Phone records MPS005494001, p21, 10 March 1987.

8 Witness statement of Jonathan Rees, MPS021752001, p6, 11 March 1987.

9 Witness Jonathan Rees examined by the Coroner, INT000008001, p26, Inquest Day Eight, 25 April 1988.

10 Witness Jonathan Rees examined by the Coroner, INT000008001, p28, Inquest Day Eight, 25 April 1988.

11 Witness statement of Jonathan Rees, MPS021752001, p7, 11 March 1987.

12 Interview of Jonathan Rees, MPS010146001, p24, 04 April 1987.

13 Result of telephone checks in relation to Jonathan Rees's car phone, MPS005493001, p19, undated.

14 Witness statement of Jonathan Rees, MPS021752001, pp6-7, 11 March 1987.

2.1 The discovery of Daniel Morgan's body

9. Daniel Morgan's body was discovered by a customer who drove into the Golden Lion public house car park at about 9.40 pm on 10 March 1987.¹⁵ The customer stated that the headlights of his car picked out what he initially thought was a tailor's dummy lying on the ground between two cars. He moved forward and got out of his car to have a look. He then realised that it was a body.¹⁶

10. In his statement of 10 March 1987, the customer who had discovered Daniel Morgan's body stated that he had an axe embedded '*in the right of his neck*'. He saw two packets of crisps on the ground close to where Daniel Morgan's left hand lay and could see that his trousers were torn.¹⁷

11. The customer went into the Golden Lion public house and alerted the landlord.¹⁸ He later stated in evidence at the Inquest into Daniel Morgan's death that:

*'[t]he bar was crowded and I was trying to attract his attention without causing a panic. It took me maybe a minute, two minutes, to actually call him over. I whispered to him that he had a problem in his car park.'*¹⁹

12. The customer and the landlord went outside. The customer touched the back of Daniel Morgan's left hand which, in later evidence at the Inquest, he said was cold to the touch.^{20,21} The customer and the landlord went back into the Golden Lion public house, where the landlord telephoned the local police station in Catford. They waited inside the bar until the police arrived.^{22,23}

13. The landlord's call was received by the police at 9.50 pm, and the police indicated that they would respond. The name of the person who recorded the original call was not transferred to the copy of the document detailing the call, where the name was simply recorded as '*ILLEGDIBLE* [sic]'.²⁴ The original document is no longer available. The identity of the person who took the original call was established subsequently by the Hampshire/Police Complaints Authority Investigation.

3 Establishing the investigation into Daniel Morgan's murder

14. Having received the call reporting the discovery of a body of a man in the car park of the Golden Lion public house, the police responded and established the investigation into the murder.

15 Witness statement of the customer who discovered Daniel Morgan's body, MPS010133001, p1, 10 March 1987.

16 Witness statement of the customer who discovered Daniel Morgan's body, MPS010133001, p1, 10 March 1987.

17 Witness statement of the customer who discovered Daniel Morgan's body, MPS010133001, p1, 10 March 1987.

18 Witness statement of the customer who discovered Daniel Morgan's body, MPS010133001, p1, 10 March 1987.

19 The customer who discovered Daniel Morgan's body, cross-examined by June Tweedie, INT000003001, p19, Inquest Day Three, 13 April 1988.

20 Witness statement of the customer who discovered Daniel Morgan's body, MPS010133001, p2, 10 March 1987.

21 The customer who discovered Daniel Morgan's body, examined by the Coroner, INT000003001, p16, Inquest Day Three, 13 April 1988.

22 Witness statement of the landlord of the Golden Lion public house, MPS010291001, 15 March 1987.

23 Witness statement of the customer who discovered Daniel Morgan's body, MPS010133001, p2, 10 March 1987.

24 Message M50, MPS012109001, 10 March 1987.

3.1 The scene of the crime: the critical first hours

15. Fundamental to the success of any murder investigation are the initial steps taken at any scene associated with the crime to preserve the location, and any evidence which may be there.

16. In order to assess whether the initial police response complied with the professional standards and obligations applicable in 1987, the Panel obtained Metropolitan Police General Orders and Regulations from the Metropolitan Police Heritage Centre in London. The Panel also viewed the Metropolitan Police Instruction Book from 1985. The Panel is satisfied that, by 1987, the Metropolitan Police had established clear standards to govern the conduct of officers responding to the discovery of a murder or suspicious death. The Panel has reproduced some of the most relevant regulations from those two documents below.

Criminal investigation: first steps

Importance of initial action

According to the Metropolitan Police Instruction Book current at the time of Daniel Morgan's murder, when a crime is discovered, the action taken by the first police officer on the scene is of the greatest importance, for a mistake or omission at the outset may cause serious difficulty later. The first officer to arrive should therefore take careful stock of the situation and act promptly to prevent the escape of an offender, secure aid to an injured person, procure witnesses, note things they may see or hear, and prevent interference by unauthorised people.²⁵

In any case of death which is believed to have been violent or unnatural, the officer who is first called should immediately send for the Inspector and, if available, a Criminal Investigation Department (CID) officer from the nearest police station, and the police surgeon. The first officer to arrive should not leave the body until he or she is relieved by the officer appointed to investigate the matter, and in the meantime, he or she should take care that the body is not moved or touched, except to ascertain that life is extinct, and should see that nothing in the room or place in which it lies is interfered with. If anyone present is suspected of, or charged with, having caused the death, the individual should be detained. Every effort should be made to prevent persons who may be able to give information from leaving until they have been interrogated. Sightseers and the general public must be excluded, and no information must be furnished to anyone without authority.²⁶

The officers present must do everything possible to prevent anyone trespassing the crime scene, ensuring that nothing is touched or moved.²⁷

Attendance of doctor

In cases of murder or suspicious death the police surgeon should be called, but if a private doctor attends in the meantime he or she should be requested not to move the body except as necessary to establish death.

²⁵ Metropolitan Police Instruction Book, Chapter 22 – Crime and Criminal Investigation, MPS107540001, p264, para 5, 1985.

²⁶ Metropolitan Police General Orders, Section 22 – Particular Crimes, MPS107540001, pp157-158, para 103(1), 1982.

²⁷ Metropolitan Police General Orders, Section 22 – Particular Crimes, MPS107540001, pp157-158, para 103(1), 1982.

Criminal investigation: preservation of clues

In cases of murder, attempted murder and other serious crime, the main object, in the absence of suspects at the scene, is the preservation of clues. It is therefore essential that the first officer at the scene, who is usually the beat officer or a member of a car crew, does everything in his or her power to prevent any unauthorised person trespassing on the scene or premises.

No person (including other police officers who arrive at the scene) should be allowed to move, touch or interfere with articles or furniture in a room or at a scene, until the arrival of the Criminal Investigation Department (CID) officer in charge of the enquiry, or the Scenes of Crime Officer acting under the CID officer's directions.²⁸ The first officer at the scene will also note particulars of all persons present on the arrival of the first officer and those persons who subsequently arrive, their time of arrival and reasons for their arrival.²⁹

*'Contamination must be prevented, and disposable overshoes and gloves are available to assist at scenes of serious crime.'*³⁰

3.1.1 Officers and personnel who attended the scene

17. The role of the first officers on the murder scene was to check whether life was extinct. They then had to:

- attempt to secure the car park so that no vehicles could leave;
- request that all customers in the premises remained until they had been spoken to by a police officer;
- identify any possible witnesses outside the premises;
- establish the parameters of the crime scene and begin taping it off; and
- consider the immediate securing of any obvious evidence, to ensure its preservation.

18. As might have been expected, there was some confusion initially, and several officers were involved in calling for support services and providing some form of cordon at the scene of the murder. There is also some minor uncertainty about the precise times at which officers arrived at the scene. This information would have been available from the incident log.³¹ D/Supt Douglas Campbell requested a printed copy of the log, which should have provided a detailed account of who went to the scene, on 14 March 1987.³² No such incident log was found among the papers available to the Panel. Some of the statements detailing activity at the scene of the murder were made months, and even years, later.

28 Metropolitan Police Instruction Book, Chapter 22 – Crime and Criminal Investigation, MPS107540001, p265, para 7(2), 1985.

29 Metropolitan Police Instruction Book, Chapter 22 – Crime and Criminal Investigation, MPS107540001, p265, para 7(4), 1985.

30 Metropolitan Police General Orders 'Section 20 – Crime – General', MPS107540001, p96, para 22(1), 1982.

31 The Metropolitan Police introduced the Computer Aided Despatch system in July 1984. (Freedom of Information request to Metropolitan Police, Ref 2014020001441, 14 February 2014).

32 Action A159, 'Obtain printouts from PD of all messages relating to Morgan incident', MPS013222001, 14 March 1987.

19. Available records and witness statements show the following:

- i. A Police Sergeant and a Police Constable were the first officers to arrive, at 9.52 pm.^{33,34} The Police Constable checked Daniel Morgan's body but was unable to find any sign of a pulse.³⁵ The Police Constable stated:

*'I was the only person to touch the body and that was to feel for a pulse in the right wrist. The body was not moved at all. We moved away from the body and sealed off the area with white tape. We called for the assistance of the Duty Officer, CID, Photographer and Scenes of Crime Officers. I made a note of people attending the scene and times of arrival. [...] [T]he Divisional Surgeon attended at 1050pm and pronounced life extinct at 1055pm. I stayed with the body until it was taken to Lewisham Mortuary by Francis Chappell Funeral Directors and Coroner's Officer [...] at 0107 hrs.'*³⁶
- ii. According to his statement, the first Police Sergeant on the scene also 'took steps to preserve the scene by taping off the area and excluding persons from the vicinity' when he arrived.³⁷
- iii. A second Police Constable arrived at the scene about 10.00 pm, driving into the side alleyway near the adjoining supermarket. The landlord of the Golden Lion public house showed him where Daniel Morgan's body lay and introduced him to the customer who had found the body.³⁶ The Police Constable took the customer's details. He also taped off the area.³⁷ He was joined by a Police Sergeant and Police Constable from Lee Road Police Station, who had responded to a radio call made for more officers.³⁸
- iv. A further Police Constable arrived at about 10.05pm and made a rough plan showing the position and registration number of 12 cars in the car park.³⁹ An undated, unsigned rough plan bearing the Police Constable's collar number,⁴⁰ seen by the Panel, shows 12 cars in the car park.⁴¹ This being the only such document, it is assumed that this is the document referred to in his statement.
- v. At 09.55 pm, DC Noel Cosgrave and PC Laurence Hart were at Cobbs Corner, Sydenham. They drove straight into the car park in response to the landlord's call.^{42,43} In a later statement, given in 2002, DC Cosgrave timed their arrival as approximately 10.15 pm.⁴⁴ DC Cosgrave also assisted in creating a cordon and called support services.⁴⁵

33 Witness statement of the first Police Constable on the scene, MPS010125001, p2, 11 March 1987.

34 Witness statement of the first Police Sergeant on the scene, MPS010617001, p2, 17 April 1987.

35 Witness statement of the first Police Constable on the scene, MPS010125001, p3, 11 March 1987.

36 Witness statement of the second Police Constable to arrive on the scene, MPS010462001, p2, 24 March 1987.

37 Witness statement of the second Police Constable to arrive on the scene, MPS010462001, p2, 24 March 1987.

38 Witness statement of a Police Sergeant, MPS010656001, 05 May 1987.

39 Witness statement of the Police Constable, MPS016976001, p1, 06 April 1987.

40 *'The Metropolitan Police, through its history, has partly comprised Divisions, each given one or more letters signifying different parts of London. These Divisional letters, and a Divisional number appear on the uniform epaulettes or collars of Constables and Sergeants',* historybytheyard.co.uk, undated.

41 Diagram of vehicles in the car park, MPS011071001, undated.

42 Witness statement of PC Laurence Hart, MPS010875001, p4, 17 December 1987.

43 Witness statement of DC Noel Cosgrave, MPS010678001, p1, 27 May 1987.

44 Witness statement of DC Noel Cosgrave, MPS062385001, p1, 06 August 2002.

45 Witness statement of DC Noel Cosgrave, MPS010678001, p2, 27 May 1987.

The Report of the Daniel Morgan Independent Panel

- vi. The Duty Inspector arrived at 10.15 pm. He was in charge until the Senior Investigating Officer for the murder investigation was appointed and arrived. He tasked police officers to take the names and addresses of customers inside the Golden Lion public house, and arranged for a vehicle with special lighting to be brought in and for the attendance of photographers and scenes of crime officers.⁴⁶
- vii. WDC Julie Benfield and two other Detective Constables, all of whom were Criminal Investigation Department (CID) officers, were called at about 10.00 pm.⁴⁷ There is no record of their arrival time. One of these Detective Constables stated that they drove straight from Lee Road Police Station to Sydenham Police Station and were then directed to the Golden Lion public house. The same Detective Constable remained with Daniel Morgan's body until the forensic officers had completed their examinations.⁴⁸ WDC Julie Benfield, having seen Daniel Morgan's body, went into the Golden Lion public house, obtained the names and addresses of some of the people on the premises and took a statement from the barmaid.⁴⁹
- viii. The divisional Police Surgeon arrived at 10.55 pm. He examined Daniel Morgan's body and certified that he was dead.^{50,51}
- ix. DS Graham Frost, a Forensic Intelligence Officer, arrived '*at about*' 11.00 pm.⁵² In a statement made later, he explained that part of his duties involved the examination of scenes of crimes and the collection of forensic evidence.⁵³
- x. D/Supt Douglas Campbell was telephoned at his home at 10.30 pm and appointed as Senior Investigating Officer for the murder. He arrived at 11.15 pm. D/Supt Campbell '*took command of the team of officers*' and '*caused photographs of the scene [...] to be taken*'.⁵⁴ D/Supt Campbell was one of five Detective Superintendents, based at Catford Police Station, who were members of the 3 Area Major Investigation Pool, which was responsible for the investigation of murders and other serious crimes in South East London. D/Supt Campbell had been a member of the Pool since December 1986. He was the 'on call' Senior Investigating Officer on 10 March 1987.⁵⁵
- xi. The Forensic Photographer arrived at 11.00 pm and took five photographs of Daniel Morgan's body. He left at 01.30 am on 11 March.⁵⁶
- xii. DS Malcolm Davidson was appointed Office Manager for the murder investigation by D/Supt Douglas Campbell, who telephoned him at home.⁵⁷ DS Davidson and the first Police Constable on the scene both stated that DS Davidson arrived between 11.00 pm⁵⁸ and 11.10 pm.⁵⁹ DS Davidson later said that he had arrived at 10.30 pm.⁶⁰

46 Witness statement of the Duty Inspector, MPS010669001, 03 May 1987.

47 Witness statement of the Detective Constable who stayed with the body, MPS018545001, p1, 08 June 1989.

48 Witness statement of the Detective Constable who stayed with the body, MPS018545001, pp1-2, 08 June 1989.

49 Witness statement of WDC Julie Benfield, MPS018565001, p1, 21 June 1989.

50 Witness statement of the first Police Constable on the scene, MPS010125001, p3, 11 March 1987.

51 Witness statement of the Divisional Police Surgeon, MPS010442001, 13 March 1987.

52 Witness statement of DS Graham Frost, MPS010726001, p1, 23 July 1987.

53 Witness statement of DS Graham Frost, MPS010726001, p1, 23 July 1987.

54 Witness statement of D/Supt Douglas Campbell, MPS010912001, p1, 07 March 1988.

55 Witness statement of D/Supt Douglas Campbell, MPS010915001, p1, 03 July 1989.

56 Witness statement of the Forensic Photographer, MPS010419001, p1, 10 March 1987 [sic].

57 Witness statement of D/Supt Douglas Campbell, MPS010915001, pp1-2, 03 July 1989.

58 Witness statement of DS Malcolm Davidson, MPS035898001, p1, 20 May 1987.

59 Witness statement of the first Police Constable on the scene, MPS010125001, p5, 08 April 1987.

60 Witness statement of DS Malcolm Davidson, MPS020020001, p1, 18 April 1989.

- xiii. The night duty Scenes of Crime Officer arrived at 11.10 pm.⁶¹
- xiv. DI Allan Jones, with whom D/Supt Douglas Campbell had worked previously, was appointed Deputy Senior Investigating Officer by D/Supt Campbell,⁶² and he attended the murder scene.⁶³ DI Jones arrived at a similar time to D/Supt Campbell.⁶⁴
- xv. The Coroner's Officer was informed of the murder at 11.30 pm. He attended the scene and arranged for the removal of Daniel Morgan's body.⁶⁵
- xvi. Francis Chappell & Sons Funeral Directors were called at about 12.25 am. Staff from the Funeral Directors arrived at approximately 01.00 am and transferred Daniel Morgan's body, which had been covered in plastic sheeting, to Lewisham Public Mortuary⁶⁶ at 01.07 am on 11 March 1987.⁶⁷

3.1.2 Management of the crime scene

20. Normal policing practices required the Senior Investigating Officer to identify the crime scene, or scenes, and to protect any evidence which might be retrievable. The Panel has not seen any evidence of what the Duty Inspector or D/Supt Douglas Campbell, and the police officers under their command, regarded as 'the scene', as would have been expected. The material available to the Panel does not contain a contemporaneous diagram or map which could be relied upon as evidence.

21. The crime scene should have been defined by the Senior Investigating Officer, D/Supt Douglas Campbell, and should have included the entirety of the ground floor and any other public areas of the Golden Lion public house, as well as the beer garden and the whole car park, encompassing an area that extended just beyond the car park boundary wall and covered the alleyway access to the side of the building, shown in the map below (produced by a later investigation). There is no evidence in the papers available to the Panel that this happened.

61 Witness statement of the first Police Constable on the scene, MPS010125001, p5, 08 April 1987.

62 Witness statement of DI Allan Jones, MPS015298001, p1, 20 July 1989.

63 Witness statement of DI Allan Jones, MPS015298001, p1, 20 July 1989.

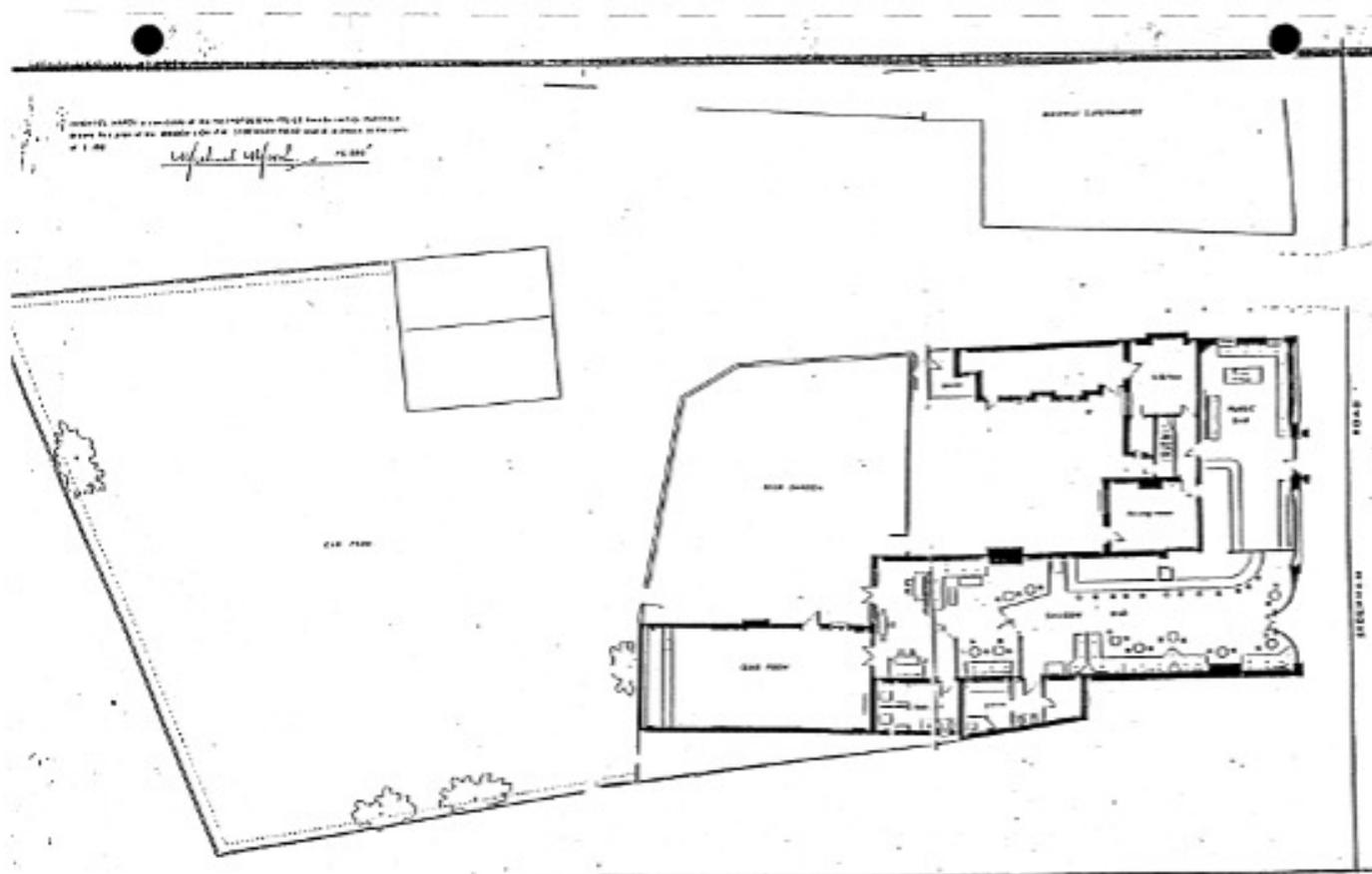
64 Witness statement of the first Police Constable on the scene, MPS010125001, p5, 08 April 1987.

65 Witness statement of the Coroner's Officer, MPS002022001, 24 March 1987.

66 Witness statement of Francis Chappell & Sons employee, MPS010532001, 07 April 1987.

67 Witness statement of the first Police Constable on the scene, MPS010125001, p3, 11 March 1987.

Diagram 1 The Golden Lion public house and car park plan⁶⁸



22. It is the responsibility of the senior officer at a crime scene, and ultimately the Senior Investigating Officer from the point at which they arrive, to direct personnel to undertake specific tasks and to review the situation.

23. D/Supt Douglas Campbell's role was to direct others to carry out tasks, including the following:

- i. Establishing a cordon;
- ii. Securing and guarding the scene;
- iii. Searching the scene;
- iv. Recording details of people at the Golden Lion public house;
- v. Recording details of people entering and leaving the crime scene;
- vi. Photographing the scene;
- vii. Appropriately handling Daniel Morgan's body; and
- viii. Appropriately handling Daniel Morgan's car.

The Panel has dealt with each of these issues in turn below.

⁶⁸ Copy of plan of Golden Lion public house and car park, IPC001306001, undated from the Metropolitan Police

3.1.2.1 Establishing a cordon

24. Establishing a cordon was routine practice in 1987,⁶⁹ to prevent any unsupervised access from contaminating the crime scene. The Metropolitan Police training manual (1984) stated:

*'Sight-seers, even fellow officers, must be kept away. Area cars and stations hold reels of white tape with which cordons can be made. Oddly enough, the white tape barrier has proved very effective in keeping the public back. It may also be used to mark the "line of approach" i.e. that part of the scene which has already been unavoidably disturbed to save life, etc.'*⁷⁰

The Panel has assessed what evidence there is that a cordon was established.

25. Several police officers (the first Police Sergeant to attend the scene, the first two Police Constables to arrive and DC Noel Cosgrave) indicated in their statements that they had created some form of cordon at the scene. One witness stated that, as they had walked past the Golden Lion car park on 10 March 1987, they had seen that *'Police were there with lights from a van shining on the body and the car park was taped off'*.⁷¹

26. The first Police Sergeant to arrive at the scene stated that he and the first Police Constable to arrive had *'taped off an area around [the] body and articles on the floor, in order to preserve this scene for forensic examination'*. The Panel has not seen any evidence of the parameters of any cordon, or any record of how long it was maintained.⁷²

27. It has not been possible to establish exactly what cordons were put in place following the murder. As Senior Investigating Officer, D/Supt Douglas Campbell should have examined the adequacy of any cordon which had been erected prior to his arrival and should have ensured that a record of it was made. While documents may have since been lost, the Panel has seen no evidence that D/Supt Campbell ensured the cordons were appropriately placed and recorded.

3.1.2.2 Securing and guarding the scene

28. The area around the murder should have been secured by police officers to prevent anyone without a specific task or role to perform within the crime scene from entering it.

29. There were three doors, two front doors and one back door, to the Golden Lion public house, which had a car park at the back in which Daniel Morgan's body was found. There was access to the back door of the Golden Lion public house from the car park through a beer garden which adjoined the building. There was also an outside toilet in the car park. There was only one vehicular exit from the car park at which there was an option to turn right or left. There was one pedestrian exit from the car park.

⁶⁹ Metropolitan Police Training Manual – Scenes of Crime, 1984.

⁷⁰ Metropolitan Police Training Manual – Scenes of Crime, 1984.

⁷¹ Statement of a witness who had seen the car park was taped off, MPS010261001, p3, 14 March 1987.

⁷² Witness statement of the first Police Sergeant on the scene, MPS077763001, p2, 20 June 2007.

30. The Panel has only seen evidence that one of the front doors was secured by police officers. However, the two front doors are situated quite close to each other, and it would have been possible for one officer to guard them both. There was no opportunity to turn right out of the car park because that route was blocked by a police car.⁷³

31. In a statement made two years later as part of continuing police investigations into the murder, the second Police Constable on the scene explained that he had been deployed to the front door of the Golden Lion public house to prevent anybody from entering or leaving.^{74,75} He stated that he wrote down the names and addresses of some of the people inside, which he later handed to a Criminal Investigation Department (CID) officer at the scene. He said he was joined in this task a short time later by two other police officers,⁷⁶ who had responded to a radio call for more officers to attend the scene.

32. It does not appear that the vehicular exit from the car park was secured. There is no indication at all that the police were aware of a makeshift pedestrian exit to an adjacent street,⁷⁷ which would have provided an entry and exit point from the car park. This exit was in fact a gap in the fence that led to the street and was apparently commonly used by people as a short cut into and out of the car park.

33. While several witnesses reported leaving their cars in the Golden Lion public house car park overnight,^{78,79,80,81,82} at least one witness was able to drive his vehicle across and out of the car park and away from the scene.⁸³ This was confirmed by his passenger.⁸⁴ The witness who drove out of the car park described the exit onto Sydenham Road as being blocked by a police car and explained they were informed by an unidentified police officer that they would have to '*exit by the back way*', which they then did. The witness also stated that he was not told to leave his car in the car park and that his car had since been washed.⁸⁵

34. The first Police Sergeant on the scene transmitted to the communications room at Catford Police Station the registration numbers of 12 vehicles which were parked in the Golden Lion public house car park when he arrived.⁸⁶ A Police National Computer record was printed at 10.08 pm on 10 March 1987, which listed the details of the 12 vehicles. The registered owner of each of the cars was identified by 10.15 pm.⁸⁷

73 Statement of the witness who drove out of the car park, MPS010296001, p3, 15 March 1987.

74 Witness statement of the second Police Constable on the scene, MPS010465001, p3, 04 April 1989.

75 It is not known to which of the two doors onto Sydenham Road he referred, although the Panel acknowledges it would have been possible for one officer to guard both. (Hampshire Constabulary photographs – Golden Lion public house, MPS001057001, p4 19 October 1988).

76 Witness statement of police sergeant from Lee Road Police Station, MPS010656001, 05 May 1987.

77 Statement of witness sitting in a nearby vehicle, MPS010944001, pp2-3, 06 September 1988.

78 Statement of a witness who left their car in the Golden Lion public house car park overnight, MPS010189001, 24 August 1987.

79 Statement of a witness who left their car in the Golden Lion public house car park overnight, MPS010453001, p2, 26 March 1987.

80 Statement of a witness who left their car in the Golden Lion public house car park overnight, MPS010487001, p3, 29 March 1987.

81 Statement of a witness who left their car in the Golden Lion public house car park overnight, MPS010202001, 12 March 1987.

82 Statement of a witness who left their car in the Golden Lion public house car park overnight, MPS010196001, p2, 12 March 1987.

83 Statement of the witness who drove out of the car park, MPS010296001, p3, 15 March 1987.

84 Witness statement of Person T4, MPS010238001, p7, 12 March 1987

85 Statement of witness who drove out of the car park, MPS010296001, p3, 15 March 1987.

86 Witness statement of the first Police Sergeant on the scene, MPS010617001, 17 April 1987.

87 Police National Computer printout of vehicles at the Golden Lion public house on 10 March 1987, MPS030240001, 10 March 1987.

35. The Golden Lion public house car park, outside toilet and the beer garden should have been sealed off immediately to enable proper forensic examination and a physical search. The perimeter should have been examined to identify all possible exits. The Panel has seen no evidence this was done.

36. An officer should have been made responsible for the conduct of proceedings inside and outside the public house. Officers should have been tasked to guard all exits from the car park and the Golden Lion public house.

3.1.2.3 Searching the scene

37. Once the scene had been secured, a generalised search for evidence should have taken place: a preliminary search immediately and a more thorough, systematic search when it became light the next morning. Daniel Morgan and those responsible for his murder may have left behind or inadvertently dropped items, both within the scene and in the immediate vicinity, which could have been important evidence. There is no evidence or record within the material disclosed to the Panel of a search of any part of the car park, the beer garden, the outside toilet, the streets in the immediate vicinity of the Golden Lion public house or even of the area where Daniel Morgan's body was found, on the night of the murder or subsequently. No police officers stated they initiated or were involved with any such search, as would be expected if it had been done.

38. Despite the fact that Daniel Morgan had apparently been drinking there minutes before his death, the Panel has seen no evidence that the interior of the Golden Lion public house was searched. No officer present said that they searched the Golden Lion public house. No officer stated that they directed someone to do this.

39. This was a failure which is not explained in any of the material that the Panel has seen. DS Graham Frost was the Forensic Science Laboratory Liaison Sergeant that night.⁸⁸ When specifically asked 18 months later, by DCI Terence Farley, of the Hampshire/Police Complaints Authority Investigation of Daniel Morgan's murder, *'exactly what his scene search had entailed on the night of the murder'*,⁸⁹ DS Frost referred to having searched the pockets of Daniel Morgan's clothing and having looked in his car before making a *'visual sweep of the public house car park and the area immediately behind an adjacent wall'*, after the body had been removed to the mortuary.⁹⁰ This was not a proper examination, as DCI Farley later ascertained that some items near the body (see paragraph 56 below) had not been submitted for forensic analysis, and so were apparently missed in this *'visual sweep'*.

⁸⁸ Enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan (Report by DCI Terence Farley), MPS005270001, p2, 19 January 1989.

⁸⁹ Enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan (Report by DCI Terence Farley), MPS005270001, pp1-2, 19 January 1989.

⁹⁰ Enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan (Report by DCI Terence Farley), MPS005270001, pp1-2, 19 January 1989.

40. The car park was a confined space with only 12 vehicles parked in it. There is no evidence of any attempt to examine forensically (for example, by fingerprinting) the cars in the car park which were near Daniel Morgan's body.

41. The failure to conduct a search for evidence that night and to secure the scene overnight for a further comprehensive search during daylight hours meant that any evidence which might have been available was lost, and that any evidence which may subsequently have been found might have been contaminated. This was a very significant failure in the first hours of the investigation for which D/Supt Douglas Campbell was responsible.

3.1.2.4 Recording details of people inside the Golden Lion public house

42. A number of police officers collected the names, addresses and telephone numbers of people inside the Golden Lion public house, before they were allowed to leave.^{91,92,93,94,95} A document described as a list of persons at the scene,⁹⁶ which comprised the accumulated handwritten lists compiled by police officers that evening, contains 94 names and addresses, and the time at which those individuals said they had arrived at the Golden Lion public house. Some Personal Descriptive Forms (PDFs) were completed in the days which followed.⁹⁷

43. D/Supt Douglas Campbell later reported that there had been 83 people inside the Golden Lion public house at various times during the night of 10 March 1987.⁹⁸ In a separate report, he also stated that *'the investigating team are satisfied all persons present within the bar have been traced and statements obtained'*.⁹⁹

3.1.2.5 Recording details of people entering and leaving the crime scene

44. The first officer to arrive at the scene was required, by Metropolitan Police instructions in force at the time, to note details of all persons present at that time, and of those persons who subsequently arrived. Compliance with this requirement was very important for the integrity of the ensuing murder investigation.¹⁰⁰

45. A Police Sergeant and Police Constable had been the first officers to arrive at the scene.¹⁰¹ The Police Constable made two statements. In the first (see paragraph 19 above) he recorded his arrival and that of the Police Sergeant, as well as the arrivals of the divisional Police Surgeon and the second Police Constable on the scene. He also stated that he had made a note of

91 Witness statement of the second Police Constable on the scene, MPS010465001, p3, 04 April 1989.

92 Witness statement of the Police Sergeant from Lee Road Police Station, MPS010656001, 05 May 1987.

93 Witness statement of a Police Constable, MPS010717001, 29 June 1987.

94 Witness statement of DC Noel Cosgrave, MPS010678001, 27 May 1987.

95 Witness statement of WDC Julie Benfield, MPS028063001, 20 September 1988.

96 Document D5, *'List of persons at scene'*, MPS011072001, 10 March 1987.

97 Personal Descriptive Forms contain the full names, dates of birth, a physical description, clothing worn at the material time, address, vehicle, and telephone details, and whether the person knew the victim, or was at the scene at the material time. Such forms were not readily available on the night.

98 Report by D/Supt Douglas Campbell, MPS022269001, 22 January 1988.

99 Registry docket report by D/Supt Douglas Campbell, MPS008491001, p1, undated.

100 Metropolitan Police Instruction Book, Chapter 22 – Crime and Criminal Investigation, MPS107540001, p265, para 7(4), 1985.

101 Witness statement of the first Police Sergeant on the scene, MPS010617001, 17 April 1987.

'people attending the scene and times of arrival'.¹⁰² He was then asked to make a second statement recording the attendance of individuals at the crime scene. In this second statement, he recorded the attendance of some individuals as follows:

*'[W]hilst at the scene of the car park at the Golden Lion public house, Sydenham Road, I recorded the names and times of arrival of persons attending within a minute of my arrival with PS [...], DC COSGROVE [Cosgrave] and PC HART arrived. [...] Relief [sic] Duty [Inspector], attended at 10.05 pm, [the] Divisional Surgeon, arrived at 10.55 pm and pronounced life extinct at 11.00 pm. The Photographer [...] and Laboratory Sergeant, DS FROST arrived at 11.08 pm. DS DAVIDSON and Night Duty Scenes of Crime Officer [...] arrived at 11.10 pm. Detective Superintendent CAMPBELL, DI JONES and DC DAVIS arrived at 11.12 pm. [...] Coroners [sic] Officer arrived on scene at 0011. Funeral Directors, Francis CHAPPELL arrived on scene at 01.07 am and took the body to Lewisham Mortuary.'*¹⁰³

46. There is no contemporaneous record of those entering and leaving the area of the murder, although it cannot be concluded that no such document existed. The second statement made by the first Police Constable to arrive at the scene was deficient as a record of those entering and leaving the crime scene for the following reasons:

- i. It did not include officers who were described elsewhere as having been at the scene.
- ii. Although in some cases it was implicit, the statement failed to include the reason for each person's attendance.
- iii. If the scene consisted of the whole car park, then the record became even more inadequate, since it failed to list details of any members of the public (including one Golden Lion public house customer who was able to drive his car out of the car park), or details of a number of police officers who attended in order to take witness statements from customers of the Golden Lion public house.
- iv. It did not name the staff from Francis Chappell & Sons' Funeral Directors who attended.

47. All the witness statements made to both the Morgan One and Hampshire/Police Complaints Authority investigations were examined by the Panel in order to try to determine who had attended the scene of the murder. In addition to the 14 individuals named by the first Police Constable on the scene as having attended, the Panel has identified other police officers and individuals who entered the car park following the discovery of Daniel Morgan's body. Not all those individuals accounted for their presence in statements, and the Panel had to rely on the statements of other attending police officers to build its understanding of who can be identified as having been present that night.

¹⁰² Witness statement of the first Police Constable on the scene, MPS010125001, pp2-3, 11 March 1987.

¹⁰³ Witness statement of the first Police Constable on the scene, MPS010125001, pp5-6, 08 April 1987.

48. The inconsistency between the list of those who entered the crime scene compiled by the first Police Constable on the scene and those identified by the Panel shows the lack of precision in dealing with the crime scene, and the confusion as to who was there.

49. A record should have been kept of all those who entered the crime scene, together with their time of arrival and reasons for attendance, as required by the regulations in force at the time. As stated previously, a record may have been made, but the absence of such a document now means that it is impossible subsequently to say definitively who had been present at the murder scene. Responsibility lay with the most senior officers present; initially with the first Police Sergeant on the scene, then with the Duty Inspector and finally, after his arrival, with D/Supt Douglas Campbell.

3.1.2.6 Photographing the scene, and official crime scene photography

50. In order to inform the investigation team and any future court proceedings, the Metropolitan Police General Orders stated, '*In cases of sudden death where there are suspicious circumstances, or doubt as to how the death occurred, photographs should be taken of the scene and the body in situ [...]*'.¹⁰⁴

51. The Forensic Photographer remained at the scene of Daniel Morgan's murder for two and a half hours. He took just five photographs.¹⁰⁵ These photographs were all of Daniel Morgan's body; aspects of the wider crime scene were only shown incidentally.

52. One of the five photographs showed Daniel Morgan's body in between two cars, his green BMW and a blue Morris Marina. These were the only two cars captured by photographs. No photographs were taken of the wider car park. When the Panel asked former DS Malcolm Davidson, Major Incident Room Manager for the investigation, about the number of photographs, he said that '*[f]ive sounds a bit slim to me*'. He explained that he would have expected the photographer to take photographs of the general area, not just the immediate vicinity of where the body of Daniel Morgan was found.¹⁰⁶

53. Officers from the Hampshire/Police Complaints Authority Investigation later interviewed Scenes of Crime Officers who had been involved in the investigation.¹⁰⁷ DS Graham Frost said that he took six Polaroid photographs at the scene of the murder.^{108,109} DCI Terence Farley recorded, '*6 Polaroid Photographs Received From Frost*'. These have not been found among any of the material disclosed to the Panel. The fact that the Polaroid photographs were not available was confirmed by the Prosecution during pre-trial proceedings in 2009:

104 Metropolitan Police General Orders, Section 39a – Fingerprint and Photographic Support, MPS107540001, p208, para 69(1), 1982.

105 Witness statement of the Forensic Photographer, MPS016088001, 10 March 1987.

106 Panel interview of former DS Malcolm Davidson, PNL000196001, p7, 20 October 2015.

107 Action A37 to interview the scene of crime officer involved in the investigation into Daniel Morgan's murder, MPS031085001, 23 August 1988.

108 Action A37 to interview the scene of crime officer involved in the investigation into Daniel Morgan's murder, MPS031085001, 23 August 1988.

109 Enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan, (Report by DCI Terence Farley), MPS005270001, pp2 and 5, 19 January 1989.

'It is right that the Polaroid photographs cannot be found. These photographs were taken after the scene photographs [...] and as stated above, were for the benefit of the pathologist. They were plainly of poorer quality. Accordingly, it is extremely unlikely that there will be anything in the Polaroid photographs which is not apparent in the scene photographs' [emphasis in original].¹¹⁰

54. The Polaroid photographs, which the Metropolitan Police say cannot now be found, may have contained important detail not captured elsewhere.

55. The photographs taken at the murder scene were very limited and cover only the area in which Daniel Morgan's body lay. D/Supt Douglas Campbell should have required that photographs be taken of the complete crime scene that night. Photographs should also have been subsequently taken of the whole premises, including ways in and out of the Golden Lion public house and its car park (see paragraph 59 below).

56. A small number of coins can be seen, lying in the blood adjacent to Daniel Morgan's body, in the crime scene photographs. In addition, the photographs show a small amount of debris lying on the ground near Daniel Morgan's body. There is no evidence that that this material was retrieved and examined.

57. A tyre skid mark can be seen in one of the photographs, very close to Daniel Morgan's body in the car park.¹¹¹ While it would not have been possible to use that photograph to allow a forensic scientist to compare the mark with the tyres of any suspect vehicle recovered by the police later, because it lacked sufficient detail and clarity,¹¹² there was provision for taking a photograph of a tyre mark in the Metropolitan Police General Orders applicable at the time:

'When clear impressions have been left at or near the scene and it appears likely that they may afford valuable evidence if the offender is caught, a suitable recording of the impressions should be taken. If the impressions are in mud, soft soil, damp sand or concrete, plaster-of-paris casts should be taken. Marks occurring in dry dusty soils, and those made in dust, or put down by muddy boots, are better photographed.

'If the impressions are in the open, they should be protected by upturned boxes, dust-bin lids or other suitable means. At a major scene of crime, if a photographer is available, it is as well to get the marks photographed before any attempt at casting, or, if it is felt necessary, an officer from the Laboratory will attend and prepare the casts.'¹¹³

58. No attempt to seek any examination of the tyre mark can be identified in the available records.

110 Document D3890, 'Prosecution response to application to stay', MPS105847001, p25, para 50(xiv), 05 October 2009.

111 Crime scene photographs, MPS060238001, pp1-7, 10 March 1987.

112 Crime scene photographs, MPS060238001, pp1-7, 10 March 1987.

113 Metropolitan Police General Orders, Section 20 – Crime – General, MPS107540001, p98, paras 33 and 34, 1982.

59. The Panel has not seen any photographs of the ways into and out of the car park taken on the night of the murder or in the days following the murder. It has seen no photographs, taken during the Morgan One Investigation, of the inside of the Golden Lion public house, where Daniel Morgan was alleged to have been before his murder. It has seen no photographs of the beer garden at the back of the Golden Lion public house, nor of the outdoor toilet in the car park not far from the scene of the murder. Apart from the Polaroid photographs referred to above, which cannot now be found, nobody has said that they took any such photographs of the scene of the murder.

Following his arrival at the scene, D/Supt Douglas Campbell failed to secure adequate photographs, including a detailed photograph of a tyre skid mark. The proximity of the skid mark to Daniel Morgan's body alone should have been sufficient reason to seek evidence from it. At that stage in the investigation, it could not be ruled out that it might, for example, have been from a getaway car.

3.1.2.7 The handling of Daniel Morgan's body and the items found beside his body

60. Four people stated that they had touched Daniel Morgan's body:

- i. The customer who had found Daniel Morgan's body had touched it to confirm whether it was real.¹¹⁴
- ii. The first Police Constable at the scene had sought to identify a pulse but could not find one.¹¹⁵
- iii. DS Graham Frost had touched Daniel Morgan's body in order to perform a search.¹¹⁶
- iv. The divisional Police Surgeon, who arrived at 10.50 pm, examined Daniel Morgan's body and certified that he was dead.^{117,118}

61. Francis Chappell & Sons Funeral Directors had arrived at approximately 01.00 am and took Daniel Morgan's body to Lewisham Public Mortuary at 01.07 am.^{119,120}

62. As was usual in most murder cases at that time, no pathologist attended the murder scene.¹²¹ The Panel enquired of former DS Malcolm Davidson why the on-call pathologist did not attend the murder scene. He said that the pathologist whom they tended to use was a responsible pathologist, and if he did not attend a crime scene, it would have been because he was unable to do so.¹²² No further information is available.

114 Witness statement of the customer who discovered Daniel Morgan's body, MPS010133001, 10 March 1987.

115 Witness statement of the first Police Constable on the scene, MPS010125001, p3, 11 March 1987.

116 Witness statement of DS Graham Frost, MPS010726001, p1, 23 July 1987.

117 Witness statement of the first Police Constable on the scene, MPS010125001, p3, 11 March 1987.

118 Witness statement of the Divisional Police Surgeon, MPS010442001, 13 March 1987.

119 Witness statement of the first Police Constable on the scene, MPS010125001, p3, 11 March 1987.

120 Witness statement of Francis Chappell & Sons employee, MPS010532001, 07 April 1987.

121 Matthews P. and Foreman J.C., *Jervis on Coroners*, 10 Edition, London, Sweet and Maxwell, para 11.3, 1986.

122 Panel interview of former DS Malcolm Davidson, PNL000196001, pp5-6, 20 October 2015.

63. Daniel Morgan's body was not immediately identified. He was not recognised by the landlord of the Golden Lion public house '*as being a regular*',¹²³ or identified by anyone who saw the body. He was eventually tentatively identified through documentation found in his car and on his body. It is not known at what time this occurred, although according to former DS Malcolm Davidson the identity of the body was '*still unknown as no search had been made of the body*'¹²⁴ when he left the scene '*at about midnight*'.¹²⁵ Daniel Morgan's body was formally identified on 11 March 1987 (see paragraphs 253 to 254 below).

64. The regulations then in force required the officer conducting the search of a body to make '*a complete list of articles found on the body or connected with the death will be made in the officer's report book*'.¹²⁶ All marks discovered on the clothing of a dead body were also required to be carefully noted.¹²⁷ The information collected was required to be made available to the investigation team, to provide immediate information.

65. Daniel Morgan's pockets were searched by DS Graham Frost,¹²⁸ assisted by the Scenes of Crime Officer, before his body was removed to the mortuary. The items collected by DS Frost from Daniel Morgan's clothing were:

- i. a large black leather wallet containing correspondence;
- ii. a smaller black leather wallet containing correspondence;
- iii. a Midland Bank cheque book; and
- iv. a quantity of cash comprising two £50 notes, 97 £10 notes and £6.47 in coins (a total of £1,076.47).¹²⁹

DS Frost delivered the cash sum of £1,076.47 to Catford Police Station. Receipt of the property at Catford Police Station was confirmed at 01.40 am on 11 March 1987.^{130,131}

66. Iris Morgan, Daniel Morgan's widow, had said that he was wearing his Rolex watch on 10 March 1987. There is no contemporaneous statement that confirms he was wearing that watch when his body was discovered.¹³²

67. Two packets of ready salted crisps and the keys to Daniel Morgan's BMW car were found next to his body and were collected as evidence by DS Graham Frost.¹³³

68. No record has been found of a report book or pocket book belonging to DS Graham Frost containing information about any property or marks which he found on Daniel Morgan's body and clothing. However, in his witness statement of 23 July 1987, more than four months after the murder, DS Frost recorded the items which he collected at the scene on the night of the

123 Witness statement of the landlord of the Golden Lion public house, MPS010291001, p3, 15 March 1987.

124 Officially, a definitive identification can only be made by someone who knew the deceased or by means of scientific analysis, such as the verification of fingerprints or DNA.

125 Witness statement of former DS Malcolm Davidson, MPS010983001, p2, 18 April 1989.

126 Metropolitan Police General Orders 1982 Sec. 53 – Miscellaneous (DEAD BODIES) – Para 29(1), MPS107540001, p234, 1982.

127 Metropolitan Police General Orders 1982 Sec. 53 – Miscellaneous (DEAD BODIES) – Para 29(1), MPS107540001, p234, 1982.

128 Witness statement of DS Graham Frost, MPS010726001, pp1-2, 23 July 1987.

129 Witness statement of DS Graham Frost, MPS010726001, p2, 23 July 1987.

130 Metropolitan Police Form 66, Property concerned in crime, signed by DS Frost and the Police Sergeant the cash had been delivered to, MPS026878001, 11 March 1987.

131 Witness statement of DS Graham Frost, MPS010726001, p2, 23 July 1987.

132 Witness statement of Iris Morgan, MPS010373001, p13, 17 March 1987.

133 Witness statement of DS Graham Frost, MPS010726001, 23 July 1987.

murder.¹³⁴ It is not known whether he compiled his statement with reference to any record he had made on the night of the murder, although the Panel accepts that this is possible.

69. The statement given by DS Graham Frost four months later on 23 July 1987 was inadequate because it lacked detail as to where and when exhibits had been stored.

70. All the items removed (apart from the money which had been delivered to Catford Police Station) were later handed to DC Clive Blake, who was appointed Exhibits Officer the following day and did not attend the murder scene.¹³⁵

71. In interview with the Panel, former DS Malcolm Davidson said that DS Graham Frost had asked for an exhibits officer, but no exhibits officer was appointed at the crime scene.¹³⁶ Former D/Supt Douglas Campbell informed the Panel that DS Frost undertook the role of exhibits officer overnight,¹³⁷ but there is no contemporaneous evidence to support this. DS Frost said that he removed only Daniel Morgan's wallets and their contents, money, the keys to Daniel Morgan's car and the two crisp packets.¹³⁸ It is not possible from the material available to say where these objects (apart from the money) were kept overnight prior to being handed to DC Clive Blake, who became the Exhibits Officer on 11 March 1987.

72. There is no evidence to show that any of the senior officers present considered whether Daniel Morgan's body had been moved before police had arrived, or whether the packets of crisps and keys had fallen as he was struck or had been placed beside him at this stage. It is not impossible that some movement of Daniel Morgan's body had occurred before it was found (see paragraphs 299-301).

73. D/Supt Douglas Campbell should have ensured that the question of whether Daniel Morgan's body had been moved was considered when he arrived at the scene and that any conclusions reached were recorded.

74. D/Supt Douglas Campbell should have issued instructions to ensure that the continuity of evidence gathered on the night of the murder at the scene could be demonstrated. No officer (other than D/Supt Campbell who had overall responsibility) was identified as having responsibility for the evidence gathered that night. In those circumstances, DS Graham Frost should have ensured that his statements provided clear information about how these exhibits were protected before they were handed to DC Clive Blake. No such information is available.

¹³⁴ Witness statement of DS Graham Frost, MPS010726001, 23 July 1987.

¹³⁵ Witness statement of DC Clive Blake, MPS028077001, p1, 07 June 1988.

¹³⁶ Panel interview with former DS Malcolm Davidson, PNL000196001, p7, 20 October 2015.

¹³⁷ Email from former D/Supt Douglas Campbell, 05 April 2017.

¹³⁸ Enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan (Report by DCI Terence Farley), MPS005270001, p2, 19 January 1989.

3.1.2.8 Daniel Morgan's car

75. Daniel Morgan's car¹³⁹ was parked in the car park at the rear of the Golden Lion public house. His body was found very close to the car, as can be seen in the photographs which were taken.¹⁴⁰

76. There is no written record, among the Morgan One Investigation papers seen by the Panel, of any search of Daniel Morgan's car on the night of the murder.

77. DS Graham Frost subsequently told the Hampshire/Police Complaints Authority Investigation that he '*went through the car looking at all items in the presence of Mr. CAMPBELL*'.¹⁴¹ He said he used the keys to open the car.

78. In 2007, the Scenes of Crime Officer, who had attended the scene of the murder on the night, provided a statement to the Abelard Two Investigation, in which he said the following:

*'Whilst still at the scene, I was aware of a BMW motor car, close to the victim's body. During my initial briefing I had been informed that this was the victim's car. I saw persons, in plain clothes at this vehicle. I saw the boot open as well as the doors. I recall various items being removed from this car, including a briefcase and paperwork. This also caused me concern as nobody appeared to be taking any notes and there was no exhibits officer to record it.'*¹⁴²

79. There is no record of when, or by whom, Daniel Morgan's car was moved to Catford Police Station.

80. However, it is recorded in the Exhibits Book that, on 12 March 1987, two days after the murder, at Catford Police Station,¹⁴³ the Exhibits Officer, DC Clive Blake, removed nine keys from inside Daniel Morgan's car, as well as many other items.¹⁴⁴ Five keys on a fob, found in the car, were returned to Iris Morgan.¹⁴⁵

81. The Panel has noted that, according to the Manager of Victoria Wines off-licence, Daniel Morgan had been carrying three or four beige files when he met her (see paragraph 6xv above). It is not known whether he returned these to the Southern Investigations office before he drove to the Golden Lion public house, or whether he had them with him, either on his person or in his car, when he went there. However, there is no record that those files were recovered from Daniel Morgan's car or his body after his murder. It is not known what those files might have contained. It later transpired that Daniel Morgan was allegedly going to a meeting in connection with securing a loan required for a civil action against Southern Investigations by Belmont Car Auctions, a subsequent line of enquiry in the murder investigation (see paragraphs 489-510 below). It is not improbable that those files contained information which may have been relevant to the murder investigation. There is no evidence that the Morgan One Investigation pursued this matter.

139 Registration number A155 DFG.

140 Photographic evidence, five scene of the crime photographs, taken on 10 March 1987 at the Golden Lion public house car park by the Forensic Photographer, MPS014810001, pp1-7, 10 March 1987.

141 Enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan, (Report by DCI Terence Farley), MPS005270001, pp1 and 7, 19 January 1989.

142 Witness statement of the Scenes of Crime Officer, MPS077748001, 13 November 2007.

143 Exhibits Book (items 34-60), MPS005797001, undated.

144 Exhibits Book (items 34-36), MPS005797001, p2, undated.

145 Exhibits Book (items 34-36), MPS005797001, pp2-3, undated.

82. No enquiries were made by the Morgan One Investigation as to what these files were. The lack of records showing when and by whom items were removed from Daniel Morgan's car was a serious failing. The failure to record the time at which Daniel Morgan's BMW car was removed from the scene to Catford Police Station, the process by which this took place, and where and in what condition the car was stored, was also significant.

There is no evidence that steps were taken to protect the car from interference, or to prevent contamination or removal of evidence before it left the Golden Lion public house car park, or after it was taken to Catford Police Station. This is inexplicable given the Metropolitan Police requirement to protect '*articles [...] at a scene, until the arrival of the C.I.D. officer in charge of the enquiry, or the Scenes of Crime Officer acting under his directions*'.¹⁴⁶ There would be no purpose in protecting evidence until the arrival of the Criminal Investigation Department (CID) officer or the Scenes of Crime Officer if any such evidence was not subsequently protected.

3.1.3 Ensuring continuity of evidence

83. A murder scene, and any exhibits recovered from it, must be handled to preserve evidential integrity (to be able to prove that evidence has not been altered or contaminated in any way).

84. It is not known whether any protective action, such as placing bags over Daniel Morgan's hands and head, was taken by officers at the scene. There is no reference to any such action in any statement seen by the Panel. When asked about this in 1989, DS Graham Frost was uncertain as to whether he had used protective bags. He initially said that he was sure he had, but then said if he had placed a bag over Daniel Morgan's head he would have also placed a bag over his hands.¹⁴⁷

85. Disposable overshoes and gloves were available to assist at scenes of serious crime.¹⁴⁸ They should, as a matter of good practice, have been used. There are no photographs or records to indicate that the police officers managing the scene of Daniel Morgan's murder put on any protective clothing, shoes or gloves to prevent any contamination of evidence, nor is there anything contained in their statements to demonstrate that such action was taken.

86. The Panel has not found any corroborated evidence that protective clothing or shoes were utilised on the night of the murder to protect any evidence which was gathered.

146 Metropolitan Police General Orders, Section 22, Particular Crimes – Special Instructions, 1982.

147 Enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan, (Report by DCI Terence Farley), MPS005270001, p4, 19 January 1989.

148 Metropolitan Police General Orders, Crime – General, First steps on discovery of crime, Duties of investigating officer, section 20, p6, para 22(1), 1982.

87. This probable failure to protect Daniel Morgan's head and hands from possible contamination meant that there could be no evidential continuity to any matter which might have been recovered from these parts of his body.

88. There is no indication that the evidence which was seized was immediately placed into bags and sealed and labelled in the appropriate manner, at the scene of the murder. There is no statement of any exhibits officer (of an exhibits list) which would have timed the seizure and bagging of the exhibits, nor is there any record of the content of the labels on the exhibits bags which should also contain this information. This should have formed the beginning of a process of continuity which would have ensured the admissibility of that evidence in any Court proceedings as exhibits in the investigation.

89. As stated above, there is no record of what DS Graham Frost did with most of the exhibits he had seized when he left the scene of the murder. The Panel has been unable to identify who had responsibility for the security of the exhibits during the night following the murder until DC Clive Blake was appointed as Exhibits Officer on 11 March 1987. There is no record of when and/or by whom the exhibits which had been seized were given to DC Blake.

90. The failure to record the proper handling and management of exhibits seized, or the location in which those exhibits were stored, was unacceptable. Evidence may have been lost, tampered with or contaminated. This failure had the potential to undermine any future prosecution. Ultimately this was the responsibility of D/Supt Douglas Campbell.

91. At least two customers at the Golden Lion public house, in at least one vehicle, were permitted to leave the car park after Daniel Morgan's body was discovered, possibly interfering with evidence which may have lain on the ground over which the car was driven.

3.1.3.1 Daniel Morgan's pen

92. Jonathan Rees said that Daniel Morgan had been writing with a Parker pen at the Golden Lion public house.¹⁴⁹ Peter Newby said that Daniel Morgan had a '*Parker ballpoint pen which had a black top and silver bottom on. He used different pens.*'¹⁵⁰ Some papers were found in Daniel Morgan's clothing after the murder, but it was believed that no Parker pen was found at

¹⁴⁹ Record of interview of Jonathan Rees, MPS015703001, p64, 03 April 1987.

¹⁵⁰ Witness statement of Peter Newby, MPS010345001, p6, 30 March 1987.

the scene. However, a Parker pen was found in 2016, which was described as having come into the possession of police on 18 March 1987. Together with various other items such as spanners and screwdrivers, it had been kept in Daniel Morgan's car until the car was moved to West Hendon car pound.¹⁵¹ On 19 August 1987, a Parker pen was recorded as having been delivered, sealed in a bag with various other items, to the Prisoners Property Office.¹⁵² There is no evidence of what happened to it after that, until it was referred to in email correspondence dated 06 August 2013, when instructions were issued that it should not be destroyed.¹⁵³ It was drawn to the attention of DS Gary Dalby, who worked on the subsequent Abelard Two Investigation into Daniel Morgan's murder, by 25 September 2014.¹⁵⁴

93. On 26 April 2016, the bag of items including the Parker pen was delivered to DS Gary Dalby, who stated on the same date that *'the property had remained in MPS [Metropolitan Police Service] storage since 1987'*.¹⁵⁵ There is no evidence as to who had made the search of the car and bagged the items, and the pen is not listed as an exhibit in the Exhibits Book. DS Dalby stated that *'[t]he bag was tightly packed and filthy'*.¹⁵⁶ No further information about the pen or its whereabouts is available. There is therefore no continuity to it as an evidential exhibit. In October 2020, former DS Dalby stated to the Panel that he and T/DCI Noel Beswick decided that the items in the bag were unlikely to be of any evidential value to the investigation. He said that, had he thought that the items were of any evidential value, he would have requested that they be brought immediately to his office.

94. It is not known where or by whom the pen was found, or whether it was the pen which Daniel Morgan habitually used. Had it been found inside Daniel Morgan's car in March 1987, enquiries could have been made to help verify or negate the account of Jonathan Rees that Daniel was writing with his pen when Jonathan Rees left the Golden Lion public house. David Bray told the Panel that Daniel's last pen was a *'standard black Parker pen with a stainless-steel top'*, which matched the description of the pen found inside Daniel Morgan's car in 2016.¹⁵⁷ The handling of this evidence by the Morgan One Investigation is yet another example of the multiple failings to secure and ensure the continuity of evidence.

95. Time was spent by detectives seeking to establish the whereabouts of Daniel Morgan's pen at a time when the Morgan One Investigation team was unaware that a Parker pen had been put into an evidence bag by police, but not logged in any way, and then placed in Daniel Morgan's car. This was another failure by the Morgan One Investigation.

151 Prisoners property voucher PD/87/504, MPS109531001, pp9-10, 19 August 1987.

152 Prisoners property voucher PD/87/504, MPS109531001, p10, 19 August 1987.

153 Copy of email from Terry Keating, Specialist Crime Review Group to Criminal Exhibit Services, MPS109531001, p14, 06 August 2013.

154 Copy of email from DS Gary Dalby to Terry Keating, Specialist Crime Review Group, MPS109531001, p13, 25 September 2014.

155 Witness statement of DS Gary Dalby, MPS109531001, p1, 29 April 2016.

156 Witness statement of DS Gary Dalby, MPS109531001, p2, 29 April 2016.

157 Panel interview of David Bray, PNL000254001, p13, 27 March 2018.

96. Having been notified of the existence of a bag of evidence which was hitherto unaccounted for in 2014, DS Gary Dalby should immediately have recovered the evidence in order to examine it. The 19-month delay in retrieving it was not acceptable.

3.1.4 Police departure from the scene

97. There is no evidence to indicate at what time police officers vacated the Golden Lion car park, as a scene of crime. The evidence available shows the following:

- i. D/Supt Douglas Campbell, the Senior Investigating Officer, told the Coroner that he had remained on duty until about 2.00 am on 11 March 1987, and that he had interviewed Jonathan Rees at the police station between approximately 12.30 am and 1.00 am (see paragraphs 135-142).^{158,159} The time of his departure from the crime scene is not known.
- ii. DI Allan Jones, the Deputy Senior Investigating Officer, left the scene at an unrecorded time, but DC Kinley Davies stated that he went with DI Jones and WDC Julie Benfield to Jonathan Rees's home at 'about 0030 hours'.¹⁶⁰ WDC Benfield said that they arrived in the 'early hours'.¹⁶¹
- iii. DS Malcolm Davidson, Manager of the Morgan One Major Incident Room, said: *'I went to Catford Police Station at about 12 midnight and there made the necessary arrangements to form an investigation team'*.¹⁶²

98. Police officers left the scene at an unidentified time during the night. The scene should then have been guarded overnight to prevent loss or contamination of any evidence which might have been retrieved had the scene been searched the following day. Once it was daylight, a thorough search should have been carried out. It was not a large area to search, but this would have been better achieved in daylight. There is no evidence that the scene was guarded overnight by police officers, or that anything was done to preserve the scene for examination the next day (in daylight). There is no evidence that the scene was searched the following day at all.

99. Had a search occurred, other evidence might have been found which could have led to further enquiries.

100. The Panel asked former DI (later DCI) Allan Jones whether the scene was secured during the night of the murder. He replied that, in his view, *'people could have entered the car park at all hours and it was not for the police to guard the area all night'*.¹⁶³

¹⁵⁸ Witness D/Supt Douglas Campbell, examined by the Coroner, INT000004001, p73, Inquest Day Four, 14 April 1988.

¹⁵⁹ Witness D/Supt Douglas Campbell, cross-examined by June Tweedie, INT000006001, p23, Inquest Day Six, 18 April 1988.

¹⁶⁰ Witness statement of DC Kinley Davies, MPS018560001, p2, 07 June 1989.

¹⁶¹ Witness statement of WDC Julie Benfield, MPS018565001, p1, 21 June 1989.

¹⁶² Witness statement of former DS Malcolm Davidson, MPS010983001, p1, 18 April 1989.

¹⁶³ Panel interview of former DI Allan Jones, PNL000202001, p4, 18 December 2015.

101. The car park should not have been left unattended overnight, because it had not been searched. It is not known whether D/Supt Douglas Campbell or DI Allan Jones was the last senior officer to leave the crime scene. However, DI Jones demonstrated a grave lack of understanding of his professional duties when he told the Panel that it was not the job of the police to guard the scene of Daniel Morgan's murder overnight until it could be properly searched. Additionally, officers should have been tasked to return to the crime scene the following day, to search it and record their findings.

Recent forensic review of the scene of the crime examination

102. The Panel sought a forensic review of the work done throughout the investigation of Daniel Morgan's murder from Dr Kathryn Mashiter, an independent expert in forensic science. In the context of the Morgan One Investigation and the scene of the crime, Dr Mashiter found the following:

- i. Even by the standards of the day the scene examination was poor;
- ii. There are inconsistencies in relation to who cordoned off the scene and when;
- iii. There seems to have been little consideration of the scene being anywhere other than the car park. There is no mention of the surrounding areas being searched;
- iv. That only five crime scene photos were taken was inadequate for a major investigation.
- v. There is no mention of examining blood and the surrounding area for footwear impressions. The General Orders of the time contained instructions on how to recover footwear impressions from a scene, indicating that the value of footwear evidence was acknowledged in 1987. However, in view of the numerous police officers who walked over the scene they may have destroyed any evidence of value.
- vi. DS Frost has since said that he did return to the scene of the crime in daylight, but there are no notes or records to support this. If DS Frost (and the Scenes of Crime Officer) did not return to the scene during daylight hours the next day to 'finish' the scene examination, this is highly surprising.

3.2 The early hours of 11 March 1987

3.2.1 The visit to Jonathan Rees's house

103. Jonathan Rees was identified from material found on Daniel Morgan's body and in his car, as his business partner¹⁶⁴ at Southern Investigations.¹⁶⁵

¹⁶⁴ There is no record of exactly when police identified the man found in the car park as being Daniel Morgan.

¹⁶⁵ Document D500, List of Exhibits, Exhibit '2VIV FOUR (4) BUSINESS CARDS MORGAN REES & CO', MPS011614001, p6, 11 March 1987.

104. At about 00.30 am on 11 March 1987, DI Allan Jones, DC Kinley Davies and WDC Julie Benfield were sent by D/Supt Douglas Campbell to Jonathan Rees's home. On arrival, WDC Benfield, who was feeling unwell, stayed in the car while DI Jones and DC Davies went to the front door.^{166,167,168}

105. On 07 July 1988 DC Kinley Davies stated that *'the object of the visit was to inform REES of the death of his partner and to obtain from him any information [...] which could assist our investigations'*.¹⁶⁹

106. There is no contemporaneous record of the visit by DI Allan Jones and DC Kinley Davies to Jonathan Rees's house on 11 March 1987. There is no immediate information about how Jonathan Rees or his wife, Sharon Rees, responded to the news of Daniel Morgan's murder. In addition, it is not known what discussions took place between D/Supt Douglas Campbell and DI Jones as to what happened in Jonathan Rees's home, and what the significance of what occurred might have been for the murder investigation. DI Jones did not make a statement until over two years later, on 20 July 1989. It briefly described the visit.¹⁷⁰ He made a further statement in July 1995, during the course of a civil action brought by Jonathan Rees against the Chief Constable of Hampshire Constabulary and the Commissioner of the Metropolitan Police, following the arrest of Jonathan Rees and others during the 1988-1989 Hampshire/Police Complaints Authority Investigation of Daniel Morgan's murder (see Chapter 3, The Hampshire/Police Complaints Authority Investigation).¹⁷¹

107. DCI Allan Jones¹⁷² stated, in July 1995, that when he arrived at Jonathan Rees's home, the door was opened by Jonathan Rees, and the officers were invited inside. In this statement, DCI Jones said that,

'Mr REES appeared extremely nervous and dry-mouthed. He gave me the impression of being frightened. I told him that his partner had been murdered, and he said he had been with him until 9 p.m. that night at the Golden Lion public house. We were in the dining room when I told him this. His wife SHARON was sitting in the lounge opposite watching T.V. only ten to twelve feet away approximately. She was aware of the conversation. She continued to watch the T.V. and made no move to turn away from it, even though she must have heard what I had to say. This appeared to me to be very strange behaviour. I asked REES if I could use the telephone to contact Detective Superintendent CAMPBELL. I 'phoned to tell him that I was in the house with Mr REES and that Mr REES had been with MORGAN that night. The telephone was in the same room as where Mrs REES was watching television, and she continued to watch it. She took no part in the conversation whatever.

'I think I asked Mr CAMPBELL if he wanted me to bring Mr REES to Catford for interview, and Mr CAMPBELL said that yes he did. I asked Mr REES to accompany me to Catford Police Station and to bring the clothes that he was wearing earlier that night. I did not arrest him. I said to him "My boss would like to see you at Catford tonight.

166 Witness statement of WDC Julie Benfield, MPS018565001, pp1-2, 21 June 1989.

167 Witness statement of DI Allan Jones, MPS015298001, p2, 20 July 1989.

168 Witness statement of DC Kinley Davies, MPS029494001, p1, 07 July 1988.

169 Witness statement of DC Kinley Davies, MPS029494001, p1, 07 July 1988.

170 Witness statement of DI Allan Jones, MPS015298001, p2, 20 July 1989.

171 Witness statement of DCI Allan Jones, MPS037218001, 10 July 1995.

172 By 1995 DI Jones had been promoted to the rank of DCI.

Can you come with me?" He said "yes". I said "What were you wearing tonight?" and he said "These clothes" indicating the trousers and shirt he was wearing and other clothing. This I believe was a raincoat and a pair of shoes. There was possibly other clothing which I cannot now recall.

*'We went to Catford Police Station.'*¹⁷³

108. In a statement in July 1988, DC Kinley Davies said: *'REES explained that he had been wearing the grey trousers and blue striped shirt which he had on and also black shoes, black gloves, a tie and scarf and a fawn coloured raincoat which he then collected.'*¹⁷⁴ In a subsequent statement in June 1989, DC Davies described Jonathan Rees's clothing, saying *'he was wearing a blue vertical striped shirt, grey trousers and black socks. Before leaving REES dressed himself with a maroon tie, a blue blazer, a maroon scarf, a short white mac and a pair of black brogues.'*¹⁷⁵ The Panel has been unable to find any further reference to the colour of his tie in the documents it received. His mackintosh coat has been variously described as being white,¹⁷⁶ fawn coloured¹⁷⁷ and light coloured.^{178,179}

109. Former DI Allan Jones has since told the Panel that he found the behaviour of Jonathan Rees and Sharon Rees that night to be odd. He said that Jonathan Rees appeared scared, looking both pale and sweaty, and Sharon Rees seemed petrified during the conversation. Although she must have been able to hear everything he said to Jonathan Rees, she sat rigidly in front of the television the whole time he was there, neither acknowledging him nor giving any indication of the impact of what he was telling her husband.¹⁸⁰

110. DC Kinley Davies, who had gone with DI Allan Jones to see Jonathan Rees on 11 March, also commented on Jonathan Rees's demeanour, in a statement given in July 1988:

*'[H]e looked very pale and waxen and I got the impression even before anything was said that he knew the purpose of our visit. [...] Mrs REES [...] was [...] watching TV in the front room. I recall that Mr JONES asked REES if he could use the telephone which he did, and I believe he spoke to Mr. CAMPBELL [...]. He readily agreed to come with us and told his wife where he was going. I got the impression that feelings were a bit strained between him and his wife as she seemed to take no interest in what he said.'*¹⁸¹

111. In a further statement made in June 1989, DC Kinley Davies said that when he visited Jonathan Rees's house,

*'[w]e informed REES of the death of his partner and he showed no surprise. Neither did his wife take any notice of what was being said, although she must have been able to hear.'*¹⁸²

173 Witness statement of DCI Allan Jones, MPS037218001, pp2-3, 10 July 1995.

174 Witness statement of DC Kinley Davies, MPS029494001, p2, 07 July 1988.

175 Witness statement of DC Kinley Davies, MPS018560001, pp2-3, 07 June 1989.

176 Witness statement of Jonathan Rees, MPS021752001, p10, 11 March 1987.

177 Witness statement of DC Kinley Davies, MPS029494001, p2, 07 July 1988.

178 Statement of a witness who referred to Jonathan Rees' Mackintosh, MPS017643001, p1, 01 September 1988.

179 Witness statement of a barmaid at Beulah Spa public house, MPS010386001, p4, 18 March 1987.

180 Panel interview with former DI Allan Jones, PNL000201001, p4, 04 March 2015.

181 Witness statement of DC Kinley Davies, MPS029494001, pp1-2, 07 July 1988.

182 Witness statement of DC Kinley Davies, MPS018560001, p2, 07 June 1989.

112. DC Kinley Davies's final account of the visit to Jonathan Rees's home was made in a statement taken for Jonathan Rees's civil action in 1995. He stated the following:

'The object of the visit was to inform Mr REES of the death of his partner and to obtain from him any information he might have which could assist our investigation [...] John REES answered the door. I recall that he looked very pale and waxen and I got the impression, even before anything was said, that he had a good idea who we were and why we were there.

'[...] Mr REES was then told that MORGAN had been found murdered and was asked when he had last seen him. His reaction was what I would call subdued surprise [...].

'[...] Mrs REES was also present [...]. She was only a matter of feet away, and in my view she could not fail to hear what was being said. She did not even turn around. A little later in the proceedings Mr REES went over to her and said something about Daniel having been murdered but there was no particular reaction from her.

'[...] Whilst it is true to say that I was suspicious of Mr REES he was not in the category of suspect. He readily agreed to come with us and told his wife where he was going. I should say that I got the impression that feelings were a bit strained between him and his wife as she appeared to take no interest in what he said, or in what we had said.'¹⁸³

113. Given DI Allan Jones's later observations of Jonathan Rees's 'strange behaviour', the Panel was concerned about why there was no contemporaneous record of the visit, and why DI Jones's apparent concerns had not been brought to the attention of D/Supt Douglas Campbell at the time. The Panel interviewed former DI Jones twice, in March and December 2015, about his encounter with Jonathan Rees on the night of Daniel Morgan's murder. He recalled being asked to go to speak to Jonathan Rees, as the police knew that he was Daniel Morgan's business partner, but said at that point neither he nor D/Supt Campbell had been aware that Jonathan Rees had been in the Golden Lion public house with Daniel Morgan earlier in the evening.¹⁸⁴

114. Former DI Allan Jones told the Panel that as a consequence of the behaviour of Jonathan Rees and Sharon Rees, he formed a suspicion that Jonathan Rees may have been involved in Daniel Morgan's murder.¹⁸⁵ He told the Panel in 2015 that he did not act on this at the time by informing D/Supt Douglas Campbell of his concerns, seeking a search warrant for Jonathan Rees's house or, given his concerns, arresting him. However, in 2020 he told the Panel '*I did advise Mr Campbell about this but certainly did not take the view then and still do not, that what I thought or felt was sufficient for the purposes of either arresting anybody or seeking a search warrant for his home address*'.

115. When interviewed in March 2015, former DI Allan Jones said, from his experience in dealing with similar crimes, he felt he could identify people whose behaviour suggested that they had something to hide.¹⁸⁶ He later suggested that nothing could have been gained by saying '*I think he's a suspect, Boss. "He's dry-mouthed and pallid."*' His opinion was that doing so would have '*confused the issue*'.¹⁸⁷

¹⁸³ Witness statement of DC Kinley Davies, MPS038144001, pp2-3, 12 July 1995.

¹⁸⁴ Panel interview of former DI Allan Jones, PNL000202001, p1, 18 December 2015.

¹⁸⁵ Panel interview of former DI Allan Jones, PNL000202001, p2, 18 December 2015.

¹⁸⁶ Panel interview of former DI Allan Jones, PNL000201001, p4, 04 March 2015.

¹⁸⁷ Panel interview of former DI Allan Jones, PNL000202001, p2, 18 December 2015.

116. DI Allan Jones should have informed D/Supt Douglas Campbell about his experience at Jonathan Rees's house and about his observations of the demeanours of Jonathan and Sharon Rees when told the news of Daniel Morgan's death. It is difficult to comprehend how this would have '*confused the issue*', as it would have been entirely relevant to how the police should proceed. He should have recorded the events of the night for the purposes of the murder investigation.

117. There is no record that D/Supt Douglas Campbell sought from DI Allan Jones an assessment of Jonathan Rees's reaction to the news of the murder, or an opinion regarding his demeanour, or that of his wife Sharon Rees, who was in the house with him when the police arrived. D/Supt Campbell should have sought this information to assist him in making an informed decision about whether Jonathan Rees should be brought to the police station as a witness or arrested as a suspect.

118. After leaving Jonathan Rees's house, DI Allan Jones, DC Kinley Davies, WDC Julie Benfield and Jonathan Rees drove to Catford Police Station and parked in the station yard.¹⁸⁸

119. There are no contemporaneous records of what, if anything, was said in the car on the way to Catford Police Station. WDC Julie Benfield, who stated to the Hampshire/Police Complaints Authority Investigation that she had been suffering from a migraine which she found '*quite disabling*' that night, confirmed that she was unable to recall any conversation in the car.¹⁸⁹ In a later (1989) statement, however, WDC Benfield was more definitive, saying '*[t]here was no discussion in the vehicle en route to Catford Police station*'.¹⁹⁰ Neither DI Allan Jones nor DC Kinley Davies provided any contemporaneous information about any aspect of the journey to Catford Police Station.

120. Officers may have made records in notebooks which cannot now be found. Nevertheless, the absence of any contemporaneous record relating to the visit to Jonathan Rees's home, and the journey from his home to Catford Police Station, suggests that no such records were made at the time. This was not acceptable.

121. Sharon Rees was not asked to attend Catford Police Station that night. A brief statement was recorded from her on 17 March 1987.¹⁹¹

188 Witness statement of DC Kinley Davies, MPS029494001, p2, 07 July 1988.

189 Witness statement of WDC Julie Benfield, MPS028063001, p2, 20 September 1988.

190 Witness statement of WDC Julie Benfield, MPS018565001, p2, 21 June 1989.

191 Witness statement of Sharon Rees, MPS010339001, 17 March 1987.

3.2.1.1 When did Jonathan Rees become a suspect?

122. The Panel sought to establish when Jonathan Rees became a suspect for the murder because his status either as a witness or a suspect would have determined how he should have been treated.

123. Having instructed DI Allan Jones to bring Jonathan Rees to Catford Police Station, D/Supt Douglas Campbell knew he was about to meet Daniel Morgan's business partner. DI Jones telephoned D/Supt Campbell from Jonathan Rees's house and told him that Jonathan Rees had been with Daniel Morgan in the Golden Lion public house. D/Supt Campbell should have considered at this point whether Jonathan Rees might be a suspect for the murder and taken appropriate action to enable a decision as to whether to eliminate Jonathan Rees from the enquiry.

124. The elimination, or attempted elimination, of Jonathan Rees as a suspect would have required a range of investigative actions including an in-depth interview, the seizure of his clothes for forensic examinations, the seizure of his car for similar examinations, the possible search of his home, and the interview of his wife, Sharon Rees, to gain information about his movements on the day of the murder (and in particular his return home on the evening of 10 March 1987). All of these actions would have been standard practice at the time.

125. D/Supt Douglas Campbell gave evidence at the Inquest into Daniel Morgan's death that Jonathan Rees *'was not a suspect from the outset'*.¹⁹² However, when questioned by June Tweedie (Counsel for Isobel Hülsmann and Alastair Morgan) on day six of the Inquest, D/Supt Campbell agreed that everyone was a potential suspect.¹⁹³ He confirmed that he had not asked DI Allan Jones to take a statement from Jonathan Rees at that stage or to record the conversations they had with him. D/Supt Campbell was asked: *'Did you not consider that a person very close to Daniel Morgan at the time of his death should have had a statement taken or at least some notes made of the conversation at that stage?'* He responded *'[n]o'*, saying that *'[a]s has been said in this court, at that stage Mr. Rees was not a suspect'*.¹⁹⁴ He said that, as Jonathan Rees had been brought to the station at some time after midnight, it was *'not the best time to take a full statement from the man'*.¹⁹⁵ It was then suggested to D/Supt Campbell that information given to Jonathan Rees at that stage should have been recorded to provide detail of what he had been told by the police. D/Supt Campbell responded, *'I can see that'*.¹⁹⁶

126. The Panel notes that DC Duncan Hanrahan (a police officer who knew Jonathan Rees and who had previously investigated a robbery of money from him; see paragraph 902) later claimed that D/Supt Douglas Campbell *'had asked [sic] me that normally the last person to see the victim was the suspect'*.¹⁹⁷

127. The Panel has seen no attempts to seek permission for, or to carry out, a search of Jonathan Rees's home and his car for evidence on the night of Daniel Morgan's murder. This would indicate that he was not viewed as a suspect, either before or after his conversation with D/Supt Douglas Campbell and DI Allan Jones.

¹⁹² Inquest into the death of Daniel Morgan, MPS022282001, p73, Day Four, 14 April 1988.

¹⁹³ Inquest into the death of Daniel Morgan, MPS015478001, p24, Day Six, 18 April 1988.

¹⁹⁴ Inquest into the death of Daniel Morgan, MPS015478001, p24, Day Six, 18 April 1988.

¹⁹⁵ Inquest into the death of Daniel Morgan, MPS015478001, p24, Day Six, 18 April 1988.

¹⁹⁶ Inquest into the death of Daniel Morgan, MPS015478001, p25, Day Six, 18 April 1988.

¹⁹⁷ Intelligence Report, MPS020500001, p6, 25 September 1998.

128. D/Supt Douglas Campbell, knowing that Jonathan Rees was Daniel Morgan's business partner, and having been informed by DI Allan Jones that Jonathan Rees had been drinking with Daniel Morgan immediately before his death, should have considered whether Jonathan Rees might be a suspect.

Jonathan Rees should have been the subject of immediate further enquiries, and his wife, Sharon Rees, should also have been interviewed as a matter of priority. The failure to do this meant that initial investigative opportunities were missed which could never be recovered.

3.2.2 Catford Police Station

129. DI Allan Jones stated that, on arrival at Catford Police Station, there were 'a large number of members of the public in the entrance',¹⁹⁸ so he asked DC Kinley Davies to drive around to the back of the building, where he planned to take Jonathan Rees into the waiting rooms.¹⁹⁹ DI Jones said that the door at the back was locked and he could not open it. The only other way into the station was through the charge room door, and therefore Jonathan Rees was brought into the police station that way.²⁰⁰ DC Davies confirmed this.²⁰¹

130. DI Allan Jones stated that, not wishing to walk Jonathan Rees around the police station trying to find an empty room, he asked him to wait by the bench furthest away from where prisoners were dealt with, while he checked whether any of the waiting rooms were vacant. He was subsequently told that they were all in use.²⁰² DI Jones said that he also had to find D/Supt Douglas Campbell, as he was unaware of the location of his office.²⁰³

131. DC Kinley Davies stated that when Jonathan Rees arrived at Catford Police Station, he 'placed his gloves, scarf and tie' on the Custody Officer's desk, and the Custody Officer reached for a custody record.²⁰⁴ He said that DI Allan Jones explained to the Custody Officer that Jonathan Rees was the business partner of the murder victim, Daniel Morgan, and had not been arrested.²⁰⁵ DC Davies stated that, to the best of his knowledge, Jonathan Rees was not searched at the police station, nor was a custody record made out for him, as the Custody Officer had said that in the circumstances one was not required.²⁰⁶ The Panel sought to trace the Custody Officer concerned, as he had never been asked to give a statement, but was unable to do so.

198 Transcript of interview in respect of DI Allan Jones (11:43-15:45) in the presence of DCS Lamper, a Detective Sergeant and an Inspector, MPS038440001, p5, 10 August 1988.

199 Transcript of interview in respect of DI Allan Jones (11:43-15:45) in the presence of DCS Lamper, a Detective Sergeant and an Inspector, MPS038440001, p5, 10 August 1988.

200 Transcript of interview in respect of DI Allan Jones (11:43-15:45) in the presence of DCS Lamper, a Detective Sergeant and an Inspector, MPS038440001, p5, 10 August 1988.

201 Witness statement of DC Kinley Davies, MPS029494001, p2, 07 July 1988.

202 Transcript of interview in respect of DI Allan Jones (11:43-15:45) in the presence of DCS Lamper, a Detective Sergeant and an Inspector, MPS038440001, p5, 10 August 1988.

203 Transcript of interview in respect of DI Allan Jones (11:43-15:45) in the presence of DCS Lamper, a Detective Sergeant and an Inspector, MPS038440001, p5, 10 August 1988.

204 Witness statement of DC Kinley Davies, MPS029494001, p2, 07 July 1988.

205 Witness statement of DC Kinley Davies, MPS029494001, p2, 07 July 1988.

206 Witness statement of DC Kinley Davies, MPS029494001, p2, 07 July 1988.

132. Having left Jonathan Rees in the custody office, DI Allan Jones went to see D/Supt Douglas Campbell. The Panel cannot establish exactly what was discussed at this stage. However, at an interview in December 2015, former DI Jones told the Panel that, when informed that Jonathan Rees was waiting in the custody office, D/Supt Campbell asked, ‘*you haven’t arrested him have you?*’ and said that ‘*we don’t want the PACE [Police and Criminal Evidence Act 1984] clock starting*’.²⁰⁷

Was Jonathan Rees arrested?

133. In a complaint against the Metropolitan Police in 1988 about a number of matters, Jonathan Rees stated that ‘*[m]y circumstances on that night clearly amounted to my having been arrested [...] I was placed in the charge-room [...] and certain formalities were begun*’.²⁰⁸ Jonathan Rees’s complaint was investigated by DCS David Lamper (see paragraphs 991-1012). DCS Lamper reported on 17 November 1988 that in a later statement Jonathan Rees had added he ‘*was searched and a custody record made out*’.²⁰⁹ DCS Lamper interviewed officers and found nothing to support Jonathan Rees’s assertion. DCS Lamper also requested a search of custody records from that night and stated, ‘*no custody record in the name of REES was found*’.²¹⁰ DCS Lamper found that Jonathan Rees had not been arrested, stating ‘*[t]herefore in my view there is insufficient evidence to support a charge of unlawful arrest*’ [emphasis in original].²¹¹

The Panel sought to establish from the papers available to it whether Jonathan Rees had been arrested.

The Panel attempted to clarify whether a custody record had been created for Jonathan Rees, and examined photocopies of three custody records from that night (at 11.20 pm, 12.20 am and 1.20 am).^{212,213,214} There was a discrepancy in the handwritten numbering of the front page of the 12.20 am record: it shows its record number as 1072, but the second page shows its number amended from 1073 to 1072. The front page of the 1:20 am record shows its number altered from 1074 to 1073. It is possible that Jonathan Rees arrived at Catford Police Station within the period between these three custody records, and if a custody record was completed for him, it could possibly have been removed and the records renumbered.

207 This was a reference to the custody time limits set down in the Police and Criminal Evidence Act (PACE) 1984.

208 Report by DCS David Lamper; Complaint against police, MPS005459001, p47, 17 November 1988.

209 Report by DCS David Lamper; Complaint against police, MPS005459001, p30, 17 November 1988.

210 Report by DCS David Lamper; Complaint against police, MPS005459001, p31, 17 November 1988.

211 Report by DCS David Lamper; Complaint against police, MPS005459001, p49, 17 November 1988.

212 Op Drake Document D346, ‘Custody Record 1071 BARKAS 2220hrs [SIC] 100387,’ MPS025640001, 10 March 1987.

213 Op Drake Document D347, ‘Custody Record 1072 STROTTON 0020HRS 110387,’ MPS025639001, 11 March 1987.

214 Op Drake Document D348, ‘Custody Record 1073 OLRD 0120HRS 110387,’ MPS025638001, 11 March 1987.

However, as the front page of the 12:20 am custody record shows an unaltered number of 1072, it is possible that the alterations arose due to human error in misnumbering the second page of the 12.20 am record. Additionally, the time at which Jonathan Rees arrived at Catford Police Station has not been definitively established. PC Laurence Hart, who had been among the first officers to arrive at the crime scene on the night of 10 March 1987, recorded in both his duty sheet and his statement that he arrived back at Catford Police Station at 1.00 am, and his statement then describes that he saw Jonathan Rees about 15 minutes later. If these records are correct, then Jonathan Rees could have arrived when the 1.20 am custody record was being completed for someone else, or even afterwards.

In a statement dated 17 December 1987, PC Laurence Hart recalled that, on 11 March 1987, he had returned from the scene of Daniel Morgan's murder to Catford Police Station '*probably around 01am – 1.30am*'²¹⁵ and that he was in the charge room about 15 minutes later, when Jonathan Rees arrived with DI Allan Jones.²¹⁶ PC Hart said that, when Jonathan Rees had greeted him by name, he was taken to one side by DI Jones and asked whether he knew Jonathan Rees, to which he replied: '*Yes, he's a good friend of Sid FILLERY'S*'.²¹⁷ PC Hart had been at the time a member of the Catford Crime Squad which was led by DS Sidney Fillery. PC Hart stated that DI Jones then told him that Jonathan Rees had been arrested for Daniel Morgan's murder.²¹⁸ In his statement of 17 December 1987, PC Hart provided further information that:²¹⁹

- i. he had known Jonathan Rees for about 18 months, having been introduced to him by DS Fillery;
- ii. DS Fillery and Jonathan Rees had been friends for some time;
- iii. he had seen Jonathan Rees on approximately 12 occasions, always at Catford Police Station;
- iv. Jonathan Rees regularly telephoned the Crime Squad office to speak to DS Fillery;
- v. he was never surprised to see Jonathan Rees in the Crime Squad office;
- vi. Jonathan Rees attended social functions at Catford Police Station;
- vii. Jonathan Rees acted as a legal representative for prisoners;
- viii. he had thought that Jonathan Rees was a former police officer, and that he would use police jargon; and
- ix. he had telephoned DS Fillery and told him that Daniel Morgan had been murdered and that Jonathan Rees had been arrested. DS Fillery had asked if Jonathan Rees could telephone him when he was released.

215 Witness statement of PC Laurence Hart, MPS010875001, p4, 17 December 1987.

216 Witness statement of PC Laurence Hart, MPS010875001, pp4-5, 17 December 1987.

217 Witness statement of PC Laurence Hart, MPS010875001, p5, 17 December 1987.

218 Witness statement of PC Laurence Hart, MPS010875001, p5, 17 December 1987.

219 Witness statement of PC Laurence Hart, MPS010875001, 17 December 1987.

However, this information was not available to D/Supt Douglas Campbell until December 1987, so it could not form any part of his earlier deliberations.

PC Laurence Hart made two further statements about seeing Jonathan Rees at the custody desk. The second statement, on 22 June 1988, made no mention of the discussion with DI Allan Jones or DC Kinley Davies, nor of any arrest of Jonathan Rees.²²⁰ The third statement, made on 16 May 1991, stated: '*D/I JONES then told me, I think, either that Mr REES had been arrested for the murder or brought in for the murder, from which words I would have assumed that he had been arrested.*'²²¹ Providing more general comment on his interactions with Jonathan Rees, PC Hart stated he had seen Jonathan Rees at Catford Police Station on about 30 to 40 occasions, speaking to him about 12 times since first meeting him.²²²

DC Kinley Davies recalled Jonathan Rees greeting PC Laurence Hart '*[o]n the way in to the Charge Room*' and confirmed that a conversation took place in his presence between DI Allan Jones and PC Hart.²²³ DC Davies stated that PC Hart was told by DI Jones that Jonathan Rees was there because he was the business partner of the victim, Daniel Morgan, and had been asked to come in to assist the enquiry.²²⁴ DC Davies stated that he remembered Jonathan Rees clarifying with DI Jones that he was not under arrest as, if he was, he would have wanted a solicitor present.²²⁵

DC Kinley Davies recalled that DI Allan Jones then went upstairs to see D/Supt Douglas Campbell and, upon his return several minutes later, they all went up to the top floor and joined D/Supt Campbell.²²⁶

134. Despite PC Laurence Hart's original statement that DI Allan Jones had told him that Jonathan Rees had been arrested (which PC Hart subsequently explained as being his own interpretation), and despite the fact that Jonathan Rees later claimed a custody record had been made out for him that night, and there was a possibility that custody records may have been renumbered, the Panel is satisfied that Jonathan Rees attended the police station voluntarily, particularly given the content of his statement taken later in the day which contains no mention of any arrest, and the content of all the relevant statements and other documentation which has been examined and which do not show that Jonathan Rees was arrested on the night of 10 March 1987.

220 Witness statement of PC Laurence Hart, MPS029696001, 22 June 1988.

221 Witness statement of PC Laurence Hart, MPS038138001, p2, 16 May 1991.

222 Witness statement of PC Laurence Hart, MPS038138001, p1, 16 May 1991

223 Witness statement of DC Kinley Davies, MPS028043001, p2, 07 July 1988.

224 Witness statement of DC Kinley Davies, MPS028043001, p2, 07 July 1988.

225 Witness statement of DC Kinley Davies, MPS028043001, p2, 07 July 1988.

226 Witness statement of DC Kinley Davies, MPS028043001, p2, 07 July 1988.

3.2.2.1 The meeting between Jonathan Rees, D/Supt Douglas Campbell and DI Allan Jones

135. D/Supt Douglas Campbell saw Jonathan Rees at Catford Police Station in the early hours of the morning of 11 March 1987 in the Detective Chief Superintendent's office. DI Allan Jones and DC Kinley Davies were also present.^{227,228} There are no contemporaneous notes of this meeting. Later, at the Inquest, D/Supt Campbell said that no notes had been made of this meeting because at that time Jonathan Rees was not a suspect.²²⁹

136. Jonathan Rees later complained about, among other things, the failure to record this meeting. As stated above, his complaints were investigated by DCS David Lamper.²³⁰

137. When interviewed by DCS David Lamper about the meeting, D/Supt Douglas Campbell said that he had spoken to Jonathan Rees to find out as much as he could about the background of Daniel Morgan, and to ascertain who, to Jonathan Rees's knowledge, could be responsible for his partner's death.²³¹ D/Supt Campbell said that no notes were taken as it was intended that a full witness statement would be taken at a more reasonable hour.²³²

138. DI Allan Jones, when interviewed in the same context, said that D/Supt Douglas Campbell had spoken to Jonathan Rees that night for the following reasons: he was one of the last men to have seen Daniel Morgan alive; Jonathan Rees might have had valuable information to give; the police were seeking background knowledge of the victim; and in order to see where to start the enquiry.²³³ DI Jones stated that nothing of importance which required immediate action arose from the conversation.²³⁴ He also later agreed that no notes were taken because Jonathan Rees was not a suspect at this stage, and it was not a requirement that a statement or notes were taken. DI Jones said that he was expecting a statement to be taken later in the morning.²³⁵

139. DCS David Lamper did not substantiate the complaint, accepting D/Supt Douglas Campbell's evidence. His report stated:

*'I would imagine that both officers are regretting that notes of their conversation were not taken that night. If they had been then possibly so many disputes as to what was said or done would not have arisen. However, having said that, there was no legal requirement for notes to be taken and it was the Senior Investigating Officer's intention that a full statement should be taken from REES, just a few hours later.'*²³⁶

227 Transcript of interview of DI Allan Jones (11:43-15:45) in the presence of DCS Lamper, a Detective Sergeant and an Inspector, MPS038440001, p11, 10 August 1988.

228 Transcript of interview of D/Supt Douglas Campbell following a complaint by Jonathan Rees (11:04-15:05) in the presence of DCS Lamper and a Detective Sergeant, MPS038968001, p3, 23 August 1988.

229 Inquest into the death of Daniel Morgan, Sixth Day, MPS015478001, p23, 18 April 1988.

230 Police Complaints Authority Report to William Jonathan Rees, MPS037279001, p1, 27 March 1990.

231 Transcript of interview of D/Supt Douglas Campbell following a complaint by Jonathan Rees, (11:04-15:05) in the presence of DCS Lamper and a Detective Sergeant, MPS038968001, p7, 23 August 1988.

232 Transcript of interview of Douglas Campbell (11:04-15:05) in the presence of DCS Lamper and a Detective Sergeant, MPS038968001, p7, 23 August 1988.

233 Transcript of interview of DI Allan Jones (11:43-15:45) in the presence of DCS Lamper, a Detective Sergeant and an Inspector, MPS038440001, p12, 10 August 1988.

234 Transcript of interview of DI Allan Jones (11:43-15:45) in the presence of DCS Lamper, a Detective Sergeant and an Inspector, MPS038440001, p13, 10 August 1988.

235 Transcript of interview of DI Allan Jones (11:43-15:45) in the presence of DCS Lamper, a Detective Sergeant and an Inspector, MPS038440001, p13, 10 August 1988.

236 Report by DCS David Lamper; Complaint against police, MPS005459001, p66-67, 17 November 1988.

140. The Panel has had to rely almost entirely on the papers from DSC David Lamper's complaint investigation to paint a limited picture of the meeting between Jonathan Rees, D/Supt Douglas Campbell and DI Allan Jones during the early hours of 11 March 1987. The Morgan One Investigation papers provided no information regarding this.

141. However, a statement dated 09 September 1995 by D/Supt Douglas Campbell was found among the case papers of the civil action brought by Jonathan Rees against the Commissioner of the Metropolitan Police and the Chief Constable of Hampshire. In this, D/Supt Campbell said,

'[...] JONES brought REES into my presence. We all sat down, and I asked REES to tell me the background to Danny MORGAN. We were talking for about forty minutes. I asked him why REES and MORGAN were both in the pub. [sic] that night, how much money Danny MORGAN normally carried on him, his family circumstances, his work and general information about his life that would help me to know Danny MORGAN better. REES was not under arrest. I did not question REES under caution. He was not a suspect. I was speaking to him within about two hours of seeing Danny MORGAN dead and I was trying to take the initial steps of learning about people involved in the murder investigation.

*'During our conversation I learned from Mr REES that neither Daniel MORGAN nor his wife had any close relatives living in London. I naturally assumed that John REES being the partner would have some close relationship with Mrs MORGAN. I asked him if he would tell her of her husband's death. He initially expressed reluctance but when I explained it would be better coming from him than from an unknown police officer he agreed. I sent both male and female officers with him to Mrs MORGAN's home address. What I considered important was that someone Mrs MORGAN knew was present when she was told of the death.'*²³⁷

142. A contemporaneous note of the meeting should have been made, to record information from the last person known to have been with Daniel Morgan before his murder. There is no contemporaneous evidence that Jonathan Rees was asked questions about his own movements that night. Jonathan Rees should have been asked about that night: any such information might subsequently have proved to be important, even if it were contradicted by subsequent evidence.

Jonathan Rees was, at the very least, a significant witness. The fact that no record was made of the conversation between Jonathan Rees and D/Supt Douglas Campbell at Catford Police Station was a grave failure on the part of D/Supt Campbell and DI Allan Jones.

3.2.2.2 *The examination of Jonathan Rees's clothing at Catford Police Station*

143. At some point either during or after the meeting at Catford Police Station with Jonathan Rees, DS Graham Frost was asked by DI Allan Jones to examine Jonathan Rees's clothing, including his trousers, shirt, raincoat and shoes.²³⁸

²³⁷ Witness statement – Civil Action, D/Supt Douglas Campbell, MPS037217001, p3, undated.

²³⁸ Witness statement of DS Graham Frost, MPS010726001B, 19 August 1987.

144. DS Graham Frost had just returned from the murder scene. There is no evidence as to whether he took any steps to prevent cross-contamination of Jonathan Rees's clothing during his examination. He said that he conducted a visual examination only.²³⁹ There is no description in DS Frost's witness statement of the clothes which he examined visually. The Morgan One Investigation failed to establish conclusively which clothes Jonathan Rees had been wearing earlier in the Golden Lion public house. There is no mention of Jonathan Rees's tie, scarf or the black gloves which he was said to have been wearing when he left the Golden Lion, and which he was said to have placed on the counter when he entered the police station that night.²⁴⁰ After inspecting Jonathan Rees's clothing, DS Frost noted that there were no visible signs of blood-staining or splashing on his clothing.²⁴¹ In October 2020, former DS Frost informed the Panel that the oversuit, gloves and shoes worn during the examination of the murder scene were removed prior to entering the police station to examine Jonathan Rees's clothing. Former DS Frost also stated that aside from a visual examination, a chemical test was carried out on the legs of Jonathan Rees's trousers. There is no evidence of any such examination of Jonathan Rees's trousers.

145. In 1989, as part of the subsequent Hampshire/Police Complaints Authority Investigation, DCI Terence Farley reported that the Scenes of Crime Officer declared he, as well as DS Graham Frost, had been asked *'to look at this man's clothing to see if there was any blood splashing present. The clothing was looked at very carefully indeed and found to be as "clean as a whistle"'*.²⁴² DCI Farley also said that,

*'whilst [the Scenes of Crime Officer] agreed the examination consisted of visual inspection only, the suspect had been asked to remove his shoes which were looked at carefully under a strong light. He agreed that they had only been asked to look at the partner's [Jonathan Rees's] clothing and that no-one had, as far as he was aware, asked if it was the same clothing as he had been wearing earlier that evening.'*²⁴³

146. During the Inquest, D/Supt Douglas Campbell was asked why Jonathan Rees's clothing was not sent for forensic examination to identify whether there were any invisible traces of blood.²⁴⁴ D/Supt Campbell responded:

*'There were two reasons. Initially, as I told you, within two or three hours of having been involved in this murder I did not consider Mr. Rees a suspect. Blood-staining or blood-splashing is clearly visible to an expert in that field and if Detective Sergeant Graham Frost had considered that there was a possibility of blood being found that he could not see with the naked eye then he might have suggested that it goes to the Metropolitan Police Laboratory. However, it is my experience that if you cannot see it with the naked eye it is very unlikely that the Metropolitan Police are going to find it in their laboratory.'*²⁴⁵

239 Witness statement of DS Graham Frost, MPS010726001B, 19 August 1987.

240 Witness statement of DC Kinley Davies, MPS029494001, p2, 07 July 1988.

241 Witness statement of DS Graham Frost, MPS010726001B, 19 August 1987.

242 Operation Drake – Enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan at Sydenham, London SE26, on the 10 March 1987, MPS026869001, p21, 19 January 1989.

243 Operation Drake – enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan at Sydenham, London SE26, on the 10 March 1987, MPS026869001, p22, 19 January 1989.

244 Witness D/Supt Douglas Campbell, cross-examined by Mr J. Nutter, Inquest into the death of Daniel Morgan, Fourth Day, MPS022282001, p73, 14 April 1988.

245 Witness D/Supt Douglas Campbell, cross-examined by Mr J. Nutter, Inquest into the death of Daniel Morgan, Fourth Day, MPS022282001, p84, 14 April 1988.

147. D/Supt Douglas Campbell was then asked whether it was '*general practice that if somebody has been very close to the scene of an incident [...] their clothes are taken off them and they are given a paper suit to wear whilst other clothes are brought to the police station*'. D/Supt Campbell replied that it was normally the case. He added that '*we do try to confine it to clothing that has visible signs of contamination*'.²⁴⁶

148. The Panel interviewed the forensic scientist, Philip Toates, who conducted forensic examination of items submitted to the Forensic Science Laboratory, about the visual examination of Jonathan Rees's clothing which occurred in the early hours of 11 March 1987. Records supplied to the Panel by Philip Toates indicate that on 06 May 1987 he spoke to DI Allan Jones, and the issue of Jonathan Rees's clothing was discussed. Philip Toates recorded that he was told, '*Rees' clothing was light coloured – hence blood excluded. Rees not himself injured*'.²⁴⁷

149. The Panel asked Philip Toates whether a visual examination as conducted by DS Graham Frost would have detected any possible sign of blood, and whether further tests could and should have been carried out. Philip Toates responded that small blood stains would not necessarily be visible to the naked eye. He explained that it would have been appropriate to examine the material by eye under good laboratory lights, a fibre-optic light and a low-powered microscope. Had there been any visible staining, tests could have been used to determine whether blood was present. Had the presence of blood been identified, attempts could subsequently have been made to group the blood.²⁴⁸

150. In a statement made to the Hampshire/Police Complaints Authority Investigation, a Police Constable from the Catford Crime Squad said that shortly after the murder of Daniel Morgan, when he and other officers were in Catford Crime Squad offices, DS Sidney Fillery had said that '*the investigation was a farce and he had told John REES to retain his clothing because it still had not been examined correctly*'.²⁴⁹

151. In evidence at the Inquest, D/Supt Douglas Campbell stated that, following the visual inspection of Jonathan Rees's clothing, the clothing was returned to Jonathan Rees.²⁵⁰ However, there is no record in the Exhibits Book that it had ever been removed from him.

152. Dr Kathryn Mashiter, an independent expert in forensic science engaged by the Panel, commented on the examination of Jonathan Rees's clothing as follows:

- i. The examination of Jonathan Rees's clothing on 11 March 1987 was superficial.
- ii. There is no mention of Jonathan Rees being requested to remove his shoes and trousers.

246 Witness D/Supt Douglas Campbell, cross-examined by Mr J. Nutter, inquest into the death of Daniel Morgan, Fourth Day, MPS022282001, p84, 14 April 1988.

247 Notes provided to the Panel by Philip Toates, 03 August 2016.

248 Panel interview of Philip Toates, 03 August 2016.

249 Witness statement of a Police Constable in the Catford Crime Squad, MPS034865001, p2, 17 October 1988.

250 Witness D/Supt Douglas Campbell, cross-examined by Mr J. Nutter, inquest into the death of Daniel Morgan, Fourth Day, MPS022282001, p84, 14 April 1988.

- iii. A quick visual examination would have been totally inadequate and the subsequent comment from D/Supt Douglas Campbell at the Inquest into Daniel Morgan's death that *'it is my experience that if you cannot see [blood] with the naked eye it is very unlikely that the Metropolitan Police are going to find it in their laboratory'* shows a lack of forensic knowledge one would not expect of an investigating officer of D/Supt Campbell's rank.

153. The visual search conducted would not necessarily have identified small blood splashes and other evidence which may have been present on Jonathan Rees's clothing. In addition, it would not necessarily have identified any fibres which may have been relevant to the investigation. Jonathan Rees's clothing (including his scarf, tie and gloves) and his shoes should have been examined by a forensic scientist. Not recovering Jonathan Rees's clothing and shoes for forensic analysis for blood marks was another significant failure of the Morgan One Investigation.

There is no record that any attempt was made to trace the scarf, shirt, tie or gloves which Jonathan Rees was wearing at the Golden Lion public house on the night of the murder, or to consider their submission for forensic examination.

154. After a meeting between D/Supt Douglas Campbell and DI Allan Jones, which was estimated by PC Laurence Hart to have lasted about 20-30 minutes, PC Hart told Jonathan Rees that he had telephoned DS Sidney Fillery and informed him that Daniel Morgan was dead, and that Jonathan Rees was in the police station. PC Hart said that DS Fillery had asked that Jonathan Rees telephone him, and he did so before leaving the police station.²⁵¹

3.2.3 How Iris Morgan was informed about her husband's death

155. DC Kinley Davies, who was present at the meeting between D/Supt Douglas Campbell, DI Allan Jones and Jonathan Rees, stated that after the meeting, Jonathan Rees was asked by D/Supt Douglas Campbell to confirm Daniel Morgan's home address and whether his wife was at home.²⁵²

156. Jonathan Rees was then asked to inform Iris Morgan of her husband's death. DC Kinley Davies recalled Jonathan Rees *'pulled a face but agreed to do so'*.²⁵³

157. Jonathan Rees was then taken by PC Laurence Hart and DC Noel Cosgrave to Iris Morgan's house. Two of Iris Morgan's friends were contacted and accompanied the police officers and Jonathan Rees to Iris Morgan's home so that there would be someone known to Iris Morgan present when she was told the news.²⁵⁴ One of those friends stated that this occurred at 2.30 am.²⁵⁵

158. Iris Morgan was informed about her husband's murder by DC Noel Cosgrave (see Chapter 12, The Treatment of the Family).²⁵⁶

251 Witness statement of PC Laurence Hart, MPS010875001, pp5-6, 17 December 1987.

252 Witness statement of DC Kinley Davies, MPS029494001, p2, 07 July 1988.

253 Witness statement of DC Kinley Davies, MPS029494001, p3, 07 July 1988.

254 Witness statement of DC Noel Cosgrave, MPS028067001, p2, 22 June 1988.

255 Witness statement of a neighbour of Iris Morgan, MPS010632001, p5, 22 April 1987.

256 Witness statement of DC Noel Cosgrave, MPS028067001, p2, 22 June 1988.

159. The Panel has concerns regarding the conduct of the attending officers and the proposal that Jonathan Rees inform Iris Morgan about her husband's death. In fact, Jonathan Rees did not inform her, it was DC Noel Cosgrave. Those concerns are articulated in Chapter 12, The Treatment of the Family.

3.3 The establishment of the Major Incident Room and the murder investigation team: 11 March 1987

160. DS Malcolm Davidson stated that, having left the scene of Daniel Morgan's murder, he went to the Area Major Incident Pool offices at Catford Police Station at *'about 12 midnight'*, to begin the process of finding premises for the enquiry and establishing the investigation team.²⁵⁷ His responsibilities included establishing the Major Incident Room, ensuring its efficient operation, and obtaining personnel to staff both the Major Incident Room and the outside enquiry team (the officers whose main task is to conduct enquiries such as interviewing witnesses and carrying out searches).²⁵⁸

161. Accommodation for the Major Incident Room was located at Sydenham Police Station, less than a mile from the Golden Lion public house. The Major Incident Room was moved to St Mary Cray Police Station *'in the Autumn of 1987'* and in *'late 1988'* it was relocated again, this time to Southwark Police Station.²⁵⁹

162. Commander Alan Fry, the Metropolitan Police Commander responsible for the area in which Daniel Morgan was murdered, stated that on 11 March 1987 he *'went to the offices of the Area Major Investigation pool at Catford and personally determined the resources in manpower terms and the offices to be used as the Incident Room for [the] murder'*.²⁶⁰

3.3.1 The management team for the Morgan One Investigation

163. D/Supt Douglas Campbell was formally appointed as Senior Investigating Officer for the murder of Daniel Morgan, having been on call at the time of the murder (see paragraph 19x above).²⁶¹ D/Supt Campbell reported to DCS Douglas Shrubsole.

164. D/Supt Douglas Campbell had appointed DI Allan Jones as his Deputy Senior Investigating Officer for the investigation.²⁶²

165. DS Malcolm Davidson had been on call at the time of the murder, with D/Supt Douglas Campbell. As a Detective Sergeant assisting the Detective Superintendent, his primary role was to assume the function of *'Office Manager'* during major investigations,^{263,264} and he became the Office Manager for the murder investigation. DS Davidson stated in 1988 that he had been

257 Witness statement of DS Malcolm Davidson, MPS010983001, p1, 18 April 1989.

258 Witness statement of D/Supt Douglas Campbell, MPS010915001, p1, 03 July 1989.

259 Witness statement of DS Malcolm Davidson, MPS010983001, p2, 18 April 1989.

260 Witness statement of Commander Alan Fry, MPS006092001, p1, 11 June 1990.

261 Witness statement of D/Supt Douglas Campbell, MPS010915001, 03 July 1989.

262 Witness statement of DI Allan Jones, MPS015298001, p1, 20 July 1989.

263 Witness statement of DS Malcolm Davidson, MPS010983001, p2, 18 April 1989.

264 Witness statement of D/Supt Douglas Campbell, MPS010915001, p1, 03 July 1989.

a police officer for 30 years and a Criminal Investigation Department (CID) officer for more than 27 of those. He stated that he had performed the Office Manager role for the previous two and a half years and had 20 commendations for good police work.²⁶⁵

166. When the Panel interviewed former DS Malcolm Davidson, he gave an indication of the workload which he and D/Supt Douglas Campbell had experienced in the months prior to Daniel Morgan's murder. He said that, as far as he could remember, on Boxing Day 1986 there had been a murder in Peckham, in January 1987 there had been a stabbing in Deptford, and in February 1987 there had been a shooting of three people. He said that they had solved each of these crimes within a matter of weeks.²⁶⁶

167. The absence of any material relating to any kind of formal oversight process, as occurred in later investigations, indicates that, as was normal at the time, there was no formal oversight of the Morgan One Investigation other than normal line management processes.

3.3.1.1 The staffing of murder investigations in the Metropolitan Police in 1987

168. Specialist squads of detectives dedicated to dealing with murders and other serious crimes did not exist within the Metropolitan Police at the time of Daniel Morgan's murder, as was the case in most police forces in England and Wales. Negotiation with local commanders was required for the secondment of police officers from various divisions and departments to a murder investigation. Such commanders were very often reluctant to lose staff for indeterminate periods. A Senior Investigating Officer had little or no control over who was attached to an enquiry, and staff often had little training for, and limited experience of, investigating murder.

169. DI Allan Jones and DS Malcolm Davidson telephoned various stations within '3 Area', including Catford, in an attempt to secure staff.^{267,268}

170. In interview with the Panel, former D/Supt Douglas Campbell said that staff had been allocated to him, and that he would not have expected local Detective Chief Inspectors to give their best officers.²⁶⁹ Former DI Allan Jones, in an interview with the Panel in March 2015, said that the quality of some of the officers on the Morgan One Investigation was poor, and that many of them were young and inexperienced. He added that they were under considerable pressure during the investigation, and that they were often not capable of the task before them.²⁷⁰ In a statement made in 1988, DS Malcolm Davidson stated that the enquiry had been '*given such staff as was available within the current commitments of the Metropolitan Police*'.²⁷¹

3.3.2 The staffing of the Morgan One Investigation

171. The Major Incident Room became operational the morning after the murder, but it took some time for staff to arrive. A first briefing meeting was held by D/Supt Douglas Campbell in Sydenham Police Station at about 5.00pm on 11 March 1987.²⁷²

265 Witness statement of DS Malcolm Davidson, MPS010984001, p1, 21 December 1988.

266 Panel interview of former DS Malcolm Davidson, p5, 20 October 2015.

267 Witness statement of DI Allan Jones, MPS015298001, p2, 20 July 1989.

268 Witness statement of DS Malcolm Davidson, MPS035898001, p1, 20 May 1987.

269 Panel interview with former D/Supt Douglas Campbell, 11 February 2015.

270 Panel interview with former DI Allan Jones, 04 March 2015.

271 Witness statement of DS Malcolm Davidson, MPS010984001, p1, 21 December 1988.

272 Witness statement of the Detective Sergeant Assistant Office Manager, MPS018566001, 20 June 1989.

172. Eight members of the 'Catford Crime Squad',²⁷³ which was commanded by DCI Ian Brown, were co-opted onto the murder investigation team on 11 March 1987. They included the leaders of the squad, DS Sidney Fillery and PS Phillip Barrett, the latter of whom had joined the Catford Crime Squad two days previously.²⁷⁴ They worked on the investigation for five days.

173. The Catford Crime Squad consisted of a mixed group of detectives and uniformed officers who provided initial support in serious cases and had previously been assisting a murder investigation based at Sydenham Police Station. Their role on that investigation had concluded on 09 March 1987. They were transferred directly from that investigation to the Morgan One Investigation at the request of DS Malcolm Davidson and on the authority of D/Supt Douglas Campbell.²⁷⁵

174. A decision was made by D/Supt Douglas Campbell to return DS Sidney Fillery and the Catford Crime Squad officers to normal duties on 16 March 1987. The reason for the decision was recorded as being '*D.S. FILLERY too closely associated with John REES. Force policy only to employ Crime Squad on initial enquiries.*'²⁷⁶ (The removal of DS Fillery is discussed in more detail in paragraphs 474-484 below.)

175. At the beginning of the investigation, a team of 26 officers formed the outside enquiry team.²⁷⁷ In addition, other officers were allocated to roles within the Major Incident Room.^{278,279} There were regular changes to the resourcing of the investigation, in response to fluctuations in incoming information and consequential changes in the need for staff.^{280,281}

176. A number of the officers who had responded to the report of the discovery of Daniel Morgan's body, and who had attended the scene, were co-opted onto the enquiry at the beginning. These included officers from all three stations within Catford Division: Catford Police Station, Sydenham Police Station and Lee Road Police Station.^{282,283}

273 Appendix C: Schedule of Officers on Catford crime squad 1987, MPS020654001, p1-4, 1987: The officers were DS Sidney Fillery and PS Phillip Barrett who were in charge of the squad, WPC Maureen Fentiman, PC Stephen Thorogood, Police Officer N21, and three more Police Constables.

274 Metropolitan Police General Orders and Regulations, Section 2, para 8 (edition 13/84) defined the role of these units: '*A Divisional Crime Squad, staffed by CID and uniform personnel, will operate on each Division, under the control of the Chief Superintendent in charge of the Division. Working in liaison with the R.C.S., C.8 and C.11, the squad will have the following objectives:-*

To concentrate on serious crime; and selected criminals.

To assist major investigations, particularly when the initial stages are crucial.

To conduct protracted observations.

To gain, analyse and act upon intelligence and information regarding local criminals.

To act as a concentrated training ground for young officers in the field of criminal investigation.'

275 Witness statement of DS Malcolm Davidson, MPS035898001, p1, 20 May 1987.

276 Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p4, 11 March 1987 to 07 February 1989.

277 Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p1, 11 March 1987 to 07 February 1989.

278 Receivers are those who first receive and read all documentation entering the major incident room and ensure that actions have been completed.

279 Indexers are those who index the contents of documents and cross reference them with other documents in the main index.

280 Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, 11 March 1987 to 07 February 1989.

281 From 10 August 1987 D/Supt Douglas Campbell returned four officers to normal duties because there was insufficient information coming into the Incident Room to keep those officers fully employed. On 15 September 1987 he decided to increase his squad by two officers because of an increase in actions. On 04 January 1988 an officer was transferred out of the squad and on 21 January 1988 he reduced the squad by two officers because of a reduction in workload and *Officers also required for major incident ...elsewhere*. On 29 September he reduced the squad again by two officers because of a reduction in workload. On 25 April 1988 an indexer was transferred *required on MD incident*.

282 Witness statement of DC Noel Cosgrave, MPS028067001, p1, 22 June 1988.

283 Witness statement of DC Julie Benfield, MPS028063001, p1, 20 September 1988.

3.3.3 Administrative procedures and the computerised investigation system

177. The Morgan One Investigation proved to be a complex murder investigation. Records show that by the end of his investigation D/Supt Douglas Campbell stated that *'some 1,560 Actions have been created, from which 680 statements have been taken. Countless other persons have been interviewed, and 687 messages have been recorded.'*²⁸⁴

178. A requirement to maintain a policy file of reasoned decisions made during a murder investigation had existed since 1981, under the Major Incident Room Standardised Administrative Procedures.²⁸⁵ There is a very brief typed policy file for the investigation, bearing D/Supt Douglas Campbell's signature. It contained 34 policy decisions made between 11 March 1987 and 07 February 1989.²⁸⁶ The Panel has found no evidence that this policy file was consistently used by D/Supt Campbell to record his decisions in the investigation. Many decisions were made which were not recorded. PS John Riddell of Hampshire Constabulary reported to the subsequent Hampshire/Police Complaints Authority Investigation that D/Supt Campbell had not maintained a policy file or at least not maintained it in a contemporaneous way.²⁸⁷ The Panel interviewed former D/Supt Campbell in February 2015. He commented that, at the time of Daniel Morgan's murder, the systems and processes involved in recording a murder investigation were changing. He stated that, as far as he could recall, the use of policy files for recording decisions made on investigations was *'a relatively new practice'*.²⁸⁸

179. On 11 March 1987, D/Supt Douglas Campbell made a written request to the Technical Support Branch of the Metropolitan Police for a computer, on the grounds that it was anticipated that the investigation would be *'complex and protracted'*.²⁸⁹ The use of computers to assist in major investigations was a relatively new practice in 1987, and former D/Supt Campbell told the Panel in interview that this had been the first time he had used one in a murder enquiry.²⁹⁰ The computer system which was provided (the MICA system) had only indexing and word-processing facilities. The absence of a document or investigative 'action' management facility (an action was a task allocated to a police officer in the course of an investigation) meant that, during the investigation, the allocation of investigative actions and the numbering of documentation could only be undertaken manually.

180. Former DS Malcolm Davidson also told the Panel that he had not previously used the MICA system and had had no experience whatsoever with computers. He said that he completed a very short training course of two to three days, during which he was shown the new national forms which were being introduced into Major Incident Rooms and was given a brief overview of the new computer system, but he had no instruction on the use or management of computers. Although the computer was used during the investigation, he did not personally access it.²⁹¹ He explained that there had been only four terminals in the Morgan One Investigation Major Incident Room, and that those were used by the team of four indexers. Former DS Davidson said that he trusted the indexers with what they entered onto the computer. He said that they were competent as far as he was aware.²⁹²

284 Murder Report by D/Supt Douglas Campbell, MPS015359001, p3, 22 January 1988.

285 Major Incident Room Standardised Administrative Procedures 1981.

286 Policy File for the Case of Daniel Morgan, MPS004821001, 11 March 1987 to 07 February 1989.

287 Officers Report R1 by PS John Riddell, MPS024055001, p2, 28 July 1988.

288 Panel interview with former D/Supt Douglas Campbell, p2, 11 February 2015.

289 Officers Report, D/Supt Douglas Campbell, MPS011077001, p2, 11 March 1987. The system in use in the Metropolitan Police and several other police forces at the time was called MICA, although this was in the process of being replaced by a system called HOLMES, which is still in use today.

290 Panel interview with former D/Supt Douglas Campbell, p2, 11 February 2015.

291 Panel interview with former DS Malcolm Davidson, p2, 20 October 2015.

292 Panel interview with former DS Malcolm Davidson, p2, 20 October 2015.

181. In 1986 the Major Incident Room Standardised Administrative Procedures had been amended, after four years of deliberation and consultation by the Crime Committee of the Association of Chief Police Officers (then the national policy-making body for policing in England, Wales and Northern Ireland). The working party which had drafted the procedures had included a senior Metropolitan Police officer, Commander Leonard Gillert. They had been initially drafted in 1983 and amended in 1986. Their purpose *'was to aid and improve the efficiency of the organisation and the administration of an Incident Room and to offer better information retrieval capabilities than those offered by the traditional card index system'*. However, the extent to which the Metropolitan Police had adopted the procedures at the time of Daniel Morgan's murder cannot be confirmed by the Metropolitan Police. If they had not adopted them, then it is clear that they should have done, since they represented and articulated guidance by skilled professionals on the procedures to be used during a murder investigation.

182. The Panel asked former DS Malcolm Davidson about his management of the investigation. He explained that the Morgan One Investigation was something of a *'hybrid enquiry'*.²⁹³ It was the start of a new system in that a computer was used, but the investigation was heavily reliant on the old card index system.²⁹⁴ Former DS Davidson gave the Panel the impression that the investigation was approached in a traditional manner;²⁹⁵ there was a sense that DS Davidson and D/Supt Douglas Campbell viewed the use of the card index approach to this murder as normal.

183. DS Malcolm Davidson used a card index system to run the investigation, although he said that everything which would have been put on a card index also went into the computer. He retained hard copies of all papers in case the computer failed, but he did not keep the card indexes. He had a pad for investigative actions, which had self-carbonating sheets, producing three copies. The top copy of the investigative action was issued to the police officer, a copy went to D/Supt Douglas Campbell, and the bottom one remained with DS Davidson. Completed actions were kept in a clip binder for storage. Those action sheets available have been examined by the Panel.

184. When questioned about how he had ensured that cards from the card index system did not go missing during the investigation, former DS Malcolm Davidson stated that this did not happen during the Morgan One Investigation as he knew this could be a problem and *'was on top of it'*.²⁹⁶

185. The card indexes, which would have informed the Panel about the investigation, were not available for the Panel to review as they had not been retained. Although former DS Malcolm Davidson said that all the information went onto the computer, he did not oversee or check it, and it is now impossible to state whether all the information on the cards was transferred to the computer. The original cards formed an important record of the investigation and should have been retained.

293 Panel interview with former DS Malcolm Davidson, p6, 20 October 2015.

294 *'The system of card indexing was later replaced by the Home Office Large Major Enquiry System (HOLMES)'*, Association of Chief Police Officers Overview of Police Information Management, p35,17 December 2012.

295 Panel interview with former DS Malcolm Davidson, p6, 20 October 2015.

296 Panel interview with former DS Malcolm Davidson, p3, 20 October 2015.

186. When interviewed by the Panel,²⁹⁷ former DS Malcolm Davidson explained that he managed the investigation actions using a very large white board fixed to the wall, on which he recorded the names of officers and the investigative action numbers allocated to each officer, so that he could see to whom investigative actions had been allocated, which officers were overworked and which were underworked. Those investigative actions which were not progressed quickly enough were circled in red, and those which had been completed had a green line put through them. When completed actions became 'old' they were wiped off the board. Other information, such as which officers were on leave or at court for example, was also displayed on the board.

187. The Panel has not identified any records or minutes of daily briefings for the entirety of the Morgan One Investigation.

188. The Morgan One Investigation papers also reveal references to office meetings being held, as one would expect in a complex murder investigation. However, no notes of any such meetings have been disclosed to the Panel, suggesting that notes were either not taken, lost or destroyed.

189. Some police notebooks were located, but the overwhelming majority of officers' notebooks cannot now be found. Such notebooks are one of the major primary sources of contemporaneous information on investigative activities. There was at that time no requirement to retain notebooks (as is now the case). Some copies of notebook entries were found among the papers relating to a later civil action by two officers, DC Alan Purvis and DC Peter Foley, against the Metropolitan Police Commissioner (see paragraphs 627-633).

190. Police officers now routinely make statements regarding the actions they take during investigations, so that the information can be admitted as evidence. At the time of the Morgan One Investigation, information would normally have been recorded in a notebook until a statement was requested by a more senior officer. Statements were not requested at the time from many of the officers attending the crime scene and participating in the murder investigation; or they were requested and made very much later, in some cases, years later.

191. The Metropolitan Police should have retained all records relating to this unsolved murder investigation. The failure to do so was a grave impediment to future investigations.

297 Panel interview with former DS Malcolm Davidson, pp3-4, 20 October 2015.

192. D/Supt Douglas Campbell correctly recognised the need for computer management of this complex murder investigation. DS Malcolm Davidson did not access the computer at all, and there was no supervision of what was entered into the MICA system or of how it was handled. Neither the Office Manager, the Deputy Senior Investigating Officer nor Senior Investigating Officer made any use of it. They did not therefore gain the benefit of using the computer system. In addition to this, the content of the card index system used by the Office Manager is no longer available, with the result that there is a limit to the extent to which contemporaneous actions can be identified.

193. The Morgan One Investigation papers, and access to the data from the MICA computer system, were not made available to the Panel until January 2015, some 16 months after the start of the Panel's work. They were disclosed in a significant state of disarray. The quality of record-keeping was poor, and the content of existing records often inadequate.

194. The Panel has been unable to attribute ultimate responsibility for the lack of availability of material. At least seven teams of police officers have had access to, or full custodianship of, this material. These were: the Morgan One Investigation, the Hampshire/Police Complaints Investigation, Operation Nigeria/Two Bridges, the 2000 Murder Review, the Abelard One/Morgan Two Investigation, those responsible for the 2006 Report, and the Abelard Two Investigation. The Panel has, therefore, had to rely upon documentary evidence arising from subsequent police investigations, from the Inquest into Daniel Morgan's death, and from its own interviews, in order to build a coherent understanding of events prior to Daniel Morgan's murder, and the police activities which followed.

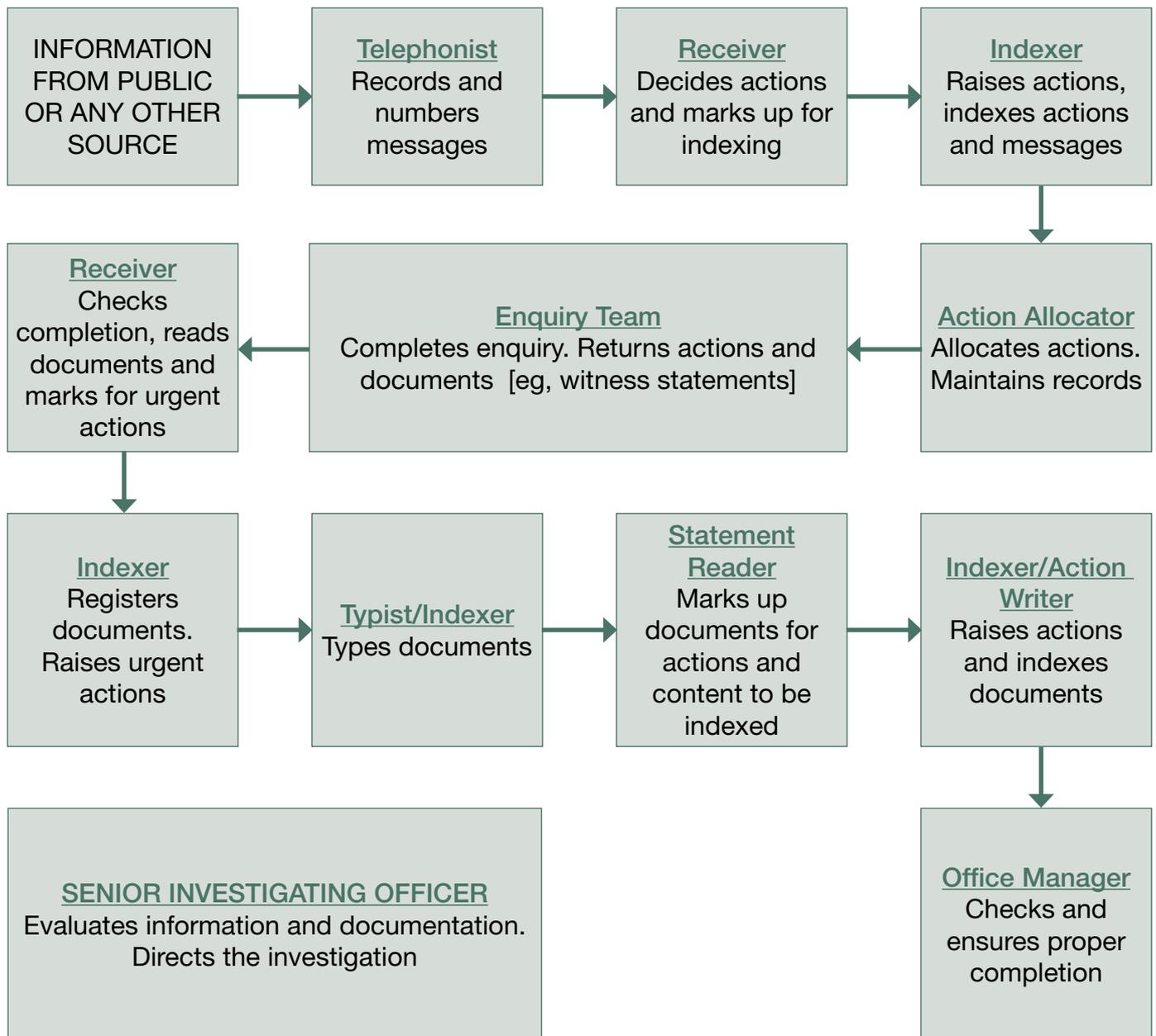
3.3.4 Roles within the investigation team

195. The Major Incident Room Standardised Administrative Procedures prescribed the functions and set out the job descriptions of each role in a Major Incident Room, from the Senior Investigating Officer to indexers, telephonists and clerks, and prescribed the way in which documents should be processed. The system was flexible and allowed for the size of the team to vary from one investigation to another. It allowed one person to take on several roles, or for one role to be taken by more than one person, depending on the size of the enquiry, the amount of documentation to be processed and the volume of enquiries. However, the document also stated that '*[g]ood management will ensure that a correct staff level is maintained to enable documentation to be processed efficiently*'.²⁹⁸

196. The allocation of roles within a Major Incident Room is important, to ensure clarity as to who should do what with all the information coming into an investigation and to ensure that necessary investigative actions are performed.

²⁹⁸ Association of Chief Police Officers Crime Committee, Major Incident Room Standardised Administrative Procedures 1986, Ch. 4, p14. The procedures are still in force and at the time of writing the latest version, which had changed little in substance from the original, was issued in 2005 by the National Centre for Policing Excellence.

197. Major Incident Room roles and document flow chart:²⁹⁹



198. During the Morgan One Investigation there was limited allocation of roles and DS Malcolm Davidson filled many roles at different times during the investigation. The records show the following:

- i. DS Malcolm Davidson was the Office Manager;³⁰⁰
- ii. Another Detective Sergeant filled the role of Assistant Office Manager until 29 February 1988;³⁰¹

²⁹⁹ Major Incident Room Standardised Administrative Procedures, 1986.

³⁰⁰ Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, 11 March 1987 to 07 February 1989.

³⁰¹ Witness statement of the Detective Sergeant Assistant Office Manager, MPS018566001, p1-4, 20 June 1989.

- iii. DC Paul Lombard was described as the ‘Receiver’.³⁰² However, even though DC Lombard recorded working in the incident room with DS Malcolm Davidson and the Assistant Office Manager, and later being involved in outside enquiries, there is no other reference to him acting as the Receiver.³⁰³ DC Lombard left the Morgan One Investigation on 29 February 1988;³⁰⁴
- iv. There were too few staff to allocate roles properly, and at different times DS Malcolm Davidson performed the roles of Receiver, Statement Reader, Action Manager and Office Manager, but he did not use the computer;³⁰⁵
- v. Four officers^{306,307,308,309} performed the role of ‘indexer’;³¹⁰
- vi. No one else was ever appointed to perform the Action Allocator, Statement Reader or Administration Officer roles;
- vii. The Exhibits Officer was DC Clive Blake from the Criminal Investigation Department (CID) in Penge. It was the first time that he had performed the role of Exhibits Officer on a major enquiry. He had no training in exhibit handling beyond his probationer training, which had occurred seven years previously, and had only basic detective training. He stated that he was Exhibits Officer until he was transferred away in ‘*about February 1988*’,³¹¹ although records show that he left the investigation on 30 May 1988.³¹² There is little evidence that DC Clive Blake was properly managed as Exhibits Officer by DS Malcolm Davidson (see paragraph 1013-1026 below); and
- viii. WDS Christine Fowles, who was stationed at Peckham, became the primary police contact for Daniel Morgan’s wife, Iris Morgan.³¹³ DC Richard Davis, also based at Peckham, was assigned to work with WDS Fowles, and he stated that they were given the task of ‘*looking after*’ Iris Morgan and the immediate family, including Alastair Morgan.³¹⁴ The effectiveness of police liaison with family members is assessed in more detail in Chapter 12, The Treatment of the Family.

199. Former DS Malcolm Davidson told the Panel that, as Office Manager, he saw all the documents, and detectives would bring their completed work to him; statements were read by him or by D/Supt Douglas Campbell, and they would individually raise investigative actions manually, sometimes retrospectively: for example, when an officer had visited someone’s house to carry out an interview and another person had been there who provided information to the investigation.³¹⁵

302 The officer who first receives and reads all documentation entering the MIR and ensures that actions have been completed. Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p1, 11 March 1987 to 07 February 1989.

303 Witness statement of DC Paul Lombard, MPS018552001, 07 June 1989.

304 Policy File for the Case of Daniel Morgan (Morgan One Investigation), Decision 22, MPS004821001, p23, 11 March 1987 to 07 February 1989.

305 Panel interview with former DS Malcolm Davidson, pp2-3, paras 9 and 14, 20 October 2015.

306 Witness statement of a Police Constable, MPS003359001, p1, 28 July 1988.

307 Decision 24 of Policy File for the Case of Daniel MORGAN (Morgan One Investigation), MPS004821001, p25, 25 April 1988.

308 Witness statement of a Police Constable, MPS018564001, p1, 20 June 1989.

309 Witness statement of a Police Constable, MPS018557001, p1, 13 June 1989.

310 Those who index the contents of documents and cross reference them with other documents in the main index.

311 Witness statement of DC Clive Blake, MPS024163001, p1, 27 June 1989.

312 Policy File for the Case of Daniel Morgan (Morgan One Investigation), Decision 26, MPS004821001, p27, 11 March 1987 to 07 February 1989.

313 Witness statement of WDS Christine Fowles, MPS011066001, p1-2, 05 July 1989.

314 Witness statement of DC Richard Davis, MPS018561001, p1-2, 06 June 1989.

315 Panel interview with former DS Malcolm Davidson, 20 October 2015.

200. A report prepared by PS John Riddell in July 1988 for the subsequent Hampshire/ Police Complaints Authority Investigation articulated the implications of the administrative arrangements in the Major Incident Room:

‘Whilst I am prepared to accept that DS DAVIDSON is probably a very experienced Detective Officer the singular approach to reading is very much against the advice of the ACPO [Association of Chief Police Officers] Crime Committee and contrary to the “Major Investigation Incident Room Standardised Administrative procedure” publications. The initial circumstances of the Morgan Murder clearly dictated that a better organisation within the incident room was required & certainly this enquiry ignored advice & direction of the ACPO crime committee.’³¹⁶

‘The reliance upon one officer, of whatever quality, to undertake the many functions dealt with by DS DAVIDSON, is best described as “A recipe for disaster.” The quality of any enquiry can lie with the detective ability of the incident room “readers”, who, working within the policies of the S.I.O. [Senior Investigating Officer], identify & originate lines of enquiry. The nationally accepted procedures are designed to incorporate safeguards whereby even the office managers reading & supervision of documentation in its final stage should allow total satisfaction for to [sic] the S.I.O that no aspect of the enquiry has been overlooked.’³¹⁷

201. As a consequence of merging several roles within the Major Incident Room and assigning many roles to DS Malcolm Davidson, the Office Manager, documents were frequently examined only by him rather than being subjected to several layers of scrutiny, which should have ensured that nothing was missed.

202. The procedures adopted in 1986, which provided for different officers performing different and complementary roles should have ensured a quality assurance mechanism that did not exist during the investigation of Daniel Morgan’s murder. The incident room was not compliant with the Major Incident Room Standardised Administrative Procedures at the time. It should have been.

203. The investigation into Daniel Morgan’s murder became complex. The absence of some records, failure to keep proper records on other occasions, and the failure to ensure that all police officers completing investigative actions made the necessary records of what they had done, either by way of completing the investigation action sheet, making any necessary statement, recording a note of what happened in each meeting or in any other appropriate way, made it difficult to establish what happened and when, and by whom actions were taken.

³¹⁶ Association of Chief Police Officers (ACPO) had the role of developing national police policy prior to its abolition in April 2015.

³¹⁷ Officers Report by PS John Riddell, MPS024055001, p2-3, 28 July 1988.

204. A great number of the shortcomings identified in the establishment and administration of the Major Incident Room were organisational. They stemmed from the way in which murder investigations within the Metropolitan Police were structured and staffed in 1987, a lack of familiarity with the national procedures introduced in 1981 and a lack of training to ensure effective implementation of procedural changes.³¹⁸ The Metropolitan Police is accountable for the way in which this investigation was resourced and managed. Nevertheless, the ultimate responsibility for the conduct of the investigation lay with the Senior Investigating Officer, D/Supt Douglas Campbell.

4 The ensuing days: first lines of enquiry

205. The Morgan One Investigation had established that Daniel Morgan had been killed with an axe between approximately 9.00 pm and 9.40 pm. No eye-witnesses to the murder had been identified.

4.1 The search of Daniel Morgan's desk at Southern Investigations

206. Sometime between 8.00 am³¹⁹ and 11.00 am³²⁰ on 11 March 1987, DS Sidney Fillery and PC Stephen Thorogood, acting on instructions, went to the Southern Investigations offices and searched Daniel Morgan's desk.³²¹ The specific instructions they were given before they went were not available to the Panel.

207. The paperwork which recorded the instruction for DS Sidney Fillery to search Daniel Morgan's desk on 11 March 1987 was not created until 14 March 1987, and required him to bring '*all contents and other personal effects*' to Sydenham Police Station.³²² The response, recorded on 15 March 1987 by DS Fillery, was '*RELEVANT contents seized 120387 [sic] and produced and [sic] described in statement of William [Jonathan] REES[.] Other documentation left at desk pending further examination*'³²³ [emphasis in original].

208. The reference to 12 March 1987 in DS Sidney Fillery's reply is assumed by the Panel to be a mistake because the statement taken by DS Fillery from Jonathan Rees listing the items removed was dated 11 March 1987.³²⁴

209. DS Sidney Fillery provided no other information on the search of Southern Investigations office on 11 March 1987 in his statements to the Morgan One or the Hampshire/Police Complaints Authority investigations.³²⁵ However, DS Fillery answered questions put to him during later interviews, including describing the process as follows: '*All the documents and*

318 Innes, Martin 2003. Investigating murder: detective work and the police response to criminal homicide. Clarendon Studies in Criminology, Oxford: Oxford University Press.

319 Witness statement of PC Stephen Thorogood, MPS015791001, p1-2, 19 May 1987.

320 Duty sheet of DS Sidney Fillery 10-15 March 1987, MPS038918001.

321 Witness statement of PC Stephen Thorogood, MPS015791001, p1-3, 19 May 1987.

322 Action 145 to attend Southern Investigations and clear Daniel Morgan's desk and bring all contents and personal effects to police station, allocated to DS Sidney Fillery on 14 March 1987; returned 15 March 1987 (The office was searched on 11 March 1987, three days before the Action was raised; this practice was not unusual within the early days of a murder investigation when detectives were carrying out enquiries quicker than the staff in the Major Incident Room can raise Actions to carry out the tasks), MPS013208001.

323 Action 145 to collect contents of victim's desk from his office, allocated 14 March 1987, returned 15 March 1987, MPS013208001.

324 Witness statement of Jonathan Rees, MPS021752001, 11 March 1987.

325 Witness statement of DS Sidney Fillery, MPS010358001, p1, 09 February 1989.

*books were put into a black plastic bag and taken to Catford and I had took them out of the bag, or REECE [sic] did, in the Crime Squad office and I listed them and put exhibit labels on them with WJR [a reference to Jonathan Rees] numbers as they were pulled out in the body of John REECE's [sic] statement.*³²⁶

210. Jonathan Rees said in his witness statement dated 11 March 1987 that, on 11 March 1987, he *'handed to Police certain documentation from Daniel's desk at the office'*.³²⁷ That documentation was described as a blotter pad, five telephone books, desk diaries for 1984 and 1987, a job number book and a telephone message book. Jonathan Rees did not record handing over any files to police. Jonathan Rees also said: *'I have caused the telephone message book to be examined and on certain pages which are "flagged" there are messages relating to threatening telephone calls received into our office against Daniel.*'³²⁸

211. In a witness statement dated 31 March 1987, PC Stephen Thorogood recorded that on 11 March 1987 he *'went with D/S FILLERY to MORGAN'S office [...] where we collected a number of diaries and correspondence which was later handed to the incident room'*.³²⁹

212. On 19 May 1987, PC Stephen Thorogood provided a witness statement recalling that, on 11 March 1987:

'D/S FILLERY directed me to what I discovered was MORGAN's desk, and instructed me to collect up any correspondence on which MORGAN had written on. I removed from the desk, three or four diaries, these were both current and out of date issued. The desk blotter, loose sheets of paper, a couple of personal telephone books. While I was searching the desk, D/S FILLERY was in conversation with REES and some of the other employees. The search took me about ten minutes, I went through the drawers and that is where I removed the items from. On the desk top there was very little, apart from the blotter. I did not recall removing any files or any documents which were not personal to MORGAN. On completion of the search, I informed D/S FILLERY and John REES accompanied us. I put the small amount of property taken under my arm, D/S FILLERY removed nothing, REES had nothing with him. I placed the property in the boot of the police car, REES got in the rear and D/S FILLERY got into the passenger seat at the front. I then drove straight to Catford Police Station.'³³⁰

213. PC Stephen Thorogood said that on arrival at Catford Police Station:

'I removed the property from the boot and took it to the Crime Squad office. I was accompanied by FILLERY and REES. The property was placed on the top of a cabinet. D/S FILLERY took John REES into his office and proceeded to take a statement from him. I then assisted another PC, [Police Officer N21] with some other property. Later that day I took the property that had been removed from MORGAN's office to the Incident Room at Sydenham. The reason the property had been taken to Catford was that at that time no Incident Room had been set up and it was not until the afternoon of the 11th March that Sydenham was used.

326 Interview of DS Sidney Fillery, MPS003214001, p6, 03 April 1987

327 Witness statement of Jonathan Rees, MPS021752001, p10, 11 March 1987.

328 Witness statement of Jonathan Rees, MPS021752001, p11, 11 March 1987.

329 Witness statement of PC Stephen Thorogood, MPS010580001, p1, 31 March 1987.

330 Witness statement of PC Stephen Thorogood, MPS015791001, p1-2, 19 May 1987.

I did not inspect the property I conveyed to Sydenham, it was in a black bin liner and I am unable to say whether it contained all of the property removed from MORGAN's office. I do not recall who I handed the property to at Sydenham. As far as I can swear the property was not entered in any books at Sydenham or Catford.^{331,332}

214. It is not possible from the material available to the Panel to identify exactly what may have been collected from Daniel Morgan's office on 11 March 1987, or what was left on Daniel Morgan's desk. The documents which had been retrieved should have been itemised by the police officer who had removed them.

215. DS Sidney Fillery was an experienced Sergeant in charge of a Crime Squad. There is no explanation in the papers available to the Panel as to why this evidence was not properly handled.

The consequence of the way in which the search was conducted under the leadership of DS Fillery on 11 March 1987 was that anyone who wished subsequently to remove anything which had been left behind on the desk had the opportunity so to do. It is not known whether anything was subsequently removed.

216. This account of the collection of material from the office of Southern Investigations deviates in a number of ways from the prescribed police procedures for gathering, recording and safeguarding evidence. In particular, evidence in the murder investigation should not have been left unattended in the Catford Crime Squad office. There is no statement recording that this room was locked or inaccessible, and there is no record of the handling of these items. At some stage they were put into a black bin liner. It is not clear when or by whom this was done.³³³ They were then transported in the black bin liner to Sydenham Police Station.

217. There was ample opportunity for material to be interfered with, removed or destroyed during this phase of the investigation when the material was left in Catford Police Station, as there was no evidence that it had been secured to maintain the integrity of the evidence.

4.1.1 Missing files

218. In a witness statement dated 30 March 1987, Peter Newby, the Office Manager at Southern Investigations, was asked by the Morgan One Investigation about his knowledge of *'the robbery on John REECE [sic] of monies being transported by him for the firm of Belmont*

331 Witness statement of PC Stephen Thorogood, MPS015791001, p2-3, 19 May 1987.

332 PC Thorogood's duty record does not place him at Southern Investigations on 11 March 1987.

333 Copy of Exhibits Book (Exhibits 22-33, re Southern Investigations), MPS005098001, 11 March 1987.

Car Auction'.³³⁴ This was a significant line of enquiry the murder investigation was pursuing. As part of this statement, Peter Newby said that on 11 March 1987, DS Sidney Fillery and 'a Crime Squad Officer' had attended the Southern Investigations offices. DS Fillery had asked Peter Newby for 'the Belmont Auction file' and a file relating to one of Daniel Morgan's matrimonial cases.³³⁵ Jonathan Rees, in his statement taken by DS Fillery later the same day, named the woman involved in the matrimonial case as one of four women with whom Daniel Morgan had allegedly had an affair.³³⁶ Peter Newby claimed that having looked up the location of the Belmont Car Auctions file, which was numbered 4208, he had retrieved the matrimonial file and Jonathan Rees retrieved the Belmont Car Auctions file. Both files were handed to DS Fillery and to Peter Newby's knowledge neither had been returned to the office by 30 March 1987.³³⁷

219. The Belmont Car Auctions file, which Peter Newby alleged DS Sidney Fillery took from Southern Investigations offices, was to become very significant to the Morgan One Investigation. D/Supt Douglas Campbell came to believe that security provided by Southern Investigations for Belmont Car Auctions, a subsequent alleged robbery of the takings of an auction from Jonathan Rees and the ensuing civil action by Belmont Car Auctions against Southern Investigations, provided a motive for Daniel Morgan's murder. D/Supt Campbell therefore tried to investigate Peter Newby's statement that DS Fillery had taken a file relating to Belmont Car Auctions on 11 March 1987.

220. Peter Newby had identified the file number of the Belmont Car Auctions file which he said Jonathan Rees had handed to DS Sidney Fillery. There is no further information about this file, other than that it cannot, and could not at the time, be found having been allegedly taken away by DS Fillery.

221. Jonathan Rees's witness statement of 11 March 1987 does not mention the two files, the Belmont Car Auctions file or the matrimonial case file, which Peter Newby alleged were removed from the office on that day.³³⁸

222. The Panel notes that, despite the evidence of Peter Newby, the Morgan One Exhibits Book records the matrimonial file as having been provided by Peter Newby on 30 March 1987, the same date as he made the statement about it having been handed to DS Fillery on 11 March 1987.³³⁹ There is no corresponding record for a Belmont Car Auctions file. However, as considered in detail later (see paragraphs 966-973), the Panel has serious concerns about the accuracy of the Morgan One Investigation Exhibit Book.

223. Jonathan Rees was arrested for murder on 03 April 1987 and was asked about the Belmont Car Auctions file during his police interview the same day. He denied that Peter Newby had given 'a Belmont file' to DS Sidney Fillery, saying:

*'Peter NEWBY could not have given the file to anyone as it doesn't exist, except for part of the litigation document that I maintain and are still in my possession.'*³⁴⁰

334 Witness statement of Peter Newby, MPS010345001, p1, 30 March 1987

335 Witness statement of Peter Newby, MPS010345001, pp4-5, 30 March 1987.

336 Witness statement of Jonathan Rees, MPS021752001, p4, 11 March 1987.

337 Witness statement of Peter Newby, MPS031296001, pp3-4, 30 March 1987.

338 Document D500 – List of Exhibits, MPS011614001, undated.

339 Exhibits Book, MPS005800001, pp32-33, 30 March 1987. Witness statement of DC Clive Blake, MPS028077001, p2, 07 June 1988.

340 Record of interview of Jonathan Rees, MPS000716001, p78, 03 April 1987.

224. Jonathan Rees was told that, that day Peter Newby had been shown the file on Belmont Car Auctions which had been in Jonathan Rees's briefcase, and had said that there was another file on the matter which was no longer on the premises of Southern Investigations. Jonathan Rees said this was *'utter and complete nonsense'*.³⁴¹

225. Jonathan Rees was also told that Peter Newby had said that the Belmont Car Auctions file was numbered 4208. Jonathan Rees said that this *'number in the booking in book would relate to the date we received the instructions, the date completed and the invoice number'*. Jonathan Rees was not asked to explain further what he meant.³⁴²

226. DS Sidney Fillery and PC Stephen Thorogood were asked about the issue by the Morgan One investigation. DS Fillery was questioned about this issue after his arrest on 03 April 1987, to which he responded that he had never had possession of the Belmont Car Auctions file, and to have tried to destroy it would have been futile as there would have been countless copies of it.³⁴³ PC Thorogood stated on 19 May 1987, *'I did not recall removing any files or any documents which were not personal to Morgan'*, and that, *'D/S FILLERY removed nothing'*.³⁴⁴

227. D/Supt Douglas Campbell gathered papers relating to the Belmont Car Auctions, by asking the solicitors for both parties in the Belmont Car Auctions civil action for copies of the material which they held. On 30 March 1987 D/Supt Douglas Campbell was provided with some paperwork related to the civil action by the solicitors for Belmont Car Auctions.³⁴⁵

228. On 03 April 1987, the solicitors acting for Southern Investigations provided DI Allan Jones with a copy of the pleadings in the case, stating: *'These documents are released to you upon the instructions of our Client, Mr. W.T. Rees [sic] trading as Southern Investigations) and we are instructed to inform you that any documents or information that you may require in respect of the above action will be available to you at your request'* [emphasis in original].³⁴⁶

229. On 16 November 1987, D/Supt Douglas Campbell wrote to the solicitors acting for Belmont Car Auctions seeking further copies of documents.³⁴⁷ On 24 November 1987, the solicitors provided the relevant documents which included a security report written by Jonathan Rees for Belmont Car Auctions in 1986; Southern Investigations' costings for *'night security officers'* dated 07 March 1986; Southern Investigations' invoices dated 08 March 1986 and 14 March 1986; a summary of cash handled by Southern Investigations; and a Southern Investigations' prospectus. They also provided a copy of the Grant of Administration for Daniel Morgan's estate.³⁴⁸

230. On 14 January 1988, Jonathan Rees informed the solicitors acting for Belmont Car Auctions that he was unable to provide four documents which he said had been seized by the Metropolitan Police in April 1987 in connection with their investigations into Daniel Morgan's death.³⁴⁹

341 Record of interview of Jonathan Rees, MPS000716001, p78, 03 April 1987.

342 Record of interview of Jonathan Rees, MPS000716001, p79, 03 April 1987

343 Interview of DS Sidney Fillery, MPS000717001, pp55-56, 03 April 1987.

344 Witness statement of PC Stephen Thorogood, MPS015791001, pp1-2, 19 May 1987.

345 Witness statement of D/Supt Douglas Campbell, MPS010915001, pp4-5, 03 July 1989

346 Letter to Chief Inspector Jones from Clutton. Moore and Lavington F, MPS025302001, p2, 03 April 1987

347 Copy letter to Mr Duke from D/Supt Douglas Campbell, MPS011460001, p2, 16 November 1987.

348 D457 Letter dated 24/11/1987 from Dodds solicitors with Southern Investigation correspondence re Belmont Car Auctions, MPS011570001, 24 November 1987.

349 Letter from James and Charles Dodd, solicitors to DS D Campbell enclosing copy of Jonathan Rees affidavit, MPS008332001, pp2-6, 14 January 1988.

231. The documents referred to were as follows:

- i. Some cheque book stubs and paying-in book stubs for the bank accounts.
- ii. A client card for Belmont Car Auctions.
- iii. A Metropolitan Investigation Invoice for Belmont Car Auctions dated April 1986.
- iv. Various undated sub-contractors' invoices including invoices signed by Glenn Vian, Garry Vian and John Peacock who had been employed by Southern Investigations as a process server.³⁵⁰

232. On 03 February 1988, D/Supt Douglas Campbell wrote to the solicitors for Belmont Car Auctions stating that the Metropolitan Police had never had possession of the documents referred to by Jonathan Rees.³⁵¹

233. Although D/Supt Douglas Campbell was able to obtain copies of some of the Belmont Car Auctions papers, it is not possible to determine whether the papers which were made available to the Morgan One Investigation comprised the entirety of the material held by Southern Investigations.

234. D/Supt Douglas Campbell gave evidence at the Inquest on 15 April 1988 in relation to the Belmont Car Auctions papers, and was questioned by the Coroner. His evidence was, to say the least, confused:

'Q. Do you know where the Belmont Car auctions file is? –

A. Do I know where it is? I have seen some papers on the Belmont car file.

Q. You have seen some papers on it. Have you seen what you consider to be the full file? –

A. I do not know what the file is.

Q. You expressed, in the way you answered that question, some doubt as to whether it was a full file. Do you have reason to believe there might be some papers missing from it? –

A. I was certainly looking for the Belmont car file. I found papers relating to the Belmont car auction case. It might well be there were no other papers but I was certainly looking for any relating to Belmont.

Q. Was there actually a file rather than just papers –

A. I think there was a brown fold-over file.

Q. You did say just now that the file was not brought in by D/S Fillery. –

A. That is right.

³⁵⁰ Letter from James and Charles Dodd, solicitors to D/Supt Douglas Campbell enclosing copy of Jonathan Rees affidavit, MPS008332001, pp2-6, 14 January 1988.

³⁵¹ Letter from D/Supt Douglas Campbell to James and Charles Dodd Solicitors, MPS011571001, p5, 03 February 1988.

Q. *So there is some conflict or potential conflict of evidence between whether the file was actually taken from Southern Investigations or whether it actually got –*

A. *I took a certain course of action subsequently because I thought the file had not been brought in. Certain things I did led me to suspect that the file had been removed, but having taken that action the man who told us, Mr Newby, that the file was handed to D/S Fillery was subsequently unsure.*

Q. *I will leave it at that. There seems to be a lingering doubt; an unresolved doubt. –*

A. Yes.³⁵²

235. Peter Newby stated to a later investigation in 2002 that he had handed the Belmont Car Auctions file to DS Sidney Fillery ‘on the morning of the murder’,³⁵³ and that he was asked to make a statement about the file ‘approximately one year later [after the murder of Daniel Morgan]’.³⁵⁴ He said that at that point he had been ‘astonished to see that the majority of the file was missing’ and said that he believed he had told DS Christopher Horne, of the Morgan One Investigation, that he would not make a statement without access to the full file.³⁵⁵

236. In a further statement, dated 17 February 2003, Peter Newby estimated the date he had been shown the file to have been ‘some six to seven months [after the murder of Daniel Morgan]’ and alleged that:

‘The Belmont Car Auctions file was about 2 inches thick. The next time I saw this file was at a police station some six or seven months later. I recognised it as the same cardboard folder I had handed over. There were some handwritten notes inside made by Laurie BUCKNOLE that I recognised. However, the file itself was a lot thinner than it had been when I handed it over. It was now less than an inch thick.’³⁵⁶

237. Former DS Christopher Horne was asked in April 2003 about this matter, but officers recorded that his memory was poor and he did not make a statement.³⁵⁷

238. Former DS Sidney Fillery has written to the Panel on this issue as follows:

‘The only person to make this allegation is Mr. Peter Newby. I can offer no explanation why he might have made such a statement although I do allow that he is an honest individual. However, examination of his further statement reveals that he no longer insists on the voracity [sic] of what he said. The statement of P.C. Steven Thorogood certainly does not support this statement but does contradict it.’³⁵⁸

239. There is a clear contradiction between Peter Newby’s assertion that the Belmont Car Auctions file and the matrimonial case file were given to DS Sidney Fillery, and DS Fillery’s and Jonathan Rees’s denial of this.

352 Transcript of the inquest into the death of Daniel Morgan, Fifth Day, MPS027236001, p73, 15 April 1988

353 The Panel interprets this as the morning after the murder.

354 Witness statement of Peter Newby, MPS062447001, p1, 25 November 2002.

355 Witness statement of Peter Newby, MPS062447001, p1, 25 November 2002.

356 Witness statement of Peter Newby, MPS062448001, p2, 17 February 2003.

357 Morgan Two Action A390, MPS059829001, 28 April 2003

358 Letter and attachment from former DS Sidney Fillery to the Panel, pp5-6, 13 September 2017.

240. The Panel is satisfied that there was in existence a file relating to the Belmont Car Auctions issue. That file could not be found when the police sought it on 30 March 1987.

4.1.1.1 Evidence of DC Michael Crofts

241. The Panel has seen in later witness statements that a visit was made to the Southern Investigations office by DS Sidney Fillery and DC Michael Crofts which resulted in evidence being removed. The Panel cannot determine whether this visit occurred on 12 or 13 March 1987, as there is conflicting evidence, as summarised below.

242. In a witness statement of 15 February 1989, DC Michael Crofts recorded that on 13 March 1987 he went to Southern Investigations with DS Sidney Fillery where *'we took possession of a number of documents from the desk of Danile [sic] MORGAN which were handed to Detective Constable Blake at Sydenham Police Station'*.³⁵⁹

243. In a subsequent statement on 08 June 1989, DC Michael Crofts recorded that on Thursday 12 March 1987 at about 11.00 am, he and DS Sidney Fillery went to Southern Investigations and removed *'a number of files'* after searching Daniel Morgan's desk.³⁶⁰ He stated that they were placed in a bag and DS Fillery took them *'in his own private vehicle'*.³⁶¹ DC Crofts said that he believed that he (DC Crofts) then handed them to DC Clive Blake, the Exhibits Officer.³⁶²

244. The Panel has not seen any statement of receipt made by DC Clive Blake in relation to this. DC Blake did not make any statement about his handling of exhibits until after he had left the Morgan One Investigation. The statement which he subsequently made on 07 June 1988 did not refer to any documents received on 12 or 13 March 1987 from DC Michael Crofts or DS Sidney Fillery.³⁶³

245. There is no record in the copy Exhibits Book of any items taken from Southern Investigations by DS Sidney Fillery or DC Michael Crofts on 12 or 13 March 1987. It is not known whether DC Crofts visited Southern Investigations on both 12 and 13 March 1987, or whether DC Crofts made a mistake in one of his statements. It is not known what exhibits were retrieved from Southern Investigations on 12 and/or 13 March 1987. There are no entries in the Exhibits Book in relation to any documentation taken from Southern Investigations between 11 March 1987, which is documented in the statement of Jonathan Rees, and 16 March 1987, when DC Kinley Davies and DC Crofts seized further material.

359 Witness statement of DC Michael Crofts, MPS034261001, p2, 15 February 1989.

360 Witness statement of DC Michael Crofts, MPS000186001, p1, 08 June 1989.

361 Witness statement of DC Michael Crofts, MPS000186001, p1, 08 June 1989.

362 Witness statement of DC Michael Crofts, MPS000186001, p2, 08 June 1989.

363 Witness statement of Clive Blake, MPS028077001, 07 June 1988.

246. The Panel has been unable to establish what happened to the documentation removed from Daniel Morgan's office on 12 and/or 13 March 1987. DC Michael Crofts said that the seized documentation was placed in DS Sidney Fillery's private vehicle, and that he, DC Crofts, handed them, or believed that he handed them, to DC Clive Blake. There is no other evidence that this actually happened. No contemporaneous statement was made by anyone. The files which were allegedly taken were not recorded in the copy Exhibits Book, and there is no other receipt or record by DC Blake or record of them in the contemporaneous papers available to the Panel.

4.1.2 Items seized belonging to Daniel Morgan

247. According to a statement by DC Clive Blake on 07 June 1988, more than a year after the murder of Daniel Morgan, 'DC DAVIES' (first name not given but believed by the Panel to be DC Kinley Davies) removed 'thirty four items of Daniel MORGAN's personal property from his office at Southern Investigations' on 16 March 1987.³⁶⁴ DC Blake stated that a memo book, a book of index cards and four diaries were retained by police.³⁶⁵ According to DC Blake, the remaining items were returned to Iris Morgan.³⁶⁶

248. The copy Exhibits Book lists the material seized by DC Kinley Davies and indicates what was returned to Iris Morgan on 01 July 1987. Material restored included: a photograph of Daniel Morgan and two men (it is not known who those men were); a wallet of photographs (it is not known what was on the photographs); a roll of undeveloped film (it is not known what was on the film, although the Abelard Two investigation did retrieve the film from Iris Morgan, in 2007); two rolls of film (relating to Daniel Morgan's trip to Malta in February 1987); an audio tape (it is not known what was on the audio tape); two mini tape cassettes (which were sent to the laboratory for checking, but in respect of which there is no report available); and a black briefcase (which was returned without any record having been kept of its contents).³⁶⁷

249. Further material was listed by DC Clive Blake as having been handed to police on various dates in March 1987 by David Bray, who had worked with Daniel Morgan at Southern Investigations. Of this, a quantity of assorted unidentified correspondence, files relating specifically to two named persons, and 23 unidentified files were recorded in the Exhibits Book as having been restored to Southern Investigations office on 23 December 1987, as were 31 files relating to vehicle repossession which had been handed to police by Malcolm Webb, an employee at Southern Investigations, on 16 March 1987, and on 12 and 18 May 1987.³⁶⁸

³⁶⁴ Witness statement of DC Clive Blake, MPS028077001, p2, 07 June 1988.

³⁶⁵ Witness statement of DC Clive Blake, MPS028077001, p2, 07 June 1988.

³⁶⁶ Witness statement of DC Clive Blake, MPS028077001, p2, 07 June 1988.

³⁶⁷ Copy of Exhibits Book (Exhibits 82-144) [The cover page states '82 – 114' which appears to be an error], MPS005800001.

³⁶⁸ Copy of Exhibits Book (Exhibits 82-144, re 53 High Street, Thornton Heath) [The cover page states '82 – 114' which appears to be an error], MPS005800001.

250. It is not clear from the documentation how it was determined which of Daniel Morgan's files should be given to the police by David Bray and Malcolm Webb. The decision as to which files should be seen by police was clearly a very important one and should have been recorded by police. The Panel has seen no evidence that all these files were examined by police before their return to Southern Investigations.

251. The Exhibits Book records no use or copying for the purposes of investigation of most of the material seized, before the return of the exhibits. DC Clive Blake later stated that some of the items received were photocopied before return. Some of the items received were already photocopies which the police processed and retained.³⁶⁹

252. The decision to copy some of the documentary exhibits and return the originals to Southern Investigations was ultimately D/Supt Douglas Campbell's responsibility. The documents should have been copied and the copies given to Southern Investigations while retaining the original exhibits, lest any analysis or forensic examination was required. The decision to return the original exhibits rather than the photocopies was a serious error by D/Supt Campbell.

4.2 The formal identification of Daniel Morgan's body and the post mortem examination: 11 March 1987

253. On 11 March 1987, DI Allan Jones was present at Lewisham Public Mortuary when Jonathan Rees formally identified the body of Daniel Morgan, at the request of D/Supt Douglas Campbell.³⁷⁰ Jonathan Rees had been taken to the mortuary by DS Sidney Fillery, acting on instructions which he had been given.³⁷¹

254. At 1.00 pm on 11 March 1987, Dr Michael Heath, a Home Office pathologist, conducted an examination of Daniel Morgan's body. He recorded that the following were in attendance: D/Supt Douglas Campbell, DI Allan Jones, DC Clive Blake (*'Exhibits Officer'*), DC Michael Crofts and the first Police Constable to have arrived at the crime scene (*'Identification'*), DS Graham Frost (*'Laboratory Liaison'*), *'Coroner's Officer'*, *'Photographer'*, *'Senior Fingerprints Officer'*, *'Fingerprints Officer'*, *'Scene of Crime Officer'* and *'Area Press Officer'*.³⁷² It is not known why DC Crofts and the first Police Constable on the scene had to attend the post mortem examination for *'Identification'* as Daniel Morgan's body had been formally identified by Jonathan Rees.

255. Dr Michael Heath removed the axe without difficulty, and handed it to DS Graham Frost for further examination.³⁷³ Of the five wounds on Daniel Morgan's head, he concluded that wounds one, three, four and five were consistent with having been caused by an axe, resulting in direct

369 Witness statement of DC Clive Blake, MPS028077001, p5, 07 June 1988.

370 Witness statement of DI Allan Jones, MPS005950001, 03 March 1988.

371 Witness statement of D/Supt Douglas Campbell, MPS010915001, p2, 03 July 1989.

372 Forensic Pathologist Report by Dr Michael Heath, MPS005920001, p2, 02 April 1987.

373 Forensic Pathologist Report by Dr Michael Heath, MPS005920001, p2, 02 April 1987.

brain damage which caused death.³⁷⁴ Wound two was consistent with having been caused by a blow to the head or contact with a heavy blunt surface such as the ground.³⁷⁵ He later identified wound two as having been suffered after wound four and before wound one.³⁷⁶ Dr Heath also noted with reference to wound five that '*[t]here was a contusion incorporating a superficial laceration.*'³⁷⁷ There was no evidence of defence wounds.³⁷⁸

256. A blood test revealed that Daniel Morgan had an alcohol level of 107 milligrams per 100 millilitres of blood.^{379, 380}

257. Dr Michael Heath identified spots of blood on Daniel Morgan's jacket, tie and shirt, and noted significant damage to the waistband and seam of the right leg of Daniel Morgan's trousers. He described the tear in the trousers as being a '*tear down the upper third outer seam of the right leg, which also involved the right pocket*'.³⁸¹ Later, in 1989, Dr Heath provided a witness statement to the Hampshire/Police Complaints Authority Investigation noting that '*[t]here was no evidence that the victim had been moved after the attack*'.³⁸²

258. In addition to the axe, six samples were collected during the post mortem examination and handed to DS Graham Frost. These were: head hair, beard hair, penile swab, urine, blood (plain) and blood (oxalate).³⁸³

259. Cash amounting to £15.20 was also found on Daniel Morgan's body at the mortuary.³⁸⁴

4.3 The witness statement of Jonathan Rees recorded by DS Sidney Fillery: 11 March 1987

260. Having conducted the search of Daniel Morgan's desk, taken Jonathan Rees for a drink at 12.50 pm while seeking information about the murder, and taken Jonathan Rees to identify Daniel Morgan's body, DS Sidney Fillery then took a witness statement from Jonathan Rees.^{385,}
³⁸⁶ DS Fillery was instructed to interview Jonathan Rees by DI Allan Jones.³⁸⁷

261. Although DI Allan Jones has told the Panel that he had suspicions about Sharon Rees's behaviour when he attended her and Jonathan Rees's house shortly after the murder,³⁸⁸ he did not instruct DS Sidney Fillery or any other officer to interview Jonathan Rees's wife, Sharon Rees, on 11 March 1987.

262. Sharon Rees did not give a statement to the police until 17 March 1987. As a consequence, she would have had ample time to discuss issues with her husband Jonathan Rees, had she wished to do so, before she made her statement several days later.

374 Forensic Pathologist Report by Dr Michael Heath, MPS005920001, p6, 02 April 1987.

375 Forensic Pathologist Report by Dr Michael Heath, MPS005920001, p6, 02 April 1987.

376 Witness statement of Dr Michael Heath, MPS005975001, pp2-3, 16 May 1989.

377 Forensic Pathologist Report by Dr Michael Heath, MPS005920001, p4, 02 April 1987.

378 Forensic Pathologist Report by Dr Michael Heath, MPS005920001, p6, 02 April 1987.

379 Witness statement of an expert who tested Daniel Morgan's blood alcohol level, MPS002119001, 31 March 1987.

380 The drink drive limit at the time was 80 milligrams of alcohol in 100 millilitres of blood;

https://www.drinkdriving.org/drink_driving_information_uklawhistory.php

381 Forensic Pathologist Report by Dr Michael Heath, MPS005920001, p2, 02 April 1987.

382 Witness statement of Dr Michael Heath, MPS005975001, p3, 16 May 1989.

383 Forensic Pathologist Report by Dr Michael Heath, MPS005920001, p5, 02 April 1987.

384 List of Exhibits, MPS014806001, p5, 11 March 1987.

385 Duty sheet of Sidney Fillery, MPS015408001, p2, 11 March 1987.

386 Witness statement of Jonathan Rees, MPS021752001, 11 March 1987.

387 Interview of DS Sidney Fillery, MPS003214001, pp5-6 and p10, 03 April 1987.

388 Panel interview of former DI Allan Jones, p2, 18 December 2015.

4.3.1 The content of Jonathan Rees's statement

263. In his statement of 11 March 1987, Jonathan Rees said the following:

- i. He first met Daniel Morgan in early 1980, when they were both employed as enquiry agents with B. E. Madagan & Co. in Croydon. Both men then formed a partnership in February 1981 (Southern Investigations). Daniel Morgan dealt mainly with the process-serving and bailiff side of the business, while he specialised in different types of investigations. He also said that *'on many instances we each took on the other's aspect of the work'*.³⁸⁹
- ii. Southern Investigations had six employees, whom he named.³⁹⁰
- iii. Daniel Morgan was *'an extremely energetic partner'*, *'active and normally of an outgoing and friendly disposition'*. He was *'well liked, especially by solicitors [...] he generated a lot of work'*. He was *'a man of considerable courage [...] a brave man [...]. He was a good family man who cared and showed great consideration for his wife and children.'*
- iv. Daniel Morgan gave *'no consideration for debtors whatsoever'*, *'would always stand firm'* and Jonathan Rees had seen this *'lead to situations of quite serious confrontations'*. He continued, *'I have seen him in public houses interrupt people's conversation and interject with opinions. These were often total strangers, and this led to arguments on occasion, but never violence.'*
- v. Daniel Morgan sometimes had sexual relationships with women whom he had met while serving injunctions on their estranged husbands. Jonathan Rees named four women with whom Daniel Morgan had allegedly become involved. He added that *'[u]nfortunately there were a substantial number of such women but that is only what I know from conversation with him'*.³⁹¹
- vi. He and Daniel Morgan had been in the Golden Lion public house on the evening of 09 March 1987, the day before the murder, between approximately 7.30 pm and 10.00 pm.³⁹² Daniel Morgan had parked his car in the car park at the back of the Golden Lion public house. Jonathan Rees said he had left slightly before Daniel Morgan, and that he did not see him go to his car. Jonathan Rees said that, during the latter part of the evening of 09 March 1987, he and Daniel Morgan had been joined by a small group of plain clothes police officers.³⁹³ None of those officers were named (one in fact was DS Sidney Fillery who was taking the statement).
- vii. He and Daniel Morgan were both in the office until about 6.00 pm on 10 March 1987, and Daniel Morgan had then left to keep an appointment *'about which he had no details'*. They had then met at about 7.30 pm in the Golden Lion public house. He said, *'I did not ask him where he'd been as there was no need to do so.'*³⁹⁴

389 Witness statement of Jonathan Rees, MPS021752001, p3, 11 March 1987.

390 Peter Newby, Anthony Pearce, Malcom Webb, John Peacock, David Bray and a secretary.

391 Witness statement of Jonathan Rees, MPS021752001, p4, 11 March 1987.

392 Witness statement of Jonathan Rees, MPS021752001, p5, 11 March 1987.

393 Witness statement of Jonathan Rees, MPS021752001, p5, 11 March 1987.

394 Witness statement of Jonathan Rees, MPS021752001, p6, 11 March 1987.

- viii. He and Daniel Morgan had arranged to meet Paul Goodridge, *'who was going to introduce us to a Third Party in the hope of securing a loan. However, Mr GOODRIDGE failed to appear because his wife had had an accident at work so we just stayed in the Pub for a drink.'*³⁹⁵ (No further detail was provided about what this loan was for.)
- ix. *'At about 2100 hours, I cannot be exact about the time, we finished our drinks and made to leave the pub. I was a few seconds ahead of him as he was held a short while making notes on a piece of paper. We said our goodbyes inside the pub and I just walked out of the front door of the pub and into my car which was parked in Sydenham Road almost outside the pub. I was not made aware by Daniel where he had parked his car, although I assumed he had parked it in the rear car park. I assume that Daniel left the pub by the rear door as I think he was only a very short time behind me and I would have noticed if he followed me through the front. I then drove off towards Croydon and to "The Beaulha Spa" [sic] public house, Crystal Palace where I did meet Paul GOODRIDGE who often uses that pub. In fact, en route home I spoke to Mr GOODRIDGE on my car phone and arranged to meet him. I stayed in that pub until the first bell and left to go home. I did visit a kebab restaurant in Portland Road, SE25, and bought 2 kebabs. I then took them home arriving at shortly after 2300 hours. I stayed indoors until the police arrived and informed me of Daniel's death.'*³⁹⁶
- x. Jonathan Rees described customers he had seen in the Golden Lion public house on that evening, described his own clothes as comprising grey trousers, no jacket, a blue and white striped shirt, a blue tie with white spots on it, a red scarf and a white mackintosh. He also recorded what Daniel Morgan had been wearing. He listed exhibits from Southern Investigations' offices which had been handed to police on the morning of 11 March.
- xi. He had been asked by police about a trip which Daniel Morgan had made to Malta in February 1987. He said that he had *'no detailed information regarding this enquiry [...]. However Daniel did mention to me on his return that he had received serious threats whilst in Malta from some person [with] whom he had dealings who travels regularly from Malta to England.'*³⁹⁷ (Daniel Morgan's visit to Malta is discussed in more detail at paragraphs 694-703).

4.3.2 Inaccuracies and omissions in the statement

264. The part of Jonathan Rees's statement referring to the evening of 09 March 1987 was not consistent with statements given subsequently by DS Sidney Fillery, PS Phillip Barrett and other members of the Catford Crime Squad, who recorded that when they arrived after 9.00 pm on 09 March 1987, Jonathan Rees and Daniel Morgan were not in the Golden Lion public house, and that DS Fillery had gone across the road to the Dolphin public house and brought them over to the Golden Lion to meet the other officers.³⁹⁸

395 Witness statement of Jonathan Rees, MPS021752001, p6, 11 March 1987.

396 Witness statement of Jonathan Rees, MPS021752001, pp7-8, 11 March 1987.

397 Witness statement of Jonathan Rees, MPS021752001, p11, 11 March 1987.

398 Witness statement of DS Sidney Fillery, MPS010349001MPS015655001, pp2-3, 14 March 1987.

265. DS Sidney Fillery should have been aware that the timings provided by Jonathan Rees for being in the Golden Lion public house on 09 March 1987 did not accord with his own recollection of events, as he later stated that he had gone to the Dolphin public house to find Jonathan Rees and Daniel Morgan and had invited them to move to the Golden Lion public house.

266. The Panel has also noted an absence of information in Jonathan Rees's witness statement, which it would have expected to have seen. This includes information about the following issues:

- i. Daniel Morgan's other movements on 09 March 1987, the day before he was murdered;
- ii. Whether or how often he and Daniel Morgan had previously been in the Golden Lion public house;
- iii. The business relationship between Jonathan Rees and Daniel Morgan, and why Jonathan Rees and Daniel Morgan were seeking a loan on the night of Daniel Morgan's murder;
- iv. Daniel Morgan's relationship with a woman called Margaret Harrison, with whom Daniel Morgan had shared a bottle of wine the night he was murdered; and
- v. The identity of the officers with whom he and Daniel Morgan were drinking in the Golden Lion public house on 09 March 1987 (DS Sidney Fillery, who was taking the statement, was one of those officers).

267. There was a significant failure by DS Sidney Fillery to obtain important information from Jonathan Rees to inform the murder investigation.

DS Sidney Fillery did not ensure that information was included in the statement which he knew and in which he had a personal interest: his own name as one of the officers who had been at the Golden Lion public house on 09 March 1987, and the reason for the loan being sought.

Jonathan Rees should have been questioned in much greater depth about what he knew about Daniel Morgan. The statement made by Jonathan Rees does not indicate that DS Sidney Fillery asked robust questions about Daniel Morgan's lifestyle and contacts when taking this statement.

4.3.3 Was DS Sidney Fillery an appropriate person to have taken the witness statement?

268. The Panel has considered whether it was appropriate for DS Sidney Fillery to have taken this witness statement, given that he had a working relationship with Jonathan Rees as well as being a close friend. During his interview by the police, after he was later arrested on

suspicion of the murder (see below, paragraphs 581-602), DS Fillery stated: *'I had declared my friendship with him to the office manager and DI JONES and it was him who told me to take that statement'*.³⁹⁹

269. Papers seen by the Panel reveal further details of the relationship between Jonathan Rees and DS Sidney Fillery, beyond that initially declared by DS Fillery. In 1983, while working at the Regional Crime Squad, DS Fillery and his Detective Inspector met Jonathan Rees, who was introduced to them by DCI Laurie Bucknole, at Bromley Police Station. Daniel Morgan was also present at this meeting. Jonathan Rees provided information regarding large scale thefts from lorries and DS Fillery went on to run a police operation in response, becoming *'friendly with John REES'*, a friendship which continued after DS Fillery left the Regional Crime Squad.⁴⁰⁰

270. On the 15 March 1987, D/Supt Douglas Campbell asked DS Sidney Fillery to complete a report detailing his relationship with Jonathan Rees.⁴⁰¹ The Panel has seen a two-page typed document which is unsigned and undated which it believes to be DS Fillery's report.⁴⁰² In it, he outlined how, while working for the Regional Crime Squad, he had first met Jonathan Rees *'in 1982 or 1983'* and they became involved together in a *'long and fairly complicated enquiry'* into *'massive, organised, theft by employees'*.⁴⁰³

271. DS Sidney Fillery later transferred from the Regional Crime Squad and maintained contact with Jonathan Rees, whom he knew to have several friends who were police officers. They would meet *'on average once a week'* often in pubs in the Catford area.⁴⁰⁴

272. DS Sidney Fillery stated, *'I strongly suspect that he [Rees] has a facility to obtain N.I.B. checks etc. [H]e has never approached me [...] to that effect'*. DS Fillery described how he was *'a sort of "technical advisor"'* who would provide advice to Jonathan Rees regarding *'the possible repercussions or evidential practicability of such action'* regarding crimes Jonathan Rees was investigating.⁴⁰⁵

273. D/Supt Douglas Campbell provided a witness statement in July 1989 about his role leading the murder investigation team. In this statement he confirmed that:

*'I was told that FILLERY personally knew William Jonathan REES, the partner of Daniel MORGAN. At this stage of the enquiry, Wednesday 11th March 1987, I considered that FILLERY was the right person to obtain a statement from REES covering all background information [...].'*⁴⁰⁶

274. Former DS Sidney Fillery subsequently told the Panel that he was tasked to take a *'preliminary statement'* from Jonathan Rees,⁴⁰⁷ as one of several duties that were allocated to him *'on the very basis that I knew the murder victim and his business partner, albeit it must be stressed that Jonathan Rees was not considered a suspect at that time'* [emphasis in original].⁴⁰⁸

399 Interview of DS Sidney Fillery, MPS003214001, p10, 03 April 1987.

400 Witness statement of DI Brian George, MPS018569001, pp3-4, 04 July 1989.

401 Memorandum to MPS Solicitors Department from D/Supt Douglas Campbell, MPS036993001, pp2-3, 27 June 1990.

402 D470 Notes of Sid Fillery's relationship with Rees, MPS011583001, undated.

403 D470 Notes of Sid Fillery's relationship with Rees, MPS011583001, p2, undated.

404 D470 Notes of Sid Fillery's relationship with Rees, MPS011583001, p2, undated.

405 D470 Notes of Sid Fillery's relationship with Rees, MPS011583001, p3, undated

406 Witness statement of D/Supt Douglas Campbell MPS010915001, p2, 03 July 1989.

407 Letter and attachment from former DS Sidney Fillery to the Panel, p5, 13 September 2017.

408 Letter and attachment from former DS Sidney Fillery to the Panel, p4, 13 September 2017.

275. Former DS Sidney Fillery said that he was asked to take a statement which would inform D/Supt Douglas Campbell and DI Allan Jones about Daniel Morgan as a person, which would have normally been taken from a member of the family. Former DS Fillery said that Jonathan Rees was a close associate of Daniel Morgan and therefore, by obtaining a statement from him, the need to call upon the family, who were in a state of shock, could be avoided.⁴⁰⁹

276. When DS Sidney Fillery was questioned about the statement, on 03 April 1987, he claimed that he had taken the statement because he had been told to and that there had been no criticisms of the statement by DI Allan Jones or D/Supt Douglas Campbell:

*'It was handed into the system on the day I took it. It must have been read by almost everybody on that murder squad. I think it grossly unfair that after all that they accuse me of glossing parts over, they should have said something earlier if not satisfied with it. I remained on that squad and in direct contact with REECE [sic] on the instructions of the investigating officer and could easily have been instructed to take a fuller account.'*⁴¹⁰

277. In a letter to the Panel dated 13 September 2017, former DS Sidney Fillery claimed that the witness statement he took from Jonathan Rees on 11 March 1987 was '*never meant to be final or definitive*', nor to form an important part of the investigation. He stated, '*this was the very beginning of the enquiry and there has never been any doubt that gaps would have to be filled in as the enquiry developed and other questions arose. Indeed, such was the case[...]*'.⁴¹¹

278. The fact that DS Sidney Fillery was a close friend of Jonathan Rees, who was the last known person to see Daniel Morgan alive, and the fact that DS Fillery had been drinking with Jonathan Rees and Daniel Morgan the night before the murder in the place at which Daniel Morgan was murdered, meant that DS Fillery should have informed D/Supt Douglas Campbell of these facts in this context. He should not have taken Jonathan Rees's statement.

279. Despite the fact the DS Sidney Fillery has asserted that the statement taken was only intended to be a preliminary statement, the Panel has seen no evidence of this, and this was irrelevant anyway. The Panel does not accept that DS Fillery acted in good faith in taking Jonathan Rees's statement, or in his attempts to secure information for the murder investigation. The Morgan One Investigation was deprived of information which would have assisted it during the critical early days of the investigation.

280. The Panel has not seen any evidence that anyone within the Morgan One Investigation raised any concerns about the witness statement DS Sidney Fillery took from Jonathan Rees at the time it was taken.

409 Letter and attachment from former DS Sidney Fillery to the Panel, p5, 13 September 2017.

410 Interview of DS Sidney Fillery, MPS003214001, p10, 03 April 1987.

411 Letter and attachment from former DS Sidney Fillery to the Panel, p5, 13 September 2017.

281. There was a failure of management by D/Supt Douglas Campbell and DI Allan Jones to examine properly the statement that DS Sidney Fillery took from Jonathan Rees in the first week of the investigation.

282. Jonathan Rees later made further witness statements: ^{412,413}

- i. On 16 March 1987, he:
 - provided details of the vehicles owned by Southern Investigations and used by him and by Daniel Morgan;
 - produced 31 files of cars repossessed by Daniel Morgan over the previous 12 months, and said that nine other files for identified vehicles were not in the office at that time.

- ii. On 20 March 1987, he:
 - explained his telephone calls on the evening of 10 March 1987;
 - described his departure from the Golden Lion public house and his route home;
 - described his clothing that night as comprising a white raincoat, red scarf, grey trousers and black shoes;
 - said he started to leave at 10.50 pm and drove towards home at 11.15 pm; he stopped and bought kebabs which he and his wife ate when he got home; he sat watching television;
 - said that at about 12.30 police arrived and told him that Daniel Morgan had been murdered;
 - said that he had been asked by police whether he had ever telephoned Margaret Harrison at home; he said that he had telephoned her at work, but had never telephoned her at home, did not know her phone number and never had an affair with Margaret Harrison; and
 - provided information about discussions about a possible merger which had occurred in mid-1986 with Madagans, for whom he and Daniel Morgan had worked previously.

4.4 Early forensic enquiries

4.4.1 *Items from the post mortem*

283. Four items from the post mortem examination on 11 March were submitted for forensic examination on that date: the axe which had Elastoplast strips around the shaft, a specimen of blood for blood grouping, blood oxalate and urine.⁴¹⁴

284. At least two forensic scientists, including Philip Toates, were involved in the examination of the exhibits at the Forensic Science Laboratory. Fingerprint experts from the Metropolitan Police's Serious Crime Unit dealt with fingerprint requests.

⁴¹² Witness statement of Jonathan Rees, MPS021797001, 16 March 1987.

⁴¹³ Witness statement of Jonathan Rees, MPS021815001, 20 March 1987.

⁴¹⁴ Witness statement of DS Graham Frost, MPS010727001, 26 April 1989

4.4.1.1 The murder weapon

285. The axe was received by Philip Toates on 13 March 1987. It was regarded as a very important possible source of forensic evidence against any identified or possible suspect. In the absence of an identified suspect, the weapon was considered the best possibility for forensic traces. Philip Toates submitted his first report to the Morgan One Investigation on 19 August 1987.⁴¹⁵

286. On 16 and 19 March 1987, fibres were recovered from the axe, from the plasters which had been stuck onto the axe handle, and from beneath the plasters on the axe. In total, 117 fibres were recovered during the Morgan One Investigation. Those fibres were preserved on Sellotape mountings for comparison with any exhibits which might be submitted by the Morgan One Investigation. Ultimately, a total of 183 individual fibres were recovered, during later investigations, from the axe and from the strips of Elastoplast which had been placed around the axe handle.⁴¹⁶

287. On 19 March 1987, the axe was handed to the Serious Crime Unit for laser ultraviolet examination for fingerprints.^{417,418} There is an undated report that states that no fingerprints were recovered from the axe⁴¹⁹ and that it was then sent to 'MPFSL' (Metropolitan Police Forensic Science Laboratory) on 23 March 1987.⁴²⁰

288. On 19 March 1987, Daniel Morgan's shoes, suit trousers and jacket, socks, underpants, tie and shirt were submitted for examination to identify any '*foreign fibres present, foreign blood present, and possible fingerprinting*' [emphasis in original]. Samples of Daniel Morgan's head and facial hair were submitted to the laboratory as control samples for comparison.⁴²¹

289. On 25 March 1987, D/Supt Douglas Campbell and DI Allan Jones met Dr Michael Heath, the pathologist, to discuss how the axe was used and Dr Heath's examination of Daniel Morgan's clothing.⁴²²

290. There is no record of what happened at this meeting or of the information which was secured. When asked about this at the Inquest into Daniel Morgan's death in 1988, D/Supt Douglas Campbell said, '*I did discuss the wounds. I discussed whether it would have been a left handed or a right handed person. I discussed the blood splashing. All those aspects were discussed with Dr. Heath.*'⁴²³ He went on to say he thought Dr Michael Heath had concluded that Daniel Morgan had fallen on his back and that they had discussed the possibility of whether Daniel Morgan had been killed where he was found.⁴²⁴

291. In his evidence to the Inquest, Dr Michael Heath stated that the injuries suffered by Daniel Morgan did not preclude a right-handed or left-handed attacker.⁴²⁵

415 Forensic report by Philip Toates, MPS011412001, 19 August 1987.

416 Witness statement of Phillip Toates, MPS079184001, pp4-7, 10 August 2009.

417 Witness statement of Phillip Toates, MPS079184001, p3, 10 August 2009.

418 Philip Toates notes showing the axe being passed to the Serious Crime Unit, MPS004840001, p107, 19 March 1987.

419 Document D181 – Fingerprint results, MPS011249001, p4, 12 May 1987 (page 4 is undated and is attached to a report from the Officer in charge of the Fingerprint Branch of 12 May 1987).

420 Document D181 – Fingerprint results, MPS011249001, p4, 12 May 1987 (page 4 is undated but attached to a report from the Officer in charge of the Fingerprint Branch of 12 May 1987).

421 Submission of Articles to Forensic Science Lab, MPS005914001, p3, 19 March 1987.

422 Action A210, MPS013273001, allocated 16 March 1987.

423 Transcript of Inquest day 6, INT000006001, p25, 18 April 1988

424 Transcript of Inquest day 6, INT000006001, p25, 18 April 1988

425 Transcript of Inquest day 4, INT000004001, p41, 14 April 1988.

4.4.1.2 Clothing and extraneous fibres

292. On 25 March 1987, DI Allan Jones and Philip Toates agreed that Daniel Morgan's jacket should first be sent for fingerprint analysis, as DI Jones wanted to try a new process (metal-deposition examination) for securing fingerprints.⁴²⁶ They also agreed that there should be no examination for foreign blood and fibres in the absence of a suspect.⁴²⁷ Philip Toates informed the Panel that DI Jones was to discuss the fingerprinting with the fingerprinting department and then liaise with him (Philip Toates) if a fingerprint examination was to go ahead, so that fibres could be preserved if/where possible.⁴²⁸ It is not known whether a fingerprint examination occurred. There is no record that any fingerprints were found.

293. On 28 April 1987, Philip Toates recorded that Daniel Morgan's trousers were not suitable for fingerprinting.⁴²⁹ There is no record of any further discussion.

294. No 'useful marks' were recovered from the fingerprint analysis of Daniel Morgan's shoes.⁴³⁰ There is no reference to any fibres being present or having been searched for on Daniel Morgan's shoes.

295. Philip Toates recorded on 28 April 1987 that the jacket which Daniel Morgan had been wearing when he was murdered was heavily bloodstained and that it was not feasible to examine it for blood from a third party. He also found that there were some hairs adhering especially at the outside of the collar and that loose debris was returned to the exhibit bag which was sealed.⁴³¹ He reported that '[n]othing of apparent significance was found' on Daniel Morgan's shoes, jacket and trousers.⁴³² Extraneous fibres were found on both the jacket and trousers, but these fibres were not recovered.⁴³³ As DI Allan Jones instructed him not to conduct any further examination on these items, Philip Toates advised in his laboratory report that they should be retained in their sealed packages.

296. Philip Toates observed that the presence of red fibres matching the clothing of known associates was unlikely to be significant.⁴³⁴

426 Notes regarding further examination of exhibits submitted to the Lab in respect of the Daniel Morgan murder, MPS071288001, p2, 25 March 1987.

427 Notes regarding further examination of exhibits submitted to the Lab in respect of the Daniel Morgan murder, MPS071288001, p2, 25 March 1987.

428 Telephone interview with Philip Toates, paragraph 4, 03 August 2016.

429 Handwritten notes concerning further examination on the suit trousers worn by the victim, MPS071275001, p3, 28 April 1987.

430 Document D181 – Fingerprint results, MPS011249001, p6, 12 May 1987 (page 6 is undated and is attached to a report from the Officer in charge of the Fingerprint Branch of 12 May 1987).

431 Handwritten notes concerning further examination on the suit jacket worn by the victim, MPS071274001, 28 April 1987.

432 Laboratory report regarding the forensic examination of items submitted in connection with the murder of Daniel Morgan, MPS011412001, p3, 19 August 1987.

433 Laboratory report regarding the forensic examination of items submitted in connection with the murder of Daniel Morgan, MPS011412001, p3, 19 August 1987.

434 Laboratory report regarding the forensic examination of items submitted in connection with the murder of Daniel Morgan, MPS011412001, p3, 19 August 1987.

297. Philip Toates acted properly in placing Daniel Morgan's jacket and trousers in a sealed evidence bag, with the fibres which had been identified on them. The fibres could have only been of use if they were compared with other fibres from a suspect's clothing or other material associated with a suspect and found to be a match. The Morgan One Investigation did not seek any further action in relation to these fibres, even later when they had seized clothing which could have been compared with the fibres. It was not until 2006 that the police arranged for forensic tests to be carried out.

4.4.2 Damage to Daniel Morgan's clothing

298. Both Daniel Morgan's jacket and trousers were found to have been damaged. On 28 April 1987 Philip Toates recorded that:

- i. *'the seams at the top of the rear vents of the jacket were pulled open'* (that is, damaged);⁴³⁵
- ii. there was a tear of 45.5cm to the right-hand outside seam of the trousers;⁴³⁶ and
- iii. there was damage to the right hip pocket, which was torn along the seam, and that there was a small tear in the rear pocket.⁴³⁷

299. Philip Toates told the Panel that he cannot recall any particular discussion of the significance of the damage during the Morgan One Investigation, despite the 22 discussion sessions recorded between Philip Toates and the Morgan One Investigation.^{438,439}

300. Although Daniel Morgan's trousers were ripped across the waistband on the right-hand side and from the waistband down the right leg almost to his knee,⁴⁴⁰ there is no evidence of any instruction to the forensic scientists to examine the clothing and shoes to determine whether the body had been moved or dragged.^{441,442} The extent and nature of the tearing was unusual and was potentially very significant, as it could have been caused by the moving of, or an attempt to move, Daniel Morgan's body.

435 Handwritten notes concerning further examination on the suit jacket worn by the victim, MPS071274001, p1, 28 April 1987.

436 Handwritten notes concerning further examination on the suit trousers worn by the victim, MPS071275001, p2, 28 April 1987.

437 Handwritten notes concerning further examination on the suit trousers worn by the victim, MPS071275001, pp1-4, 28 April 1987.

438 Telephone interview with Philip Toates, para 4, 03 August 2016.

439 Philip Toates forensic notes, MPS105206001, pp670-675, undated.

440 Handwritten notes concerning further examination on the suit trousers worn by the victim, MPS071275001, p2, 28 April 1987.

441 Forensic Report by Philip Toates, MPS011412002, 19 August 1987.

442 Submission of Articles to Forensic Science Lab, MPS005914001, p3, 19 March 1987.

301. There is no evidence, within the material which has been made available to the Panel, of efforts to establish the reasons for, or significance of the very large tear in Daniel Morgan's trousers and the level of force that it would have taken to cause such a tear. Nor was any request made by the Morgan One Investigation for any forensic examination of the tears in the trousers. No further action appears to have been taken about this matter until almost 20 years later, when the Abelard Two Investigation team requested some scientific analysis. This should have formed a line of enquiry from the moment Daniel Morgan's body was discovered.

4.4.3 Blood enquiries

302. Following enquiries made by DC Clive Blake (the Exhibits Officer in the investigation) at the laboratory as to the likely extent of blood splashing from the wounds suffered by Daniel Morgan, DC Blake reported the following:

*'the amount of blood likely to be splashed onto the assailant's clothing would be limited, as the axe did not enter any soft tissue, only bone. For any blood splashing the axe would have to enter tissue or the assailant would have to make multiple strikes with the weapon into the same area of the body. Examination of the scene shows no blood splashing onto the cars nearby. Therefore, any blood traces on the assailant's clothing would be minimal.'*⁴⁴³

There is no record of any examination of cars nearby for blood splashing.

303. DC Clive Blake did not record with whom at the laboratory he had a conversation about the likelihood of blood splashing.

304. The Panel has examined the records kept by Philip Toates and has noted a record (probably made on 24 June 1987) of a telephone call received from DI Allan Jones, during which Philip Toates explained that he was not prepared to make any statement regarding the likelihood of the assailant being bloodstained based on the crime scene photographs. Philip Toates also noted that he had previously spoken to DC Clive Blake on this matter.⁴⁴⁴

305. The Pathologist, Dr Michael Heath, was asked by D/Supt Douglas Campbell on 28 January 1988 to say how much blood splashing there would have been on the assailant and where. In a supplementary report on 24 February 1988, Dr Heath stated the following:

'During the production of wounds 1 – 5, there would not necessarily have been significant spraying of blood.'

'After these wounds were produced, blood would then run from the wounds and in so doing, would contaminate the surrounding area.'

'There were numerous splashes of blood over the handle of the axe and upper part of the clothing. These splashes were caused when blood, which had run over the face and mouth was sprayed during the terminal respiratory efforts.'

443 Action A1138 allocated to DC Clive Blake, MPS014201001, p1, 20 August 1987.

444 Case minute of Philip Toates dated 24.02.87 [sic] entered after the previous minute on 18/06/1987, MPS105206001, p674.

*'A person in close proximity to the deceased, whilst the injuries were inflicted, would not necessarily have been contaminated to any significant degree with blood. If a person was in close proximity during the terminal respiratory efforts, contamination with blood might have occurred.'*⁴⁴⁵

4.4.4 Other items submitted for forensic testing

306. Items were taken from Daniel Morgan's body and his car on the night of the murder.

4.4.4.1 Keys

307. There is no evidence that any consideration was given to checking for fingerprint or other evidence from Daniel Morgan's keys, which were lying near to his right hand when his body was discovered. No forensic examination of the keys was conducted.⁴⁴⁶

4.4.4.2 Money

308. Money totalling £1,076.47, including two £50 notes which had been found in Daniel Morgan's pockets, was taken to Catford Police Station on 11 March 1987. A further £15.20 was found during the post mortem and £2.05 in coins is also recorded as having been found on Daniel Morgan's body, making the total amount found to be £1093.72.⁴⁴⁷

309. None of the money was sent for forensic analysis. An employee of Southern Investigations signed a receipt for eight items, which included all the money itemised as having been taken from Daniel Morgan's body.⁴⁴⁸ However, Peter Newby later stated that only '[a]bout £980' in 'low denomination' bank notes (which did not include the two £50 notes) was returned to Southern Investigations on 27 March 1987.⁴⁴⁹ There is no evidence to resolve the discrepancy between the statement made by Peter Newby and the receipt signed by the employee as to the amount of money which was returned to Southern Investigations.

310. Peter Newby noted that there were blood stains on some of the notes, and he contacted the Morgan One Investigation.⁴⁵⁰ Three blood-stained notes were then collected by the police. Two £10 notes and one £5 note were submitted for fingerprint analysis and blood grouping on 01 April 1987.⁴⁵¹ The response in relation to the request for fingerprint analysis was that there were no useful marks on the notes, and the blood was recorded as being in the same group as that of Daniel Morgan.^{452,453}

445 Witness statement of Dr Michael Heath – SUPPLEMENTARY REPORT RE: Daniel John Morgan, aged 37 years. Post Mortem Examination at Lewisham Public Mortuary on 11.3.87, MPS005257001, p2, 24 February 1988.

446 Enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan (Report by DCI Terence Farley), MPS005270001, p3, 19 January 1989.

447 Record of property concerned in crime; found on Daniel Morgan, MPS026878001, p1, 11 March 1987.

448 Record of property concerned in crime; found on Daniel Morgan, MPS026878001.

449 Witness statement of Peter Newby, MPS010347001, pp1-2, 10 August 1988.

450 Witness statement of Peter Newby, MPS010347001, pp1-2, 10 August 1988.

451 Submission of articles to Forensic Science Laboratory, MPS005270001, pp25-26, 01 April 1987.

452 Document D181 – Fingerprint results, MPS011249001, p6, 12 May 1987 (page 7 is undated and is attached to a report from the Officer in charge of the Fingerprint Branch of 12 May 1987).

453 Laboratory report regarding the forensic examination of items submitted in connection with the murder of Daniel Morgan, MPS011412001, p3, 19 August 1987.

311. The bank notes should have been properly examined by the police when seized, and the blood-stained notes should have been forensically examined before their return to Southern Investigations.

4.4.4.3 Crisps

312. Two packets of crisps, which had been found beside Daniel Morgan's left arm, were examined for fingerprints at Sydenham Police Station on 12 March 1987 between 3.00 and 3.05 pm by a Senior Fingerprint Officer. No 'useful marks' were found.⁴⁵⁴

4.4.4.4 Cars

313. The outside of Daniel Morgan's car was examined for fingerprints only, by a Senior Fingerprint Officer, at Catford Police Station on 11 March 1987 between 4.30 pm and 5.00 pm. No 'useful marks' were found.⁴⁵⁵

314. Dr Kathryn Mashiter, an independent expert in forensic science engaged by the Panel, commented that the normal practice, even in 1987, would be to dry off a vehicle and then fingerprint it. It would have been inadvisable to remove vehicles from the car park until the scene examination was complete. They could have been covered by sheeting and the scene guarded overnight. There is no record of any further examination of the scene.

315. A Morris Marina car, which was parked near Daniel Morgan's body, was examined for fingerprints in the car park of the Golden Lion public house on 11 March between 4.00 pm and 4.20 pm. No 'useful marks' were found.⁴⁵⁶

316. There was damage to the rear offside of the Morris Marina car, which is evident in the photographs taken at the scene.⁴⁵⁷ There was no further investigation of the car by the Morgan One Investigation even though, had such investigation occurred, it may have been possible to identify any evidence such as paint scrapings from a vehicle which might have collided with the Morris Marina.

317. On 26 October 1988, DCI Terence Farley of the Hampshire/Police Complaints Authority Investigation was present when a Detective Sergeant carried out a forensic examination of the bodywork of the Morris Marina.⁴⁵⁸ DCI Farley recorded that the vehicle had been fitted with new tyres, brakes and an exhaust. The owner of the Morris Marina car said in a statement made to the Abelard Two Investigation in 2009 that he had no memory of changing the tyres or exhaust

454 Operation Drake – enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan at Sydenham, London SE26, on the 10th March, 1987, MPS005270001, pp11-12, 19 January 1989.

455 Operation Drake – enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan at Sydenham, London SE26, on the 10th March, 1987, MPS005270001, p11, 19 January 1989.

456 Operation Drake – enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan at Sydenham, London SE26, on the 10th March, 1987, MPS005270001, pp10-11, 19 January 1989.

457 Photographs of Daniel Morgan's murder scene, MPS014810001, 10 March 1987.

458 Operation Drake – Enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan, MPS005270001, p18, 19 January 1989.

after the murder.⁴⁵⁹ Nothing of ‘*any significance*’ was found.⁴⁶⁰ DCI Farley made no mention of the damage to the car in his forensic report of 19 January 1989.⁴⁶¹ The car was scrapped about six months after the forensic examination.⁴⁶²

318. The Morris Marina car, which had been parked adjacent to Daniel Morgan’s body, should have been fully examined by the Morgan One Investigation, and the damage to the vehicle should have been examined to determine whether it was recent and whether it provided any possible lines of enquiry.

4.4.4.4.1 Jonathan Rees’s car

319. On 14 March 1987 Jonathan Rees was asked by DS Sidney Fillery, on the instructions of DS Malcolm Davidson, to bring his car into Sydenham Police Station to test for blood traces.^{463,464,465} He did so. A Scenes of Crime Officer tested the passenger compartment, inside the boot and under the bonnet. The other areas of the car were not examined. No blood was found, and no testing for fibres was conducted.⁴⁶⁶

320. The passenger compartment, the boot and under the bonnet of Jonathan Rees’s car were examined for blood only, on 14 March 1987. Fibres were not taken from Jonathan Rees’s car until 07 March 1988 (almost a year after the murder) and were submitted for testing on 15 March 1988. The searching and forensic examination of Jonathan Rees’s car in the days after the murder was deficient, because it was so incomplete.

4.4.5 Management of the forensic enquiries

321. There were ten recorded contacts between Philip Toates and DC Clive Blake in the period between 23 March 1987 and 26 May 1988, and there were 12 conversations between Philip Toates and DI Allan Jones in the period from 25 March 1987 to 07 July 1988.

322. There is no evidence of any contact between Phillip Toates and D/Supt Douglas Campbell as the Senior Investigating Officer until 07 July 1988.⁴⁶⁷

459 Witness statement of the owner of the Morris Marina MPS077662001, p3, 24 September 2009.

460 A264 Action to examine the Morris Marina car for forensic evidence MPS005963001, 10 February 1989.

461 Operation Drake – Enquiries into the forensic aspect of the original investigation of the murder of Daniel Morgan, MPS005270001, pp18-19, 19 January 1989.

462 Witness statement of the owner of the Morris Marina, MPS077662001, p3 24, September 2009.

463 A146 Action arrange forensic examination of Jonathan Rees vehicle, MPS013209001, 14 March 1989.

464 D15 SOCO report: examination of Jonathan Rees’ car, MPS011082001, p2, 14 March 1987.

465 Witness statement of Sidney Fillery, MPS028068001, p1, 22 June 1988.

466 D15 SOCO report: examination of Jonathan Rees’ car, MPS011082001, p2, 14 March 1987.

467 Philip Toates Forensic Notes, MPS105206001, pp670-675, undated.

323. Where forensic work was requested, it was carried out by the Forensic Scientist in accordance with the standards of the time. However, in many cases, items such as Jonathan Rees's clothes and car, were not secured and presented for forensic examination as they should have been. Forensic opportunities were missed. This was ultimately the responsibility of D/Supt Douglas Campbell.

4.5 Enquiries in the vicinity of the crime scene

324. Enquiries were made about the vehicles parked in the car park, those who had been inside and outside the Golden Lion public house on the evening of 10 March 1987, and of those who lived or carried on business adjacent to the murder scene.

4.5.1 Vehicles which were parked in the Golden Lion public house car park on the evening of 10 March 1987

325. As stated above (see paragraph 19iv), a Police Constable made a rough plan (Exhibit DS 1) showing the position and registration number of 12 cars in the car park, to which he referred in his statement of 06 April 1987.⁴⁶⁸ An undated, unsigned, rough plan shows 12 cars in the car park.⁴⁶⁹ It does not carry the exhibit number but it is assumed that this is the plan drawn by the Police Constable.

326. Statements were taken from the drivers and passengers of the cars parked in the car park of the Golden Lion public house on 10 March 1987. These statements provide a picture of who owned the cars in the car park, the times at which they entered and left and the relative positioning of the cars.

327. According to these statements, all the witnesses had parked their cars before 8.50 pm and nobody placed themselves or other people in the car park between 8.50 pm and 9.30 pm.

328. There are no inconsistencies in the statements, which simply corroborate the available evidence.

4.5.2 People inside the Golden Lion public house on 10 March 1987

329. The Golden Lion public house, which included a saloon bar, a public bar and a function room, was busy on the night of Daniel Morgan's murder.⁴⁷⁰ However, there is uncertainty as to exactly how many people were inside the premises on that night, and the Panel has not been able to resolve that uncertainty.

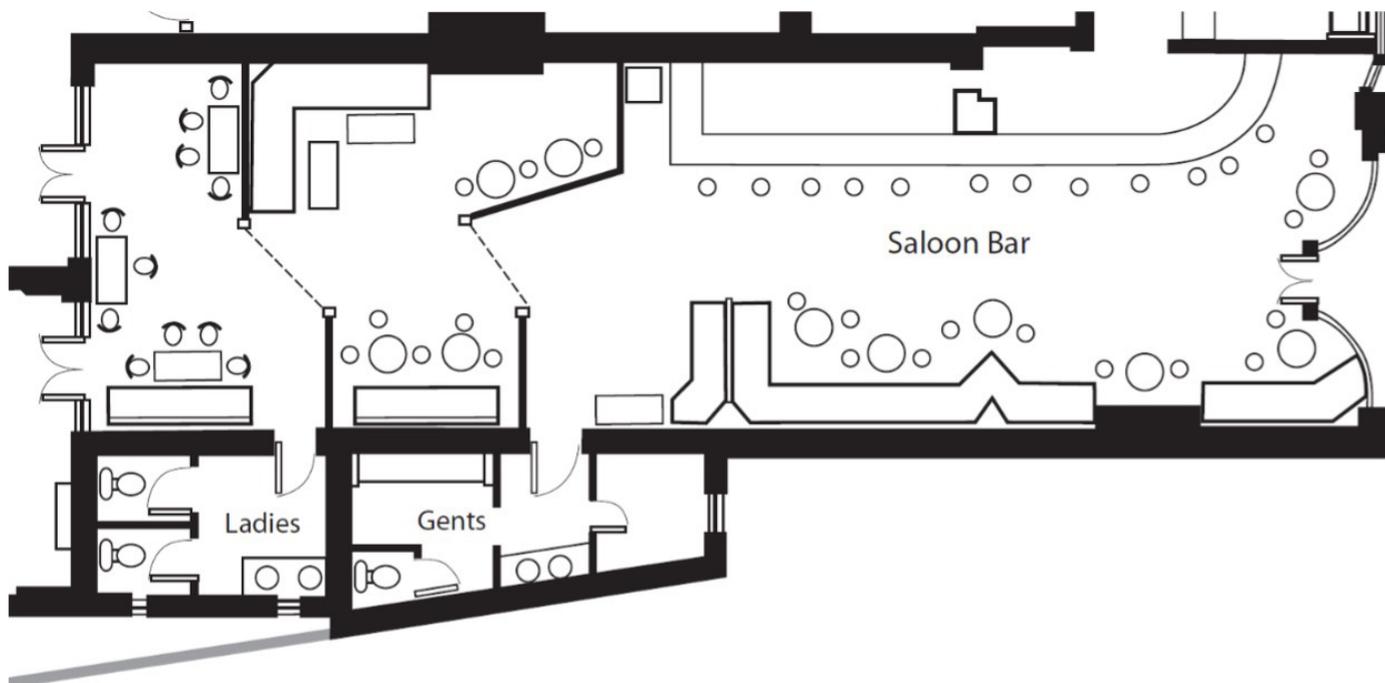
⁴⁶⁸ Witness statement of the further Police Constable, MPS010526001, p1, 06 April 1987.

⁴⁶⁹ Diagram of vehicles in the car park, MPS011071001, undated.

⁴⁷⁰ Metropolitan Police DPP report regarding the murder of Daniel John Morgan, MPS022269001, p14, 22 January 1988.

330. The diagram below was produced in 2010 during the later Abelard Two Investigation.

Diagram 2. Layout of the saloon bar in the Golden Lion public house on 10 March 1987⁴⁷¹



331. No named officer was in charge of the enquiries on the night of the murder into people who were inside the Golden Lion public house. Several police officers took details from people who were present.

332. Undated maps and documents show that police identified 83 people who had been inside the Golden Lion public house on the night of the murder,^{472,473} 51 of whom were in the saloon bar between the hours of 7.00 pm and 11.00 pm,⁴⁷⁴ and 16 of whom were in the public bar.⁴⁷⁵ Sixteen members of a women's darts team were in the function room.⁴⁷⁶ Eleven individuals remained unidentified at the end of the investigation.⁴⁷⁷

333. The names and addresses of people who had been within the Golden Lion public house having been taken, Personal Descriptive Forms (which describe the physical characteristics and location of individuals, as well as any other salient points) were compiled for most of them. The completion of Personal Descriptive Forms and marking locations on a map were standard practice in major investigations.

334. No Personal Descriptive Form can be found for Jonathan Rees. When asked about this, the Metropolitan Police responded: '*It would be a decision for the SIO but possibly not done because all the information from a PDF form was known to the enquiry in respect of Rees.*'⁴⁷⁸

471 Plan of the Golden Lion public house and car park, MPS016261001, p1, undated.

472 Plan showing positions of persons in Lounge Bar of Golden Lion Public House, MPS016259001, p1, undated.

473 Maps of persons present in the Golden Lion public house on 10.03.1987, MPS025401001, undated.

474 Registry docket report by D/Supt Douglas Campbell, MPS008491001, p1, undated.

475 Metropolitan Police DPP report regarding the murder of Daniel John Morgan, MPS022269001, p14, 22 January 1988.

476 Metropolitan Police DPP report regarding the murder of Daniel John Morgan, MPS022269001, p14, 22 January 1988.

477 Registry docket report by D/Supt Douglas Campbell, MPS008491001, p1, undated.

478 Response of Metropolitan Police to DMIP, dated 12 September 2016.

335. Some witnesses were asked to mark their positions within the Golden Lion public house on a plan.⁴⁷⁹ Seventy-one individual plans exist. There is not an individual plan for each witness. Two sets of couples marked their positions on the same plans.⁴⁸⁰

336. There is no evidence that Jonathan Rees was asked to indicate on a seating plan where he and Daniel Morgan had been sitting when they met that night. Nor is there any evidence that he was taken back to the bar and asked to point out where they had been sitting, or whether he was asked for any further information regarding this.

337. Statements were taken from all but two of the customers (who were identified by the Hampshire/Police Complaints Authority Investigation). These statements detailed where the witnesses had been sitting, who else they had seen, what they had been wearing, what they had been drinking, their movements, and what time they had arrived at and left the Golden Lion public house.

338. There is no acceptable explanation within the material disclosed as to why Jonathan Rees was not required to mark his position within the Golden Lion public house on the night of the murder, nor why a Personal Descriptive Form was not completed for him, as was the policy at the time. There could be no assumption that the relevant information was known to those responsible for analysing all the information gathered about who was where, and when, in the Golden Lion on 10 March 1987, and the suggestion made to the Panel by the Metropolitan Police in 2016 that this was the case has no merit. Furthermore, a Personal Descriptive Form should also have been completed for Daniel Morgan with whom Jonathan Rees had said he was sitting. The various descriptions given by witnesses could not be effectively compared without detailed knowledge of the clothing and physical characteristics of both men.

4.5.2.1 Who sat where inside the Golden Lion public house?

339. The police attempted to identify exactly where Daniel Morgan and Jonathan Rees had been while they were within the Golden Lion public house, and to gather information about their movements and those of anybody they encountered while there.

340. Only two witnesses apparently provided evidence which may have been related to Daniel Morgan and Jonathan Rees: Person T4 with a friend, and the barmaid. Person T4 gave evidence which is inconclusive:

- i. Person T4 and his friend arrived together and sat down in the bar at about 9.00 pm.⁴⁸¹ Person T4 saw two men, *'sitting [...] on the raised area with their backs to the rear doors of the pub'*.⁴⁸² He provided a description of the men: *'The one with the beard was about thirty years old, with brown hair and was smaller in comparison to the man he was with. I'm sure he had a collar and tie on with a blazer or dark suit. He appeared*

479 Registry docket report by D/Supt Douglas Campbell, MPS008491001, p1, undated.

480 Maps of persons present at the Golden Lion Public House on 10 March 1987, MPS025401001, undated.

481 Person T4 and the witness who drove out of the car park.

482 Signed, handwritten witness statement of Person T4, MPS010238001, p4, 12 March 1987.

*reasonably smart. [...] the bearded man may have had a badge or something on a right breast pocket' and 'the other one [...] was about the same age but much larger build and with fair short cropped hair. He also was wearing a collar and tie.*⁴⁸³

- ii. When shown a photograph of Daniel Morgan on 24 August 1987, he did not recall seeing him in the Golden Lion public house on 10 March 1987.⁴⁸⁴ When police visited him for a third time in October 1987 and again showed him a picture of Daniel Morgan, he told police that:

*'although I cannot definitively say that this was the man who was sitting near to me [...] I do recall that when a photograph of the man that was murdered was shown in the newspapers following the murder, I remember thinking that that was the same man that was sitting near us that night.*⁴⁸⁵

- iii. In his statement dated 12 March 1987, Person T4 said that, after ten or fifteen minutes, the larger man left, but he returned a short time later wearing a white raincoat and black gloves, which he had not been wearing previously.⁴⁸⁶ He stated that the man in the raincoat then left and that the bearded man left shortly afterwards. He was unable to say by which entrance(s) the men exited, although both of them walked towards the front of the building.⁴⁸⁷

341. Although the witness was unable to attribute a specific time to the men's departure, his evidence suggests that, since the witness sat in his seat at between around 8.40-9.00 pm, and the larger man was said to have left after ten to fifteen minutes and returned a short time later, Jonathan Rees and Daniel Morgan may not have left at 9.00 pm as Jonathan Rees had said, and may still have been in the Golden Lion for some time after 9.00 pm.

342. Person T4's friend⁴⁸⁸ did not remember seeing anyone resembling Daniel Morgan or Jonathan Rees in the premises. When shown a photograph of Daniel Morgan, he did not remember seeing him there that night, nor did he recall having seen him before.⁴⁸⁹

343. Jonathan Rees should have been asked during the Morgan One Investigation whether he left his seat and returned wearing a white raincoat and black gloves, and if he did leave, where he went and what he did while he was away.

483 Signed, handwritten witness statement of Person T4, MPS010238001, p2, 12 March 1987.

484 Witness statement of Person T4, MPS010239001, 24 August 1987.

485 Witness statement of Person T4, MPS010240001, p2, 15 October 1987.

486 Witness statement of Person T4, MPS010238001, 12 March 1987.

487 Witness statement of Person T4, MPS000141001, 12 March 1987.

488 The witness who drove out of the car park.

489 Statement of the witness who drove out of the car park, MPS016407001, p2, 05 October 1987.

344. It is not possible to say precisely when either Daniel Morgan or Jonathan Rees left the Golden Lion public house. There is conflicting evidence. Jonathan Rees was the only witness to state that they left at about 9.00 pm. As Jonathan Rees said that he left before Daniel Morgan, it was not possible for him to state definitively when Daniel Morgan left.

4.5.2.2 *The barmaid*

345. The other witness to give relevant information was the barmaid who had been working at the Golden Lion public house on 10 March 1987. She made a statement that evening, shortly after the arrival of the police following the discovery of the murder:

- i. She said she served a man with two drinks and two packets of crisps about 9.20 pm, shortly before she saw him leave the bar. Two packets of crisps had been found by Daniel Morgan's body.
- ii. He had been sitting on the settee opposite the bar, which is a different location from that stated by the other witness, and that she thought that he was with '*another man, who was also wearing a suit, and he was white*'.
- iii. She described the man she served. Her description closely resembled Daniel Morgan.⁴⁹⁰

346. On 16 April 1987, she was shown a photograph of Daniel Morgan, and she identified him as '*definitely*' being the man to whom she had served two drinks and two packets of crisps.⁴⁹¹

347. There is, therefore, no definitive evidence as to where Jonathan Rees and Daniel Morgan had been sitting on the night of the murder. The evidence available indicates they were either sitting directly opposite the saloon bar,^{492,493} or they were sitting in a separate raised area at the back of the bar, near the door leading to the rear car park.⁴⁹⁴

348. D/Supt Douglas Campbell was concerned that the barmaid was confused in her evidence about the time at which Daniel Morgan bought the crisps and drinks. He subsequently reported his belief that '*[t]he barmaid [...] is totally confused, she does not remember serving MORGAN other than at about 9.20pm when a man with a beard bought two packets of crisps. It is felt that at this time MORGAN was dead.*'⁴⁹⁵

349. D/Supt Douglas Campbell has not explained why it was felt that Daniel Morgan had been dead at 9.20 pm. There is nothing to confirm why D/Supt Campbell stated this. It is not known at what time Daniel Morgan died. All that can be established is that he was found dead by a customer arriving at the Golden Lion public house at about 9.40 pm.

490 Witness statement of the barmaid, MPS016076001, 10 March 1987.

491 Witness statement of the barmaid, MPS015677001, 16 April 1987.

492 Witness statement of the barmaid, MPS019134001, p1, 10 March 1987.

493 Witness statement of the barmaid, MPS015678001, p1, 07 December 1987.

494 Signed, handwritten witness statement of Person T4, MPS010238001, p3, 12 March 1987.

495 Report of D/Supt Douglas Campbell, MPS005460001, p10, 22 January 1988.

350. The barmaid was convinced that the man she had served with two packets of crisps was Daniel Morgan. She identified him from the photograph, and she described him accurately. Nobody else was identified as having bought two packets of crisps that night, and two packets of crisps were lying beside Daniel Morgan's body when he was found. It is not surprising that the barmaid was unable to remember the specific time at which she served Daniel Morgan on 10 March 1987, and precisely who was sitting where, given that she would have served a number of people that night, both before and after the discovery of the body.

351. No attempt was made to retrieve the till rolls from the bar, either on 10 March 1987 or subsequently. The till rolls might have given the time at which the crisps were bought by Daniel Morgan and might therefore have indicated when he was last in the bar. It is not known now whether such evidence could have been retrieved.

352. The barmaid later stated at the Inquest into Daniel Morgan's murder that, in December 1987, D/Supt Douglas Campbell had attended the Golden Lion public house and, while wearing a light-coloured raincoat, he had walked up and down in the bar, sat in the raised area and showed her a photograph. At the Inquest she stated that she understood this to be an attempt to jog her memory to see if she could remember seeing somebody in a raincoat.⁴⁹⁶ She also stated that D/Supt Campbell had told her that the man to whom she had served the crisps was not in fact Daniel Morgan.⁴⁹⁷ There is no record in the papers disclosed to the Panel of this attempt at a reconstruction taking place.

353. The attempt at a reconstruction by DCS Douglas Campbell of a man wearing a white coat walking around the Golden Lion public house, the reason for it and the barmaid's response to it, should have been recorded in the Morgan One Investigation papers. On reading the papers available to the Panel, it gives rise to the possibility that D/Supt Campbell was attempting to persuade the barmaid that she was wrong in her evidence and attempting to make her change that evidence, which would have been wholly improper.

In 2020, former D/Supt Campbell stated to the Panel that he had no recollection of meeting with the barmaid and staging the reconstruction. Former D/Supt Campbell also stated that he did not accept the suggestion that such a reconstruction could be considered to be an improper attempt to persuade the barmaid to change her evidence, and that it would instead have been an attempt to assist in her recollection.

496 Inquest transcript, Day 2, INT000002001, pp86-87, 12 April 1988.

497 Witness the barmaid, examined by the Coroner, Inquest Day Two, INT000002001, p86, 12 April 1988.

354. Police also investigated whether there was anybody in the bar who might have been mistaken for Daniel Morgan. One witness⁴⁹⁸ had arrived in the Golden Lion about 9.15 pm and left the bar at 10.30 pm. He was among a group of three people who were sitting at a table ‘*at the very front of the Pub*’.⁴⁹⁹ He did not know Daniel Morgan. The police suggested to the witness that, because he resembled Daniel Morgan ‘*slightly*’ and walked with a limp⁵⁰⁰ he might have been mistaken for Daniel Morgan.⁵⁰¹ However this suggestion did not lead to any further line of enquiry.

355. The Panel is satisfied that Jonathan Rees and Daniel Morgan were in the Golden Lion public house on the evening of 10 March 1987, that where they had been sitting cannot be stated definitively, and that Daniel Morgan bought two packets of ready salted crisps before he left the bar.

356. D/Supt Douglas Campbell directed that the Golden Lion public house should be revisited on the evening of 17 March 1987, a week after the murder, in an attempt to trace any additional potential witnesses to the murder. A police presence was established in the area of the Golden Lion between 7.00 pm and 10.00 pm,⁵⁰² with a mobile police station present. Customers in the Golden Lion public house ‘*and persons passing through Sydenham*’⁵⁰³ were interviewed, including at least nine new potential witnesses, who had been in or around the public house on the night of the murder.⁵⁰⁴ At least 99 statements were finally recorded from staff and customers who had been in the Golden Lion at some point during the evening of the murder.

357. The evidence provided by witnesses who had been present within the Golden Lion public house on the evening of 10 March 1987 has been carefully examined. As the Panel would expect in the context of a busy bar, there are many inconsistencies between their statements. Although a great deal of work was done, very little information of use to the investigation was secured.

4.5.3 House-to-house enquiries

358. House-to-house enquiries were carried out and occupants of houses near to the scene of the murder were asked whether they had seen or heard anything on the night of the murder. The parameters for house-to-house enquiries were described in an action raised on D/Supt Douglas Campbell’s behalf on 13 March 1987.⁵⁰⁵ The Policy File records that PS Phillip Barrett and DS Sidney Fillery were the officers in charge, as supervisors for the Catford Crime Squad, which was carrying out investigative tasks for the Morgan One Investigation.⁵⁰⁶

498 A witness who sat at the very front of the public house.

499 Statement of the witness who sat at the very front of the public house, MPS001575001, p1, 12 March 1987.

500 Daniel Morgan walked with a slight limp as a result of suffering from polio as a child.

501 Statement of the witness who sat at the very front of the public house, MPS001575001, p1, 12 March 1987.

502 Action A165 of Morgan One Investigation, MPS013228001, p1, 14 March 1987.

503 Witness statement of D/Supt Douglas Campbell, MPS010912001, p3, 07 March 1988.

504 Actions 224, 228, 243, 244, 245, 246, 247, 248, and 249 of Morgan One Investigation, MPS083125001, 18 March 1987.

505 Action A135 Supervise house to house, MPS013198001, p1, 13 March 1987.

506 Policy File for Morgan One, MPS004821001, p1, 11 March 1987.

359. However, examination of the house-to-house questionnaire forms has confirmed that these enquiries actually started on the morning of 11 March 1987, supervised by DC Paul Lombard.^{507,508} The areas that were to be visited were identified as being ‘*Immediate vicinity of scene*’.^{509,510}

360. When house-to-house enquiries started on the morning of 11 March 1987, the Morgan One Investigation may not have known that Daniel Morgan and Jonathan Rees had been in the Golden Lion public house on 09 March as well as 10 March 1987. It is not known whether this was discussed when Jonathan Rees met D/Supt Douglas Campbell during the meeting at Catford Police Station in the early hours of 11 March 1987. There are no records of that meeting.

361. However, DS Sidney Fillery and PS Phillip Barrett, the officers in charge of conducting the house-to-house enquiries, knew that Daniel Morgan had been with Jonathan Rees in the Golden Lion public house on that date, as they had all been drinking there together (with others) that night.

362. DS Sidney Fillery and PS Phillip Barrett should have informed D/Supt Douglas Campbell that they and a number of other officers had been with Daniel Morgan and Jonathan Rees in the Golden Lion public house on 09 March 1987. D/Supt Campbell should then have extended the parameters of the enquiries to include the night of the 09 March 1987. Changing the parameters to include the 09 March 1987 would have been important because valuable information might have emerged. The Golden Lion was not a public house where Daniel Morgan was known to drink.

363. The status of these enquiries was reviewed on 19 March 1987 by DS Malcolm Davidson. It was confirmed on 09 April 1987 that these enquiries were complete.⁵¹¹

4.5.3.1 The house-to-house enquiry forms

364. In August 1988, PS John Riddell of the Hampshire/Police Complaints Authority Investigation reviewed the house-to-house enquiries and made the following comment:

‘I have read the house-to-house files for the area immediately surrounding the scene of the murder, the originals of which are at the St. Mary Cray incident room.

‘As a general comment the house-to-house questionnairing [sic] was poorly undertaken & not fully completed. There is no marking-up of this documentation which would tend to indicate that once more there was no proper “reading” or follow-up to the information on the documents.’⁵¹²

507 Beige folders containing House to House enquiries, MPS015259001, MPS015257001, MPS015258001, MPS015255001, MPS015256001, MPS015261001.

508 Action A135 Supervise house to house, MPS013198001, p1, 13 March 1987.

509 Parts of Girton Road, Sydenham Road, Trewsbury Road, Loxley Close and Allendale Close.

510 Beige file entitled policy file in the case of Daniel Morgan’s murder, MPS017096001, p1, undated.

511 Actions 256 to 259 were allocated to complete outstanding house to house enquires in each area, MPS013319001, MPS013320001, MPS013321001, MPS013322001, 19 March 1987.

512 Report concerning house-to-house enquiries by the Metropolitan Police, MPS022904001, 23 August 1988.

365. The Panel reviewed all the house-to-house enquiry questionnaire forms and the accompanying Personal Descriptive Forms completed by the investigation team. There is considerable variation in the quality of the completion of these forms. The forms confirm that the police officers conducting these enquiries asked householders to comment on anything they had seen on the evening of 10 March 1987 (only two questionnaires⁵¹³ of the 144 available to the Panel refer to any other date). The Panel has identified two questionnaires where there were missed opportunities to follow up lines of enquiry:

- i. One person said that although he had not seen anything between 5.00 pm on 10 March 1987 and the morning of 11 March 1987, he had seen two men hanging around sometime around 7.30 pm to 8.00 pm on Monday 09 March 1987, the evening before the murder.⁵¹⁴

When police officers returned to take further details, he added that they had been waiting around by some parked cars close to the fence of the Golden Lion public house. The men had reportedly walked off towards the main road when the witness opened his front door. The witness could offer only a vague description of them as *'two white men'*. The officers recorded that the witness was elderly, seriously ill, and that he could not offer anything further. The record is marked *'NFA'* (no further action).⁵¹⁵

- ii. A witness, who had been sitting in a vehicle in Loxley Close with a friend at around 10.05 pm on 10 March 1987, said that a man parked in Loxley Close and looked through the fence of the car park of the Golden Lion public house. The unidentified man and his vehicle were not described, and no statement was taken by the Morgan One Investigation from the witness.⁵¹⁶

The friend of the witness sitting in the car did not live in the area, but she contacted the investigation team to provide her evidence.⁵¹⁷ DS Christopher Horne was instructed to take a statement. Police Officer A27, however, was of the view that, because the man she identified was observed after Daniel Morgan's body was found, there was *'little point'* in taking a statement,⁵¹⁸ and consequently none was taken.

513 House to House Enquiry Questionnaires 006/001/01 and 006/002/01, MPS015260001, pp3-4 and 7-8, undated.

514 House to House Enquiry Questionnaires 006/001/01 and 006/002/01, MPS015260001, pp3-4, undated.

515 Action 397 to see a local resident regarding males 'hanging about', MPS013460001, 11 March 1987.

516 House to House Enquiry Questionnaire 006/013/01, MPS015260001, pp47 and 65, undated.

517 Message 205 reporting a witness looking through the fence of the Golden Lion public house, MPS012265001, 24 March 1987.

518 Action 719 to interview and take a statement from a witness sitting in nearby vehicle, MPS013782001, pp1-2, allocated on 26 April 1987; returned on 03 June 1987.

366. There is no evidence that the Morgan One Investigation, in particular D/Supt Douglas Campbell whose overall responsibility it was, considered the possibility that those planning the murder may have visited the Golden Lion public house the night before the murder. Daniel Morgan was murdered in a dark corner of the Golden Lion car park which appears to have been a carefully selected location.

The sighting of two men in the car park at the Golden Lion public house on 09 March 1987 was potentially significant, because of the additional possibility that the suspects intended to kill Daniel Morgan while he was at the Golden Lion that evening, the night before the murder actually occurred. A statement should have been taken from the person who had identified this during house-to-house enquiries.

The Panel cannot identify who made the decision to limit the house-to-house enquiries to the night of the murder and not the preceding night, and to the particular locations that were chosen.

367. Statements should also have been taken from the two witnesses who saw a man park his car and look through the gap in the fence at Loxley Close into the Golden Lion public house car park on 10 March 1987, to establish whether any investigative opportunities existed.

368. A witness who lived in a flat which had a balcony that provided a view of the back left-hand corner of the Golden Lion public house and its car park, stated on 12 March 1987 that at about 9.30 pm on 10 March 1987 there was *'a big American type of car'* which reversed back into the far left corner of the car park and then drove out.⁵¹⁹ On 06 May 1987 the witness subsequently described the car as *'a light colour but not white, maybe a cream', 'the shape of a Cadillac but lower than the usual type, the make of which I am not sure. The headlights were quite low and further apart than a British make of car.'* The witness was *'positive it was an American type of car'*.⁵²⁰ Police attempted to identify the car but were unable to do so. Police also checked to see whether any customers in the Golden Lion had described such a car. They had not.⁵²¹

369. In another statement, the same witness stated that he recognised Daniel Morgan *'as a regular'* at the Golden Lion public house having seen him park his car and walk through the garden into the Golden Lion from the car park on several occasions, including on Saturday and Sunday afternoons. He said he remembered Daniel Morgan because of his green BMW car and his *'full set'* of beard and moustache.⁵²² Although the officer who obtained the statement from

519 Witness statement of a resident of a nearby flat, MPS010167001, p2, 12 March 1987.

520 Witness statement of a resident of a nearby flat, MPS010168001, pp2 and 4, 06 May 1987.

521 Action A325, MPS013388001, p1, 20 March 1987.

522 Witness statement of an resident of a nearby flat, MPS016561001, p1, 23 October 1987.

the witness suggested that weekend staff at the Golden Lion public house and Iris Morgan should be spoken to, to ascertain whether they could corroborate this information,⁵²³ no further enquiries were carried out until the Hampshire/Police Complaints Authority Investigation.⁵²⁴

370. No other evidence came to light during these enquiries indicating that Daniel Morgan was a regular visitor to the Golden Lion public house. Information from another police officer led the Morgan One Investigation to consider whether the car seen by this witness was a Zephyr/Zodiac (described by the police officer as a 'Ford executive white') owned by a man who lived locally.⁵²⁵ The car-owner stated that he had not been to the Golden Lion for 12 years and that, although he sometimes visited the area, to the best of his knowledge he was not in the car park on 10 March 1987.⁵²⁶ Police concluded that the car seen at the Golden Lion public house was not the Ford Zephyr.

371. Further house-to-house enquiries were carried out at properties adjacent to Daniel Morgan's home on Warminster Road to establish whether neighbours could recall anything to assist the investigation.

372. On 23 June 1987, it was confirmed that no useful information had emerged from these enquiries.⁵²⁷

373. Actions were taken as a result of some of the house-to-house enquiries, but the enquiry forms were generally poorly completed. No evidence was found to corroborate any of the statements made by the witness who claimed to have seen an American-style car or to have seen Daniel Morgan in the Golden Lion public house on previous occasions including Saturday and Sunday afternoons.

4.5.3.2 Business premises

374. Enquiries to trace witnesses were also carried out at business premises close to the Golden Lion public house. Staff at an adjacent supermarket,^{528,529} the kebab shop opposite⁵³⁰ and a Chinese takeaway restaurant⁵³¹ on Sydenham Road were interviewed, as were members of the staff at the Nightingale nursing home,⁵³² which was close to the scene.

375. The licensee and four staff members from the Dolphin public house, which is opposite the Golden Lion public house, were identified, with the intention of asking them about events there on the evenings of 09 and 10 March 1987.⁵³³ Only two of the staff members were interviewed

523 Action A1258 to re-interview a local resident, MPS014321001, p1, 06 October 1987.

524 Report of DI Trevor Witt, MPS022302001, 08 October 1988.

525 Message 359 from a Police Constable regarding a white Zephyr/Zodiac car, MPS028582001, p1, 19 October 1987.

526 Witness statement of a local resident, MPS010898001, p1, 28 January 1988.

527 Action 609 to make house to house enquiries at dwellings adjacent to Daniel Morgan's house, MPS013672001, p1, allocated 13 April 1987, returned 23 June 1987.

528 Action 211 to take the statement of the manager of the supermarket adjoining the Golden Lion public house, MPS013274001, p1, allocated 10 March 1987.

529 Witness statement from an employee of a business near to the Golden Lion public house, MPS010263001, 17 March 1987.

530 Action 139 to make enquiries of staff at kebab shop opposite the Golden Lion public house, MPS013202001, pp1-3, allocated on 13 March 1987.

531 Action 140 to make enquiries and obtain statements from staff at Chinese takeaway, MPS013203001, pp1-2, allocated 13 March 1987.

532 Action 232 to make enquiries at Nightingale Nursing home, MPS013295001, allocated 18 March 1987.

533 Action 215 to obtain statements from the bar staff of the Dolphin public house who were on duty on 9 and 10 March 1987, MPS013278001, pp1-2, allocated 17 March 1987, returned 09 June 1987.

by the Morgan One Investigation.^{534,535} The remaining two and the licensee were not interviewed until October 1988, when they were interviewed by the Hampshire/Police Complaints Authority Investigation team.^{536,537,538} Eight customers in the Dolphin public house were identified, traced and interviewed or spoken to.^{539,540,541,542,543,544,545,546}

376. Five young men who had been together at the Golden Lion public house and at the kebab shop opposite on the evening of the murder were identified and statements were taken from them.^{547,548,549,550,551} Some of the group told the police that they saw a fight in Sydenham Road at about 8.30 pm on 10 March 1987. Police sought unsuccessfully to trace those involved.⁵⁵² No useful information was recovered from these enquiries.

4.6 Appeals for information

4.6.1 Incidents reported to the police of alleged suspicious behaviour occurring before 10.00 pm on 10 March 1987

377. Appeals for information were made on all principal London radio and television channels: LBC,⁵⁵³ BBC Radio London, Capital Radio, and *Police Five* on local independent television.⁵⁵⁴ Appeals were also made in the *Police Review*, and internally through *The Police Gazette*, which was circulated to all law enforcement agencies in the United Kingdom. Two special notices were published in *The Police Gazette* in April and November 1987 seeking information about the murder of Daniel Morgan.⁵⁵⁵

378. In July and August 1987, appeals were made for information regarding the murder of Daniel Morgan in the *Professional Investigator* magazine and the *Bailiffs Journal*.^{556,557}

379. Information was received regarding the period before Daniel Morgan's murder and up to 10.40 pm on 10 March 1987. A number of witnesses reported events which they considered might be relevant to the investigation of Daniel Morgan's murder, including information relating to the following:

534 Witness statement of a staff member at the Dolphin public house, MPS010553001, 08 April 1987.

535 Witness statement of a staff member at the Dolphin public house, MPS010556001, 08 April 1987.

536 Witness statement of the licensee at the Dolphin public house, MPS010960001, 18 October 1988.

537 Witness statement of a staff member at the Dolphin public house, MPS010963001, 13 October 1988.

538 Witness statement of a staff member at the Dolphin public house, MPS010964001, 13 October 1988.

539 Witness statement of a customer at the Dolphin public house, MPS010836001, 16 November 1987.

540 Witness statement of a customer at the Dolphin public house, MPS010527001, 06 April 1987.

541 Witness statement of a customer at the Dolphin public house, MPS010324001, 16 March 1987.

542 Action A230, MPS013293001, 18 March 1987.

543 Witness statement of a customer in the Dolphin public house, MPS010835001, 16 November 1987.

544 Witness statement of a customer in the Dolphin public house, MPS010837001, 16 November 1987.

545 Witness statement of a customer in the Dolphin public house, MPS010845001, 18 November 1987.

546 Witness statement of a customer in the Dolphin public house, MPS010843001, 18 November 1987.

547 Witness statement of a customer at the Golden Lion, MPS010457001, 24 March 1987.

548 Witness statement of a customer at the Golden Lion MPS010504001, 31 March 1987.

549 Witness statement of a customer at the Golden Lion, MPS010171001, 28 April 1987.

550 Witness statement of a customer at the Golden Lion, MPS010391001, 18 March 1987.

551 Witness statement of a customer at the Golden Lion, MPS010177001, 11 March 1987.

552 Action A326 to identify two men referred to in statement of a customer at the Golden Lion, MPS013389001, p1, allocated 23 March 1987.

553 London Broadcasting Company (LBC) Radio.

554 Witness statement of D/Supt Douglas Campbell, MPS010912001, p3, 07 March 1988.

555 Editions of the Police Gazette, MPS011184001, 03 April 1987 and MPS011475001, 20 November 1987.

556 The Professional Investigator, MPS011413001, July/August 1987.

557 The Bailiffs Journal, MPS011444001, August 1987.

- i. A man carrying a plastic bag who came in through the back door of the Golden Lion public house after Daniel Morgan had left but before police had arrived.⁵⁵⁸
- ii. A man, who was *'sort of Italian looking, probably foreign, mid-European, between twenty-two and twenty-five years old, around 5'10" or 6' tall, who appeared at around 9.00pm and looked into the bar three times. On the final occasion he was accompanied by another man who had tight curly hair that was quite short and close to his head.'* Both men then walked away.⁵⁵⁹
- iii. A white man wearing a pale blue jacket with quite thick eyebrows, fairly long hair parted on his left side, and quite a pale face, who was said to have looked into the window of the saloon bar of the Golden Lion public house at 8.45 pm.⁵⁶⁰
- iv. Two men who were seen arguing between about 7.20 pm and 7.25 pm on 10 March 1987 outside the Golden Lion public house.⁵⁶¹
- v. A group of youths who were seen arguing with a black man at the bottom of Berrymans Lane at the junction with Sydenham Road, sometime after about 9.00 pm.^{562,563} There was no report to police of any such incident at the time that this was alleged to have occurred.⁵⁶⁴
- vi. A policeman was talking to a man with a skinhead cut at 10.40 pm outside the Golden Lion public house, who had a friend who was known to have carried an axe in the past.⁵⁶⁵

380. All of the above reports were investigated but no useful information was identified.

4.6.2 A telex appeal for information within the Metropolitan Police

381. A telex message (an early form of electronic communication) was sent throughout the Metropolitan Police, asking any police officers who had had dealings with or had knowledge of Daniel Morgan to contact the incident room.⁵⁶⁶ It is not recorded how many police officers came forward as a result of this appeal.

382. It was considered unusual for Jonathan Rees to be in the company of Daniel Morgan when socialising with police officers, as had been the case on 09 March 1987. D/Supt Douglas Campbell stated that he therefore caused 43 police officers who served, or who had served, at Catford Police Station to be interviewed *'regarding their meetings with REES or MORGAN over the preceding 2/3 years'*. Seventeen of the officers admitted having met Jonathan Rees, following introduction by DS Sidney Fillery. None of the officers had ever met Daniel Morgan.⁵⁶⁷

558 Witness statement of Person T4, MPS000141001, p4, 12 March 1987.

559 Witness statement of a member of the public, MPS000132001, p1, 11 March 1987.

560 Witness statement of a member of the public, MPS001579001, p1, 13 March 1987.

561 Witness statement of a member of the public, MPS001912001, p1, 12 March 1987.

562 Witness statement of a member of the public, MPS001598001, pp1-2, 13 March 1987.

563 Witness statement of a member of the public, MPS016395001, pp2-3, 13 March 1987.

564 Action A366 of Morgan One Investigation, MPS013429001, p1, 20 March 1987.

565 Message 2 from a member of the public, MPS083124001, p3, 11 March 1987 / Witness statement of a member of the public, MPS001579001, p1, 13 March 1987.

566 MMS Message from the murder incident room to all officers, MPS036415001, 16 March 1987.

567 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS022269001, p12, 22 January 1988.

4.6.3 The Crimewatch programme

383. An appeal for information was made in a BBC *Crimewatch* television programme broadcast on 23 April 1987. It sought the following:

- i. *'Any information on the axe (which had two strips of elastoplast® around the handle);*
- ii. *The missing Rolex watch;*
- iii. *Any witnesses who saw anyone leaving the scene between about 9 pm and 9.40 pm;*
- iv. *Two men were seen looking through the door of the Golden Lion. The first is described as Italian looking, 22-25, 5'10" to 6', broad shouldered with jet black hair, quite a gaunt face, and wearing a leather jacket. He looked through the pub door about three times. On the third time he was with another man who's described as having tight curly hair which is short and close to the head. [An appeal for these two men to come forward was made.]*
- v. *Anyone with any information which may help solve the crime, i.e. Do you know who did it?'⁵⁶⁸*

384. After the broadcast of *Crimewatch*, the investigation team received information which led to several enquiries in London, Bridlington, Chester, Kent and Worcestershire. The Panel has considered that information. However, nothing of value emerged from these enquiries.

385. The family of Daniel Morgan were not consulted by either the Metropolitan Police or the BBC during the making of the programme. The way in which Daniel Morgan was portrayed during the *Crimewatch* programme caused considerable distress to his wife and family, because it was regarded as inaccurate and unfair to Daniel Morgan. This matter is dealt with in Chapter 12, The Treatment of the Family.

386. A considerable amount of work was done on this aspect of the investigation into Daniel Morgan's murder. D/Supt Douglas Campbell made good use of the media in his attempts to trace information about the axe, and about where, when and by whom it was purchased. However, the Panel considers that the request for information about anyone leaving the Golden Lion public house between 9.00 pm and 9.40 pm on 10 March 1987 was too limited. It should have been extended to start earlier, for example about 8.00 pm.

4.7 Enquiries into the axe

387. Among the earliest lines of enquiry to be pursued were the origin of the murder weapon, enquiries regarding people who were known to carry axes and a review of other incidents involving axes. A decision was made on 11 March 1987 to hold a press conference and to show an axe similar to that used in the murder in an attempt to establish where, when and by whom the axe had been purchased.⁵⁶⁹

⁵⁶⁸ 'Crimewatch Programme listing', MPS011208001, pp9-10, 16 April 1987.

⁵⁶⁹ Policy File for the case of Daniel Morgan, Decision 2, MPS004821001, p3, 11 March 1987.

388. On 12 March 1987 a decision was made to obtain a ‘*duplicate axe for publicity*’.⁵⁷⁰ LBC and BBC Radio London carried appeals on 13 and 14 March 1987. The radio script stated the following:

*‘We are keen to trace the origin of the murder weapon, a small axe which was found at the scene. Made in China by Diamond brand, the axe is quite common and easily available for about £4.50. It has a 14 inch handle with a black four by six inch blade with a silver edge. The axe used in the murder had two strips of sticking plaster on the handle and didn’t appear to have any marks on it so we think it was quite new. If you’re a shopkeeper and have sold one recently, particularly in the South London area, we need to hear from you.’*⁵⁷¹

389. Listeners were encouraged to telephone either the incident room at Sydenham Police Station or New Scotland Yard, the headquarters of the Metropolitan Police.⁵⁷² Various calls were received, and consequential enquiries were made at the Forensic Science Laboratory and in relation to manufacturers, distributors and distribution points for such axes, and about retailers in London, Kent, Brighton, Coventry, Chester, Sheffield, Mexborough and Bridlington. Three days after the murder, the Metropolitan Police had already concluded that the axe was ‘*quite common*’ and ‘*easily available*’.⁵⁷³ The enquiries continued, however, until 30 September 1987. Nothing further of use to the Morgan One Investigation was learned.

390. Appropriate enquiries were made by the Morgan One Investigation to secure information about the axe.

4.7.1 Allegations about people associated with Daniel Morgan who were known to have carried axes

391. Information was received concerning two apparently unconnected individuals who were known to have axes, both of whom were linked to Daniel Morgan through his work. Both incidents had occurred some two years previously:

- i. It was reported that a man arrived to collect items from a car repossessed by Daniel Morgan, which had been parked at Daniel Morgan’s office,⁵⁷⁴ and the car in which he arrived had a ‘*carpenters “feathering” axe*’ lying on the passenger seat.⁵⁷⁵ The owner of the car was not identified by the Morgan One Investigation. No further useful information could be found relating to the matter.

⁵⁷⁰ Action A89 Obtain duplicate axe for publicity, MPS013151001, 12 March 1987.

⁵⁷¹ Copy of Press Bureau Broadcast, MPS011110001, pp2-6, 13 March 1987.

⁵⁷² Copy of Press Bureau Broadcast, MPS011110001, p4, 13 March 1987.

⁵⁷³ Press bureau broadcast script for 13 March 1987, MPS011110001, p4, 13 March 1987.

⁵⁷⁴ Witness statement of Laurence Bucknole, MPS016851001, p4, 17 March 1987.

⁵⁷⁵ Witness statement of someone who carried out building work for Daniel Morgan, MPS010282001, p5, 15 March 1987.

- ii. Jane Morgan, Daniel Morgan's sister, told the Morgan One Investigation on 17 March 1987 that Daniel Morgan had dealt with a case in which a man who was involved with a female acquaintance of Iris Morgan, '*apparently chased Danny with an axe or machete and Danny had to run for his life and climb walls to escape him. Danny either got into somebody else's flat and rang the police or escaped somehow. [...] This would have been about two years ago.*'⁵⁷⁶

Police sought to trace this person, but neither the woman's identity nor that of the man with the axe or machete, who had chased Daniel Morgan was ascertained. There is no record that Iris Morgan was asked about this matter.⁵⁷⁷

392. Iris Morgan should have been asked about the incident described by Jane Morgan so that further investigation could have occurred as appeared necessary.

4.8 Enquiries into street thefts and incidents involving knives and similar weapons and axes

393. Police sought to ascertain whether there were any recorded incidents in which knives or similar weapons had been used in the Catford area since the start of the year.⁵⁷⁸ Forty-two incidents were identified, but a subsequent examination found that none of them contained any details to connect them to the murder of Daniel Morgan.^{579,580}

394. Police also obtained details of attacks or robberies where an axe or similar weapon had been used. Four robberies, and the details of those persons suspected of carrying them out, were listed as a result.⁵⁸¹ D/Supt Douglas Campbell requested full details of the suspects, and it was reported that a Detective Constable had produced '*dockets*' (reports) for him. No docket has been seen by the Panel within the material which is available. The investigative action was marked '*NFA*' (no further action).⁵⁸²

395. It is not possible to assess the outcome of these enquiries from the papers available to the Panel.

4.9 The whereabouts of Daniel Morgan's watch

396. Iris Morgan stated on 17 March 1987 that Daniel Morgan had been wearing a Rolex watch on the day that he was murdered.⁵⁸³ However, no watch was retrieved from Daniel Morgan's body, at any stage, and differing accounts were given by those who had contact with Daniel Morgan's body as to whether one had been present.^{584,585}

576 Witness statement of Jane [Morgan], MPS010389001, p19, 17 March 1987.

577 Action 509 Morgan One, MPS013572001, 02 April 1987.

578 Action 154 Morgan One, MPS013217001, 14 March 1987.

579 Details of all robberies using knives since 1 January 1987, MPS011142001, undated.

580 Action 349 Morgan One, MPS013412001, 20 March 1987.

581 Action 155 Morgan One, MPS013218001, 14 March 1987.

582 Action 212 Morgan One, MPS013275001, 16 March 1987.

583 Statement of Iris Morgan, MPS000006001, p7, 17 March 1987.

584 Statement of DS Graham Frost, MPS018107001, p1, 26 April 1989.

585 Statement of the Scenes of Crime Officer, MPS002165001, p2, 13 November 2007.

397. The matter caused a great deal of distress to the family of Daniel Morgan and remains unresolved.

398. DS Graham Frost, the Forensic Intelligence Officer at the crime scene, stated Daniel Morgan had a '*quantity of cash*' in his pocket.⁵⁸⁶ As the cash was not stolen, this makes the motive of robbery unlikely.

399. Police sought to establish whether Daniel Morgan's watch would be identifiable if it were found. On 16 March 1987 police officers interviewed the man who had insured the watch for Daniel Morgan.⁵⁸⁷ He produced for the police a copy of the policy, a receipt for its purchase and a photograph of the watch.⁵⁸⁸ He told the police that the watch had a unique serial number.

400. The Morgan One Investigation subsequently visited South London pawnbrokers in an attempt to trace the missing Rolex watch.⁵⁸⁹ Pawnbrokers were also checked in areas in Yorkshire, where Jonathan Rees was born.⁵⁹⁰ It was reported that an officer from South Yorkshire Police spent three days on this action, but all enquiries were negative.⁵⁹¹ Details of the watch were circulated in the Retail Jeweller and British Jeweller trade magazines with an appeal to contact the murder squad at Sydenham Police Station with any information.⁵⁹²

401. In addition to the searches made on 03 April 1987, the properties of other potential suspects were searched to see whether the watch could be found: two on 17 March 1987 and one on 01 April 1987. Nothing was found.^{593,594}

402. The matter of Daniel Morgan's missing watch was considered by all the subsequent investigations:

- i. In 1989 DS Graham Frost stated that he had not observed a wristwatch on Daniel Morgan's body, and that he was the only officer to search Daniel Morgan's body at the scene.⁵⁹⁵
- ii. In 1989 DC Noel Cosgrave stated that he '*was unable to say if there was a wristwatch*' on Daniel Morgan's body and that he '*was never aware that a wrist watch was stolen from the body of Daniel MORGAN*'.⁵⁹⁶
- iii. In 2002 following the *Crimewatch* appeal, DC Noel Cosgrave told the Abelard One/Morgan Two Investigation that he was sure that Daniel Morgan had been wearing a watch.^{597,598}

586 Statement of DS Graham Frost, MPS015685001, 23 July 1987.

587 An insurance broker who had offices in the same building as Southern Investigations.

588 Witness statement of the insurance broker who had offices in the same building as Southern Investigations, MPS002006001, p1, 16 March 1987.

589 Action 572 to enquire with local pawn brokers regarding a Rolex watch, MPS013635001, allocated 10 April 1987, returned 16 April 1987.

590 Action 577 to find out what area in Yorkshire Jonathan Rees frequents and make enquiries at local pawn brokers and jewellers, MPS026917001, p1, allocated 10 April 1987, returned 06 October 1987.

591 Action 577 to find out what area in Yorkshire Jonathan Rees frequents and make enquiries at local pawn brokers and jewellers, MPS026917001, p2, allocated 10 April 1987, returned 06 October 1987.

592 Action 573 to make enquiries with Horological & Watch Trade magazines to circulate watch therein, MPS013636001, 10 April 1987.

593 Action 209, MPS013272001, p1, 16 March 1987.

594 Action 387, MPS013450001, p1, 23 March 1987.

595 Witness statement of DS Graham Frost, MPS010727001, p1, 26 April 1989.

596 Witness statement of Noel Cosgrave, HAM000479001, pp1-2, 19 April 1989.

597 Message M25 from DC Noel Cosgrave, MPS008108001, p1, 26 June 2002.

598 Witness statement of DC Noel Cosgrave, MPS000158001, p1, 06 August 2002.

- iv. In 2007, the Scenes of Crimes Officer who had been at the scene of the murder said that he vaguely recalled seeing a wristwatch on Daniel Morgan's wrist, which was gold-coloured and looked expensive. He said that neither he nor DS Graham Frost removed it.⁵⁹⁹ There are no photographs showing Daniel Morgan wearing his watch after he was found having been murdered. Evidence was received in 2009 that the watch had been stolen during the murder. (see Chapter 8, The Abelard Two Investigation).

403. The Panel is unable to confirm whether Daniel Morgan was wearing his watch when he was murdered. If he was wearing the watch then it is now impossible to say if it was taken by the murderer(s), a member of the public who chanced upon the body before the police responded to the call notifying them of Daniel Morgan's murder, a police officer or any other person involved in the handling of Daniel Morgan's body prior to the post mortem taking place.

404. The Panel is satisfied that the Morgan One Investigation and subsequent investigations took appropriate steps to try and find Daniel Morgan's Rolex watch.

4.10 Early interactions between Daniel Morgan's family and the police

4.10.1 The visits by Alastair Morgan to Catford Police Station on 11 and 12 March 1987 and subsequent statements about Belmont Car Auctions

405. Alastair Morgan, Daniel Morgan's brother, has said that, on 11 March 1987, he went to Sydenham Police Station, intending to try to speak to DS Sidney Fillery, whom he had previously met with Daniel Morgan and Jonathan Rees, and was told that DS Fillery was out on enquiries.⁶⁰⁰ He has told the Panel that he met DI Allan Jones instead, who asked him, among other things, what he had been doing on the night of Daniel Morgan's murder and said that he should return the following afternoon to see DS Fillery⁶⁰¹ (see Chapter 12, The Treatment of the Family).

406. DI Allan Jones was asked during the Inquest about who was present at this meeting on 11 March 1987, and said, '*I did not speak to him [Alastair Morgan] for long but the officer I was with I do not recall now*'.⁶⁰² No note was made of the meeting between Alastair Morgan and DI Jones.

407. Alastair Morgan has told the Panel that he returned the following day, 12 March 1987, and met DI Allan Jones and DS Sidney Fillery.⁶⁰³ This is consistent with the evidence Alastair Morgan gave at the Inquest in 1988. However, during the Inquest DI Jones and DS Malcolm Davidson both disagreed with Alastair Morgan's recollection that DI Jones spoke to him on 12 March 1987 with DS Fillery. DI Jones told the Coroner, '*I do not know whether anybody saw him [Alastair Morgan] on 12th*'.⁶⁰⁴ DS Davidson confirmed to the Coroner that he had an '*informal conversation*' with Alastair Morgan on 12 March 1987 with DS Fillery, but that DI Jones was not

599 Witness statement of the Scenes of Crime Officer, MPS002165001, p2, 13 November 2007.

600 *Untold: The Daniel Morgan murder exposed* by Alastair Morgan, pp37-38

601 Panel interview with Alastair Morgan, pp8 and 17, 23 February 2015.

602 Witness DI Allan Jones, examined by the Coroner, Inquest Day Five, INT000005001, p23, 15 April 1988.

603 Panel interview with Alastair Morgan, p6, 23 February 2015.

604 Witness DI Allan Jones, examined by the Coroner, Inquest Day Five, INT000005001, p23, 15 April 1988.

present.⁶⁰⁵ There is no written record of the meeting with Alastair Morgan on 12 March 1987. Alastair Morgan has informed the Panel that at that meeting, he told DI Jones and DS Fillery that he believed that the Belmont Car Auctions case had something to do with his brother's murder.⁶⁰⁶ At this stage Alastair Morgan did not know that DS Fillery had any involvement with the Belmont Car Auctions issue.⁶⁰⁷

408. A statement was taken from Alastair Morgan the following day, 13 March 1987, which did not contain any information about the Belmont Car Auctions issue.⁶⁰⁸ A second statement, dated the 18 November 1987, in which Alastair Morgan referred to differences between his brother Daniel Morgan and Jonathan Rees, did not refer to Belmont Car Auctions.⁶⁰⁹

409. The first statement recorded by the police in which Alastair Morgan referred to the Belmont Car Auctions issue was dated 05 May 1988. Alastair Morgan stated that Peter Newby, Southern Investigations' Office Manager, had said at the Inquest that former DS Sidney Fillery had been given a Belmont Car Auctions file.⁶¹⁰

410. As there is no contemporaneous record of Belmont Car Auctions being raised by Alastair Morgan before 1988, the Panel cannot identify when and to what extent Alastair Morgan first communicated his views about Belmont Car Auctions to the Metropolitan Police.

4.10.2 A significant telephone call to Iris Morgan's house

411. On 13 March 1987, the day Alastair Morgan made his first statement to police, Iris Morgan's brother-in-law, answered a telephone call to Iris Morgan's home. The caller allegedly said that he was a police officer, that Alastair Morgan was *'getting in the way of the investigation and that the family should urge me [Alastair Morgan] to leave London and go back to Hampshire'*.⁶¹¹ Alastair Morgan gave evidence about this phone call at the Inquest in 1988.⁶¹²

412. In statements made in 2000, Jane Morgan said that she had not initially told Alastair Morgan about the telephone call, instead telling him that the family had to return to Wales and rest. When he became very angry at this suggestion, she told him the truth about the call.⁶¹³ Alastair Morgan stated that he had then contacted DI Allan Jones with whom he had *'had a row'* about the issue, but that he was unable to provide the name of the officer who had made the call. He had told DI Jones that, not only was he not leaving London, but he would be coming into the police station the following day to make a statement.⁶¹⁴

605 Witness DS Malcolm Davidson, examined by the Coroner, Inquest Day Five, INT000005001, p23, 15 April 1988.

606 Panel interview with Alastair Morgan, p6, 23 February 2015.

607 Panel interview with Alastair Morgan, p7, 23 February 2015.

608 Witness statement of Alastair Morgan, MPS010223001, 13 March 1987.

609 Witness statement of Alastair Morgan, MPS010224001, 18 November 1987

610 Witness statement of Alastair Morgan, MPS035913001, pp1-2, 5 May 1988

611 Witness statement of Alastair Morgan, MPS001922001, p22, 16 May 2000.

612 Witness Alastair Morgan, Transcript of the Inquest into the death of Daniel Morgan: notes of proceedings for the fifth day, INT000005001, p25, 15 April 1988.

613 Witness statement of Jane Morgan, MPS077673001, pp6-7, 21 December 2000.

614 Witness statement of Alastair Morgan, MPS001922001, pp22-23, 16 May 2000.

413. Daniel Morgan's family later identified DS Sidney Fillery as having been the officer who made the telephone call. It is not clear when this identification happened. Alastair Morgan told the Inquest in 1988 that he '*later learnt from my sister that these telephone calls were either from Mr Fillery himself or junior officers under the direction of Mr Fillery*'.⁶¹⁵ Alastair Morgan stated in 2000 that Jane Morgan only remembered the name of the officer when DS Fillery was arrested.⁶¹⁶ Jane Morgan said in 2000 that Iris Morgan's brother-in-law had named DS Fillery as the officer who had made the call.⁶¹⁷

414. During the Inquest, DS Sidney Fillery denied making any such call, saying that he '*would not do such a disgusting thing*' and that he had '*never phoned [the Morgan] family*'.⁶¹⁸

415. No statements were taken about this matter from any member of the Morgan family who was present at the time of the incident which both Alastair Morgan and Jane Morgan described.

416. There is no evidence that Alastair Morgan's concerns about a police officer making a telephone call asking the family to get him out of London were considered by the Morgan One Investigation.

417. The allegation about the phone call reportedly received from DS Sidney Fillery should have been investigated by the Morgan One Investigation as soon as they became aware of it. The earliest contemporaneous evidence the Panel has seen in relation to this allegation is from 1988, when the issue was raised at the Inquest.

418. The Panel sought to interview Iris Morgan's brother-in-law about this call, but, despite repeated attempts to contact him, was unable to do so.

4.11 Investigating the reason why Daniel Morgan and Jonathan Rees went to the Golden Lion public house and who was there

4.11.1 The events of 09 March 1987

419. An early focus of the Morgan One Investigation was the period immediately before the murder of Daniel Morgan. D/Supt Douglas Campbell had established that Daniel Morgan had not been known by the staff at the Golden Lion public house. Having learned that Jonathan Rees and Daniel Morgan had been at the Golden Lion on both 09 and 10 March 1987, D/Supt Campbell sought to establish their movements on both days, and why Daniel Morgan had parked his car in such a dark corner of the car park on 10 March 1987.

420. The Golden Lion public house in Sydenham was some four miles from the office of Southern Investigations. It was not on the way home for Daniel Morgan, Jonathan Rees or DS Sidney Fillery, all of whom lived in different locations some distance from the Golden Lion. Police also sought to establish whether it was a place Daniel Morgan had been before 09 March 1987. However, this was not conclusively established.

615 Witness Alastair Morgan, Transcript of the Inquest into the death of Daniel Morgan: notes of proceedings for the fifth day, INT000005001, p25, 15 April 1988.

616 Witness statement of Alastair Morgan, MPS001922001, p22, 16 May 2000.

617 Witness statement of Jane Morgan, MPS077673001, p5, 21 December 2000.

618 Witness former DS Sidney Fillery, examined by June Tweedie, Transcript of the Inquest into the death of Daniel Morgan: notes of proceedings for the sixth day, MPS015478001, p115, 18 April 1988.

4.11.1.1 *The movements of Daniel Morgan and Jonathan Rees on the day of 09 March 1987*

421. There is little clarity about the movements of Daniel Morgan and Jonathan Rees on 09 March 1987, the day before the murder. Daniel Morgan's diary for 09 March 1987 showed that he served a number of court orders.⁶¹⁹ Michael Goodridge, solicitor, gave a statement that on the afternoon of 09 March 1987, Daniel Morgan came to his office to swear an affidavit.⁶²⁰ Jonathan Rees's diary for that date showed only a scribbled note, which does not appear relevant to the murder investigation.⁶²¹ There was no clarity as to the time at which Jonathan Rees and Daniel Morgan entered and left their office that day. The Office Manager of Southern Investigations, Peter Newby, gave inconsistent evidence about the movements of Daniel Morgan and Jonathan Rees, in a series of statements.^{622,623,624,625} A person who was decorating the Southern Investigations offices on 09 March 1987 stated that Daniel Morgan was still in the office between 5.30 pm and 6.00 pm on 09 March 1987.⁶²⁶

4.11.1.2 *Establishing who was in the Golden Lion public house*

422. On 11 March 1987, Jonathan Rees had stated that he and Daniel Morgan had met a group of police officers on the evening of 09 March 1987 in the Golden Lion public house, the night before Daniel Morgan was murdered in the car park there, and that they had been there from 7.30 pm until 10.00 pm.⁶²⁷

423. On 16 March 1987, a decision was recorded to obtain statements from DS Sidney Fillery, PS Phillip Barrett, PC Alexander Gibbs, PC Michael Latham and WPC Maureen Fentiman, all of whom, it had been said, '*were in the Golden Lion on 9/3/87*'.⁶²⁸ Some of the statements were taken before the decision was recorded in the investigation system.

424. DS Sidney Fillery stated on 14 March 1987 that on 09 March 1987, '*at about 9.15 pm I went with Police Sergeant BARRETT, Police Constable LATHAM and Police Constable THOROGOOD to "the Golden Lion" pub*'. Having seen Jonathan Rees's car parked outside, he had gone to the Dolphin pub across the road, after which Jonathan Rees and Daniel Morgan had joined them in the Golden Lion. He stated that he was '*the last to leave*' of the police officers, leaving '*at about 10 pm*'.⁶²⁹

425. PS Phillip Barrett said that he went to the Golden Lion public house at about 8.30 pm and followed DS Sidney Fillery into the saloon bar. He said he ordered drinks and that DS Fillery said he thought '*a couple of [his] mates*' were across the road and he went to get them. PS Barrett was introduced to Jonathan Rees and Daniel Morgan. PC Alexander Gibbs and PC Michael Latham were also there. PS Barrett left at 9.30 pm.⁶³⁰

619 Diary of Daniel Morgan, MPS011086001, p11, 1987.

620 Witness statement of Michael Goodridge, MPS000073001, p2, 14 March 1987.

621 Diary of Jonathan Rees, MPS011657001, p12 1987.

622 Peter Newby initially stated that both Jonathan Rees and Daniel Morgan were in the Southern Investigations office between 4.30 pm and 4.50 pm on 09 March 1987 and both left within two or three minutes of each other, Daniel Morgan leaving for a meeting in Beckenham. In a later statement, dated 30 March 1987, Peter Newby said that Daniel Morgan returned to the office at about 4.50 pm and left at 5 pm, having been out since about 11.30 am. He stated that both Daniel Morgan and Jonathan Rees had a meeting to go to in Beckenham that evening. Nothing is known about this meeting. However, in a later statement in October 1987, Peter Newby stated that Daniel Morgan had said that he was going to a meeting on 10 and not 09 March.

623 Witness statement of Peter Newby, MPS 015617001, p8, 23 March 1987.

624 Witness statement of Peter Newby, MPS010345001, p11, 30 March 1987.

625 Witness statement of Peter Newby, MPS000093001, p1, 02 October 1987.

626 Witness statement of the decorator at Southern Investigations, MPS016746001, p2, 13 April 1987.

627 Witness statement of Jonathan Rees, MPS021752001, p5, 11 March 1987.

628 Action 198, MPS013261001, p1, 16 March 1987.

629 Witness statement of DS Sidney Fillery, MPS001952001, 14 March 1987.

630 Witness statement of PS Phillip Barrett, MPS001947001, 16 March 1987.

426. PC Alexander Gibbs stated that he had been out on enquiries before going to the Golden Lion public house shortly before 9.00 pm. It had previously been agreed that officers would meet in the Golden Lion public house after finishing work. PS Phillip Barrett was there, and shortly afterwards DS Sidney Fillery, Jonathan Rees and Daniel Morgan (whom he did not know) arrived. PC Michael Latham also joined them. PC Gibbs believed he was the first to leave at about 9.30 pm.⁶³¹

427. PC Michael Latham stated that he arranged with DS Sidney Fillery to go to the Golden Lion public house after finishing work. He stated that PS Phillip Barrett, PC Alexander Gibbs, Jonathan Rees and Daniel Morgan were in the public house on 09 March 1987. He left at approximately 10.00 pm.⁶³²

428. WPC Maureen Fentiman stated she did not go to the Golden Lion public house on 09 March 1987.⁶³³ None of the other police officers in attendance reported her being there.

429. On 31 March 1987, a statement was taken from PC Stephen Thorogood. He stated that he had not been in the Golden Lion public house that night.⁶³⁴

430. It was therefore established that sometime after 9.00 pm on 09 March 1987, the night before Daniel Morgan's murder, Jonathan Rees, DS Sidney Fillery and Daniel Morgan were together in the Golden Lion public house, with PS Phillip Barrett, PC Michael Latham and PC Alexander Gibbs.

4.11.1.3 The early witness statements of Jonathan Rees and DS Sidney Fillery

431. D/Supt Douglas Campbell sought to establish how Daniel Morgan and Jonathan Rees came to meet DS Sidney Fillery and other officers in the Golden Lion public house on 09 March 1987.

432. In his statement on 11 March 1987, Jonathan Rees did not explain how the meeting in the Golden Lion public house was arranged, he simply stated that he was in the Golden Lion on 09 March 1987 with Daniel Morgan '*from about 7.30 pm to about 10 pm*'. He said that he parked '*outside the front of the pub*' and that Daniel Morgan parked '*in the car park around the back of the pub*'. He stated that there were no untoward incidents that evening.⁶³⁵ In his later interview on 03 April 1987, he said that the meeting was as result of a phone call from DS Sidney Fillery during the day asking if he and Daniel Morgan wanted to go for a drink with DS Fillery that night.⁶³⁶

433. However, DS Sidney Fillery said in his witness statement of 14 March 1987 that he had met Jonathan Rees and Daniel Morgan by chance during the afternoon of 09 March 1987 while he was dealing with an incident on Sydenham Road.⁶³⁷ His account in this statement and during a later police interview was different from Jonathan Rees's account with respect to times and the sequences of events. DS Fillery's account was as follows:

631 Witness statement of PC Alexander Gibbs, MPS010508001, 01 April 1987.

632 Witness statement of PC Michael Latham, MPS010473001, 27 March 1987

633 Witness statement of WPC Maureen Fentiman, MPS010518001, 03 April 1987

634 Witness statement of PC Stephen Thorogood, MPS015666001, p1, 31 March 1987.

635 Witness statement of Jonathan Rees, MPS021752001, p5, 11 March 1987.

636 Record of interview of Jonathan Rees, MPS000716001, pp43-44, 03 April 1987.

637 Witness statement DS Sidney Fillery, MPS001952001, 14 March 1987.

- i. He was taking a prisoner from Catford Police Station to the Sydenham area in order to search his premises.⁶³⁸ (Records show the prisoner had been signed out of custody at Catford Police Station at 4.45 pm.)⁶³⁹ DS Fillery had stopped on Sydenham Road to deal with a man who had attracted suspicion because he was carrying a television in the street.^{640,641} DS Fillery had called out other members of the Catford Crime Squad to deal with the man.^{642,643}
- ii. While he was speaking to the attending officers, he said that Daniel Morgan and Jonathan Rees, travelling in their respective cars in the direction of Catford, stopped opposite him on Sydenham Road.⁶⁴⁴ After a short conversation with Jonathan Rees, he agreed to meet Jonathan Rees later that evening for a drink. He said he was not sure whether they were to meet in the Dolphin public house or in the Golden Lion public house.⁶⁴⁵
- iii. Later that evening members of the Catford Crime Squad told him that they had seen Jonathan Rees's car parked outside the Golden Lion public house, and he assumed that Jonathan Rees and Daniel Morgan were drinking there.⁶⁴⁶
- iv. At about 9.15 pm he went with PS Phillip Barrett, PC Michael Latham and PC Stephen Thorogood to the Golden Lion public house. Several other officers had indicated that they might 'stop in' as well.⁶⁴⁷
- v. He did not find Jonathan Rees and Daniel Morgan in the Golden Lion public house, so he went across the road to the Dolphin public house where he found them. He explained that he and some colleagues were in the Golden Lion public house and 'ran back' to join them.⁶⁴⁸
- vi. They were joined shortly afterwards by Jonathan Rees and Daniel Morgan.⁶⁴⁹
- vii. Daniel Morgan '*had been drinking quite heavily. He was loud and a little persistent in his manner of speech. He did not seem upset or worried at all, in fact he was ebullient.*' DS Sidney Fillery gave some details of various conversations which he had had with Daniel Morgan that night. He described his manner as '*being somewhat abusive*' and said that the officers left the Golden Lion public house because of this and that he was the last to leave at about 10 pm. Jonathan Rees and Daniel Morgan followed him out. He said he did not notice where Daniel Morgan's car was parked.⁶⁵⁰

638 Witness statement of DS Sidney Fillery, MPS010349001, p1, 14 March 1987.

639 Custody record, MPS030059001, 09 March 1987.

640 Witness statement of DS Sidney Fillery, MPS010349001, pp1-2, 14 March 1987.

641 Interview of DS Sidney Fillery, MPS000717001, pp4-7, 03 April 1987.

642 Witness statement DS Sidney Fillery, MPS010349001, p1, 14 March 1987.

643 Witness statement a member of the burglary squad, MPS016944001, p2, 20 May 1987.

644 Witness statement of DS Sidney Fillery, MPS010349001, pp1-2, 14 March 1987.

645 Witness statement of DS Sidney Fillery, MPS010349001, p2, 14 March 1987.

646 Witness statement of DS Sidney Fillery, MPS010349001, p2, 14 March 1987.

647 Witness statement of DS Sidney Fillery, MPS010349001, p2, 14 March 1987.

648 Witness statement of DS Sidney Fillery, MPS010349001, pp2-3, 14 March 1987.

649 Witness statement of DS Sidney Fillery, MPS010349001, p3, 14 March 1987.

650 Witness statement of DS Sidney Fillery, MPS010349001, p4, 14 March 1987.

4.11.2 The events of 10 March 1987

434. Having queried who went to the Golden Lion public house on 09 March 1987, D/Supt Douglas Campbell sought to establish why Jonathan Rees and Daniel Morgan returned there on 10 March 1987, and why Daniel Morgan had parked his car in the secluded, dark corner of the car park there. It had been established that Daniel Morgan was very interested in cars and was careful about where he left his vehicle, so that it would not be damaged. According to the evidence of his brother, Alastair Morgan, and of Malcolm Webb, an employee at Southern Investigations, Daniel Morgan would not have been expected to park his car in a dark place where it might have been the subject of crime.^{651,652}

435. Daniel Morgan's movements on 10 March 1987, in so far as they can be established, are described above (see paragraphs 5-8 above). Jonathan Rees gave no detailed account of his movements that day. There were only two entries in his diary for 10 March 1987. One referred to a matrimonial client and the other read 'D/M [or DJM – Daniel Morgan's middle name was John] WJR re £10,000' [WJR were Jonathan Rees's initials]. It was written on the page as if the meeting were going to occur towards the end of the day.⁶⁵³

436. Having considered all the evidence available to it, the Panel has concluded that Jonathan Rees and Daniel Morgan agreed to meet on the evening of 10 March 1987 at the Golden Lion public house. However, it is not possible to state conclusively, from the papers available, how or for what reason the meeting was arranged.

437. Paul Goodridge said that he had been in the Southern Investigations office at 11.00 am. Jonathan Rees had stated that he and Daniel Morgan had arranged at 11.00 am to meet Paul Goodridge in the Golden Lion public house that evening.⁶⁵⁴ Paul Goodridge has said that this was not correct.⁶⁵⁵

438. D/Supt Douglas Campbell noted from Jonathan Rees's phone billing records that on the day of the murder he had contacted the Catford Crime Squad on his car phone at 11.07 am. D/Supt Campbell suspected that this call was to DS Sidney Fillery.⁶⁵⁶ He considered that it was possible that Jonathan Rees had confirmed to DS Fillery that he and Daniel Morgan were to meet in the Golden Lion public house that night.

439. The Morgan One Investigation also sought to establish who knew that Daniel Morgan would be there that night.

440. D/Supt Douglas Campbell noted, on 13 April 1987, that almost 200 statements had been taken, and over 400 investigative actions dealt with. It was his view that '*[a]part from REES no other person, other than possibly DS FILLERY, had come to notice who definitely knew that MORGAN would be in the Golden Lion public house on the evening of his murder*'.⁶⁵⁷ However, this conclusion was incorrect because Anthony Pearce, who worked at Southern Investigations, had stated that at 6.00 pm, as Daniel Morgan was leaving the office, '*I saw him pop his head around John REES door and say "I'll see you in the Golden Lion at 7.30 pm"*'.⁶⁵⁸

651 Witness statement of Alastair Morgan, MPS010225001, p1, 08 March 1988.

652 Witness statement of Malcolm Webb, MPS010331001, pp2-3, 23 October 1987.

653 Letts 1987 desk diary (Rees) (Exhibit 128) (Exhibit CF/2), MPS011657001, p13, 23 February 1987.

654 Witness statement of Jonathan Rees, MPS021752001, p6, 11 March 1987.

655 Witness statements of Paul Goodridge, MPS015296001, p4, 12 March 1987 and MPS001517001, p3, 22 December 1987.

656 Report by D/Supt Douglas Campbell, MPS015762001, p5, 13 April 1987.

657 Report by D/Supt Douglas Campbell, MPS015762001, p5, 13 April 1987.

658 Witness statement of Anthony Pearce, MPS000014001, p2, 27 March 1987.

4.12 Telephone billing enquiries

441. In any murder investigation, enquiries are carried out to identify with whom the victim has been in telephone communication prior to the murder. Similar enquiries will also be carried out into the communications of any identified suspects and any other persons of interest. Prior to mid-1987, it was not possible to obtain itemised billing for landlines in the United Kingdom, and so this was not available at the time of Daniel Morgan's murder.⁶⁵⁹ Itemised billing was, however, available for mobile telephones, but for outgoing calls only. Police could therefore request access to call data records for mobile telephones, which would identify a list of telephone numbers with which the mobile phone/owner had been in contact. Subscriber details for those telephone numbers could subsequently be requested from the relevant telecommunications companies, in order to identify their users. In respect of incoming calls to mobile telephones, at the time of Daniel Morgan's murder the data held by the telecommunications companies would only identify the date, time and duration of each call, and not the telephone number from which those calls came.

442. Work began on obtaining the call data records for the car phones⁶⁶⁰ belonging to Daniel Morgan and Jonathan Rees on 13 March 1987.^{661,662} By 17 March 1987, the Morgan One Investigation had obtained a print out of calls made from the car phones belonging to Daniel Morgan and Jonathan Rees. This came to be of particular significance as a line of enquiry for the murder investigation as it became apparent that there were discrepancies between the accounts of Jonathan Rees and other witnesses about his phone calls on the night of Daniel Morgan's murder.

4.12.1 Telephone call data for Daniel Morgan's car phone

443. The calls from Daniel Morgan's car phone went back to 15 November 1986, but the subscriber checks by police only started at 01 January 1987.⁶⁶³ Thirty-nine investigative actions were carried out to interview people or companies telephoned by Daniel Morgan. The Morgan One Investigation found nothing to assist their enquiries.

Retention of original billing material

444. The original car phone billing document for Daniel Morgan was listed as '*not found*' by the time of the 2000 Murder Review Report.⁶⁶⁴ However, quite correctly, a copy of the original exhibit had been copied and saved on the computer system used by the Morgan One Investigation.⁶⁶⁵ The original document was finally retrieved by the Abelard Two investigation in 2007. This is evidenced by a letter from the Crown Prosecution Service to Jonathan Rees's solicitors, Cousins Tyrer, dated 27 August 2009, which stated: '*The original documents from which the exhibits are copied are poor. Defence are invited to inspect originals of [...] Exhibits JO/1 and 2.*'⁶⁶⁶

659 Statement of Investigations Officer employed by the British Telecom Investigation Department, MPS011011001, 09 January 1989.

660 Car phones were telephones which could be installed in cars in 1987, from which telephone calls could be made and received. (Witness statement, MPS010977001, pp7-10, 10 November 1988).

661 Action A141 to obtain full print out of radio page calls made from Daniel Morgan's car, MPS013204001, 13 March 1987.

662 Message M66, Request to car phone company for records of Morgans [and Rees'] phone, MPS013271001, 16 March 1987.

663 Action A962 *Make enqs with Top Cars re printout of MORGAN's car phone*, MPS014025001, 13 July 1987.

664 Murder Review Group Report, Appendix F: Exhibit Issues, MPS054329001, p3, undated.

665 D53, List of telephone numbers from Morgan's car phone, MPS011121001, undated.

666 Letter to Cousins Tyrer [Solicitors] from CPS, MPS008503001, p2, 27 August 2009.

4.12.2 Telephone call data for Jonathan Rees's car phone

445. A list of calls made from Jonathan Rees's car phone between 20 November 1986 and 13 March 1987 was obtained by the Morgan One Investigation.⁶⁶⁷ On 26 March 1987, DS Malcolm Davidson directed an officer on the Morgan One Investigation to 'make [a] list of individual telephone numbers on REES carphone and trace subscribers of same'.⁶⁶⁸ This action was completed by 24 June 1987, with names and addresses listed against the telephone numbers.⁶⁶⁹

4.12.2.1 A missed opportunity

446. Analysis by the Panel identified that it was unusual for Jonathan Rees to use his car phone on Sundays. During that period of almost four months, he received an incoming call on Sunday 30 November 1986 and he telephoned home once on Sunday 28 December 1986. He received one call and made three on Sunday 08 February 1987 and made one call to his home address on Sunday 01 March 1987. He next used the phone on Sunday 08 March 1987, two days before the murder, to make a call to a landline.⁶⁷⁰ This number was called only once during the four-month period covered by the call data report.⁶⁷¹

447. By 24 June 1987, the Morgan One investigation had identified that the number called on Sunday 08 March 1987 was registered to a 'Mrs J Cook', and they had her address.⁶⁷² No decision was taken to interview Jacqueline Cook until 26 November 1987, and it appears nothing further was done until 25 January 1988, when decisions were made to contact a number of people identified as having been in contact with Jonathan Rees's car phone.^{673,674}

448. Jacqueline Cook was first spoken to by police on 08 February 1988. After conversations with Jacqueline Cook and with solicitors for Jacqueline Cook's husband, James Cook returned telephone calls from the Morgan One Investigation on 11 May 1988. He provided an explanation for the contact from Jonathan Rees's car phone, that '*REES had asked him to do some recovery work for S.I.*'.⁶⁷⁵ He said that he was on bail, having been charged with an unrelated offence and would only be seen in the presence of a solicitor, which would involve him taking time off from work.⁶⁷⁶

449. The Morgan One Investigation team decided not to interview James Cook.⁶⁷⁷ No enquiries were carried out to ascertain further information about this individual, including any criminal record he had, or who his associates were. However, James Cook was known to the police, and was later identified as a suspect in Daniel Morgan's murder (see Chapter 6, The Abelard One/Morgan Two Investigation).

667 'Printout of car phone REES', MPS025539001, 17 March 1987.

668 Action A400, 'Make list of individual telephone numbers on REES carphone & trace subscribers of same,' MPS013463001, 26 March 1987.

669 'Printout of Rees Telephone Nos', MPS011339001, undated.

670 016800729 Mrs J COOK. 'Printout of Rees Telephone Nos', MPS011339001, p41, undated.

671 20 November 1986 – 13 March 1987. 'Printout of Rees Telephone Nos', MPS011339001, undated.

672 'Printout of Rees Telephone Nos', MPS011339001, p41, undated.

673 For example, besides A1573 (MPS014636001) having been raised to make enquiries of Mrs J Cook, actions were raised in respect of Maureen Young on 25 January 1988 (A1572, MPS014635001) and Mr PF Glenn on 26 January 1988 (A1574, MPS014637001).

674 Action A1456 interview and obtain statement from Mrs J Cook, 26 November 1987; Action 1573 make enquiries of Mrs J Cook, MPS014636001, 25 January 1988.

675 Action 1573, make enquiries of Mrs J Cook, MPS014636001, pp1-2, 25 January 1988.

676 Action 1573 make enquiries of Mrs J Cook, MPS014636001, 25 January 1988.

677 Action 1573 make enquiries of Mrs J Cook, MPS014636001, 25 January 1988.

450. The failure adequately to follow up the only call made by Jonathan Rees from his car phone on 08 March 1987, two days before the murder, which was to Jacqueline Cook's landline, was significant. This was the only call made to this number and represented one of only a few occasions when Jonathan Rees used his car phone on a Sunday during the period covered by the call data.

There is no evidence that any attempt was made to ascertain whether and to what extent Jacqueline Cook or James Cook were known to police or had any other connections with those who were identified as suspects in the murder. D/Supt Douglas Campbell should have made enquiries about James Cook, which would have revealed that he was known to the Metropolitan Police, and he should have been interviewed.

A vital investigative opportunity was lost as a consequence of this failure. Jonathan Rees was not questioned about this call following his arrest in April 1987). James Cook was subsequently charged in connection with the murder of Daniel Morgan in 2008 (see Chapter 8, The Abelard Two Investigation).

4.12.2.2 Discrepancies with other witness statements

451. The records of the telephone calls made by Jonathan Rees from his car on 10 March 1987 showed very few calls in the early part of the day: one to his home address at 11.03 am, one to Margaret Harrison at 11.06 am and one to the Catford Crime Squad office at 11.07 am, followed by an incoming call at 11.12 am. After those calls, there was nothing until 9.04 pm.

452. The six later calls which were recorded (at 9.04 pm, 9.17 pm, 9.19 pm, 9.21 pm, 9.23 pm and 11.15 pm) formed a significant line of enquiry as the Morgan One Investigation sought to establish Jonathan Rees's movements, particularly after he left the Golden Lion public house, before Daniel Morgan was murdered. The investigation discovered the following information:

- i. The first unidentified incoming call was at 9.04 pm. Jonathan Rees claimed that his wife, Sharon Rees, telephoned him at 9.04 pm on 10 March as he was driving home (a call which the call logs showed to have lasted for between 11 minutes 31 seconds and 12 minutes).^{678,679,680,681} However, Sharon Rees did not mention this call in her statements of 17 March 1987⁶⁸² and 20 March 1987.⁶⁸³ Sharon Rees said that she had spoken to her husband at about 4.00 pm and the next, and only, occasion on which she spoke to him again on the telephone that evening was at about 9.30 pm when he rang to ask her if she wanted anything brought home.⁶⁸⁴ That call to Sharon Rees was identified as occurring at 9.19 pm.⁶⁸⁵

678 Witness statement of a British Telecom employee, MPS010337001, p1, 17 March 1987.

679 Print out of car phone Rees,' (Exhibit JO/2), MPS025539001, p4, 17 March 1987.

680 Witness statement of a British Telecom employee, MPS010338001, p4, 29 September 1987.

681 Witness statement of Jonathan Rees, MPS010012001, p3, 20 March 1987.

682 Witness statement of Sharon Rees, MPS010339001, pp1-2, 17 March 1987.

683 Witness statement of Sharon Rees, MPS010340001, 20 March 1987.

684 Witness statement of Sharon Rees, MPS010340001, 20 March 1987.

685 Print out of car phone Rees,' (Exhibit JO/2), MPS025539001, p4, 17 March 1987.

- ii. There were three remaining outgoing calls. Jonathan Rees said that at 9.17 pm he had telephoned Paul Goodridge on his partner Jean Wisden's home telephone, and spoke to Jean Wisden first and then to Paul Goodridge to enquire about a loan he was arranging.⁶⁸⁶ However, Paul Goodridge stated that Jonathan Rees had not spoken to him, but had spoken to his partner, and that she had told him that Jonathan Rees wanted to see him at the Beulah Spa public house.⁶⁸⁷ The second outgoing call was at 9.23 pm to Paul Goodridge's car phone and the third was at 11.15 pm to Jonathan Rees's home telephone.⁶⁸⁸
- iii. Jonathan Rees said that the second incoming call at 09.21 pm was from Paul Goodridge '*to confirm the meeting at the Beulah Spa*'.⁶⁸⁹ Paul Goodridge said that he had not made this call.⁶⁹⁰ Jonathan Rees also said that he telephoned Paul Goodridge again at 9.23 pm because he had decided that he wanted to go home, rather than meet Paul Goodridge, but Paul Goodridge had said that he was on his way to the Beulah Spa.⁶⁹¹ This call from Jonathan Rees was confirmed by Paul Goodridge, although he said that when he answered it, he was either entering the Beulah Spa car park or had already entered it.⁶⁹²
- iv. Of the six calls on his car telephone between 9.04 pm and 11.15 pm, Sharon Rees did not mention any telephone call to Jonathan Rees at 9.04 pm in her witness statement, and Paul Goodridge had said he had not telephoned Jonathan Rees at 9.21 pm.^{693,694,695}

453. Jonathan Rees was therefore unable to account adequately for two telephone calls, which were made to his car phone at 9.04 pm and 9.21 pm on 10 March 1987.

4.12.3 Telephone call data for Paul Goodridge's car phone

454. Jonathan Rees had stated on 11 March 1987 that he and Daniel Morgan went to the Golden Lion public house to meet Paul Goodridge. Paul Goodridge had said that he was unaware of any such planned meeting.

455. Paul Goodridge's car phone had been fitted on 05 January 1987 and so billing was requested from that date.^{696,697} Call data records were obtained,^{698,699} but enquiries to ascertain the subscriber of only one of the numbers called were carried out in July 1987. The subscriber for that telephone number, which was called in March 1987, was an investment broker in Croydon.⁷⁰⁰ (The remaining subscribers for telephone numbers dialled in March 1987 from Paul Goodridge's car phone were already known to the Morgan One Investigation.)

686 Witness statement of Jonathan Rees, MPS010012001, p3, 20 March 1987.

687 Witness statement of Paul Goodridge, MPS021952001, p4, 12 March 1987.

688 Print out of car phone Rees, (Exhibit JO/2), MPS025539001, p4, 17 March 1987.

689 Witness statement of Jonathan Rees, MPS010012001, p3, 20 March 1987.

690 Witness statement of Paul Goodridge, MPS010182001, p2, 25 March 1987.

691 Witness statement of Jonathan Rees, MPS010012001, p3, 20 March 1987.

692 Witness statement of Paul Goodridge, MPS010182001, pp1-2, 25 March 1987.

693 Witness statement of Sharon Rees, MPS010339001, pp1-2, 17 March 1987.

694 Witness statement of Sharon Rees, MPS010340001, 20 March 1987.

695 Witness statement of Paul Goodridge, MPS010182001, p2, 25 March 1987.

696 Action A331, 'Obtain "print out" of telephone calls logged on Paul Goodridge's car phone', MPS013394001, pp1-2, 20 March 1987.

697 Action A921: *Obtain print out of car phone of Paul GOODRIDGE car phone for March 1987*, MPS013984001, 19 June 1987.

698 Morgan One document D82, '*Printout of Paul GOODRIDGE car tel 301230773, months Jan-Feb 87*', MPS011150001, undated.

699 London Car Telephones Limited billing report for Mobile 230773, MPS015290001, March 1987.

700 Morgan one message M911 regarding telephone subscriber check, MPS012971001, 25 July 1987.

4.12.4 Whether DS Sidney Fillery, Glenn Vian, Garry Vian, DC Peter Foley or DC Alan Purvis had car phones

456. There is no evidence that any enquiries were made during the Morgan One Investigation, to determine whether DS Sidney Fillery, Glenn Vian, Garry Vian, DC Peter Foley or DC Alan Purvis, all of whom were arrested on 03 April 1987 for the murder, had car phones.

457. The Morgan One Investigation should have made enquiries to determine whether other suspects for the murder of Daniel Morgan had car phones. Another investigative opportunity was lost as a result of the failure to conduct these enquiries.

458. While the car phone data was secured by the Morgan One Investigation, very little was done with it in the early months to make enquiries of those with whom Jonathan Rees had been in contact.

459. The parameters for enquiries such as telephone billing are a matter of judgement for the Senior Investigating Officer, who would have been influenced in decision-making by the volume of telephone numbers and the volume and timing of calls to each of the numbers identified. However, as the Morgan One Investigation proceeded, the telephone billing for the main suspects should have been examined as it might have revealed a pattern of calls between individuals and provided further lines of enquiry. This was not done.

4.13 Early emerging evidence about the relationship between Daniel Morgan and Jonathan Rees

460. Once it had been established that Daniel Morgan and Jonathan Rees had been together in the Golden Lion public house on both the day of and the day before the murder, the relationship between Daniel Morgan and Jonathan Rees became very important to the Morgan One Investigation. D/Supt Douglas Campbell focused increasingly on the relationship between Jonathan Rees and Daniel Morgan as one of his lines of enquiry, particularly investigating the relationships that both men may have had with Margaret Harrison and considering various financial disputes between Daniel Morgan and Jonathan Rees.⁷⁰¹

⁷⁰¹ Panel interview with former D/Supt Douglas Campbell, PNL000199001, p4, para 16, 11 February 2015.

4.13.1 Margaret Harrison

461. Evidence emerged early in the Morgan One Investigation that there was a perception that both Daniel Morgan and Jonathan Rees were engaged in a relationship of some kind with Margaret Harrison, who worked in an estate agent's office near Southern Investigations, and with whom Daniel Morgan went for a drink before he went to the Golden Lion public house on the night of his murder.

462. In a statement given on 13 March 1987, Margaret Harrison detailed her relationship with Daniel Morgan, which had begun in December 1985. She stated that '*we have had a sexual relationship though not so much in recent times*'.⁷⁰² She said that it began in December 1985 and lasted only a few weeks. She said she was good friends with Daniel Morgan.⁷⁰³ Analysis of Daniel Morgan's car phone records, which started on 01 January 1987, showed only two contacts with the estate agents' for whom Margaret Harrison worked, and one call to her home address.^{704,705}

463. On 19 March 1987, a decision was made to obtain a full, comprehensive statement from Margaret Harrison to include details of any affairs with Daniel Morgan and Jonathan Rees, as well as details of her movements on the night of 10 March 1987 and those of her husband.⁷⁰⁶ Margaret Harrison denied having a sexual relationship with Jonathan Rees.⁷⁰⁷ Analysis of Jonathan Rees's car phone records,⁷⁰⁸ which were obtained by the Morgan One Investigation, indicated that 60 phone calls had been made from his car phone to Margaret Harrison's office in the three and a half months prior to the middle of March 1987, and four calls to her home.^{709,710} In the ten days prior to Daniel Morgan's murder, five calls to Margaret Harrison were made, and on the day that Daniel Morgan was murdered a call was made at 11.06 am.⁷¹¹

464. Michael Goodridge, a solicitor and friend of both Daniel Morgan and Jonathan Rees, gave a witness statement on 14 March 1987 in which he said that he believed that Margaret Harrison had had a brief affair with Daniel Morgan, but that '*recently it is more platonic*'.⁷¹² Michael Goodridge stated that he had met Jonathan Rees at about 6.15 pm on 10 March 1987 (the day of Daniel Morgan's murder) in the Victory public house and that they had left together at around 7.00 pm. Michael Goodridge claimed that he asked Jonathan Rees where Daniel Morgan was and that Jonathan Rees had said he was '*out with Margaret*'.⁷¹³

465. Because of the information which became available during the first two weeks of the investigation, police considered whether Margaret Harrison's relationship with Daniel Morgan was a motive for his murder.

702 Witness statement of Margaret Harrison IPC000105001, p4, 13 March 1987.

703 Witness statement of Margaret Harrison IPC000105001, pp4-5, 13 March 1987.

704 '*Result of car phone checks – MORGAN*', MPS011356001, undated.

705 Report by D/Supt Douglas Campbell, MPS022269001, pp28-29, 22 January 1988.

706 Action A322, MPS013385001, 19 March 1987.

707 Witness statement of Margaret Harrison, MPS010231001, p7, 20 March 1987.

708 '*Printout of Rees Telephone Nos*', MPS011339001, undated.

709 '*Printout of Rees Telephone Nos*', MPS011339001, undated.

710 Statement of Douglas Campbell, MPS018003001, p2, 07 March 1988.

711 '*Printout of Rees Telephone Nos*', MPS011339001, undated.

712 Witness statement of Michael Goodridge, MPS016355001, p3, 14 March 1987.

713 Witness statement of Michael Goodridge, MPS016355001, p4, 14 March 1987.

4.14 Jonathan Rees as a suspect and his relationship with DS Sidney Fillery

466. Senior officers became concerned about Jonathan Rees as a possible suspect very soon after the murder, because of suspicions that he was in, or had had, a relationship with Margaret Harrison, because he was the last known person to see Daniel Morgan alive and because elements of the statements which he had made had been contradicted by others. Very rapidly, concerns also began to emerge about DS Sidney Fillery and his relationship with Jonathan Rees, particularly after it had been established by 14 March 1987 that DS Fillery had also been in the Golden Lion public house with Jonathan Rees, Daniel Morgan and others the evening before Daniel Morgan's murder. While conducting other lines of enquiry, D/Supt Douglas Campbell began increasingly to focus on the relationship between Jonathan Rees and DS Fillery, and DS Fillery's actions while working on the murder investigation.

467. As detailed previously, on 11 March 1987 DS Sidney Fillery searched the Southern Investigations office, accompanied Jonathan Rees to identify Daniel Morgan's body, and took a statement from Jonathan Rees.

468. Jonathan Rees received a telephone call from a business associate of Daniel Morgan and Jonathan Rees who had previously rented them office space, after he had heard about the murder on 10 March 1987, about his knowledge that Daniel Morgan had been having an affair with a married woman.⁷¹⁴

469. As a result of this telephone call, on 12 March 1987, Jonathan Rees and DS Sidney Fillery visited the business associate.⁷¹⁵ At 07.00 pm that day, DS Fillery submitted a message to the Morgan One Investigation, which provided information about Daniel Morgan having affairs with two women whom he named. DS Fillery did not refer to the telephone conversation between the business associate and Jonathan Rees, nor did he state that he and Jonathan Rees had visited the business associate that afternoon. No mention was made of the business associate and therefore no-one from the Morgan One Investigation was instructed to interview him.⁷¹⁶

470. Having received the information from Jonathan Rees, DS Fillery should have reported receipt of the information and should have conducted his subsequent enquiries with another police officer. He should then have reported the fact that he had visited the business associate so that further enquiries could be made. DS Sidney Fillery should not have taken Jonathan Rees to his meeting with Jonathan Rees's business associate. This was a breach of the general duty not to disclose information improperly, by allowing Jonathan Rees to overhear any other information that the business associate had to impart. In the event, the business associate was not interviewed until 01 May 1987. This incident is illustrative of the very close and inappropriate relationship between Jonathan Rees and DS Fillery.

714 Witness statement of the business associate, MPS000394001, p2, 01 May 1987.

715 Witness statement of the business associate, MPS000394001, pp2-3, 01 May 1987.

716 Message 26, MPS012085001, 12 March 1987.

471. DC Kinley Davies stated later about the early stages of the Morgan One Investigation that *'because of the help [Jonathan] REES was giving us and his obvious friendship with certain Police Officers in the Investigation Team I got the feeling that he was almost an extension of the Squad'*.⁷¹⁷

472. On 14 March 1987 when Jonathan Rees was asked to bring his car to Sydenham Police Station for forensic examination (see paragraph 319), DS Sidney Fillery was asked by DI Allan Jones to take Jonathan Rees for a drink while the car was examined. In 1988, former DS Fillery told the Lamper Investigation, that he had telephoned DC Alan Purvis and asked him to come and meet them.⁷¹⁸ DC Purvis said he had sought and was granted permission to meet DS Fillery, because DS Fillery had suggested that, as he had met Daniel Morgan, he might be able to assist the murder enquiry. He was unable to assist.⁷¹⁹ There is no record of what was discussed at the meeting.

473. D/Supt Douglas Campbell and DI Allan Jones were aware that DS Sidney Fillery and Jonathan Rees knew each other, but DI Jones later stated that he did not realise how close the relationship was.⁷²⁰ D/Supt Campbell stated that by 15 March 1987 he realised that the friendship between DS Fillery and Jonathan Rees could have had *'an adverse effect'* on the murder investigation.⁷²¹

4.14.1 The decision to remove DS Sidney Fillery from the investigation

474. DS Sidney Fillery had told DS Malcolm Davidson that he was friendly with Jonathan Rees.⁷²² DS Davidson stated in May 1987 that:

*'[a] few days into the enquiry Sergeant FILLERY who I have known for a number of years had a conversation with me in which he expressed the feeling that as REES was a personal friend of his he was finding that his duties were placing a strain on their relationship as REES felt he was 'spying' on him [...]. He told me he was taking annual leave the following week and should finish on Friday 13th March. I spoke about this to Mr CAMPBELL at a later date and D/S FILLERY was released to normal duties.'*⁷²³

475. D/Supt Douglas Campbell knew by this date that Jonathan Rees and DS Sidney Fillery had been together, with Daniel Morgan, in the Golden Lion public house on 09 March 1987. There were growing concerns about the consequences of his involvement in the investigation, although there is little contemporaneous record of them.

476. In an interview with the Panel, former DS Malcolm Davidson stated that, at an early stage, the investigation team had suspected DS Sidney Fillery of passing information about the investigation to Jonathan Rees. Former DS Davidson further stated that, following an interview with Jonathan Rees, D/Supt Douglas Campbell and DI Allan Jones had witnessed Jonathan Rees leave the police station and make a telephone call. On D/Supt Campbell's instructions, DI Jones had telephoned a number belonging to DS Fillery. It was engaged. Former DS Davidson said that at this point D/Supt Campbell had instructed DI Jones to remove DS Fillery from the investigation team.⁷²⁴

717 Witness statement of DC Kinley Davies, MPS003315001, p3, 07 July 1988.

718 Witness statement of former DS Sidney Fillery MPS028068001, p1, 22 June 1988.

719 Witness statement of DC Alan Purvis, MPS006117001, p6, 15 December 1987.

720 Witness statement of DI Allan Jones, MPS015298001, pp2-3, 20 July 1989.

721 Witness statement of D/Supt Douglas Campbell, MPS000175001, p2, 03 July 1989.

722 Witness statement of DS Malcolm Davidson, MPS006087001, p2, 20 May 1987.

723 Witness statement of DS Malcolm Davidson, MPS006087001, p2, 20 May 1987.

724 Panel interview with DS Malcolm Davidson, para 48, 20 October 2015.

477. DI Allan Jones was interviewed by the Abelard One/Morgan Two Investigation on 11 June 2003. He said that *'many of the staff held DS FILLERY in high esteem and that information from the investigation was regularly leaked'*.⁷²⁵

478. In a statement dated 03 July 1989, D/Supt Douglas Campbell recorded the following:

*'On Sunday 15th March 1987 it was clear to me that the friendship between Detective Sergeant FILLERY and William Jonathan REES could have an adverse effect on the investigation of this murder. I felt that all aspects of the police enquiry were being discussed by these two men. I therefore saw FILLERY and told him that as from Monday 16th March he would no longer be employed on the enquiry but would resume his normal role as the officer in charge of the Crime Squad at Catford. D.S. FILLERY did state that he wanted to return to normal duty as his friendship with REES was suffering. I subsequently learnt that he had previously spoken to Detective Sergeant DAVIDSON about his employment on the Murder Squad.'*⁷²⁶

In 2020, former DS Fillery advised the Panel that he demanded to be released from the investigation to ordinary duties as soon as he realised Jonathan Rees was a suspect. The Panel has not seen evidence of this.

479. On 16 March 1987, a decision was made to remove DS Sidney Fillery and the Catford Crime Squad from the Morgan One investigation. D/Supt Douglas Campbell's reason for the decision to remove officers from the team was recorded in the policy file as, *'D.S. FILLERY too closely associated with John REES. Force policy only to employ Crime squad on initial enquiries of major investigation.'*⁷²⁷

480. D/Supt Douglas Campbell made the correct decision to remove DS Sidney Fillery from the investigation because he had a potential conflict of interest due to his friendship with Jonathan Rees. It appears there may also have been concern that DS Fillery was leaking information about the enquiry to Jonathan Rees. This was not, however, recorded in the decision to remove DS Fillery.

481. The Panel interviewed D/Supt Douglas Campbell's two senior officers, former DCS Douglas Shrubsole and former Commander Alan Fry. Commander Fry was the Area Commander who had appointed D/Supt Campbell on the night of the murder, as DCS Shrubsole, who was D/Supt Campbell's superior officer, was on holiday at the time. Commander Fry had visited the Morgan One Investigation within days of the murder.⁷²⁸ Both officers were asked about their assessment of the evidence against Jonathan Rees, and his relationship with DS Sidney Fillery in the early stages of the investigation.

482. Former DCS Douglas Shrubsole said that Commander Alan Fry had telephoned him during the first week of the investigation to discuss DS Fillery's connection to Jonathan Rees.⁷²⁹

725 Action A299 Interview Allan Jones regarding knowledge of the Daniel Morgan murder, MPS059739001, p4, returned 13 June 2003.

726 Witness statement of D/Supt Douglas Campbell, MPS010915001, p3, 03 July 1989.

727 Decision 3 of Policy File – Morgan One Investigation, MPS004821001, p4, 16 March 1987.

728 Panel interview with former Commander Alan Fry, p1, 15 June 2016.

729 Panel interview with former DCS Douglas Shrubsole, p1, 06 May 2016.

483. Former Commander Alan Fry told the Panel that Jonathan Rees was a potential suspect from day one, that there were reservations about DS Sidney Fillery at an early point in the enquiry, and that D/Supt Douglas Campbell had thought that the relationship between DS Fillery and Jonathan Rees was too strong. Former Commander Fry also stated that his recollection was that he had discussed why DS Fillery had been taken off the Morgan One Investigation in his phone call with DCS Douglas Shrubsole.⁷³⁰

484. Although the friendship between Jonathan Rees and DS Sidney Fillery was known during the Morgan One Investigation, it was not until enquiries were made by the Hampshire/Police Complaints Authority Investigation that the full extent of their relationship was exposed. Various documents, such as statements and interview transcripts reviewed by the Panel, reveal the frequency of contact between Jonathan Rees and DS Fillery not only before Daniel Morgan's murder, but also during the Morgan One Investigation. Meetings between them are documented on 05, 07 or 08, and 09 March 1987 and then, after Daniel Morgan's murder, on 10, 11, 12 and 14 March 1987, and thereafter. Some of the contacts after the murder were approved as part of the Morgan One Investigation. Other police officers were also present for several of these meetings. D/Supt Douglas Campbell also became concerned about other officers who were known to be close to either DS Fillery or Jonathan Rees, or both of them.

4.15 The Southern Investigations loan

485. One of the earliest lines of enquiry related to the matter of the loan which was needed by Southern Investigations and which was said by Jonathan Rees to have been the reason why he and Daniel Morgan had been going to meet Paul Goodridge in the Golden Lion public house on 10 March 1987.⁷³¹

486. On 11 March 1987 Jonathan Rees had stated that he and Daniel Morgan had been attempting to secure a loan. Jonathan Rees said that the meeting on 10 March 1987 at the Golden Lion public house was to have been with Paul Goodridge '*who was going to introduce us to a third party in the hope of securing a loan*'.⁷³² On 12 March 1987 Paul Goodridge had been asked about the alleged meeting. He made a statement in which he said that he could not remember any arrangement for a meeting.⁷³³ He said that Jonathan Rees had telephoned him and asked him to come to the Beulah Spa public house when he was watching a specific programme on television that evening, and that he had met Jonathan Rees sometime after 9.45 pm in the Beulah Spa and had told Jonathan Rees that he had been '*flying about to arrange the money*'.⁷³⁴ Paul Goodridge explained that Southern Investigations were being sued in a case to be heard at the High Court and required £10,000. He did not name the company which was bringing the action.⁷³⁵

487. D/Supt Douglas Campbell recognised the inconsistencies between Jonathan Rees's account that he and Daniel Morgan had arranged to meet Paul Goodridge in the Golden Lion public house in connection with the arrangement of a loan, and Paul Goodridge's account that no such meeting had been arranged, and decided to investigate the matter further.

730 Panel interview with former Commander Alan Fry, pp1-2, 15 June 2016.

731 Witness statement of Jonathan Rees, MPS021752001, p6, 11 March 1987.

732 Witness statement of Jonathan Rees, MPS021752001, p7, 11 March 1987.

733 Witness statement of Paul Goodridge, MPS015693001, pp3-4, 12 March 1987.

734 Witness statement of Paul Goodridge, MPS015693001, p5, 12 March 1987.

735 Witness statement of Paul Goodridge, MPS015693001, pp3-4, 12 March 1987.

4.15.1 A possible financial motive

488. The Morgan One Investigation explored the possibility that Jonathan Rees had a financial motive for the murder. They made various limited enquiries about the financial circumstances of both Jonathan Rees and Daniel Morgan. However, no detailed analysis of the financial profile of Southern Investigations was carried out until after the Morgan One Investigation. (See Chapter 3, The Hampshire/Police Complaints Authority Investigation.)

4.16 Belmont Car Auctions

4.16.1 The Belmont Car Auctions robbery on 18 March 1986 and the ensuing civil action against Southern Investigations

489. On 11 March 1987, Jonathan Rees had stated that he and Daniel Morgan had met in the Golden Lion public house on the day Daniel Morgan was murdered because they were due to meet Paul Goodridge who was going to introduce them to a third party in the hope of securing a loan.⁷³⁶

490. On 12 March 1987, Paul Goodridge gave a statement in which he said that Jonathan Rees had told him, while on a social visit to Southern Investigations, that Southern Investigations was being sued in a case to be heard at the High Court and required £10,000.⁷³⁷

491. It transpired that the action was for breach of contract and negligence relating to the loss of monies collected during an auction when Southern Investigations were providing security and Jonathan Rees had reported being the victim of a robbery.

492. On 14 March 1987, solicitor Michael Goodridge (no relation to Paul Goodridge) said that he had met Jonathan Rees for a drink on the evening of 10 March 1987 and that Jonathan Rees had left '*to see someone about money for their impending High Court Action*'.⁷³⁸

493. On 14 March 1987, a decision was made to obtain all statements and copy crime reports about the robbery of Jonathan Rees which had reportedly occurred on 18 March 1986.⁷³⁹

494. On 17 March 1987, Iris Morgan gave a statement in which she had said that Daniel Morgan had spoken to her '*about the court case regarding when John was robbed*'.⁷⁴⁰

495. On 18 March 1987, the crime report and contemporaneous statement of Jonathan Rees from the 1986 robbery was received by the Morgan One Investigation.⁷⁴¹

736 Witness statement of Jonathan Rees, MPS021752001, p6, 11 March 1987.

737 Witness statement of Paul Goodridge, MPS021806001, p3, 12 March 1987.

738 Statement of Michael Goodridge, MPS010250001, p4, 14 March 1987.

739 Action A149, MPS013212001, 14 March 1987.

740 Witness statement of Iris Morgan, MPS010373001, p17, 17 March 1987.

741 Action A149, MPS013212001, 14 March 1987.

What was known about Belmont Car Auctions by the Morgan One Investigation

496. Over time, the Morgan One Investigation established that:

- i. Southern Investigations had been contracted to provide security for Belmont Car Auctions, which had previously been robbed on 28 February 1986.⁷⁴² A police officer, DC Alan Purvis, was a cousin of Michael Thorne, a Director of Belmont Car Auctions, and believed that DS Sidney Fillery had a friend who might be able to advise them on security.^{743,744} DC Purvis and DS Fillery had introduced that friend, Jonathan Rees, to the two Directors of Belmont Car Auctions, Michael Thorne and Walter Penfold, on 03 March 1986.⁷⁴⁵ At this meeting it was agreed that Southern Investigations would provide six '*minders*', who would attend the auctions and transfer takings to the bank afterwards. Michael Thorne subsequently learned that two of the '*Minders*' were '*brothers named VIAN*'.⁷⁴⁶
- ii. Southern Investigations had provided security on ten occasions.^{747,748,749,750} Those present had included three police officers: DC Alan Purvis, DC Peter Foley and DS Sidney Fillery.⁷⁵¹ The officers were off duty when they were at Belmont Car Auctions⁷⁵² and D/Supt Campbell believed they had not informed the Metropolitan Police that they were working in this way⁷⁵³ as required by police regulations.⁷⁵⁴
- iii. On 18 March 1986, while transporting £18,280.62 belonging to Belmont Car Auctions to the bank, Jonathan Rees had allegedly been robbed.⁷⁵⁵ He had left Belmont Car Auctions with the night's takings accompanied by Glenn Vian and Garry Vian. Jonathan Rees said that he had been unable to lodge the takings at the Midland Bank, Lewisham, because the key hole of the night safe had been blocked. He had decided to take the money home and deposit it the next day. Jonathan Rees drove to his own home and dropped Glenn and Garry Vian off at their homes en route. Being unable to park near his house, he stated that he parked about 70 yards away. As he walked to his house he was assaulted and robbed by two men.⁷⁵⁶

742 Witness statement of Michael Thorne, MPS000032001, p1, 27 March 1987. Writ of Summons served to Southern Investigations re: Belmont Car Auctions, MPS000975001, pp2-5, 4 April 1986.

743 Interview of DC Alan Purvis, MPS020644001, pp8-9 and 13, 03 April 1987.

744 Witness statement of Michael Thorne, MPS000032001, p1, 27 March 1987.

745 Interview of William Jonathan Rees, MPS020641001, p7, 4 April 1987.

746 Witness statement of Michael Thorne, MPS000032001, p1, 27 March 1987.

747 04,05,07,08,11,12,14,16,18 and 19 March 1986.

748 Invoice in respect of security guards for Belmont Car Auctions from Southern Investigations, 4 March to 8 March 1986, MPS014864001, p1, 8 March 1986.

749 Invoice from Southern Investigations to Belmont Car Auctions, MPS017050001, p1, 15 March 1986.

750 Witness statement of Michael Thorne, MPS000032001, p1, 27 March 1987.

751 Memorandum to MPS Solicitors Department from D/Supt Douglas Campbell, MPS036993001, pp2-3, 27 June 1990.

752 Witness statement of Malcolm Douglas Campbell, MPS006082001, p2, 24 May 1990.

753 Witness statement of Malcolm Douglas Campbell, MPS006082001, p2, 24 May 1990.

754 Instruction Book 1985, Chapter 5 Service Regulations, Part VIII Complaints and Discipline, Section 7 Corrupt or Improper Practice, MPS107540001, p257, 1985.

755 Copy of crime report & statements re robbery, MPS011130001, pp3-6, 18 March 1986.

756 Witness statement of Jonathan Rees, MPS001758001, p1, 19 March 1986.

Despite a police investigation, no arrests were ever made in respect of the robbery of Jonathan Rees, and the money was never recovered.⁷⁵⁷

Belmont Car Auctions had instigated civil proceedings on 04 April 1986 against Southern Investigations for negligence and breach of contract to recover its losses.^{758,759}

497. On 19 March 1987, information was received from Bryan Madagan, with whom both Jonathan Rees and Daniel Morgan had previously worked, that Daniel Morgan *'was of the opinion that the robbery on REES on 18.3.86 was a put up job'*.⁷⁶⁰

498. On 19 March 1987, David Bray, who used to work with Daniel Morgan, was asked about the 1986 robbery of Jonathan Rees and as part of his statement said that Belmont Car Auctions had issued civil proceedings against Southern Investigations to recover the money.⁷⁶¹

499. On 23 March 1987, Peter Newby gave a statement in which he said Southern Investigations were being sued by Belmont Car Auctions, that Daniel Morgan had been *'upset'* about the Belmont Car Auctions' case, that *'at one stage he was going to lodge his own defence to the action thereby dissociating himself with the whole transaction'*, that *'the money was not going to come from the company'* and that when Daniel Morgan returned to Southern Investigations' office on 06 March 1987, he asked Anthony Pearce to find out whether it was too late to lodge a defence to the action.⁷⁶² Peter Newby stated that, on 09 March 1987, Daniel Morgan had said that he would pay half the money required to be lodged with the High Court, but that Jonathan Rees would have to pay the other half.⁷⁶³ Peter Newby also confirmed that Garry Vian and Glenn Vian were Jonathan Rees's brothers-in-law.⁷⁶⁴

500. On 27 March 1987, DI Allan Jones met with Michael Thorne of Belmont Car Auctions and was told that DS Sidney Fillery and other police officers had been working at Belmont Car Auctions. Michael Thorne provided a statement but refused to name the other officers involved.^{765,766} Later that day, a solicitor representing Belmont Car Auctions, Richard Dukes, contacted DI Jones and named the other officers as DC Alan Purvis and DC Peter Foley.⁷⁶⁷

501. On 30 March 1987, D/Supt Douglas Campbell met with the solicitors for Belmont Car Auctions and was given copies of affidavits, letters and other documents showing that DS Sidney Fillery, DC Alan Purvis and DC Peter Foley were working as security guards for Southern Investigations at Belmont Car Auctions in March 1986.⁷⁶⁸

757 Witness statement in respect of the robbery, MPS002147001, p2, 10 April 1987.

758 Action A338, MPS013401001, 20 March 1987.

759 Writ of Summons served to Southern Investigations re: Belmont Car Auctions, MPS000975001, pp2-5, 04 April 1986.

760 Message M79, MPS012139001, 19 March 1987.

761 Witness statement of David Bray, MPS010157001, p2, 19 March 1987.

762 Witness statement of Peter Newby, MPS015617001, pp6-7, 23 March 1987.

763 Witness statement of Peter Newby, MPS015617001, pp7-8, 23 March 1987.

764 Witness statement of Peter Newby, MPS015617001, p3, 23 March 1987.

765 Witness statement of DI Allan Jones, MPS015298001, p3, 20 July 1989.

766 Witness statement of Michael Thorne, MPS010482001, 27 March 1987.

767 Witness statement of DI Allan Jones, MPS015298001, pp3-4, 20 July 1989.

768 Report of D/Supt Douglas Campbell, MPS015762001, p3, 13 April 1987.

502. D/Supt Douglas Campbell was told that the solicitors had written to the three police officers, DS Sidney Fillery, DC Alan Purvis and DC Peter Foley, with a view to interviewing them and calling them as witnesses. DC Purvis had replied and verbally provided details of the home addresses of Jonathan Rees, Daniel Morgan, Glenn Vian and Garry Vian.⁷⁶⁹

503. On 30 March 1987, Peter Newby provided information about those who he thought had been employed as guards by Jonathan Rees. He named DC Alan Purvis and DC Peter Foley as being *'known to me at an early stage on the operation. I do not know what their involvement was in the matter'* and described hearing a conversation about a week after the robbery that *'there was to be a meeting with the three officers that were implicated, that is PURVIS, FOLEY and FILLERY, and that they were instructing solicitors'*. Peter Newby also named Glenn Vian and Garry Vian as having provided security at Belmont Car Auctions, together with three other individuals.^{770,771}

504. On 03 April 1987, the solicitors for Southern Investigations wrote to DI Allan Jones enclosing a copy of the pleadings in the case and stated, *'any documents or information that you may require in respect of the above action will be available to you at your request'*.⁷⁷²

505. The civil action was settled at Court on 18 July 1990. The terms of the settlement provided that the Defendants (Iris Morgan, as Daniel Morgan's widow, and Jonathan Rees) were to pay the Plaintiff (Belmont Car Auctions) the sum of £18,000 plus costs.⁷⁷³

4.16.1.1 Police officer involvement in providing security

506. D/Supt Douglas Campbell began to suspect that the work Southern Investigations had done for Belmont Car Auctions, the subsequent alleged robbery of Jonathan Rees and the ensuing civil action provided a motive for Daniel Morgan's murder.

507. D/Supt Douglas Campbell later explained: *'Mr Newby alleged that MORGAN intended to lodge a separate defence and was keen to contest the action. This would obviously have placed the three Police Officers [DC Alan Purvis, DC Peter Foley and DS Sidney Fillery] in a very difficult position.'*⁷⁷⁴

508. From the point at which the issue of Southern Investigation's involvement with Belmont Car Auctions came to the attention of the Morgan One Investigation, the Belmont Car Auctions civil action became the primary focus of the murder enquiry. D/Supt Douglas Campbell and DI Allan Jones concluded that fear of exposure that they were being paid by Southern Investigations for work at Belmont Car Auctions, might have provided a motive for involvement of DS Sidney Fillery, DC Alan Purvis and DC Peter Foley in the murder of Daniel Morgan.

509. In a later memorandum to the Metropolitan Police Solicitors Department, dated 27 June 1990, D/Supt Douglas Campbell explained why he had grounds for reasonable suspicion that the three police officers had been involved in Daniel Morgan's murder.⁷⁷⁵ His reasons in this document were as follows:

769 Report of D/Supt Douglas Campbell, MPS015762001, pp3-4, 13 April 1987.

770 Laurie Bucknell [sic, Bucknole] and two other named or partly named males.

771 Witness statement of Peter Newby, MPS010345001, pp2-3, 30 March 1987.

772 Letter to Chief Inspector [sic] Jones from Clutton. Moore and Lavington F.R. Allen Solicitors, MPS025302001, p2, 03 April 1987.

773 Letter from James & Charles Dodd Solicitors to D/Supt Douglas Campbell, MPS015405001, p1, 20 July 1990.

774 Witness statement of D/Supt Douglas Campbell, MPS010915001, p6, 03 July 1989.

775 Memorandum to MPS Solicitors Department from D/Supt Douglas Campbell, MPS036993001, 27 June 1990.

- i. Despite national press coverage of the murder, and an internal message sent to every station in the Metropolitan Police requesting information relating to Daniel Morgan and Southern Investigations, none of the three police officers had notified D/Supt Douglas Campbell of their association with Belmont Car Auctions.
- ii. Jonathan Rees had made no reference to Belmont Car Auctions in the three statements he gave in March 1987.⁷⁷⁶
- iii. DS Sidney Fillery had made no reference to Belmont Car Auctions in the two statements he gave in March 1987.^{777,778}
- iv. Daniel Morgan had been of the opinion that the Belmont Car Auctions robbery of Rees was ‘*a put up job*’. Additionally, in a witness statement, dated 19 March 1987, David Bray said that Morgan ‘*had his doubts about the robbery*’.
- v. Iris Morgan had described Daniel Morgan as being ‘*annoyed*’ about the Belmont Car Auctions robbery. Other witnesses also described Daniel Morgan being upset with Jonathan Rees.
- vi. Peter Newby had said, ‘*Daniel has always been upset about this whole affair*’. Peter Newby also stated that Jonathan Rees handed to DS Sidney Fillery a file on Belmont Car Auctions on 14 March 1987, which D/Supt Campbell said never came into the possession of the investigation team (see paragraphs 218-240 above). In fact, Peter Newby had stated that the file had been handed to DS Fillery on 11 March not 14 March.⁷⁷⁹
- vii. On 10 March 1987 (the day of Daniel Morgan’s murder), Jonathan Rees had contacted the Catford Crime Squad by telephone. D/Supt Campbell believed that this call was to DS Sidney Fillery.⁷⁸⁰

510. This evidence led D/Supt Douglas Campbell to conclude the following:

‘It was my firm belief that these officers could have been involved in the murder of Daniel MORGAN. D.S. FILLERY, D.C. PURVIS and D.C. FOLEY were all highly paid Police officers and eventually would each have gained a substantial Police pension.

‘If the Police Service had known they were acting as Security Guards I feel they would have faced dismissal and between them they would have lost pay and pension rights totalling hundreds of thousands of pounds.

‘I feel that MORGAN who was clearly unpredictable, could have caused them a problem and therefore this was a motive for Murder.’⁷⁸¹

511. D/Supt Douglas Campbell noted that almost 200 statements had been taken, and over 400 investigative actions dealt with. It was his view that ‘*[a]part from REES no other person other than possibly Detective Sergeant FILLERY, had come to notice who definitely knew that*

776 11 March 1987, 16 March 1987 and 20 March 1987.

777 Witness statement of DS Sidney Fillery, MPS010349001, 14 March 1987.

778 Morgan One document D470, ‘Notes of Sid FILLERY’s relationship with REES’, MPS011583001, undated.

779 Witness statement of Peter Newby, MPS010345001, p4, 30 March 1987.

780 Report by D/Supt Douglas Campbell, MPS015762001, p5, 13 April 1987.

781 Memorandum to MPS Solicitors Department from D/Supt Douglas Campbell, MPS036993001, pp2-3, 27 June 1990.

[Daniel] MORGAN would be in the Golden Lion Public House on the evening of his murder'.⁷⁸² Contrary to this, D/Supt Campbell had stated to Jonathan Rees at his interview on 03 April 1987 that a number of police officers, Paul Goodridge and Anthony Pearce may also have been aware that Daniel Morgan would be in the Golden Lion public house that evening.⁷⁸³

5 The identification of suspects and their arrests for the murder of Daniel Morgan

5.1 What was known by 31 March 1987

512. By 31 March 1987, D/Supt Douglas Campbell had gathered significant evidence in the form of statements about the movements of Daniel Morgan and Jonathan Rees on 09 and 10 March 1987. Having also identified concerns about the relationship between Jonathan Rees and DS Sidney Fillery, D/Supt Campbell formed the view that Jonathan Rees and DS Fillery were suspects in connection with Daniel Morgan's murder.⁷⁸⁴ He had suspicions that the two other police officers, DC Alan Purvis and DC Peter Foley, may have been involved in the murder because of their involvement with the Belmont Car Auctions security arrangements and their being contacted as witnesses in the civil action against Southern Investigations. Finally, D/Supt Campbell had suspicions about Jonathan Rees's brothers-in-law, Garry and Glenn Vian, who had been present at Belmont Car Auctions and had accompanied Jonathan Rees before he was allegedly robbed of the takings in 1986.^{785,786,787}

513. In this context, by 31 March 1987, the Panel is aware that the Morgan One Investigation had evidence to show the following:

- i. Jonathan Rees, DS Sidney Fillery, DC Alan Purvis, DC Peter Foley, Glenn Vian and Garry Vian had all been involved in the provision of security at Belmont Car Auctions in 1986, and Belmont Car Auctions was suing Southern Investigations for the £18,280.62 which had allegedly been stolen from Jonathan Rees in March 1986.⁷⁸⁸
- ii. Jonathan Rees's wife, Sharon Rees, was the sister of Garry and Glenn Vian, who were also suspects, and Paul Goodridge was the uncle of Kim Vian, who was the wife of Glenn Vian, a suspect.⁷⁸⁹
- iii. DS Sidney Fillery had described arranging a meeting in the Golden Lion public house on 09 March 1987 during a chance encounter on Sydenham Road during the afternoon of that day.⁷⁹⁰ Jonathan Rees had not mentioned any such encounter.
- iv. Jonathan Rees had been drinking on the night of Monday 09 March 1987 in the Golden Lion public house with Daniel Morgan, DS Sidney Fillery and others (see paragraphs 422-430 above).^{791,792}

782 Report by D/Supt Douglas Campbell, MPS015762001, p5, 13 April 1987.

783 Interview of Jonathan Rees, MPS026827001, pp59-60, 03 April 1987.

784 Policy decision 6, MPS017102001, 31 March 1987.

785 Witness statement of Peter Newby, MPS010345001, p1, 30 March 1987.

786 Witness statement of Michael Thorne, MPS010482001, 27 March 1987.

787 Metropolitan police report submitted by D/Supt Douglas Campbell, MPS015762001, p7, 13 April 1987.

788 Writ of Summons served to Southern Investigations re: Belmont Car Auctions, MPS015376001, 04 April 1986.

789 Witness statement of Jean Wisden, MPS010449001, p7, 25 March 1987.

790 Witness statement of DS Sidney Fillery, MPS010349001, p2, 14 March 1987.

791 Witness statement of DS Sidney Fillery, MPS010349001, pp2-4, 14 March 1987.

792 Witness statement of PS Phillip Barrett, MPS015994001, 16 March 1987.

- v. Jonathan Rees had telephoned the Catford Crime Squad at Catford Police Station at 11.07 am on 10 March 1987,⁷⁹³ and he received an incoming call on his car phone at 11.12 am. In his statement, he had not said who had telephoned him.⁷⁹⁴
- vi. Jonathan Rees had stated on 11 March 1987 that during the previous morning in Southern Investigations' office, Daniel Morgan, Paul Goodridge and he had agreed to meet that evening at the Golden Lion public house, and that Paul Goodridge had not attended that meeting.⁷⁹⁵ However, Paul Goodridge had stated, on 12 March 1987, that he had no recollection of agreeing to meet Jonathan Rees in the Golden Lion on the night of 10 March 1987.⁷⁹⁶ Although Paul Goodridge had told officers that he had no recollection of agreeing to meet Jonathan Rees and Daniel Morgan, he also said '*[c]onversation may have past [sic] but I didn't take any notice*'.
- vii. Solicitor Michael Goodridge (no relation to Paul Goodridge) had said, on 14 March 1987, that he had met Jonathan Rees at about 6.15 pm on 10 March in the Victory public house, and left with Jonathan Rees at 7.00 pm. He had asked Jonathan Rees where Daniel Morgan was at that time, and Jonathan Rees had replied that Daniel Morgan was with Margaret Harrison.⁷⁹⁷ However, on 11 March 1987, Jonathan Rees had stated that he did not know where Daniel Morgan had been going when he left the office at around 6.00 pm on 10 March.⁷⁹⁸
- viii. It was alleged that a man thought to be Jonathan Rees had left his table at the Golden Lion public house at around 9.00 pm on 10 March 1987, returning a few minutes later wearing a white raincoat and gloves.⁷⁹⁹
- ix. Jonathan Rees had stated that when he left, Daniel Morgan was writing on a piece of paper.⁸⁰⁰ Numerous pieces of paper, including business cards and receipts with handwriting on them, were found on Daniel Morgan's body.⁸⁰¹ It was not known whether one of these was the paper on which he had allegedly been writing before his death. It was recorded that no pen had been found.⁸⁰²
- x. Peter Newby had stated that Jonathan Rees had told him that Daniel Morgan '*went white and said that he didn't feel all that well and was going home*'.⁸⁰³ This is not consistent with Jonathan Rees's statement in which he had said that Daniel Morgan was '*in an ordinary and relaxed state of mind*' in the Golden Lion public house.⁸⁰⁴

793 Witness statement of Jonathan Rees, MPS010012001, p2, 20 March 1987

794 Witness statement of Jonathan Rees, MPS010012001, p2, 20 March 1987.

795 Witness statement of Jonathan Rees, MPS021752001, p7, 11 March 1987.

796 Witness statement of Paul Goodridge, MPS026840001, pp3-4, 12 March 1987.

797 Witness statement of Michael Goodridge, MPS010250001, p3, 14 March 1987.

798 Witness statement of Jonathan Rees, MPS021752001, p6, 11 March 1987.

799 Witness statement of Person T4, MPS010238001, p5, 12 March 1987.

800 Witness statement of Jonathan Rees, MPS021752001, p7, 11 March 1987.

801 Witness DS Malcolm Davidson, cross-examined by June Tweedie, Transcript of the Inquest into the death of Daniel Morgan, INT000054001, p5, Inquest Sixth Day, 18 April 1988.

802 In 2016 it was reported that a Parker pen had been found in Daniel Morgan's car sometime after the murder in 1987 (Witness statement of DS Gary Dalby, MPS109531001, pp1-2, 29 April 2016). Failure to package the pen as an exhibit and keep it secure meant that there was no continuity in respect of any evidence which might have been obtained from this pen. It cannot be assumed that this was the pen with which Daniel Morgan was alleged by Jonathan Rees to have been writing.

803 Witness statement of Peter Newby, MPS007953001, p6, 30 March 1987.

804 Witness statement of Jonathan Rees, MPS021752001, p7, 11 March 1987.

- xi. Peter Newby stated that the morning after the murder, Jonathan Rees had told him that he left the Golden Lion public house at the same time as Daniel Morgan, and that they went out through separate doors.⁸⁰⁵
- xii. Daniel Morgan allegedly parked his car in the corner of the dark car park, at a public house to which he did not normally go, and when he went out to his car he was murdered. Although his Rolex watch, which his wife had said he was wearing,⁸⁰⁶ was not to be found, D/Supt Douglas Campbell concluded that because he had over £1,000 in his pocket when he was found, robbery was not an obvious motive for the attack.⁸⁰⁷
- xiii. Daniel Morgan had not been recognised by the landlord at the Golden Lion public house when he was found murdered there on 10 March 1987.⁸⁰⁸
- xiv. Very few people had known that Daniel Morgan was going to be in the Golden Lion public house on 10 March 1987.⁸⁰⁹
- xv. There was evidence of discrepancies arising from the comparison of statements taken from Jonathan Rees, Sharon Rees, Paul Goodridge and Jean Wisden about the timing of telephone calls made from and received by Jonathan Rees's car phone after he left the Golden Lion public house at about 9.00 pm on 10 March 1987. Six calls had been identified on his car telephone between 9.04 pm and 11.15 pm:⁸¹⁰ at 9.04 pm, 9.17 pm, 9.19 pm, 9.21 pm, 9.23 pm and 11.15 pm.
- xvi. Jonathan Rees had described in his witness statement of 11 March 1987 the materials taken from Southern Investigations by police on that date. He made no reference to any files or case-specific paperwork belonging to Southern Investigations.⁸¹¹
- xvii. A file relating to the Belmont Car Auctions issue was alleged by Peter Newby to have been taken from Southern Investigations by DS Sidney Fillery.⁸¹²

5.2 Possible involvement of police officers in the murder

514. D/Supt Douglas Campbell became increasingly concerned at the possibility that police officers might have been involved in Daniel Morgan's murder and decided to request a change in the management of the investigation.

515. On 31 March 1987, a meeting was organised by Commander Alan Fry, who was aware of the concerns which had arisen in the context of the three police officers, DS Sidney Fillery, DC Alan Purvis and DC Peter Foley. He later stated that, by 31 March 1987, he had already '*determined that the three officers would have to be questioned in depth and their houses searched. At that time, they were suspects as to the murder.*'⁸¹³ The meeting was attended by Commander Fry, Commander Kenneth Merton of the Metropolitan Police Complaints

805 Witness statement of Peter Newby, MPS007953001, p7, 30 March 1987.

806 Witness statement of Iris Morgan, MPS010373001, pp13-14, 17 March 1987.

807 Entry on National Crime Pattern Analysis database, MPS011160001, 16 March 1987

808 Witness statement of the landlord, MPS010291001, pp2-3, 15 March 1987.

809 Metropolitan Police report submitted by D/Supt Douglas Campbell, MPS015762001, p5, 13 April 1987.

810 Print out of car phone of Jonathan Rees (Exhibit JO/2), MPS025539001, p4, 17 March 1987.

811 Witness statement of William Jonathan Rees, MPS021752001, 11 March 1987.

812 Witness statement of Peter Newby, MPS007953001, pp4-5, 30 March 1987.

813 Witness statement of Commander Alan Fry, MPS006092001, p3, 11 June 1990.

Investigation Bureau (CIB), DCS Douglas Shrubsole and D/Supt Douglas Campbell. Former D/Supt Campbell told the Panel that at that meeting he explained what had been identified in terms of potential wrongdoing by the three police officers.⁸¹⁴

516. As a result of this meeting, D/Supt Douglas Campbell recorded the following decision in his policy file: *'Following conference with Commander Fry and Commander Merton C.I.B. – investigation to remain under control of D/Supt. Campbell.'*⁸¹⁵ When interviewed by the Panel about this, D/Supt Campbell said that he had recorded in his policy file his *'request for the investigation to be taken over by an outside police force because of police involvement with REES, or by a team from New Scotland Yard'*.⁸¹⁶

517. It was decided, however, that D/Supt Douglas Campbell should remain as the Senior Investigating Officer for Daniel Morgan's murder.⁸¹⁷ Commander Kenneth Merton indicated that an officer would be appointed to investigate the conduct of the three police officers, DS Sidney Fillery, DC Alan Purvis and DC Peter Foley. DCI Roy Sutherland was appointed to deal with such disciplinary matters.⁸¹⁸

518. Commander Alan Fry stated later that *'I am satisfied that the right decision was made to leave the investigation with Detective Superintendent CAMPBELL. An important matter was that he had been conducting the enquiry for the best part of three weeks.'*⁸¹⁹ D/Supt Douglas Campbell told the Panel in interview that he thought it odd that his request had been refused but felt that he had no choice in the matter.⁸²⁰

519. Commander Alan Fry's conclusions were appropriate in the circumstances. At this stage there was insufficient cause to bring in an outside investigator.

5.3 Preparations for the arrests and searches

520. It was decided at the meeting on 31 March (see paragraph 515 above) that DS Sidney Fillery, DC Alan Purvis and DC Peter Foley, Jonathan Rees, Glenn Vian and Garry Vian should be arrested in connection with the murder and that search warrants should be obtained so that their premises could be searched.⁸²¹

521. Following that meeting, D/Supt Douglas Campbell made policy decision number 6. He stated:

'Following conference with Commander FRY and Commander MERTON CIB – investigation to remain under control of D/Supt CAMPBELL. Search warrants to be obtained for home addresses of DS FILLERY, DC PURVIS and DC FOLEY together with John REES, Glen VIAN [sic] and Gary VIAN [sic] – all to be arrested and interviewed re Murder.'

814 Note from former D/Supt Douglas Campbell following his meeting with the Panel on 11 February 2015.

815 Policy file decision 6, MPS017102001, 31 March 1987.

816 Panel interview with former D/Supt Douglas Campbell, 11 February 2015.

817 Witness statement Commander Alan Fry, MPS006092001, p4, 11 June 1990.

818 Witness statement of Commander Alan Fry, MPS006092001, p4, 11 June 1990.

819 Witness statement of Commander Alan Fry, MPS006092001, p4, 11 June 1990.

820 Panel interview with former D/Supt Douglas Campbell, 11 February 2015.

821 Witness statement of Commander Alan Fry, MPS006092001, p4, 11 June 1990.

*'REASONS – Possible Police involvement with Southern Investigations.'*⁸²²

522. DS Sidney Fillery, DC Alan Purvis and DC Peter Foley were arrested for murder because of their connection with Belmont Car Auctions and the growing suspicion that this may have been part of a possible motive. In a statement of 03 July 1989, D/Supt Douglas Campbell referred to the fact that Glenn and Garry Vian were arrested and said *'[t]he VIAN brothers are related to REES by marriage and were employed by him as Security Guards at Belmont Car Auctions'*.⁸²³

523. This policy decision was further explained by Commander Alan Fry, who stated on 11 June 1990 that he had determined that the three officers would have to be questioned because of their involvement with Belmont Car Auctions, as they had not reported their activities as security guards there, and because DC Peter Foley and DC Alan Purvis had not made known to D/Supt Douglas Campbell *'their knowledge of REES and MORGAN'* even though *'an all stations message was sent asking any officers with knowledge of REES or MORGAN to come forward'*. Commander Fry also stated that there was a further suspicion that *'the officers, taken collectively, might be instrumental in disposing of paperwork which would show the connection between them, REES and Belmont Car Auctions'*.⁸²⁴

524. This statement by Commander Alan Fry was prepared as part of the defence to civil proceedings brought by two of the officers, DC Peter Foley and DC Alan Purvis, against the Metropolitan Police, in relation to their arrests. There is no contemporaneous record available of Commander Fry's decision-making.⁸²⁵

525. A further meeting took place on 02 April 1987, attended by DCS Douglas Shrubsole and D/Supt Douglas Campbell. Also present were D/Supt David Parkinson, D/Supt William Hatfull and D/Supt Rodney Bellis,⁸²⁶ who were to be the arresting and interviewing officers for DS Sidney Fillery, DC Alan Purvis and DC Peter Foley, respectively, while D/Supt Douglas Campbell was to arrest Jonathan Rees.^{827,828} Other officers were instructed to arrest Garry Vian and Glenn Vian.^{829,830}

526. A document entitled 'Operation' was handed by D/Supt Douglas Campbell to the teams of arresting and searching officers to inform them of the strategy for the proposed arrests and searches.⁸³¹ It stated the following:

'It is proposed to search the home addresses of the three police officers, the address of REES and Southern Investigations, the addresses of the VIAN brothers and to arrest all parties.

'The Police Officers will be taken to Bromley, Orpington and Bexleyheath whilst REES will be taken to Catford.

'It is proposed to take the VIAN brothers to Croydon.

822 Policy Decision 6, MPS017102001, 31 March 1987.

823 Witness statement of D/Supt Douglas Campbell, MPS010915001, p7, 03 July 1989.

824 Witness statement of Commander Alan Fry, MPS006092001, p3, 11 June 1990.

825 Witness statement Commander Alan Fry, MPS006092001, p1, 11, June 1990.

826 Witness statement of D/Supt Douglas Campbell, MPS006082001, p3, 24 May 1990 (unsigned).

827 Document titled OPERATION – handwritten note, MPS014865001, p1, undated.

828 Witness statement of D/Supt Douglas Campbell, MPS006082001, p3, 24 May 1990 (unsigned).

829 Witness statement of DC Richard Davis, MPS010569001, p1, 09 April 1987.

830 Witness statement of DC Kinley Davies, MPS010497001, 09 April 1987.

831 Document titled OPERATION, MPS014865001, undated.

'In connection with the searches we are looking for a Rolex watch, elastoplast and any signs that axes or other hand held tools have elastoplast on the handles. Also correspondence relating to any connection with Southern Investigations or Belmont Car Auctions.

'[...] Obviously the parties will have to be interviewed regarding the Murder and this will involve the Discipline enquiry.'

527. There is no evidence, in the preparation of the search warrants:

- i. that there had been any consideration of forensic opportunities which might have arisen as a consequence of work which was ongoing at the beginning of April 1987 on material submitted to the Forensic Science Laboratory. By 19 March 1987,⁸³² Philip Toates, the forensic scientist, had recovered fibres from the murder weapon onto four Sellotape strips, which he secured on acetate sheets. He marked these sheets as Tapes 1, 2, 3 and 4. He did not examine the tapes until 10 April, a week after the arrests. Ninety-three fibres were ultimately recovered, ten of which were of a red viscose type and others of a different, dark fibre, a wool material. The red viscose fibres were fine and *'would indicate a possible lining material of trousers or a jacket'*.⁸³³ This information could have informed the searches.
- ii. that Philip Toates was asked to search for fibres or anything else which might have informed the instructions for searching the homes of those who were arrested.

528. The warrants for the searches were sworn on 01 and 02 April 1987.^{834,835,836,837,838,839,840}

529. The 'Operation' document was inadequate to inform the officers involved of what was required of them during the arrests of the six named individuals and the consequential searches. It provided a very limited list of the articles to be seized during the searches and did not instruct officers to look for any particular clothing or other general items. The 'Operation' document should have contained more information for the six teams of officers conducting the searches.

832 Witness statement of Philip Toates, MPS079447001, pp2-4, 10 August 2009.

833 Message M323 from Metropolitan Police Laboratory, MPS012366001, 12 June 1987.

834 Warrant to search 53, High Street, Thornton Heath, MPS014848001, 01 April 1987.

835 Warrant to search home address of DC Peter Foley, MPS014844001, 02 April 1987.

836 Warrant to search home address of Jonathan Rees, MPS014847001, 01 April 1987.

837 Warrant to search home address of DS Sidney Fillery, MPS014845001, 02 April 1987.

838 Warrant to search home address of DC Alan Purvis, MPS014846001, 02 April 1987.

839 Warrant to search home address of Glenn Vian, MPS025473001, 01 April 1987.

840 Warrant to search home address of Garry Vian, MPS025482001, 01 April 1987.

530. A search for clothing was particularly necessary as it might have uncovered relevant evidence. Since Jonathan Rees was the last known person to have seen Daniel Morgan alive, D/Supt Douglas Campbell should, at least, have briefed his officers to search for and seize any items similar to the clothes which Jonathan Rees was wearing on the day of the murder, as described by the various witnesses, and any black or dark shoes. Although the clothing which Jonathan Rees was wearing when he attended Catford Police Station had been subjected to a visual check on the night of the murder, further scientific tests could have been conducted to detect, for example, the presence of Daniel Morgan's blood.

531. The search warrants for Garry Vian and Glenn Vian's houses were obtained under the Theft Act 1968 and related only to the Rolex watch. There is no explanation in the papers available to the Panel as to why this was done. The Panel accepts it was valid to search for the Rolex watch. However, the two men were being investigated in connection with a murder. The warrants should, therefore, have been obtained under Section 8 of the Police and Criminal Evidence Act 1984, and they should have specified an appropriate range of material.

5.3.1 *The leak of information to the media about the arrests on 03 April 1987*

532. Information about the planned arrests 'leaked' to the media from the Morgan One Investigation on 02 April 1987. There is no evidence that the Morgan One Investigation was aware of this.

533. Four months later, however, on 05 August 1987, information was received by the Morgan One Investigation from a named person to the effect that Person U25 had been told by a friend called 'Len', who was party to a conversation by or with police officers, that Daniel Morgan was '*to receive a hiding*' and '*that an axe was used*'. 'Len' had said that he had a tape of this conversation which was lodged with a solicitor.⁸⁴¹

534. On 20 August 1987, D/Supt Douglas Campbell, DI Allan Jones and a police officer from Number 5 Regional Crime Squad carried out enquiries in Cambridge and established that Person U25 would not deal directly with police as he believed them to be corrupt, that both the named person and Person U25 had provided information in the past to a freelance reporter, Michael Jeacock, which was '*sometimes good but at times rubbish*',⁸⁴² and that Michael Jeacock said he had telephoned the *Daily Mirror* newspaper on 02 April 1987 and passed on the information he had received from Person U25: that three police officers were involved in the murder and were suspended or arrested.^{843,844}

841 Message M421, Information from a named person re Person U25, MPS012481001, 05 August 1987.

842 Message M451, MPS012511001, 21 August 1987.

843 Message M451, MPS012511001, pp2-4, 21 August 1987.

844 Witness statement of Michael Jeacock, MPS010812001, 28 October 1987.

535. Person U25 was traced and interviewed by the police in November 1987. He provided a statement, saying that on a date he could not remember early in 1987, he had received a telephone call from a man named Len Beauchamp, (also known as Sanderson), who had informed him about an incident in Sydenham which had been intended to be a beating, but which had resulted in the murder of a private detective. Person U25 claimed he had been told:

- i. that two police officers had been involved in setting up the attack, one of whom was a Police Sergeant;
- ii. that a tape recording existed '*of them setting it up*' and that the tape was '*with a legal man down near Gatwick*';
- iii. that six men, including three serving police officers, had been arrested;
- iv. that fingerprints had been found on the weapon used;
- v. that this news had not yet been covered by the press; and
- vi. that he should contact his press contacts to verify the story.⁸⁴⁵

Person U25 confirmed that he had approached Michael Jeacock, a freelance journalist in Cambridge, and told him this story.⁸⁴⁶

536. The information received from Len Beauchamp stimulated a significant investigation trail which proved inconclusive. Len Beauchamp's identity was never established.^{847,848,849,850,851,852,853,854,855,856,857,858,859,860,861,862,863,864}

537. The six suspects, Jonathan Rees, DS Sidney Fillery, Glen Vian, Garry Vian, DC Alan Purvis and DC Peter Foley, were duly arrested on 03 April 1987. The day after the arrests, the *Daily Mirror* published a report by Sylvia Jones and Georgina Walsh about the murder.⁸⁶⁵

538. On 02 November 1987, Sylvia Jones provided a statement to police saying that she had been contacted by her news desk during the early evening of 02 April 1987, to tell her that they '*had received a tip that three Policemen were involved with the murder [of Daniel Morgan] and*

845 Witness statement of Person U25, MPS010825001, pp6-10, 04 November, 1987.

846 Witness statement of Person U25, MPS010825001, p8, 04 November 1987.

847 Message M421 from a witness to problems establishing Len Beauchamp's identity, MPS012481001, 05 August 1987.

848 Message M430 from a Detective Constable, MPS012490001, 12 August 1987.

849 Message M438 to a Detective Constable, MPS012498001, 17 August 1987.

850 Action A1132, MPS014195001, 17 August 1987.

851 Message M451 from DI Allan Jones, MPS012511001, 21 August 1987.

852 Message M534 from Person U25, MPS012594001, 26 October 1987.

853 Action A1335, MPS014398001, 26 October 1987.

854 Action A1337, MPS014400001, 27 October 1987.

855 Action A1338, MPS014401001, 27 October 1987.

856 Witness statement of Person U25, MPS016584001, 30 October 1987.

857 Witness statement of Person U25, MPS016585001, 04 November 1987.

858 Witness statement of Michael Jeacock, MPS016586001, 28 October 1987.

859 Witness statement, MPS016587001, 02 November 1987.

860 Witness statement of Sylvia Jones, MPS016588001, 02 November 1987.

861 Message M599 from DVLC Liaison Office, MPS012659001, 18 November 1987.

862 Action A1414, MPS014477001, 18 November 1987.

863 Action A1415, MPS014478001, 18 November 1987.

864 Action A1647, MPS014710001, 17 March 1988.

865 *Daily Mirror*: 'Three Cops Quizzed Over Axe Murder', MPS014827001, p69, 04 April 1987.

were being questioned by Detectives'.⁸⁶⁶ Sylvia Jones subsequently stated that she attempted to verify the information by contacting a number of her associates, including the Press Bureau at New Scotland Yard or the South London area Press Liaison Officer. She said she had attempted to contact D/Supt Douglas Campbell, *'but could not contact him'*. She also stated she then contacted Southern Investigations and *'may well have warned REES of the impending operation'*.⁸⁶⁷ There is nothing in the material available to suggest that Sylvia Jones deliberately warned Jonathan Rees about the forthcoming arrest operation.

539. Although no media reports regarding the arrests on 03 April 1987 appeared until the following day, it is clear that the fact that police officers were to be arrested was known to persons inside and outside the murder investigation team, and that this information was passed to journalists.

540. It is very probable that some, if not all, of those arrested had warning of the arrests, which would have enabled them to take any action they thought necessary prior to the arrests and afforded them the opportunity to ensure that no incriminating material, should such have existed, was to be found in property owned by them.

This was a major compromise of the Morgan One Investigation. The source of the leak has not been identified with any certainty, nor is it known whether the story was leaked for financial gain, to protect someone, or for some other reason. The person or persons who leaked the information originally would have known they should not have disclosed the information. Therefore, this was a deliberate and corrupt act.

541. This leak was one of the early causes of concern about possible police officer corruption during the Daniel Morgan murder investigation.

542. It subsequently became known that a private investigator and former police officer, former DS John Ross, had been brought into the investigation room on a date likely to have been 02 April 1987 by DC Donald Leslie, a member of the investigation squad.⁸⁶⁸

543. DC Donald Leslie was removed from the investigation by D/Supt Douglas Campbell on 16 April 1987. D/Supt Campbell recorded a decision to *'[r]eturn D.C. Leslie to normal duties'* because he *'[h]as contacts with ex Police Officers who may be connected with Southern Investigations'*.⁸⁶⁹

544. On 08 December 1987, a formal complaint was made by Jonathan Rees comprising a number of allegations, among which was a complaint that *'DS Lesley [DC Donald Leslie] allowed a reporter from the "Today" newspaper access to the murder squad incident room [...] where this reporter obtained details of Mr Rees's home address, telephone number and personal details'*.⁸⁷⁰ DCS David Lamper was appointed to investigate Jonathan Rees's complaint (see paragraphs 991-1012 below).

866 Witness statement of Sylvia Jones, MPS010814001, p1, 02 November 1987.

867 Message M545 from DI Allan Jones, MPS012605001, 02 November 1987.

868 Report R2 of DI Rex Carpenter, MPS027949001, 13 June 1989.

869 Policy Decision 8, MPS017104001, 16 April 1987.

870 Solicitor's letter concerning formal complaint made by Jonathan Rees against D/Supt Douglas Campbell, DI Allan Jones, DC Donald Leslie, DC David Hall, and DS Sidney Fillery, MPS037129001, p3, 08 December 1987.

545. Jonathan Rees subsequently told DCS David Lamper that he had been told by an unnamed police officer, *'that LESLIE had received payment for information supplied to the newspaper about him'* and that *'he had heard the sum of £5,000 mentioned as the sum involved'*.⁸⁷¹ Jonathan Rees said that *'it was only rumour he had heard and that he had nothing on which to base his allegations'*.⁸⁷²

546. DCS David Lamper sought to interview the two *Today* reporters who had worked on the Daniel Morgan murder and the News Editor responsible for payments, to establish whether there was any evidence to confirm Jonathan Rees's complaint. On legal advice, all three declined to answer any questions.⁸⁷³

547. In June 1988, DC Donald Leslie was interviewed by DCS David Lamper and stated that he knew no one employed by the *Today* newspaper. He also stated that he had been told by D/Supt Douglas Campbell that he had been removed from the investigation because D/Supt Campbell believed that he had spoken to the media.⁸⁷⁴

548. In August 1988, D/Supt Douglas Campbell told DCS David Lamper that DC Donald Leslie was not dismissed as a result of anything to do with the press, but that his services were dispensed with because he was friendly with former police officers who might be connected with Southern Investigations.⁸⁷⁵

549. In November 1988, DS Malcolm Davidson made a statement that *'no members of the Press were permitted access to the incident office because of the sensitive nature of the information displayed on the notice boards. This policy was strictly adhered to.'*⁸⁷⁶

550. DCS David Lamper reported in relation to this allegation that, although *'[t]he staff of the "Today" newspaper declining to comment at all on their role in reporting on the MORGAN murder case has made the enquiry into this aspect somewhat unsatisfactory [...] Detective Superintendent CAMPBELL removed the officer from the enquiry for a reason completely unconnected with the Press'*. There being no other evidence to support the allegation, he recommended that the allegation against DC Donald Leslie be recorded as *'Unsubstantiated'*.⁸⁷⁷

551. In June 1989, DC Donald Leslie stated to the Hampshire/Police Complaints Authority Investigation that:

*'During the enquiry I met Ex-DS John ROSS who is now a Private Detective and has an office at Briefs Wine Bar, Southwark. He knew DS FILLERY previously and I recall having discussions with John ROSS regarding DS FILLERY. On one occasion I went with John to the Sydenham Incident Room [Morgan One Investigation room] where we met DS DAVIDSON.'*⁸⁷⁸

DC Leslie did not state when this happened.

871 Report by DCS David Lamper; Complaint against police, MPS015325001, p9, 17 November 1988.

872 Report by DCS David Lamper; Complaint against police, MPS015325001, p9, 17 November 1988.

873 Report by DCS David Lamper; Complaint against police, MPS015325001, p9, 17 November 1988.

874 Interview of DC Donald Leslie by DCS David Lamper, MPS038977001, pp2-3, 22 June 1988.

875 Interview of D/Supt Douglas Campbell by DCS David Lamper, MPS038437001, p31, 23 August 1988.

876 Witness statement of DS Malcolm Davidson, MPS029491001, p1, 11 November 1988.

877 Report by DCS David Lamper; Complaint against police, MPS015325001 p53, 17 November 1988.

878 Witness statement of DC Donald Leslie, MPS018708001MPS018558001, 13 June 1989.

552. The question of when former DS John Ross had been in the Morgan One Investigation room was further pursued by the Hampshire/Police Complaints Authority Investigation in June 1989. DI Rex Carpenter recorded that DS Malcolm Davidson told him that he was ‘*certain that it was the day before the police officers were arrested when D/Supt CAMPBELL held a briefing at Sydenham*’.⁸⁷⁹

553. DI Rex Carpenter, having interviewed DC Donald Leslie on 13 June 1989, recorded that:

‘[DC Donald Leslie] was well aware of why he was taken off of the squad, having been told by D/Supt CAMPBELL, that he (CAMPBELL) had 3 sources of information concerning LESLEY [sic] “leaking” information to the media concerning the investigation. LESLEY [sic] completely denied the allegation and still does, although he was far from convincing. LESLEY [sic] was a personal friend of a John ROSS, a private detective, and ex Det Sgt in the MPD [sic – John Ross was a former MPS officer]. ROSS had numerous contacts in Fleet St, and worked from an office at “Briefs” Wine Bar, where his brother was a partner with a solicitor who is now serving a term of imprisonment for his involvement in the Brinksmat [sic] enquiry.’⁸⁸⁰

554. In 2015, former D/Supt Douglas Campbell told the Panel that DC Donald Leslie had been assigned to assist in one of the arrest teams on 03 April 1987, but had not attended work, and former D/Supt Campbell felt he may have notified the press regarding the arrests.⁸⁸¹ In fact, there is evidence that DC Leslie did attend work on 03 April 1987 and took notes of an interview conducted by D/Supt Campbell.⁸⁸² Former DS Malcolm Davidson told the Panel in 2015 that neither the press nor Jonathan Rees ‘*would have known about the arrests before they happened. The decision to make the arrests was taken very quickly after the team found out about Belmont, and only a small number of people knew about the plans.*’⁸⁸³

555. In 2020, former D/Supt Douglas Campbell stated to the Panel that although he did not recall John Ross, he took steps to remove DC Donald Leslie from the investigation when he was informed that DC Leslie was friendly with former police officers who may have been connected with Southern Investigations. He also said that he took steps to confront corrupt behaviour within the police, including arresting three police officers and requesting that his investigation be transferred to an outside force.

556. The Panel is satisfied that DC Donald Leslie was removed from the investigation because he was too close to former police officers. According to DS Malcolm Davidson’s account to the Hampshire/Police Complaints Authority Investigation, DC Leslie took former DS John Ross into the Morgan One Major Incident Room on 02 April 1987, the day before the arrests were made. The leak of information occurred that day, although the identity of the person leaking the information has not been established.

879 Officers report R2 by DI Rex Carpenter, MPS024826001 MPS027949001, p2, 13 June 1989

880 Officers report R2 by DI Rex Carpenter, MPS027949001, pp1-2, 13 June 1989.

881 Panel interview with Douglas Campbell, p2, 11 February 2015.

882 Interview of Jonathan Rees, MPS000716001, 03 April 1987.

883 Panel interview with former DS Malcolm Davidson, 20 October 2015.

557. D/Supt Douglas Campbell should have referred the matter for investigation as soon as he became aware of former DS John Ross's presence in the Morgan One Major Incident Room. The failure to do so was indicative of the failure by police management to confront corrupt behaviour.

5.4 The arrests of the suspects

5.4.1 The arrest and interview of Jonathan Rees

558. D/Supt Douglas Campbell, DI Allan Jones and WDS Christine Fowles went to Jonathan Rees's home at 6.30 am on 03 April 1987. Jonathan Rees was not in the house at the time. When he returned at 6.45 am, D/Supt Douglas Campbell arrested him on suspicion of the murder of Daniel Morgan, and he was subsequently transported to Catford Police Station.⁸⁸⁴

559. The search warrant for Jonathan Rees's house stated that the police were seeking '*files, diaries & documents relating to the business carried out by Southern Investigations*'.⁸⁸⁵ Five items were taken for forensic analysis: two pieces of adhesive tape, adhesive tape and protective backing for adhesive tape, a Band Aid box containing adhesive tape and a '*cut-throat*' razor.⁸⁸⁶

560. When Jonathan Rees's car was searched by D/Supt Douglas Campbell, a police file was found, together with a police property bag containing a screwdriver. D/Supt Campbell stated that when he asked Jonathan Rees about this, Jonathan Rees replied that he had been to court '*on Tuesday*' with DS Sidney Fillery and that DS Fillery had left the file and the bag in his car.⁸⁸⁷ D/Supt Campbell stated that he then asked Jonathan Rees who else had been with them on that day, to which Jonathan Rees explained there was a police officer on the Catford Crime Squad. This officer was identified by the Morgan One Investigation as Police Officer N21.⁸⁸⁸ In 2017, the Panel asked former D/Supt Campbell about this incident, to which he responded on 04 April 2017 that he had no memory of it.

561. There is no evidence among the papers available to the Panel of any action having been taken by D/Supt Douglas Campbell in relation to the police file and evidence bag found in Jonathan Rees's car. There is no evidence that DS Sidney Fillery was questioned about the matter. This was a serious omission for which no explanation was given. This was a matter which should have been referred for immediate investigation, as it indicates possible misconduct by DS Fillery. It is also indicative, at the very least, of the very close and unprofessional relationship which DS Fillery had with Jonathan Rees. Jonathan Rees should not have had possession of a police file or a police property bag containing evidence.

⁸⁸⁴ Witness statement of D/Supt Douglas Campbell, MPS010913001, 06 April 1987.

⁸⁸⁵ Copy of search warrant under section 8 of the Police and Criminal Evidence Act 1984 for the home of Jonathan Rees, MPS025943001, 01 April 1987.

⁸⁸⁶ 886 Witness statement of DI Allan Jones, MPS005927001, p1, 09 April 1987.

⁸⁸⁷ Witness statement of D/Supt Douglas Campbell, MPS010913001, p2, 06 April 1987.

⁸⁸⁸ Witness statement of Police Officer N21, MPS010849001, p7, 20 November 1987.

562. Jonathan Rees's office at Southern Investigations was also searched. Four diaries, various letters about Belmont Car Auctions, a telephone book and various documents and files were seized.^{889,890} Most of these items were recorded as being restored to Peter Newby on 18 May 1987. An *'indexed red book'* and *'a telephone message book'* had already been returned to Peter Newby on 05 May 1987.⁸⁹¹

563. Some of the material seized from Jonathan Rees's house was later sent for forensic examination (see paragraphs 665-674 below). Jonathan Rees's car was not examined for fibres or other material after his arrest.

564. During the journey to Catford Police Station, D/Supt Douglas Campbell put a series of comments and questions to Jonathan Rees. The exchange in the car between the two men was recorded verbatim by DI Allan Jones, who included the recorded exchange in a statement six days later.⁸⁹²

565. DI Allan Jones's notes record the following conversation (line breaks added):

'Det Supt Campbell said [to Jonathan Rees] I had better tell you that certain Police Officers have been arrested who I believe were involved with you in Belmont Cars.

'Rees said You can't expect me to put any police officers [sic] career on the line.

'Det Sup Campbell [said] I'm trying to investigate a murder [and] I believe that you have not been truthful in the past. Rees made no reply.

'D Supt Campbell said Goodridge denies that he had any arrangements to meet you in the Golden Lion PH. Rees said The mans [sic] a fool.

'DSupt Campbell said I have made a lot of enquiries since the murder & I believe that the robbery involving Belmont cars [sic] money was a put up job.

'Rees said I spent six days in hospital with damage to my eyes.

'Dsupt Campbell said That does not mean you were robbed.

'Rees said I was robbed you want to look at people at the auction

'DSupt Campbell said ive [sic] read your affidavit and I know of the involvement of police. I'm trying to investigate a murder and I feel that you and other people have not been as truthful as you could have been

'He [Jonathan Rees] said I've passed all information to your office

'Det Supt Campbell said Do you know a DC PURVIS

'Rees said Hes [sic] a relative of Thorne of Belmont Cars.

'DSupt Campbell said What was your relationship with Margaret Harrison

'He [Jonathan Rees] said just a casual acquaintance

889 Witness statement of DC Clive Blake, MPS028077001, pp3-4, 07 June 1988.

890 Copies of exhibits books, MPS005800001 and MPS005801001, 16 March – 27 July 1987.

891 Copies of exhibits books, MPS005800001 and MPS005801001, 16 March – 27 July 1987.

892 Witness statement of DI Allan Jones, MPS005235001, pp1-3, 09 April 1987.

'Det Supt Campbell said I believe it was more than that and you tried to chat her up

'Rees said I'm not denying I was attracted but that's all

'Det Supt Campbell said I can only repeat that I am trying to investigate a murder and it does appear that very few people knew that Danny Morgan would be in the public house that night. You obviously knew but there are not many others

'Rees said I didn't know whether he would be there.'^{893,894}

566. D/Supt Douglas Campbell also recorded the content of this conversation in a statement on 06 April 1987.⁸⁹⁵

567. D/Supt Douglas Campbell should not have engaged in conversation with Jonathan Rees on the way to the police station. The Police and Criminal Evidence Act 1984, Code of Practice C, states that questions should not be put except at a police station unless delay would lead to certain stated consequences, which did not apply in this case. The effect of the exchange was to give Jonathan Rees advance warning of what he was going to be questioned about, and, more importantly, what police knew and did not know. However, both D/Supt Campbell and DI Allan Jones acted correctly in recording the conversation in the car.

568. Jonathan Rees was detained in the custody suite at Catford Police Station, where he was interviewed by D/Supt Douglas Campbell and DI Allan Jones, in the presence of his solicitor, Michael Goodridge, in four separate sessions between 2.00 pm and 11.17 pm on 03 April 1987. The interviews were not tape-recorded. Tape-recording facilities were not available in all custody suites in 1987. Interview notes were taken, first by DC Donald Leslie and later by DC Clive Blake. The interview took place in an interview room within the custody suite.⁸⁹⁶

569. Jonathan Rees was initially asked about carrying out security work for Belmont Car Auctions in March 1986 and which police officers he was closely associated with. He named 14 police officers and, when asked whether these police officers had been doing illegal searches for him on police computers, he said 'No'.⁸⁹⁷

893 Witness statement of DI Allan Jones, MPS005235001, pp1-3, 09 April 1987.

894 Incident Report Book by DI Jones re Rees, MPS014833001, 03 April 1987.

895 Witness statement of D/Supt Douglas Campbell MPS010913001, pp1-5, 06 April 1987.

896 Record of interview of Jonathan Rees, MPS000716001, pp1-95, 03 April 1987.

897 Record of interview of Jonathan Rees, MPS000716001, p5, 03 April 1987.

570. The interviews then focused extensively on the Belmont Car Auctions robbery and its possible connection to Daniel Morgan's murder. Among other things:

- i. Jonathan Rees identified John Peacock, an employee of Southern Investigations, Glenn Vian, Garry Vian, former DCI Laurence Bucknole⁸⁹⁸ and Daniel Morgan⁸⁹⁹ as having carried out security duties at Belmont Car Auctions on behalf of Southern Investigations on various occasions. He said that he himself was present at every auction.⁹⁰⁰

There is no confirmed evidence to corroborate Jonathan Rees's statement that Daniel Morgan worked as a security guard at Belmont Car Auctions on any occasion, although in his witness statement of 24 September 1987, John Peacock said in relation to Belmont Car Auctions, '*I think I saw Daniel MORGAN there maybe once or twice*'.⁹⁰¹

- ii. When questioned about whether police officers had been present at Belmont Car Auctions on the nights when Southern Investigations provided security, Jonathan Rees said that DS Sidney Fillery, DC Alan Purvis and officers from the Stolen Vehicle Squad had been there. He denied that DS Fillery and DC Purvis were there at his request. He admitted knowing DC Peter Foley when asked, and that he had been present at '*one or two*' auctions.⁹⁰²
- iii. When told that DC Peter Foley had said during interview that Jonathan Rees had offered to pay him £4 an hour for his services at Belmont Car Auctions, Jonathan Rees denied paying DC Foley any money at all.⁹⁰³ He denied making payments to any police officer for work at Belmont Car Auctions.⁹⁰⁴
- iv. When asked how payments were made to the security guards who worked at Belmont Car Auctions, Jonathan Rees said that they were paid by cheque at the end of each week.⁹⁰⁵ He was asked if these details were contained within the Southern Investigations accounting system and replied that they were.⁹⁰⁶

John Peacock subsequently made a statement on 07 April 1987 when he confirmed he had worked at Belmont Car Auctions as a security guard.⁹⁰⁷ John Peacock was not asked until 24 September 1987 how he was paid by Southern Investigations for his work at Belmont Car Auctions. He replied that he was paid between £25 and £35 per night and £20 on Saturday mornings, in cash. He stated that he never saw Jonathan Rees pay anyone else.⁹⁰⁸

898 He was regularly known as 'Laurie'.

899 Record of interview of Jonathan Rees, MPS000716001, p8, 03 April 1987.

900 Record of interview of Jonathan Rees, MPS000716001, p7, 03 April 1987.

901 Witness statement of John Peacock, MPS010540001, p4, 24 September 1987.

902 Record of interview of Jonathan Rees, MPS000716001, pp7-9, 03 April 1987.

903 Record of interview of Jonathan Rees, MPS000716001, pp30-31, 03 April 1987.

904 Record of interview of Jonathan Rees, MPS000716001, p9, 03 April 1987.

905 Record of interview of Jonathan Rees, MPS000716001, p89, 03 April 1987.

906 Record of interview of Jonathan Rees, MPS000716001, p89, 03 April 1987.

907 Witness statement of John Peacock, MPS010533001, pp1-2, 07 April 1987.

908 Witness statement of John Peacock, MPS010540001, p4, 24 September 1987.

- v. When asked about the Belmont Car Auctions file, which Peter Newby had said Jonathan Rees had given to DS Sidney Fillery, Jonathan Rees responded that there was no such file: *'it doesn't exist, except for part of the litigation document that I maintain'*. He was told that, that day Peter Newby had been shown the file on Belmont Car Auctions which had been in Jonathan Rees's briefcase, Peter Newby had said that there was another file on the matter which was no longer on the premises of Southern Investigations. Jonathan Rees said this was *'utter and complete nonsense'*.⁹⁰⁹

He was also told that Peter Newby had said that the Belmont Car Auctions file was numbered 4208. Jonathan Rees said, that *'number in the booking in book would relate to the date we received the instructions, the date completed and the invoice number'*.⁹¹⁰ Jonathan Rees was not asked to explain further what he meant.

- vi. Jonathan Rees confirmed that he knew that solicitors for Belmont Car Auctions had contacted DS Sidney Fillery, DC Alan Purvis and DC Peter Foley, but said that he did not know what their reaction to receiving the letters was. When asked whether the officers had *'expressed concern about possible disciplinary proceedings because of their involvement'*, he responded saying, *'[t]he officers did not need to advise me of possible discipline proceedings as a result of this totally unfounded allegation made by Belmont Auctions. As far as I can remember all three officers have purchased vehicles through Belmont Auctions at the time of their attendance.'*⁹¹¹
- vii. He said that there was no discussion about the Belmont Car Auctions case in the Golden Lion public house on the night of 09 March 1987 because *'Danny and myself believed we had found a satisfactory solution to the problem and we agreed not to discuss the matter further. As it soured the conversation.'*⁹¹²

571. Jonathan Rees was asked about his movements on 09 March 1987 and how the meetings in the Golden Lion public house on 09 March 1987 and 10 March 1987 had been arranged:⁹¹³

- i. He was unable to remember his movements on 09 March, other than to say that he might have been with Daniel Morgan at lunchtime.⁹¹⁴ When it was put to him that two witnesses had said that he had gone to a meeting in Beckenham with Daniel Morgan at 5.00 pm on Monday 09 March 1987, he said he could not remember. He said he did not know what was in Beckenham. He did not believe that they would have left the office unattended at 5.00 pm.⁹¹⁵
- ii. He said that the meeting at the Golden Lion public house on 09 March 1987 *'was as a result of a phone call from Sid FILLERY during the day inquiring if we wanted to meet for a pint that night'*, and that he did not think he had seen DS Sidney Fillery that day before the meeting in the public house.⁹¹⁶

909 Record of interview of Jonathan Rees, MPS000716001, p78, 03 April 1987.

910 Record of interview of Jonathan Rees, MPS000716001, p79, 03 April 1987.

911 Record of interview of Jonathan Rees, MPS000716001, pp18-22, 03 April 1987.

912 Record of interview of Jonathan Rees, MPS000716001, p48, 03 April 1987.

913 Record of interview of Jonathan Rees, MPS000716001, pp43-53, 03 April 1987.

914 Record of interview of Jonathan Rees, MPS000716001, pp44-45, 03 April 1987.

915 Record of interview of Jonathan Rees, MPS000716001, p81-82 03 April 1987.

916 Record of interview of Jonathan Rees, MPS000716001, pp43-44, 03 April 1987

- iii. He said that they had agreed to meet in the Golden Lion public house, which was why Daniel Morgan had parked in the car park there.⁹¹⁷ When asked about why Daniel Morgan parked his car in a very dark car park at the Golden Lion public house, Jonathan Rees replied: *'I suspect he felt his car would be safer out of the way.'*⁹¹⁸
- iv. Jonathan Rees said that when he and Daniel Morgan arrived, DS Sidney Fillery was not there, so they went to the Dolphin public house, which was across the road from the Golden Lion public house instead, because it was possible that DS Fillery was there.⁹¹⁹ He said that DS Fillery then came to the Dolphin public house and brought them to the Golden Lion.⁹²⁰
- v. D/Supt Douglas Campbell asked Jonathan Rees whether he agreed that *'on the night of the murder you told me that apart from the Monday and Tuesday the 9th and 10th of March, Danny hadn't been in the Golden Lion for over 2 months?'* Jonathan Rees responded: *'Yes I think that's about right.'*⁹²¹

This is the first occasion on which anything which was said by Jonathan Rees in the early hours of 11 March 1987 was referred to or recorded. This question indicates that the meeting on 09 March 1987 was discussed in the early hours of 11 March 1987. It also indicates that Jonathan Rees had referred to Daniel Morgan being in the Golden Lion public house two months previously. There was no note of this meeting. It is profoundly unsatisfactory that this first meeting was not recorded. It might well have enabled further questions to Jonathan Rees and others, and further investigative activity.

- vi. Jonathan Rees said that Daniel Morgan had decided to go back to the Golden Lion public house on 10 March 1987 because Daniel Morgan had said *'he was attracted to a blond barmaid and secondly that Sid and his crew may have been in there.'*⁹²² Jonathan Rees said that Daniel Morgan had tried to buy the barmaid a drink on the previous evening, but that *'he was being obviously over charming to her.'*⁹²³ The barmaid at the Golden Lion public house, however, had not described a man meeting Daniel Morgan's description or another man behaving in the way described by Jonathan Rees.

The Panel's analysis of the barmaid's statements and subsequent evidence to the Inquest does not support Jonathan Rees's account of Daniel Morgan's behaviour towards her. (See Chapter 2, The Inquest.)

917 Record of interview of Jonathan Rees, MPS000716001, p47, 03 April 1987

918 Record of interview of Jonathan Rees, MPS000716001, pp57-59, 03 April 1987.

919 Record of interview of Jonathan Rees, MPS000716001, pp47-48, 03 April 1987.

920 Record of interview of Jonathan Rees, MPS000716001, p46, 03 April 1987

921 Record of interview of Jonathan Rees, MPS000716001, p51, 03 April 1987.

922 Record of interview of Jonathan Rees, MPS000716001, pp52-53, 03 April 1987.

923 Record of interview of Jonathan Rees, MPS000716001, p55, 03 April 1987.

- vii. Jonathan Rees said that the purpose of the meeting on the evening of 10 March 1987, which he said had been arranged with Paul Goodridge, had been to try to arrange a loan to cover the £10,000⁹²⁴ payment into Court by Southern Investigations, which the judge hearing the Belmont Car Auctions case against Southern Investigations had ordered on 05 March 1987.⁹²⁵
- viii. When asked about the fact that Paul Goodridge had denied that he had made any arrangement to meet Daniel Morgan and Jonathan Rees that night, Jonathan Rees stated that Paul Goodridge had been *'bragging'* that he had numerous very wealthy contacts who could be persuaded to lend the money. He said that both he and Daniel Morgan *'never believed for one second that he [Paul Goodridge] was capable of such financial arrangements'*. He said that *'Paul told Daniel that he would speak to someone that day and in my presence he enquired of Daniel as to a venue we could meet with "his man" and he was told the Golden Lion public house. As we expected neither he nor his wealthy friend attended.'*⁹²⁶
- ix. Jonathan Rees was asked about a telephone call he had made to Catford Police Station at 11.07 am on 10 March 1987. When asked what it was about and who he had telephoned, he responded, *'I would imagine that it was to DS FILLERY. Whether or not I managed to speak to him I can't remember. I can't remember the reason for making that call.'*⁹²⁷ Jonathan Rees was not asked about an incoming call to his car phone at 11.12 on 10 March 1987⁹²⁸ and did not state who had telephoned him.
- x. It was put to Jonathan Rees that the only people who could possibly have known that Daniel Morgan would be in the Golden Lion public house that night were Jonathan Rees himself, a number of police officers, Paul Goodridge and Anthony Pearce. He responded that he believed that Peter Newby also knew that they would be in the Golden Lion public house that evening.⁹²⁹ (Peter Newby, in his witness statement of 23 March 1987, said that Jonathan Rees had told him on 10 March that he and Daniel Morgan had been in a public house together on 09 March with DS Sidney Fillery, and that *'We've got another meeting tonight. I don't really want to take Daniel but I've got to.'*⁹³⁰ Peter Newby did not know the location for the meeting, or who was to attend.)
- xi. When asked about his departure from the Golden Lion public house on 10 March 1987, and about what Daniel Morgan intended to do later that evening, he said that *'Daniel complained of chest pains and stated that he was going straight home'*.⁹³¹

924 Record of interview of Jonathan Rees, MPS000716001, pp61-62, 03 April 1987.

925 Record of interview of Jonathan Rees, MPS000716001, p35, 03 April 1987.

926 Record of interview of Jonathan Rees, MPS000716001, pp61-63, 03 April 1987.

927 Record of interview of Jonathan Rees, MPS000716001, p73, 03 April 1987.

928 *'Printout of car phone REES'*, MPS025539001, p3, 17 March 1987.

929 Record of interview of Jonathan Rees, MPS000716001, pp59-60, 03 April 1987.

930 Witness statement of Peter Newby, MPS003890001, pp9-10, 23 March 1987.

931 Record of interview of Jonathan Rees, MPS000716001, p64, 03 April 1987.

Jonathan Rees was not asked about the possible contradictions between his statement of 11 March 1987 that Daniel Morgan was in an ordinary and relaxed state of mind; the fact that Peter Newby had said on 30 March 1987 that Jonathan Rees had told him that just before they left the Golden Lion public house, Daniel Morgan '*went white and said he didn't feel all that well and was going home*',⁹³² and Jonathan Rees's assertion during interview that Daniel Morgan had complained of chest pain. This was yet another serious failing.

- xii. Jonathan Rees was questioned about his movements after he left the Golden Lion public house on 10 March 1987. When asked how long it would have taken to get to his home at that time of night, he responded: '*If the traffic's clear 20 to 30 minutes. On occasions [...] its [sic] taken a lot longer.*'⁹³³ He also said that it took him nearly 25 to 30 minutes to get the Beulah Spa public house (to which he actually went) and '*if I'd travelled straight home another 5 or 10 minutes could have been added to that journey*'.⁹³⁴
- xiii. Jonathan Rees was challenged about the phone calls which he had made and received on his car phone after 9.00 pm on 10 March 1987.⁹³⁵ He said that at 9.04 pm he had a phone call from his wife which lasted 12 minutes. He said that he had made a statement to DI Allan Jones regarding the telephone calls which he had made on his car phone that night, and continued, '*[it] is now 3rd April some 4 weeks later and I've again been asked contents, dates details of those same telephone conversations*'.⁹³⁶
- xiv. Jonathan Rees had stated that he telephoned Paul Goodridge on the way home, at 9.17 pm, and asked him to meet him at the Beulah Spa public house.⁹³⁷ At interview he said, '*[w]hen I spoke to Paul he said that his wife had had a serious fall at work and that he wanted to meet to explain*'. He went on to say, '*I believe it was he who wanted this meet.*'⁹³⁸

Paul Goodridge had said that Jonathan Rees had spoken to Jean Wisden on the telephone and asked that Paul Goodridge meet him at the Beulah Spa public house.⁹³⁹ Jean Wisden provided a statement in which she had said that Jonathan Rees had said to her '*[t]ell him to meet me at the Spa*'.⁹⁴⁰ Paul Goodridge had denied telephoning Jonathan Rees.⁹⁴¹

Despite having given Jonathan Rees opportunity to explain the circumstances of these calls, after interview there were still two incoming calls unaccounted for: at 9.04 pm and 9.21 pm.

932 Statement of Peter Newby MPS010345001, pp6-7, 30 March 1987.

933 Record of interview of Jonathan Rees, MPS000716001, pp65-66, 03 April 1987.

934 Record of interview of Jonathan Rees, MPS000716001, pp66, 03 April 1987.

935 Record of interview of Jonathan Rees, MPS000716001, pp86-87, 03 April 1987.

936 Record of interview of Jonathan Rees, MPS000716001, pp87-88, 03 April 1987.

937 Witness statement of Jonathan Rees, MPS021752001, pp7-8, 11 March 1987. Witness statement of Jonathan Rees, MPS021961001, p2, 20 March 1987.

938 Record of interview of Jonathan Rees, MPS000716001, p71-72, 03 April 1987.

939 Witness statement of Paul Goodridge, MPS038207001, p4, 12 March 1987.

940 Witness statement of Jean Wisden, MPS021944001, p3, 25 March 1987.

941 Witness statement of Paul Goodridge, MPS026841001, p2, 25 March 1987.

Jonathan Rees was questioned on this further but provided no more information.

572. Jonathan Rees was questioned during his interviews about his relationship with Margaret Harrison:

- i. He described it as *'purely a business [relationship] and friendship'*.⁹⁴²
- ii. He denied having telephoned her at home, saying that as far as he knew, he did not have her home telephone number: *'I'm absolutely certain that I do not recall phoning Mrs Harrison at home.'* He also denied having *'any relationship of an extra-marital kind'* with her.⁹⁴³
- iii. When told that Margaret Harrison had said that he had had a 35-minute telephone call with her, he responded that *'[o]n several occasions when Daniel's been in my vehicle he has phoned Margaret Harrison'*.⁹⁴⁴
- iv. When questioned about Margaret Harrison's assertions that he had telephoned her, Jonathan Rees responded: *'I would suspect that any mistake she's made is genuine.'*⁹⁴⁵

573. There are many inconsistencies between the evidence given by Jonathan Rees and others. When presented with conflicting evidence, Jonathan Rees disputed it. Towards the end of the interview, it was put to him that there was a list of ten people whom he had called *'a liar'* during his interviews, including Paul Goodridge, Margaret Harrison, Michael Thorne of Belmont Car Auctions, Iris Morgan, his wife Sharon Rees, the staff in the Beulah Spa public house, Peter Newby and Bryan Madagan (with whom both Daniel Morgan and Jonathan Rees had previously worked). Jonathan Rees's response was to question the Morgan One Investigation's *'inept interpretation of people's statements'*.⁹⁴⁶ Jonathan Rees also said that *'from the 1st night of Daniel's death I've been interviewed on 4 occasions by D/I JONES. Only on 1 occasion, 10 days after the event, did he bother to write down in statement form anything I told him.'* He said that he, his colleagues, friends and family had all done their best to assist the police.⁹⁴⁷

574. Finally, Jonathan Rees was asked by D/Supt Douglas Campbell, *'have you any information no matter how trivial that you can supply to me that might be relevant to Daniel Morgan's death?'* Jonathan Rees responded that he was not happy with Daniel Morgan's *'connection with Malta and David Bray'*, and that he was willing to discuss this *'informally'*.⁹⁴⁸

575. A further interview of Jonathan Rees took place between 10.55 am and 12 noon on 04 April 1987. D/Supt Douglas Campbell recorded in 1991 that, at Jonathan Rees's request, no solicitor was present, and no interview notes were taken. DI Allan Jones had attended all the interviews following Jonathan Rees's arrest on 03 April 1987 but did not attend this meeting. Daniel Morgan's connection with Malta and David Bray were discussed.⁹⁴⁹ David Bray had accompanied Daniel Morgan on a trip to Malta in February 1987 to recover a stolen vehicle.

942 Record of interview of Jonathan Rees, MPS000716001, pp73-74, 03 April 1987.

943 Record of interview of Jonathan Rees, MPS000716001, p74, 03 April 1987.

944 Record of interview of Jonathan Rees, MPS000716001, pp83-84, 03 April 1987.

945 Record of interview of Jonathan Rees, MPS000716001, p84, 03 April 1987.

946 Record of interview of Jonathan Rees, MPS000716001, p85, 03 April 1987.

947 Record of interview of Jonathan Rees, MPS000716001, p88, 03 April 1987.

948 Record of interview of Jonathan Rees, MPS000716001, p94, 03 April 1987.

949 Witness statement of D/Supt Douglas Campbell, MPS037223001, p9, 05 February 1991 (unsigned). This witness statement would appear to have been a draft statement prepared for the civil proceedings being instituted by DCs Alan Purvis and Peter Foley against the Metropolitan Police. An apparently amended version of the witness statement can be found at MPS036006001 of 17 July 1991, which is signed, but does not contain reference to the non-recorded interview of Jonathan Rees on 04 April 1987.

The issue of the possible relevance of Daniel Morgan's trip to Malta had already emerged as a separate and potentially important line of enquiry for the Morgan One Investigation (see Section 7.1 for more information).

576. Jonathan Rees, unaccompanied by his solicitor, spent over an hour with D/Supt Douglas Campbell during this meeting on 04 April 1987. There is no explanation for the absence of any note of this meeting. The fact that Jonathan Rees asked that no note be taken is not relevant. A note should have been drafted after the meeting in accordance with basic police practice. If the information was sensitive, then it should have been inserted on the appropriate intelligence form and submitted. Information acquired during such meetings very often does not make sense until it is considered in the context of other information which has become available or which subsequently becomes available. This makes the failure to make any note of any kind about what was said even more inexplicable and regrettable.

577. Jonathan Rees was asked whether he or Glenn and Garry Vian had any involvement in the murder of Daniel Morgan. He replied no and said that '*I categorically and emphatically deny any connection with Daniel's death*'.⁹⁵⁰ He was released without charge at 12.40 pm on 04 April 1987.⁹⁵¹

578. The following issues were not raised with Jonathan Rees during his interviews:

- i. Why he had said that he spent two-and-a-half to three hours in the Golden Lion public house on 09 March 1987, whereas according to the evidence available from the members of the Catford Crime Squad, they had only been there for about 45 minutes having come from the Dolphin public house across the road.
- ii. Where Jonathan Rees was between leaving Southern Investigations and arriving at the Golden Lion public house on the evening of 10 March 1987.
- iii. What he knew about where Daniel Morgan was during the hour and a half before their meeting at 7.30 pm on 10 March 1987, and why he had said that he did not know where Daniel Morgan had gone,⁹⁵² when, according to Michael Goodridge's account, Jonathan Rees had told Michael Goodridge that Daniel Morgan was with Margaret Harrison.⁹⁵³
- iv. Why he said that Paul Goodridge was incapable of securing access to £10,000, and what he meant when he had said that the problem of how to meet the Court's demand for £10,000 had been solved.⁹⁵⁴

950 Record of interview of Jonathan Rees, MPS000716001, p93, 03 April 1987.

951 Custody Record for William Jonathan Rees, MPS014837001, p14 and 17, 03 April 1987.

952 Witness statement of Jonathan Rees, MPS021752001, p6, 11 March 1987.

953 Witness statement of Michael Goodridge, MPS010250001, p3, 14 March 1987.

954 Record of interview of Jonathan Rees, MPS000716001, p48, 03 April 1987.

- v. What the overall financial position of Southern Investigations was at the time of the murder, although he was questioned about how Daniel Morgan and he had planned to raise the £10,000 required for the civil court proceedings.⁹⁵⁵ He did not provide any response other than that they were looking for a loan.
- vi. Whether he had left his seat in the Golden Lion public house and returned to it wearing his raincoat and gloves, as a witness had alleged, and if so where had he retrieved these items from, before his departure on 10 March 1987 at around 9.00 pm.⁹⁵⁶
- vii. How he accounted for the apparent discrepancies between his statement that Daniel Morgan was *'in an ordinary and relaxed state of mind'*⁹⁵⁷ and his subsequent statement of Daniel Morgan having *'complained of the chest pains he had now obviously decided to go home'*.⁹⁵⁸
- viii. To clarify the exact route he took towards the Beulah Spa public house and subsequently to his home on the night of the murder.
- ix. About any conversation he may have had with his wife when he arrived home on the night of the murder, and why his wife showed no reaction when told of Daniel Morgan's murder.⁹⁵⁹
- x. Where he had been prior to his return to his house at 6.45 am on 03 April 1987.
- xi. Whether he had ever purchased an axe similar to the one used in Daniel Morgan's murder, or whether he had ever handled such an axe with Elastoplast on the handle.

579. No documents indicating the extent and nature of preparation for the interview of Jonathan Rees are to be found among the papers available to the Panel. While the practice of preparing an interview strategy and a written interview plan before an interview was not common at the time, the Panel believes the interviews of Jonathan Rees and the other persons questioned in connection with Daniel Morgan's murder would have benefitted from such an approach. Interviewing suspects is an important and complex task that benefits from careful preparation, especially when, as in this case, there is more than one suspect and interviews are taking place at different police stations.

955 Record of interview of Jonathan Rees, MPS000716001, pp37-38, 03 April 1987.

956 Refers to the evidence in the witness statement of Person T4, MPS010238001, pp4-5, 12 March 1987. It was believed that Person T4 had seen Jonathan Rees and Daniel Morgan sitting near him in the Golden Lion on 10 March 1987 from the descriptions that he gave. Person T4 saw the man believed by the Morgan One investigation to be Jonathan Rees, *'put on a white mackintosh and black gloves'* shortly before he left the Golden Lion.

957 Witness statement of Jonathan Rees, MPS021752001, p7, 11 March 1987.

958 Record of interview of Jonathan Rees, MPS000716001, p65, 03 April 1987.

959 Witness statement of DC Kinley Davies, MPS038139001, pp1-2, 03 May 1991 and witness statement of DCI Allan Jones, MPS037218001, p3, 10 July 1995.

580. The interview of Jonathan Rees was disjointed, poorly structured, poorly planned and ineffective. The record demonstrates that little prior thought or planning had gone into it. To the extent that there was a focus, it was largely on the issue of the robbery at Belmont Car Auctions and the question of police officers subsequently 'moonlighting' as security guards there. It was not put to him for several hours that he was one of only a small number of people who knew that Daniel Morgan would be in the Golden Lion public house that night. He was not asked whether he had any involvement in the murder until the very end of the interview, after 10.00 pm. Although there is evidence of some cross-checking of answers given by the six individuals arrested during the period of the arrests, the lack of challenge in the case of Jonathan Rees in the areas referred to in this section indicates little formal development of a strategy for and during the interviews.

The police did not examine Jonathan Rees's car for fibres or other material when he was arrested on 03 April 1987. This was significant and meant that the opportunity to retrieve evidence which might have been in the car was irretrievably lost. His car which he had been driving on the night of the murder, should have been fully forensically examined after his arrest for murder.

5.4.2 The arrest and interview of DS Sidney Fillery

581. DS Sidney Fillery was 40 years old at the time of Daniel Morgan's murder. He had joined the Metropolitan Police on 31 May 1965, had undertaken his Criminal Investigation Department (CID) training from 29 January 1973, became a Detective Constable on 26 August 1975, and a Detective Sergeant in June or July 1978. He had been based in nine police stations during his career, joining the Criminal Investigation Department (CID) in Catford on 26 March 1984.⁹⁶⁰ DS Fillery was in charge of Catford Crime Squad.⁹⁶¹ As stated above, he and the Catford Crime Squad had concluded their work on another murder investigation on 09 March 1987, the day before Daniel Morgan's murder.

582. DS Sidney Fillery was a close friend of Jonathan Rees, having known him for between four and five years.⁹⁶² He had only worked on the Morgan One Investigation into Daniel Morgan's murder for five days before being removed from the investigation and returned to normal duties at Catford Police Station by D/Supt Douglas Campbell, who became concerned about his close friendship with Jonathan Rees. He became implicated in the murder through his suspected involvement in providing security for Southern Investigations at Belmont Car Auctions (see Section 4.16 above).

583. DS Sidney Fillery was arrested, on suspicion of the murder of Daniel Morgan, at his home by D/Supt David Parkinson at 6.40 am on 03 April 1987 and taken to the custody suite at Belvedere Police Station, arriving at 08.55 am.⁹⁶³ His home was searched. No items were seized.⁹⁶⁴ DS Fillery's desk at Catford Police Station was also searched. Nine pocket books, some correspondence, two envelopes containing photographs, a knife, three diaries, a cheque

960 Personal File of DS Sidney Fillery, MPS107568001, p9, undated.

961 Schedule of Officers on Catford Crime Squad 1987, MPS020654001, undated.

962 'Notes of Sid FILLERY's relationship with REES,' MPS011583001, p2, undated.

963 Custody record for DS Sidney Fillery, MPS014836001, p9, 03 April 1987.

964 Premises Searched Record for DS Sidney Fillery, MPS014840001, 03 April 1987.

book and cheques were seized.⁹⁶⁵ The police documentation was returned.⁹⁶⁶ The cheque book and cheques were recorded as *'restored to bank'*.⁹⁶⁷ The remainder of the items were retained by the police. There is no evidence that the knife was examined forensically to see whether there was any link between it and the scoring on the axe used to murder Daniel Morgan.

584. DS Sidney Fillery was interviewed twice between 2.16 pm and 10.21 pm on the day of his arrest, by D/Supt David Parkinson and a Detective Sergeant. A solicitor was present at both interviews. The interviews took place in a Detective Inspector's office, rather than an interview room.^{968,969}

585. DS Sidney Fillery, like Jonathan Rees, was asked how the meeting in the Golden Lion public house on 09 March 1987 was arranged. DS Fillery gave a completely different account from that given by Jonathan Rees. He explained in interview the following:

- i. He had met Jonathan Rees and Daniel Morgan in their cars on Sydenham Road on 09 March. He spoke to Jonathan Rees and *'it was agreed that if I was free I would meet him for a pint'*.⁹⁷⁰
- ii. He was *'not sure if at that stage he [Jonathan Rees] mentioned which pub'* during their meeting at Sydenham Road.⁹⁷¹
- iii. He *'eventually finished work at about 9 o'clock, 9.15 maybe, later'*, continuing that:

*'during the sort of debriefing in the office, some of the Crime Squad mentioned seeing Reece's [sic] car outside the Golden Lion. Several of us decided we would go for a pint and in the office we agreed the Red Lion. I got there first I think. I mean the Golden Lion....'*⁹⁷²
- iv. When he arrived at the Golden Lion public house, he found that Jonathan Rees was not there, so, having seen Jonathan Rees's car parked outside the Dolphin public house opposite, he ran across the road to it and found Daniel Morgan and Jonathan Rees, and told them *'a number of my troops were meeting me in the Golden Lion'*.⁹⁷³ He said that Daniel Morgan and Jonathan Rees joined them shortly after this and that he remained in the Golden Lion public house until about 10.00 pm.⁹⁷⁴
- v. In his second interview, DS Sidney Fillery was asked about the conflict between his account that he had met and spoken to Jonathan Rees on Sydenham Road that afternoon, and Jonathan Rees's evidence that no such meeting occurred.⁹⁷⁵ He was asked whether he was *'sure that the arrangements were not made by telephone?'* DS Fillery reiterated that there had been a meeting. He was told that his story was not confirmed by a Crime Squad officer who had been spoken to. He expressed surprise. His final response on this issue was: *'Well REECE [sic] is wrong that incident occurred'*

965 List of exhibits recovered from DS Sidney Fillery's desk at Catford Police Station, MPS011614001, p48, 03 April 1987.

966 List of exhibits recovered from DS Sidney Fillery's desk at Catford Police Station, MPS011614001, p48, 03 April 1987.

967 List of exhibits recovered from DS Sidney Fillery's desk at Catford Police Station, MPS011614001, p48, 03 April 1987.

968 Interview of DS Sidney Fillery, MPS000717001, 03 April 1987. Witness statement of D/Supt David Parkinson, MPS015754001, 06 April 1987 (unsigned).

969 Interview of DS Sidney Fillery, MPS000718001, 03 April 1987.

970 Interview of DS Sidney Fillery, MPS000717001, pp6-7, 03 April 1987.

971 Interview of DS Sidney Fillery, MPS000717001, p7, 03 April 1987.

972 Interview of DS Sidney Fillery, MPS000717001 pp7-8, 03 April 1987.

973 Interview of DS Sidney Fillery, MPS000717001, p8, 03 April 1987.

974 Witness statement of DS Sidney Fillery, MPS010349001, pp3-4, 14 March 1987.

975 Interview of DS Sidney Fillery, MPS000718001, pp11-14, 03 April 1987.

*there were several police witnesses to it. It might well be Reece [sic] is confused but I'm sure someone will remember me rushing across the road and speaking to them.*⁹⁷⁶
In November 2020, Jonathan Rees said for the first time that this had occurred.

- vi. DS Sidney Fillery had previously provided a statement in which he had said that Daniel Morgan *'had been drinking quite heavily [...] He was loud [...] he was ebullient [...] because of MORGAN's somewhat abusive manner, the other Police Officers left the Pub [...] I was the last to leave at about 10.00pm.'*⁹⁷⁷ During his interview, DS Sidney Fillery recounted the conversation between him and Daniel Morgan that evening of 09 March 1987, concluding *'[h]e and I had quite a heated discussion[...] but it all ended amicably [sic]'*. He said that he had left at about 10.20 pm, having been there about an hour.⁹⁷⁸
- vii. He had no memory of Jonathan Rees and Daniel Morgan arranging to meet again in the Golden Lion public house the next day.⁹⁷⁹ He could not remember the Belmont Car Auctions civil action being discussed.⁹⁸⁰
- viii. He had used the Golden Lion public house previously and had met both Jonathan Rees and Daniel Morgan there, but not regularly.⁹⁸¹

586. In a statement given two years after the murder to the Hampshire/Police Complaints Authority Investigation, former DS Sidney Fillery emphasised that he had not suggested a meeting at the Golden Lion public house on 09 March 1987. He said: *'What I am clear about is that REES and MORGAN were going for a pint that evening and that they were going to the Golden Lion or the Dolphin. It was John REES who told me they were going to the Golden Lion or Dolphin. It had to come from REES because I did not know what I would be doing later in the evening.'*⁹⁸²

587. DS Sidney Fillery gave a completely different account of why he met with Daniel Morgan and Jonathan Rees in the Golden Lion public house on 09 March 1987, from that given by Jonathan Rees at the time. DS Fillery claimed Jonathan Rees and Daniel Morgan had pulled into the side of the road as he was dealing with an incident and that DS Fillery had spoken to Jonathan Rees and arranged to meet later that day. Jonathan Rees denied that there was any meeting on the road during the late afternoon of 09 March 1987 at which the later meeting, at the Golden Lion public house, was planned. This apparent inconsistency should have been explored further at the time. In 2020, however, Jonathan Rees said this meeting had taken place.

976 Interview of DS Sidney Fillery, MPS000718001, pp13-14, 03 April 1987.

977 Witness statement of DS Sidney Fillery, MPS015655001, pp3-4, 14 March 1989.

978 Interview of DS Sidney Fillery, MPS000717001, p14, 03 April 1987.

979 Interview of DS Sidney Fillery, MPS000717001, pp59-60, 03 April 1987.

980 Interview of DS Sidney Fillery, MPS000717001, pp46-47, 03 April 1987.

981 Interview of DS Sidney Fillery, MPS000717001, p60, 03 April 1987.

982 Statement of former DS Sidney Fillery, MPS010359001, p2, 23 March 1989.

588. DS Sidney Fillery was also asked about a telephone call between him and Jonathan Rees at 11.00 am on 10 March 1987. DS Fillery said that during the conversation:

- i. he had *'moaned about Daniel's argument the night before'*.⁹⁸³ (DS Fillery had previously said that Daniel Morgan had been argumentative on 09 March when in the Golden Lion public house with Jonathan Rees and a number of police officers.);
- ii. he had been in the Criminal Investigation Department (CID) office when he had spoken to Jonathan Rees but was not sure who had made the telephone call, and could not remember any reason for the call,⁹⁸⁴ and
- iii. he had not reported the call to anybody because *'it wasn't an important phone call and I still don't think it was important in all honesty'*.⁹⁸⁵

589. It was put to DS Sidney Fillery that it *'seems strange that you should take them into that public house that day and the following day one of them is killed in the car park'*. He was asked whether he had arranged to meet them the next night. He said *'I don't think is [sic] strange it's tragic'*, and that he had not arranged to meet them there the following day.⁹⁸⁶

590. It was also put to DS Sidney Fillery that *'[t]he only person allegedly who knew he would be there was REECE [sic] I think you and REECE [sic] concocted this to get him there, the unsolicited [sic] for no apparent purpose that morning was to confirm the arrangements. You were party to it in that arranged [sic] the meet [...]. You arrange [sic] the meet with MORGAN.'* DS Fillery stated that there was *'no grain of truth'* to the allegation that the telephone call was to confirm the arrangements for a meeting later on that day between Daniel Morgan and Jonathan Rees. He said that the phone call had no purpose and they just talked about how Daniel Morgan had been behaving the night before.⁹⁸⁷

591. DS Sidney Fillery was questioned about the fact that he had gone with PC Stephen Thorogood to conduct a search on the morning of 11 March 1987 at Southern Investigations. He said the following, among other things:

- i. He thought that PC Thorogood had placed the documents seized from Daniel Morgan's desk into a plastic bag and had carried them *'up the stairs at Catford'*.⁹⁸⁸
- ii. Everything in the bag had been itemised, as recorded in Jonathan Rees's statement.⁹⁸⁹
- iii. The only thing he seized was a file which he had been given by Peter Newby, and which related to the *'large sum of money found on Daniel MORGAN'*.⁹⁹⁰
- iv. He had never had possession of the Belmont Car Auctions file, and to have tried to destroy it would have been futile as there would have been countless copies of it.⁹⁹¹

983 Interview of DS Sidney Fillery, MPS000717001, pp19-28, 03 April 1987

984 Interview of DS Sidney Fillery, MPS000717001, pp19-28, 03 April 1987.

985 Interview of DS Sidney Fillery, MPS000717001, p23, 03 April 1987.

986 Interview of DS Sidney Fillery, MPS000717001, pp60-61, 03 April 1987.

987 Interview of DS Sidney Fillery, MPS000717001, pp62-64, 03 April 1987.

988 Interview of DS Sidney Fillery, MPS000717001, pp55-56, 03 April 1987.

989 Interview of DS Sidney Fillery, MPS000717001, pp56, 03 April 1987.

990 Interview of DS Sidney Fillery, MPS000717001, pp56-57, 03 April 1987.

991 Interview of DS Sidney Fillery, MPS000717001, pp55-56, 03 April 1987.

- v. He was also asked about a missing file relating to one of Daniel Morgan's matrimonial cases and responded that everything which had been handed to him was listed on Jonathan Rees's statement.⁹⁹²

592. DS Sidney Fillery was questioned about his knowledge of Daniel Morgan and Jonathan Rees, and the statement he had recorded from Jonathan Rees on 11 March 1987. Among other things:

- i. He was asked '*[w]hen you took a statement from Reece [sic] on the 11th March [...] you covered his movements on Monday 9th March. As an experienced investigator you realise the necessity of eliciting as much information as possible. Can you tell me why you have glossed over their movements on that day?*' He responded that Jonathan Rees was not a suspect and that he had told both DS Malcolm Davidson (the Office Manager) and DI Allan Jones that he was friendly with Jonathan Rees. DI Jones had told him to take the statement. It was handed in that day. He said that he could easily have been asked to take another statement during the period he was on the investigation, but this did not happen.⁹⁹³
- ii. He was asked about the fact that Jonathan Rees had said in his statement that he and Daniel Morgan had been in the Golden Lion public house from 7.30 pm until 10.00 pm. DS Fillery had known this was not consistent with his own statement in which he had said that he had gone to the Dolphin public house to tell Daniel Morgan and Jonathan Rees that he and the other police officers were in the Golden Lion.⁹⁹⁴ He responded that he did not notice the inaccuracy when he took the statement.
- iii. He was accused of omitting detail in the statement: in particular, not including the meeting he claimed to have had with Jonathan Rees and Daniel Morgan on 09 March 1987 on Sydenham Road, at which there was an agreement to go for a drink that same evening.⁹⁹⁵

593. DS Sidney Fillery was questioned about the Belmont Car Auctions case. Among other things:

- i. DS Fillery confirmed that he had introduced Michael Thorne to '*Morgan Reece [sic] & Co*', that Jonathan Rees had provided security cover for Belmont Car Auctions for some weeks, and that he had been '*robbed when taking cash to a night safe*'.⁹⁹⁶
- ii. DS Fillery said that he had attended the auctions '*on a couple of occasions but more as friend of Thorne than anything else*'.⁹⁹⁷ He had never been paid for attending.⁹⁹⁸ He confirmed that DC Alan Purvis and DC Peter Foley had also been there.⁹⁹⁹ He could not confirm whether he or they had been there on the night on which Jonathan Rees was robbed.¹⁰⁰⁰

992 Interview of DS Sidney Fillery, MPS000717001, pp58, 03 April 1987.

993 Interview of DS Sidney Fillery, MPS000717001, pp28-32, 03 April 1987.

994 Interview of DS Sidney Fillery, MPS000717001, pp31-33, 03 April 1987.

995 Interview of DS Sidney Fillery, MPS000717001, pp28-31, 03 April 1987.

996 Interview of DS Sidney Fillery, MPS000717001, pp33-38, 03 April 1987.

997 Interview of DS Sidney Fillery, MPS000717001, pp38-39, 03 April 1987.

998 Interview of DS Sidney Fillery, MPS000717001, p41, 03 April 1987.

999 Interview of DS Sidney Fillery, MPS000717001, p39, 03 April 1987.

1000 Interview of DS Sidney Fillery, MPS000717001, p39, 03 April 1987.

- iii. DS Fillery said that he had not been on duty when he went to Belmont Car Auctions, and that he went because he *'was hoping for some reward all be it [sic] a cheap car or something in fact I bought my car from Michael THORNE the one I have got now'*. He had bought his car before the robbery, had been assured by Michael Thorne that it was a good price, and Michael Thorne *'got some gipsy type to give me £300 for my car which was a wreck'*.
- iv. DS Fillery said that he was not involved in the civil action by Belmont Car Auctions, although he had received a letter from the solicitors acting for Belmont Car Auctions asking him for an affidavit.¹⁰⁰¹ He said that DC Alan Purvis had spoken to Michael Thorne to explain to him that the police officers were not acting as *'security officers'* at Belmont Car Auctions.¹⁰⁰²
- v. He also explained that he understood that Jonathan Rees and Daniel Morgan wanted to settle the action.¹⁰⁰³ His response to further questioning was: *'As far as I was concerned my part in it was dead. It wasn't that important to me.'*¹⁰⁰⁴ D/Supt David Parkinson responded to DS Fillery: *'There was a danger that you on a contested matter could be called as a witness. You had already received one communication from the solicitors as had FOLEY and PURVIS and that had indicated you might be called. If you were called it would put you in an extremely difficult position wouldn't it?'* DS Fillery responded: *'I had been assured by Thorne that we wouldn't be called. I know that Morgan and Reece [sic] would never had [sic] called me [...] I didn't consider there was any danger of me being called but I agree with you when you say it would have caused difficulties, of course.'*¹⁰⁰⁵
- vi. DS Sidney Fillery was asked about any discussions he had with Jonathan Rees about the Belmont Car Auctions issue. He explained that Jonathan Rees, Daniel Morgan and he had met on 05 or 06 March 1987 after the preliminary hearing at the Royal Courts of Justice regarding Southern Investigations' defence in the civil action brought against them by Belmont Car Auctions.^{1006,1007} DS Fillery said of this occasion, *'I remember the conversation in a pub,¹⁰⁰⁸ they were full of it, I met them for a pint that's all'*.¹⁰⁰⁹
- vii. It was put to DS Sidney Fillery that Daniel Morgan *'intended to contest the action, you were going to be called as a witness which would put your future in serious jeopardy and you set him up with a phoney meet'*. DS Fillery responded *'I wouldn't be capable of doing that. I could never condone a man dying in that way.'*¹⁰¹⁰ D/Supt David Parkinson later challenged DS Fillery again: *'I am not alleging you intended to keep the meet I am saying you tricked MORGAN into going to the Golden Lion expecting to meet you whilst you were in fact at home, you and REECE [sic] had*

1001 Interview of DS Sidney Fillery, MPS000717001, p43, 03 April 1987.

1002 Interview of DS Sidney Fillery, MPS000718001, pp5-6, 03 April 1987.

1003 Interview of DS Sidney Fillery, MPS000717001, pp43-44, 03 April 1987.

1004 Interview of DS Sidney Fillery, MPS000717001, pp50-51, 03 April 1987.

1005 Interview of DS Sidney Fillery, MPS000717001, pp51-52, 03 April 1987.

1006 Interview of DS Sidney Fillery, MPS000717001, pp47-48, 03 April 1987.

1007 The hearing was on 5 March 1987- Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS015359001, p11, 22 January 1988.

1008 The name of the 'pub' was not specified but in his report D/Supt Douglas Campbell stated it was the Dolphin public house, MPS015359001, p11, 22 January 1988.

1009 Interview of DS Sidney Fillery, MPS000717001, p49, 03 April 1987.

1010 Interview of DS Sidney Fillery, MPS000717001, pp61-62, 03 April 1987.

*arranged for someone when he left to kill him.’ DS Fillery denied this, saying ‘[t]hat is entirely not true, why would MORGAN want to meet me 2 days running for a specific appointment’.*¹⁰¹¹

594. DS Sidney Fillery was asked about his movements on the evening of 10 March 1987. He said that he finished work at 5.30 pm.¹⁰¹² He had been told on the morning of 10 March 1987 that Catford Crime Squad was no longer required to assist the investigation in which it had been involved, and his intention that night was to go home. He said that he went home and stayed there.¹⁰¹³ His son and a friend were already there, and his wife returned home a short time later. He said that around 9.00 pm he told his son’s friend that he should be heading home. He retired to bed around 10.30 pm.¹⁰¹⁴

595. DS Sidney Fillery’s duty sheets recorded his finishing time of 5.30 pm on 10 March 1987¹⁰¹⁵ but his alibi for the evening was not checked by the Morgan One Investigation. In 1989, it was corroborated during the Hampshire/Police Complaints Authority Investigation by DS Fillery’s wife¹⁰¹⁶ and, to a much vaguer extent, his son.¹⁰¹⁷

596. The Morgan One Investigation, having arrested DS Sidney Fillery in connection with the murder of Daniel Morgan, should have checked his alibi. The failure to do so was a serious omission.

597. DS Sidney Fillery was asked when he had last met DC Alan Purvis and DC Peter Foley before the murder. He explained:

- i. That he had met DC Foley a year before at a Freemasons meeting. However, he also said that DC Foley was not a Freemason.¹⁰¹⁸
- ii. He met DC Purvis ‘*very regularly*’ and that although he could not remember, he thought that he would have possibly discussed the ‘*developments regarding the civil action*’.¹⁰¹⁹

598. DS Sidney Fillery was also asked whether he had met DC Alan Purvis or DC Peter Foley since the murder. He responded that he thought he had met DC Purvis a couple of times: once on the Saturday after the murder in the Crown public house at Bromley Common when he had been told to take Jonathan Rees for a drink. He had telephoned DC Purvis, and DC Purvis said he would ‘*have one on the way to work*’. DS Fillery said that they discussed the murder: Jonathan Rees was not a suspect at that point and both he and DC Purvis knew Daniel Morgan so ‘*it was natural to discuss that*’. He said that the last occasion he had seen DC Purvis ‘*was on Tuesday [...] with John REECE [sic] and I met him at Plumstead*’.¹⁰²⁰ This was also corroborated by DC Purvis (see paragraph 610 below).

1011 Interview of DS Sidney Fillery, MPS000717001, p66, 03 April 1987.

1012 Interview of DS Sidney Fillery, MPS000718001, p1, 03 April 1987.

1013 Interviews of DS Sidney Fillery, MPS000717001, pp65-66, 03 April 1987 and MPS000718001, pp1-2, 03 April 1987.

1014 Interview of DS Sidney Fillery, MPS000718001, pp1-2, 03 April 1987.

1015 Duty sheet of DS Sidney Fillery, MPS015408001, p2, 10 March 1987.

1016 Witness statement of DS Fillery’s wife, MPS011013001, 09 February 1989.

1017 Witness statement, MPS011057001, 26 April 1989.

1018 Interview of DS Sidney Fillery, MPS000718001, pp15-16, 03 April 1987.

1019 Interview of DS Sidney Fillery, MPS000718001, pp15-16, 03 April 1987.

1020 Interview of DS Sidney Fillery, MPS000718001, pp2-3, 03 April 1987.

599. DS Sidney Fillery was asked no further questions about this matter. DS Fillery repeatedly denied any involvement in the murder of Daniel Morgan.^{1021,1022}

600. DS Sidney Fillery was released on 03 April 1987 at 11.15 pm without charge.¹⁰²³

601. On 08 September 1987, DS Sidney Fillery went on sick leave. He remained on sick leave until he received a medical discharge from the Metropolitan Police on 20 March 1988.¹⁰²⁴

602. On 03 February 1988, DS Sidney Fillery agreed to speak to the police again. He stated that he was receiving psychiatric treatment and that he had been advised not to answer any questions. In the police interview¹⁰²⁵ he did not answer any questions, including questions in relation to Jonathan Rees's claims that he had an arrangement to meet DS Fillery at the Golden Lion public house on 10 March 1987, and that the location for the meeting on 10 March 1987 had been chosen by Daniel Morgan because he (Daniel Morgan) thought that DS Fillery would be there.¹⁰²⁶

5.4.3 The arrest and interview of DC Alan Purvis

603. In March 1987, DC Alan Purvis was attached to Plumstead Police Station. He had previously worked in the Catford Crime Squad with DS Sidney Fillery for about 18 months. He left Catford Crime Squad in August 1986.¹⁰²⁷ He was 35 years old at the time of Daniel Morgan's murder.

604. DC Alan Purvis was arrested on suspicion of the murder of Daniel Morgan on 03 April 1987,¹⁰²⁸ having been implicated in the murder through his suspected involvement in providing security for Southern Investigations at Belmont Car Auctions, and the related civil court proceedings. He was a cousin of Michael Thorne of Belmont Car Auctions. Through DS Sidney Fillery, who had already met Michael Thorne '*socially*', he had introduced Michael Thorne to Jonathan Rees, following the first robbery at Belmont Car Auctions in 1986.^{1029,1030}

605. DC Alan Purvis was arrested at his home by D/Supt William Hatfull at 6.45 am on 03 April 1987 and taken to the custody suite at Orpington Police Station.¹⁰³¹ D/Supt William Hatfull stated that DC Purvis had responded after arrest and caution: '*My conscience is clear. I have got absolutely nothing to worry about.*' His home was searched and a folder containing correspondence concerning the Belmont Car Auctions civil case was seized.¹⁰³²

606. He was interviewed in the Chief Superintendent's office, rather than an interview room. There is no indication in the custody record completed for DC Alan Purvis that an office had been utilised for his interviews because no other facilities were available.¹⁰³³ There is no explanation in the papers available as to why an interview room was not used, given that DC Purvis had been arrested for murder.

1021 Interview of DS Sidney Fillery, MPS000717001, pp61-68, 03 April 1987.

1022 Interview of DS Sidney Fillery, MPS000718001, pp17-18, 03 April 1987.

1023 Custody Record for DS Sidney Fillery, MPS014836001, p5, 03 April 1987.

1024 Sickness records DS Sidney Fillery, MPS005107001, p5, 10 November 1988.

1025 Interview of DS Sidney Fillery, MPS081797001, pp3-41, 03 February 1988.

1026 Interview of Jonathan Rees, MPS026827001, pp51-53, 03 April 1987.

1027 Interview of DC Alan Purvis, MPS020644001, pp2-4, 03 April 1987.

1028 Custody record of DC Alan Purvis, MPS014834001, p2, 03 April 1987

1029 Interview of DC Alan Purvis, MPS020644001, pp5-9, 03 April 1987.

1030 Interview of DS Sidney Fillery, MPS000717001, p34, 03 April 1987.

1031 Custody record of DC Alan Purvis, MPS014834001, p2, 03 April 1987.

1032 Witness statement of D/Supt William Hatfull, MPS017010001, 09 April 1987.

1033 Custody record of DC Alan Purvis, MPS014834001, p3, 03 April 1987.

The Report of the Daniel Morgan Independent Panel

607. He was interviewed by D/Supt William Hatfull and DS John Welch between 11.45 am and 7.05 pm. His solicitor was present. A written note was made of his interview.¹⁰³⁴

608. DC Alan Purvis was questioned about his knowledge of Jonathan Rees and Daniel Morgan, the provision of security at Belmont Car Auctions, the robbery of Jonathan Rees, and the Belmont Car Auctions civil action. Among other things, DC Purvis:

- i. Stated that he knew Jonathan Rees and said that he had met Daniel Morgan on one occasion, when he was introduced to him by Jonathan Rees in the Dolphin public house.¹⁰³⁵
- ii. Admitted that, despite being on duty, he had not recorded his attendance at the meeting between his cousin, Michael Thorne of Belmont Car Auctions, and DS Sidney Fillery and Jonathan Rees on 03 March 1986, nor had he noted the fact that he had entered licensed premises (as he was obliged by Metropolitan Police rules to do). There was therefore no record that he had attended the meeting. When questioned about this he said that there was nothing sinister about his failure to record what happened that afternoon.¹⁰³⁶
- iii. Denied having worked at Belmont Car Auctions, or being paid to work there.¹⁰³⁷ He said that he had attended at Belmont Car Auctions to assist his cousin, and had recorded 07, 11 and 18 March 1986 as the dates on which he had attended. He also said that he had known that DS Sidney Fillery and DC Peter Foley wanted to buy cars and that they had been there on some of the dates on which he was present.¹⁰³⁸
- iv. Acknowledged that he had been contacted by Belmont Car Auctions lawyers as a potential witness after the robbery on 18 March 1986.¹⁰³⁹ He had not informed his senior officers about the letters which he had received because *'this was a family dispute which, because of these letters, had caused a rift between my mother and my uncle, Michael's [Thorne] father.'* He also said that he had probably discussed the letters with DS Sidney Fillery and DC Peter Foley.¹⁰⁴⁰
- v. Was asked whether he had supplied the addresses of Daniel Morgan, Jonathan Rees, Glenn Vian and Garry Vian to Michael Thorne's solicitor, together with information about Glenn Vian's criminal record. He initially denied it. He was then handed a copy of a handwritten document containing the home addresses of Jonathan Rees, Daniel Morgan, Garry Vian and Glenn Vian and also a reference to Glenn Vian's criminal record.¹⁰⁴¹ It was put to DC Alan Purvis that this document contained information for which the solicitors had asked. He agreed that he had provided the information, *'but not any convictions'*. He denied checking police records to get this information and said that he thought that information about the Vian brothers had been given by Jonathan Rees to DS Sidney Fillery. He said he had provided this information to assist his cousin.¹⁰⁴²

1034 The original handwritten contemporaneous notes were not available to be viewed by the Panel. A typed copy of the interview of DC Alan Purvis is MPS020644001, 03 April 1987.

1035 Interview of DC Alan Purvis, MPS020644001, pp9-12, 03 April 1987.

1036 Interview of DC Alan Purvis, MPS020644001, pp16-18, 03 April 1987.

1037 Interview of DC Alan Purvis, MPS020644001, p20, 03 April 1987.

1038 Interview of DC Alan Purvis, MPS020644001, pp21-25, 03 April 1987.

1039 Interview of DC Alan Purvis, MPS020644001, pp30-32, 03 April 1987.

1040 Interview of DC Alan Purvis, MPS020644001, pp34-36, 03 April 1987.

1041 Interview of DC Alan Purvis, MPS020644001, pp38-43, 03 April 1987.

1042 Interview of DC Alan Purvis, MPS020644001, pp43-44, 03 April 1987.

- vi. Was asked whether he knew Garry Vian and Glenn Vian. He responded that he did not know them but had heard the names. He said that the two men might know him, and they may have spoken in passing conversation.¹⁰⁴³
- vii. Denied being involved in the murder or having anything to do with it.¹⁰⁴⁴ It was put to him that Jonathan Rees wanted to settle the legal action by Belmont Car Auctions, but Daniel Morgan was intent on defending the action. It was suggested that this would have meant that DC Alan Purvis, DC Peter Foley and DS Sidney Fillery would have been called as witnesses, and that this would have given them a motive '*for getting rid of MORGAN*'. DC Purvis said that he had never considered this. He told police that he would have been prepared to appear as a witness for his cousin and would have informed the police had he received a summons.¹⁰⁴⁵
- viii. Stated that he had gone straight home from Belmont Car Auctions on 18 March 1986.¹⁰⁴⁶
- ix. Stated that he had gone straight home from work on 10 March 1987.¹⁰⁴⁷
- x. Said that he had met DS Fillery three or four times since the murder. He classed DS Fillery as a friend, but had only been out with him twice, once with their two wives and once to a Masonic meeting.¹⁰⁴⁸

609. DC Alan Purvis was asked about a meeting he had had with DS Sidney Fillery in a public house on 14 March 1987, the Saturday afternoon following the murder, while he was on duty. DS Fillery had said in his interview that '*I met him [DC Alan Purvis] on a Saturday in the Crown Public House [which is on Bromley Common], I think the Saturday after the murder when I was told to take REES for a pint.*'¹⁰⁴⁹ DC Purvis:

- i. Stated that he had phoned his Inspector and got permission to go to Catford to book in on duty and then went to Sydenham, as DS Fillery had asked him to meet him about the murder. He was unable to remember where they met before going to the public house, and whether anyone else was present¹⁰⁵⁰ (During the Inquest a year later, DC Purvis said that Jonathan Rees had been present^{1051,1052}). DC Purvis said that he went to the Dolphin public house and the murder was discussed, as was DS Fillery's continued involvement in the investigation. DC Purvis stated that he had thought DS Fillery's involvement was '*wrong*'.¹⁰⁵³
- ii. Was asked whether DS Fillery had told him that he (DS Fillery) '*had removed the file relating to Belmont cars*'. DC Purvis responded '*No*'.

1043 Interview of DC Alan Purvis, MPS020644001, p42, 03 April 1987.

1044 Interview of DC Alan Purvis, MPS020644001, pp67-70, 03 April 1987.

1045 Interview of DC Alan Purvis, MPS020644001, pp67-68, 03 April 1987.

1046 Interview of DC Alan Purvis, MPS020644001, pp26-28, 03 April 1987.

1047 Interview of DC Alan Purvis, MPS020644001, p57, 03 April 1987.

1048 Interview of DC Alan Purvis, MPS020644001, p49, 03 April 1987.

1049 Interview of former DS Sidney Fillery, MPS000718001, p3, 03 April 1987.

1050 Interview of DC Alan Purvis, MPS020644001, pp58-65, 03 April 1987.

1051 Inquest testimony of DC Alan Purvis, INT000006001, pp62-77, 18 April 1988.

1052 Interview of former DS Sidney Fillery, MPS000718001, pp2-3, 03 April 1987.

1053 Interview of DC Alan Purvis, MPS020644001, pp58-64, 03 April 1987.

- iii. Stated that DS Fillery had said to him that Daniel Morgan had been *'messaging about with lots of women'*.¹⁰⁵⁴ DC Purvis said that he *'thought what Sid was saying was suspicious'*. He went on to say, *'I didn't think it was an irate husband'*.¹⁰⁵⁵

610. Police had established that DS Sidney Fillery and Jonathan Rees had arrived at the Criminal Investigation Department (CID) office in Plumstead on Tuesday 31 March 1987 looking for DC Alan Purvis. He was asked why. He responded that he did not know. He said DS Fillery just invited him for a drink. He had an appointment with another officer with the licensee of a bar nearby. When they had finished the meeting, he went for a drink with a colleague, and saw DS Fillery and Jonathan Rees in the bar. He could not remember speaking about the murder.¹⁰⁵⁶

611. DC Alan Purvis was asked whether he was aware of the message asking any officer who knew *'Southern Investigations or the principals'* to contact the Morgan One Investigation.¹⁰⁵⁷ He said he was unaware of the message.¹⁰⁵⁸ However, he also said that he had not contacted the Morgan One Investigation because he had nothing to tell them, and as DS Sidney Fillery was on the murder investigation he thought if they needed to speak to him they could.¹⁰⁵⁹ In fact, the telex message is dated 16 March 1987, the day on which DS Fillery left the investigation.¹⁰⁶⁰ While it mentions that Daniel Morgan was *'a private investigator with Southern Investigations and Morgan, Rees & Co.'*, the telex actually only asked that *'any officer who has had dealings with or has knowledge of Morgan is requested to contact the Morgan incident room'*.¹⁰⁶¹

612. DC Alan Purvis was asked whether he had any involvement in the murder of Daniel Morgan. He denied it. He also said he knew nothing which might assist the murder investigation: *'Nobody has stated in my presence that they were responsible for killing that man. Fillery hasn't mentioned anything nor Rees nor Foley nor anyone else.'*¹⁰⁶²

613. DC Alan Purvis was released without charge at 11.50 pm on 03 April 1987.¹⁰⁶³

5.4.4 The arrest and interview of DC Peter Foley

614. DC Peter Foley was in the Anti-Terrorist Branch of the Metropolitan Police.¹⁰⁶⁴ He was 34 years old at the time of Daniel Morgan's murder. He had previously worked in the Criminal Investigation Department (CID) at Catford and was friends with DS Sidney Fillery.¹⁰⁶⁵ He was implicated in Daniel Morgan's murder through his suspected involvement in providing security for Southern Investigations at Belmont Car Auctions.¹⁰⁶⁶

1054 Interview of DC Alan Purvis, MPS020644001, pp64-65, 03 April 1987.

1055 Interview of DC Alan Purvis, MPS020644001, pp65, 03 April 1987.

1056 Interview of DC Alan Purvis, MPS020644001, pp45-47, 03 April 1987.

1057 Interview of DC Alan Purvis, MPS020644001, pp50-51, 03 April 1987.

1058 The telex message mentions Daniel Morgan was *'a private investigator with Southern Investigations and Morgan, Rees & Co.'* but only asked *'any officer who has had dealings with or has knowledge of Morgan is requested to contact the Morgan incident room'*, MPS036415001, p1, 16 March 1987.

1059 Interview of DC Alan Purvis, MPS020644001, pp51-52, 03 April 1987.

1060 Telex message from Catford (PD) to all stations, MPS036415001, p1, 16 March 1987.

1061 Telex message from Catford (PD) to all stations, MPS036415001, p1, 16 March 1987.

1062 Interview of DC Alan Purvis, MPS020644001, pp71-72, 03 April 1987.

1063 Custody Record for DC Alan Purvis, MPS015895001, p3, 03 April 1987.

1064 Interview of DC Peter Foley, MPS015861001, p2, 03 April 1987.

1065 Interview of DC Peter Foley, MPS015861001, p3, 03 April 1987.

1066 Operation briefing, MPS014865001, undated.

615. DC Peter Foley was arrested at his home on suspicion of the murder of Daniel Morgan, at 6.35 am on 03 April 1987, by D/Supt Rodney Bellis, and taken to an interview room at Bromley Police Station.¹⁰⁶⁷ His home was searched, and two unidentified letters and one envelope were seized.¹⁰⁶⁸

616. He was interviewed twice by D/Supt Rodney Bellis and a Detective Sergeant between 10.02 am and 9.45 pm. Interview notes were recorded. DC Peter Foley did not wish to have a solicitor present.^{1069,1070}

617. DC Peter Foley was asked about Jonathan Rees, DS Sidney Fillery and DC Alan Purvis. He said that he knew them all and that:

- i. the last time he had seen DS Fillery was on Wednesday 25 March 1987 at a Masonic meeting in Penge. He said that they had discussed the murder as DC Foley knew that DS Fillery *'was on the investigation team'*.¹⁰⁷¹
- ii. the last time he had seen Jonathan Rees was at the end of March 1986.¹⁰⁷² When asked whether Jonathan Rees was a Mason, he replied, *'I don't think so. I don't know him that well.'*¹⁰⁷³
- iii. at the beginning of March 1986, he had asked DC Purvis *'if his cousin [Michael Thorne] had any good buys as far as motor vehicles were concerned'*. At that time Michael Thorne did not have a suitable car for him.¹⁰⁷⁴

618. DC Peter Foley was asked about whether he had attended Belmont Car Auctions. Among other things he said the following:

- i. He accepted that he had been at Belmont Car Auctions' premises on auction nights, but strenuously denied any wrongdoing in connection with his presence there. He also denied receiving any payment.¹⁰⁷⁵ He said that after a couple of evenings he was told that there was a Ford Sierra car available. He bought the Ford Sierra for £3,600 and he was given £400 for his own car. He recalled that it was sold for less at auction. He bought the car with finance through a finance company, and he said that *'in order to ensure I had the deposit he inflated the value of both cars so that it satisfied [the finance company's] requirements on deposits'*.¹⁰⁷⁶
- ii. He placed on record an explanation for his presence at the auctions in response to a question about whether he had been acting as a security officer, when he said:

'I was not employed by Southern Investigations, and I would like to explain why I was there [...].'

1067 Custody record of DC Peter Foley, MPS014835001, p1, 03 April 1987.

1068 Premises Searched Record for DC Peter Foley, MPS014839001, 03 April 1987.

1069 Interview of DC Peter Foley, MPS015861001, 03 April 1987.

1070 Interview of DC Peter Foley, MPS015862001, 03 April 1987.

1071 Interview of DC Peter Foley, MPS015861001, p3, 03 April 1987.

1072 Interview of DC Peter Foley, MPS015861001, p5, 03 April 1987.

1073 Interview of DC Peter Foley, MPS015861001, p5, 03 April 1987.

1074 Interview of DC Peter Foley, MPS015861001, pp6-7, 03 April 1987.

1075 Interview of DC Peter Foley, MPS015861001, pp35-36, 03 April 1987.

1076 Interview of DC Peter Foley, MPS015861001, p15, 03 April 1987.

*'Sid [Fillery] and Alan [Purvis] had approached me because Mike Thorne had been in touch with Southern Investigations and they in the company – could not produce the manpower needed at short notice. I was asked if I would go to the auctions with Alan and Sid to back up Mike Thorne. This was primarily because he was a cousin of Alan's and in distress [...]. I did it in my own time and as I understood it I was helping my friends Alan & his cousin and that this was helping to allay complaints against Police and prevent crime maybe. In no way did I put the Force into disrepute or behave in any way other than would be expected.'*¹⁰⁷⁷

- iii. He said that he had received a letter from solicitors acting for Belmont Car Auctions and had sought the advice of a senior officer and had decided that he had not reached the stage at which there was a necessity to report the letter. Indeed, he said that he thought that stage might never be reached. The letter related to a civil matter and *'in no way refers to any dishonesty on my part'*. Although he had drafted a response to the solicitors, he had not sent it. He had also spoken to DS Sidney Fillery and DC Alan Purvis and they had *'concluded that at this stage we had no obligation within our discipline code to notify our Senior Officers of impending civil proceedings as this did not seem to be the case'*.¹⁰⁷⁸
- iv. He said, when asked whether he had ever disclosed details of criminal convictions of anyone involved with Southern Investigations or their associates, that he had never disclosed any details of anyone's criminal convictions outside the police service.¹⁰⁷⁹
- v. He said, when asked whether he had ever seen a file regarding Belmont Car Auctions at Southern Investigations, that he had never been there. He also said that he had never seen DS Fillery with such a file, and that DS Fillery had not spoken to him about it.¹⁰⁸⁰
- vi. He said, when asked whether he had *'received a cut of the £18,000 supposed to have been stolen from REES'*, that he had not.¹⁰⁸¹

619. The matter of DC Peter Foley's car purchase from Belmont Car Auctions, and the arrangements for financing that purchase, were referred for investigation (see Section 14.2 on the report by D/Supt Alec Button).

620. DC Peter Foley was asked whether he was aware of the message asking any officer who knew Daniel Morgan to contact D/Supt Douglas Campbell. DC Foley said that he thought the message just asked those who knew Daniel Morgan to contact the Morgan One Investigation, and he had not known him. DC Foley was correct, the telex actually only asked that *'any officer who has had dealings with or has knowledge of Morgan is requested to contact the Morgan incident room'*.¹⁰⁸² He said that *'as I knew Sid [Fillery] was on the enquiry I knew if anything came up which I could help with he would tell Mr CAMPBELL'*.^{1083,1084}

1077 Interview of DC Peter Foley, MPS015861001, pp12-13, 03 April 1987.

1078 Interview of DC Peter Foley, MPS015861001, pp28-29, 03 April 1987.

1079 Interview of DC Peter Foley, MPS015861001, pp29-30, 03 April 1987.

1080 Interview of DC Peter Foley, MPS015861001, pp30-31, 03 April 1987.

1081 Interview of DC Peter Foley, MPS015861001, p32, 03 April 1987.

1082 Telex message from Catford (PD) to all stations, MPS036415001, p1, 16 March 1987.

1083 Interview of DC Peter Foley, MPS015861001, p31, 03 April 1987.

1084 Telex message from Catford (PD) to all stations, MPS036415001, p1, 16 March 1987.

621. DC Peter Foley was asked about the evening of 10 March 1987, and the duty sheet which listed his shift as finishing at 7.00 pm. He stated that this was correct, and that he had gone straight home to his wife.¹⁰⁸⁵

622. DC Peter Foley denied killing Daniel Morgan when asked had he done so and said he did not know who had killed Daniel Morgan.^{1086,1087}

623. DC Peter Foley was released without charge at 11.27 pm on 03 April 1987.¹⁰⁸⁸

5.4.5 The three police officers released without charge

624. The three police officers (DS Sidney Fillery, DC Alan Purvis and DC Peter Foley) who were arrested on 03 April 1987 on suspicion of the murder of Daniel Morgan were released without charge. On 13 April 1987, D/Supt Douglas Campbell wrote a short report to the Commander of the Complaints Investigation Branch setting out the circumstances of Daniel Morgan's murder and the involvement of the three police officers with Southern Investigations and Belmont Car Auctions. This report concluded:

'There is no evidence at this stage that Detective Sergeant FILLERY or Detective Constables PURVIS and FOLEY were concerned in the murder of Daniel MORGAN. [...]

*'I ask that this report together with the attached statements and documents be forwarded to Commander C.I.B. for further enquiry into any possible discipline offences.'*¹⁰⁸⁹

625. The disciplinary enquiry is covered later in the chapter (see Section 14.2).

626. The issue of whether the three police officers who were arrested were members of the Freemasons was a matter which led to some concern later (see Chapter 10, Corruption). DS Sidney Fillery and DC Alan Purvis were both Freemasons who met socially and had discussed the murder at a Masonic meeting. DC Peter Foley had met DS Fillery through a Freemasons meeting, although he was not a member. The Morgan One Investigation also asked DC Foley if he knew whether Jonathan Rees was a Freemason. Although the Panel has seen no evidence that membership of the Freemasons was relevant to the murder investigation, it was the subject of later rumours, and is discussed further in Chapter 10 on Corruption.

627. DC Alan Purvis and DC Peter Foley later launched a civil action against the Metropolitan Police seeking damages for wrongful arrest, and the papers from this case provide an insight into the way their arrests were conducted. In 1990, as part of the Metropolitan Police response to the claims by DC Purvis and DC Foley, Commander Kenneth Merton stated:

'I did not feel happy about the proposal to arrest the Officers, although I appreciated from my own experience of working on Squads that one knows many more facts about the matter and one has a stronger feel for the enquiry, and whilst I felt uneasy I accepted that they possibly had facts which were unknown to me. My own feeling at the time was that I would not have taken that course of action, especially with the Police Officers, as in most cases the arrest of Police Officers is unnecessary as we have

1085 Interview of DC Peter Foley, MPS015861001, p34, 03 April 1987.

1086 Interview of DC Peter Foley, MPS015861001, p35, 03 April 1987.

1087 Interview of DC Peter Foley, MPS015862001, p4, 03 April 1987.

1088 Custody record of DC Peter Foley, MPS014835001, p6, 03 April 1987.

1089 Report by D/Supt Douglas Campbell, MPS015847001, 13 April 1987.

the Discipline Code. Also the arrest of Police Officers was bound to attract unwelcome media interest.'

He also stated:

*'A couple of days later Alan LEWIS told me that he had received a request from the Murder Team at Catford to attend a briefing on the proposed arrest. I was concerned about the proposed course of action and I told Alan LEWIS not to go. I did not want CIB to be seen as condoning the action.'*¹⁰⁹⁰

628. In any matter involving a suspicion that an officer may have committed a criminal offence, the correct process was to conduct a criminal investigation, involving arrest if this was necessary. The issue of whether this might attract unwelcome media interest was not germane to any consideration of whether an arrest was necessary.

629. Former Commander Kenneth Merton confirmed his views in a statement sent to the Panel, in which he said the following:

- i. *'I did not consider this sufficient evidence to warrant involvement of my officers in their murder enquiry, but I did agree to deal with any disciplinary offences, which might be revealed, during their investigations. In particular, the possibility that officers were engaged in a second employment as security guards at car auctions.'*
- ii. *'I did not consider there was sufficient evidence to warrant this course of action [the arrest of the officers], but I know from my own experience of working on major enquiries that one often obtains snippets of information which do not amount to evidence, but do help one to decide on a course of action.'*
- iii. *'Due to the lack of positive evidence of police officers being involved in the murder, but only suspicion, my preferred course of action would be to treat the officers as potential witnesses, rather than suspects, and obtain written statements from them covering aspects such as their exact relationship with the victim, knowledge of his business activities and associates.'*¹⁰⁹¹

630. The Panel has seen no contemporaneous evidence indicating any difference of opinion about the proposed arrests between Commander Kenneth Merton, Commander Alan Fry, DCS Douglas Shrubsole and D/Supt Douglas Campbell.

631. In 1990, during the civil proceedings brought by DC Alan Purvis and DC Peter Foley against the Metropolitan Police, the following statement was read in open court:

'As the Commisioner [sic] of Police for the Metropolis now recognises and publicly acknowlegdes [sic] those arrests should never have taken place. There are [not]¹⁰⁹² and never were any [reasonable]¹⁰⁹³ grounds to implicate these plaintiffs in such a horrendous crime. The defendant appears today by counsel to apologise unreservedly

¹⁰⁹⁰ Witness statement of Commander Kenneth Merton, MPS105400001, pp164-165, 14 August 1990.

¹⁰⁹¹ Statement of former Commander Kenneth Merton undated but supplied to the Panel.

¹⁰⁹² Handwritten onto the statement. Panel assumption is that the text was read out in court.

¹⁰⁹³ Handwritten onto the statement. Panel assumption is that the text was read out in court.

for the immense hurt and distress caused to the plaintiffs [DC Peter Foley and DC Alan Purvis] by their unlawful arrest, the search of their homes and their detention and questioning and much regrets the unfortunate publicity which resulted therefrom. As a symbol of that regret, the defendant has agreed to pay each of the plaintiffs a substantial sum by way of damages and to meet their costs in bringing these proceedings. In these circumstances, the plaintiffs feel that their reputations have been vindicated and are content for this matter to rest. They are also happy to accept that at all material times those concerned in their arrest and detention [and in particular Detective Superintendent Douglas Campbell]¹⁰⁹⁴ were acting in good faith.¹⁰⁹⁵

632. No grounds to justify the arrest of DC Alan Purvis or DC Peter Foley for murder have been found among the papers available to the Panel.

There were sufficient grounds to arrest DS Sidney Fillery on suspicion of the murder of Daniel Morgan. This was because, in addition to his suspected involvement with Belmont Car Auctions, he had been with Daniel Morgan on 09 March 1987 in the same location in which he was murdered the following day, and because the police were investigating whether DS Fillery had taken relevant files from the offices of Southern Investigations, and whether he had deliberately taken an inaccurate statement from Jonathan Rees.

633. The Panel does not agree that the fact that police officers had worked at Belmont Car Auctions when they were off duty, without first informing the Metropolitan Police, necessarily meant that the three police officers would lose their jobs.

5.4.6 The arrest and interview of Garry Vian

634. Garry Vian was Glenn Vian's younger brother, and Jonathan Rees's brother-in-law. He was 26 years old at the time of Daniel Morgan's murder. He was implicated in Daniel Morgan's murder through his involvement with Southern Investigations in providing security for Belmont Car Auctions (see Section 4.16 above).

635. Garry Vian was arrested at his home on suspicion of murder, at 6.50 am on 03 April 1987, by DC Richard Davis, and taken to Croydon Police Station.¹⁰⁹⁶ His home was searched. DS Christopher Horne and other officers were involved in the search. Nothing was recorded as having been seized.¹⁰⁹⁷

¹⁰⁹⁴ Handwritten onto the statement. Panel assumption is that the text was read out in court.

¹⁰⁹⁵ Purvis and Foley statement in open court, MPS105400001, pp7-8, 17 May 1990.

¹⁰⁹⁶ Custody Record of Garry Vian, MPS025481001, p1, 03 April 1987

¹⁰⁹⁷ Premises Searched Record for Garry Vian, MPS025483001, 03 April 1987.

636. Garry Vian was interviewed once on 03 April 1987, and once on 04 April 1987.¹⁰⁹⁸ Both interviews were conducted by DC Richard Davis and DS Christopher Horne. Garry Vian was legally represented at each interview, and his interviews were tape-recorded.^{1099,1100}

637. Garry Vian was cautioned at the start of his first interview. He replied that he understood the caution, and that on the basis that he had not committed any offence he was not prepared to say anything. His interviewers questioned him for a brief period about his knowledge of Jonathan Rees and Daniel Morgan and whether he had worked for Southern Investigations. He was also questioned about the Belmont Car Auctions robbery but in the absence of specific evidence to put to him, and in the absence of any response from him, the interview was stopped.¹¹⁰¹

638. At the start of his second interview, Garry Vian was reminded that he remained under caution.¹¹⁰² The interviewers asked him to account for his whereabouts on the evening of the murder. He was shown a photograph of a Rolex watch and asked if he had ever seen a similar one.^{1103,1104} He was also shown two photographs of the murder weapon, one in black and white and the other in colour, and invited to comment on whether he had ever seen or handled a similar axe. He was asked if he had ever purchased an axe like it, or if he had been present when Elastoplast was applied to the handle of one. He declined to answer any of the questions put to him. These questions were important, as responses could have been used to refute any explanation Garry Vian might have offered if he was later forensically linked to the murder weapon, or if it could have been proved that he had purchased it.

639. Garry Vian remained in custody until his brother, Glenn Vian, had been interviewed, in case any matters relevant to both men arose from interviews. He was released on bail at 10.55 am on 04 April 1987, to return to Croydon Police Station on 18 May 1987.¹¹⁰⁵

5.4.7 The arrest and interview of Glenn Vian

640. Glenn Vian was Garry Vian's older brother. He was 28 years old at the time of Daniel Morgan's murder. He was originally implicated in the murder through his involvement with Southern Investigations in providing security for Belmont Car Auctions (see Section 4.16 above).

641. Police attended the home address of Glenn Vian at 6.30 am on 03 April 1987, to be informed by his wife, Kim Vian, that he was at work.¹¹⁰⁶ The search record for Glenn Vian's house is not among the papers disclosed to the Panel.

1098 Custody Record of Garry Vian, MPS025481001, p1, 03 April 1987.

1099 Interview of Garry Vian, MPS015888001, 03 April 1987.

1100 Interview of Garry Vian, MPS015887001, 04 April 1987.

1101 Interview of Garry Vian, MPS015888001, 03 April 1987.

1102 Interview of Garry Vian, MPS015887001, 04 April 1987.

1103 Interview of Garry Vian, MPS015887001, 04 April 1987.

1104 The investigation team had recovered a photograph of Daniel Morgan's watch from an insurance broker who had offices in the same building as Southern Investigations (Exhibit RBW/2). This may have been the photograph shown to Garry Vian (Statement of the insurance broker, MPS010437001, 16 March 1987).

1105 Custody Record of Garry Vian, MPS025481001, p4 and 6, 04 April 1987.

1106 Witness statement of Michael Crofts, MPS010572001, p1, 10 April 1987

642. There is confusion in the records available about what was taken from Glenn Vian's house:

- i. DC Michael Crofts stated that he seized a pair of trousers (MC/1) and some correspondence (MC/2) from a wardrobe in the main bedroom.¹¹⁰⁷ There is no record of these trousers or of the correspondence in the Exhibits Book or in any other documentation.
- ii. One pair of trousers labelled 'KD27', described as '*BELONGING TO GARY [sic] VIAN*' and having been found by '*DC DAVIS*' at the '*HOME ADDRESS OF VIAN IN DUSTBIN*' was recorded in the Exhibits Book for the Morgan One Investigation.¹¹⁰⁸ There was no record of the home address referred to. The Panel is of the view that the exhibit label 'KD27' indicated that the trousers had been seized by DC Kinley Davies, who was involved in the search of Glenn Vian's house. There was no '*DC DAVIS*' involved in the search of Glenn Vian's house. DC Richard Davis had been involved in the search of Garry Vian's house. There is no other evidence to suggest that these trousers belonged to Garry Vian.
- iii. A telescopic truncheon,¹¹⁰⁹ two Stanley knives,¹¹¹⁰ a letter addressed to Glenn Vian,¹¹¹¹ and two pieces of paper,¹¹¹² on which there were phone numbers, were seized by DC Kinley Davies from '*VIANs [sic] HA [home address]*'.¹¹¹³ Since DC Davies was, according to DC Michael Crofts, involved in the search of Glenn VIAN's house, it is assumed by the Panel that these items were seized from Glenn VIAN's house.

643. At 7.40 pm that evening, Glenn Vian telephoned the police, and said he would attend Croydon Police Station, stating that he would '*be there in about 40 minutes*'.¹¹¹⁴ At 7.55 pm, a Detective Sergeant, DC Michael Crofts and DC Kinley Davies went to Glenn Vian's home, arrested him and took him to Croydon Police Station.^{1115,1116}

644. Glenn Vian was interviewed on the morning of 04 April 1987 by DS Christopher Horne and DC Kinley Davies. His solicitor was present. His interview was tape-recorded. The interviewers told him that police were investigating the murder of Daniel Morgan, and he was cautioned. After the first question was asked following the caution, Glenn Vian indicated that he did not wish to say anything. The interviewers proceeded to ask a series of questions similar to those asked of Garry Vian, and Glenn Vian was shown the same photographs. He did not reply to any of the questions.¹¹¹⁷

645. Glenn Vian was released on bail on 04 April 1987 to return to Croydon Police Station on 18 May 1987. No details about his release, other than the details required for him to return to the police station, are recorded on his custody record.¹¹¹⁸

1107 Witness statement of Michael Crofts, MPS000184001, p1, 10 April 1987.

1108 Exhibits Book (Exhibits 145-210, re Miscellaneous Venues), MPS005103001, p2.

1109 KD/28.

1110 KD/29.

1111 KD/30.

1112 KD/31.

1113 Exhibits Book (Exhibits 145-210, re Miscellaneous Venues), MPS005103001, p3.

1114 Message M117 to Incident Room from Glenn Vian, MPS012177001, 03 April 1987.

1115 Statement of DC Kinley Davies, MPS010497001, 09 April 1987.

1116 Custody Record Glenn Vian, MPS025471001, p1, 03 April 1987.

1117 Interview of Glenn Vian, MPS015886001, 04 April 1987.

1118 Custody Record Glenn Vian, MPS025471001, p5, 04 April 1987.

646. During interview on 04 April 1987, Glenn Vian was not asked to account for his movements during the day nor why he was not at home when officers came to arrest him.

647. Following their interviews, DC Alan Purvis, DC Peter Foley, DS Sidney Fillery and Jonathan Rees were all released without charge, while Garry Vian and Glenn Vian were released on bail, to return to Croydon Police Station on 18 May 1987.

648. The Panel sought clarification from the Metropolitan Police as to why Garry Vian and Glenn Vian were the only suspects of the six arrested whose interviews were tape-recorded. The Metropolitan Police responded in November 2015 that after the introduction of the Police and Criminal Evidence Act in 1984, they commenced trials of prisoner tape-recorded interview rooms in custody suites at Kingston, Holborn and Croydon Police Stations. The provision of recording facilities at all custody suites within the Metropolitan Police was not completed until early 1992. Garry Vian and Glenn Vian were detained at Croydon and accordingly their interviews were tape-recorded.¹¹¹⁹

5.4.8 Other arrests

649. After the arrests and release of Jonathan Rees, DS Sidney Fillery, DC Alan Purvis, DC Peter Foley, Glenn Vian and Garry Vian, police continued with the investigation of Daniel Morgan's murder. They arrested a further three individuals during the course of the Morgan One Investigation. Five other individuals were also interviewed while they were in custody for other matters. The circumstances of these arrests and interviews are summarised below.

5.4.8.1 An arrest in June 1987

650. Person Y19 was identified as someone who had a motive, because his wife had had an affair with Daniel Morgan after she had first met him, when Daniel Morgan was employed by her solicitor to deliver a court order enabling her to take custody of her child during a marital dispute.¹¹²⁰ The Morgan One Investigation examined this matter:

- i. His wife had told police that she was very frightened of her husband finding out about her and Daniel Morgan, because he might do something terrible to her.¹¹²¹ She had provided an alibi for him for the night of 10 March 1987.¹¹²²
- ii. On the day on which his wife provided the alibi, Person Y19 provided a statement to the Morgan One Investigation in which he acknowledged that he disliked Daniel Morgan. He had made one non-threatening phone call to him and, other than that, he had had no personal contact with Daniel Morgan.¹¹²³ Further enquiries were made which confirmed Person Y19's account.
- iii. Investigation demonstrated that Person Y19 had a history of violence.¹¹²⁴ He was arrested on 16 June 1987 on suspicion of involvement in the murder of Daniel Morgan. His house was searched by DI Allan Jones, DC Michael Crofts, DC Kinley Davies, WDC Julie Benfield and WPC Maria Little.¹¹²⁵

1119 Metropolitan Police response SS252 (Scott Schedule 252) to ADIR142 (Additional Disclosure Information Request), Email to DMIP, 13 November 2015.

1120 Briefing notes and correspondence, MPS0113320001, p8, undated.

1121 Witness statement, MPS010286001, p12, 14 March 1987.

1122 Witness statement, MPS010293001, pp1-2, 14 April 1987.

1123 Witness statement of Person Y19, MPS010595001, pp2-3, 14 April 1987.

1124 Witness statement of Y19's friend, MPS010684001, 02 June 1987.

1125 Correspondence, custody record and warrant re Person Y19, MPS011331001, 16 June 1987.

- iv. DC Michael Crofts recorded in the Custody Record for Person Y19 that '*[t]he main bedroom was searched and, in the wardrobe [...] I found a gray [sic] anorak. I said to [Person Y19] "Is this yours." He replied, "Yes." I said, "There appears to be blood splashes on the arm how did that get there?" [Person Y19] "I don't know, it has been washed."*'¹¹²⁶ An entry on the Custody Record signed by both Person Y19 and DC Kinley Davies shows that his '*windcheater jacket*' was retained by police.¹¹²⁷
- v. There is no record in the Exhibits Book of the jacket seized by DC Michael Crofts.¹¹²⁸ There is no further trace of the jacket, and it has not been found since.
- vi. In interview following his arrest, Person Y19 confirmed ownership of the jacket which had been seized and answered all the questions put to him.¹¹²⁹
- vii. D/Supt Douglas Campbell concluded: '*There was no evidence [Person Y19] was aware of his wife's affair, although he had met MORGAN when he executed the Court Order in respect of the child.*' Person Y19 was eliminated from the enquiry on the basis of his alibi, as the police believed that, '*[a]t the time of the murder he was visiting his children by a previous marriage at his parents [sic] house*'.¹¹³⁰

651. A friend and business associate of Person Y19 was spoken to by the Morgan One Investigation following an instruction issued by D/Supt Douglas Campbell to obtain a search warrant, arrest and interview him.¹¹³¹ The material available shows the following:

- i. The business associate's house was searched on 16 June 1987.
- ii. A lightweight blue jacket with grey and red lining was seized during a search of the business associate's home to determine whether the lining of the jacket matched the fibres on the axe used to murder Daniel Morgan.
- iii. There is no custody record for the business associate, and it is not known whether he was arrested. He was interviewed and made a statement saying that he was friendly with Person Y19, that he had not known Daniel Morgan, had not drunk at the Golden Lion public house for about eight years, and had learned of the murder from *Crimewatch*. He could not remember where he was on the night of the murder.¹¹³²
- iv. WDS Christine Fowles reported on 16 June 1987 that the business associate had been eliminated from the investigation, following the taking of the statement from him.¹¹³³

1126 Correspondence, custody record and warrant re Person Y19, MPS011331001, pp14-15, 16 June 1987.

1127 Correspondence, custody record and warrant re Person Y19, MPS011331001 p2, 16 June 1987.

1128 Copy of Exhibits Book (Exhibits 145-210, re Miscellaneous Venues), MPS005103001.

1129 Police interview of Person Y19, MPS010596001, 16 June 1987.

1130 Registry docket report by D/Supt Douglas Campbell, MPS008491001, pp16-17, undated.

1131 Action A879 liaison with DC Benfield and DI Jones regarding the business associate re his association with Person Y19.

1132 Witness statement of the business associate, MPS010706001, 16 June 1987.

1133 Action A879 liaison with DC Benfield and DI Jones regarding a business associate of Person Y19.

652. Person Y19 was known to be violent. His wife, who provided his alibi, was afraid of Person Y19. He should not have been eliminated without further investigation.

The bloodstained grey jacket taken from Person Y19's house should have been recorded in the Exhibits Book and submitted for forensic examination. That it was not forensically examined and cannot now be found is a significant failure of the Morgan One Investigation.

5.4.8.2 Two arrests in January 1988

653. Two other individuals were arrested on suspicion of the murder of Daniel Morgan during the Morgan One Investigation, following receipt of information potentially connecting them to allegations concerning DS Sidney Fillery.

654. On 19 September 1987, a man was remanded in police custody for an offence unconnected to the murder of Daniel Morgan, in relation to investigations into burglary and stolen cheque cards.¹¹³⁴ While in custody, however, he *'stated he had information covering the axe murder in Lower Sydenham'*.¹¹³⁵ As a result, officers from the Morgan One Investigation spoke to him, and recorded: *'He states he is an associate of [a glazier] [...] he had heard that [the glazier] fitted double glazing to Fillerys [sic] home address. He also stated that Fillery had covered up something at the time of the murder on behalf of the licencee [sic] of the Golden Lion Public House.'*¹¹³⁶ This prompted further enquiries.

655. Following receipt of this information, the glazier and his brother were arrested on 22 January 1988.^{1137,1138,1139} The glazier said that he did not know who Daniel Morgan was; nor did he know of the Golden Lion public house or Southern Investigations. The glazier said that DS Sidney Fillery was related to his former wife, he had met him *'2 or 3 or a few times'*, and he had carried out work at DS Fillery's house six years previously. He could not remember where he was on the night of the murder.¹¹⁴⁰

656. The glazier's brother had a history of violence. He could not remember where he was on 10 March 1987 but said he could check. He said he did not know Daniel Morgan or DS Sidney Fillery, and he denied any involvement in the murder of Daniel Morgan.¹¹⁴¹

657. Both brothers were released. No further investigation ensued.

1134 Custody record, MPS011420001, pp4-12, 19 September 1987.

1135 Message M652, MPS012712001, 21 December 1987.

1136 Action A1490, MPS014553001, 21 December 1987.

1137 Message M477 Contains details of persons/businesses which SIO requires researched, MPS012537001, 22 September 1987.

1138 Action A1570, MPS014633001, 22 January 1988.

1139 Action A1571, MPS014634001, 22 January 1988.

1140 Interview, MPS003338001, 22 January 1988.

1141 Interview, MPS003339001, 22 January 1988.

658. Although the Panel can see no reason to support their arrest, the two brothers should have been the subject of further investigation. As neither could account for their movements on the night of the murder, an attempt should have been made to determine whether they could be eliminated from the Morgan One Investigation.

5.4.9 Individuals interviewed while in custody for other matters

659. The Morgan One Investigation interviewed four further individuals under caution in connection with the murder of Daniel Morgan, while they were in police custody for unrelated offences. These are summarised below.

660. A possible suspect emerged on 17 May 1987 when information was received by the Morgan One Investigation that a serious assault had been committed on 16 May 1987 in which an axe was used.^{1142,1143} After the suspect was arrested in connection with that assault, a newspaper cutting, which referred to the murder of Daniel Morgan, was found in the man's pocket.¹¹⁴⁴ He was interviewed under caution by DI Allan Jones on 27 May 1987 in connection with Daniel Morgan's murder. He denied any knowledge of Daniel Morgan's murder, or of the newspaper cutting which, he said, was not his and had not been in his pocket.^{1145,1146,1147} His home was searched, and a red jumper was seized.

661. Having examined the further investigation of this individual, it has been established, on the basis of the information available, that the matter was effectively dealt with.

662. A friend of the same suspect was also interviewed by officers from the Morgan One Investigation while in custody in connection with this matter, but he could provide no information useful to the murder investigation.¹¹⁴⁸

663. A person was interviewed by two officers from the Morgan One Investigation on 19 May 1987 while he was in custody having been arrested following the receipt of information, which transpired to be malicious, from an unknown male.¹¹⁴⁹ There was no evidence to connect him to the murder of Daniel Morgan.¹¹⁵⁰

664. Finally, a further person was spoken to by Police Officer A27 on 12 November 1987 while in custody having been arrested for supplying controlled drugs. He had no knowledge of Daniel Morgan's murder.¹¹⁵¹

1142 Message M234, relates to officer from Sydenham Police contacting Incident Room re report of assault with an axe, MPS012294001, 17 May 1987.

1143 Action A758, Contact PD re. assault, MPS013821001, 19 May 1987.

1144 Message M260, regards male in custody, MPS012320001, 29 [sic] May 1987.

1145 Interview of the suspect, MPS016603001, 27 May 1987.

1146 Interview of the suspect, MPS016604001, 28 May 1987.

1147 Interview of the suspect, MPS016605001, 28 May 1987.

1148 Transcript of Interview in respect of the friend of the suspect, MPS010704001, 10 June 1987.

1149 Interview of a suspect by DS Davies and DC Lombard, MPS016664001, 19 May 1987.

1150 Action A761 Morgan One Investigation, MPS013824001, 19 May 1987.

1151 Message M581 Morgan One Investigation, MPS012641001, 12 November 1987.

6 Items submitted for forensic examination after 03 April 1987

665. A number of items were submitted to the Forensic Science Laboratory following the arrests on 03 April 1987 and 17 May 1987.

6.1 The Elastoplast

666. The murder weapon was resubmitted with a request to compare the Elastoplast tape on the axe with tape seized from Jonathan Rees's home at the time of his arrest.¹¹⁵² Phillip Toates, a forensic scientist, reported that the plasters and backing tape seized from Jonathan Rees's home were similar to the tape on the axe handle, *'but the free cut ends of the plasters on the axe did not fit together with the cut ends of the plasters [seized]'* [emphasis in original].¹¹⁵³

667. Extensive enquiries were carried out to identify the origin and manufacturer of the tape. However, it was ultimately reported that *'additional features of the plasters [seized] indicated that they were most probably of different batches from the plasters on the axe'*. The report further stated that the sections of tape used on the axe handle were manufactured and sold in large quantities, including under the Elastoplast brand name.¹¹⁵⁴

6.2 The razor

668. The cut throat razor which had been seized from Jonathan Rees's house was submitted to determine whether it could have been used to make the cuts on the handle of the axe.¹¹⁵⁵

669. A forensic scientist concluded that there were no connections between the razor seized from Jonathan Rees's home and the cuts on the axe.¹¹⁵⁶

6.3 The trousers

670. A pair of trousers, described as Exhibit KD/27, was submitted on 13 April 1987 for examination for traces of blood matching that found on the axe used to murder Daniel Morgan. The documentation stated that the victim was Daniel Morgan and that the suspect was Glenn Vian.¹¹⁵⁷ A report on the type and condition of the trousers was received. The forensic scientist reported that no blood was found on the trousers.¹¹⁵⁸ It was recorded in the Exhibits Book that the trousers were subsequently disposed of.¹¹⁵⁹ However, it was established in 2010 that this had not happened.¹¹⁶⁰

6.4 The red jumper

671. A red jumper found at the home of an individual arrested on 25 May (see paragraph 660 above) was submitted for testing on 01 June 1987 to see whether it matched red viscose fibres found on the axe used to murder Daniel Morgan.¹¹⁶¹ On 12 June 1987 the Morgan One Investigation was informed by the Forensic Science Laboratory that the fibres from the man's jumper did not match those found on the axe.¹¹⁶²

1152 Submission of Articles to Forensic Science Laboratory, MPS025450001, p2, 03 April 1987.

1153 Forensic Science Laboratory Report, MPS071210001, p2, 19 August 1987.

1154 Forensic Science Laboratory Report, MPS071210001, p2, 19 August 1987.

1155 Submission of Articles to Forensic Science Laboratory, MPS025450001, p2, 03 April 1987.

1156 Statement of the further forensic scientist, MPS010685001, p1, 27 May 1987.

1157 Report to submit various articles belonging to Daniel Morgan to the forensic laboratory, MPS025489001, 13 April 1987.

1158 Forensic report by Philip Toates, MPS011412001, p3, 19 August 1987.

1159 Copy of Exhibits Book (Exhibits 145-210, re Miscellaneous Venues), MPS005103001, pp2-3.

1160 Witness statement of forensic scientist, MPS079408001, p2, 23 September 2010.

1161 Submission of articles to Forensic Science Laboratory, MPS011311001, 01 June 1987.

1162 Message M306 regarding the fibres found on the tapes on the axe MPS012366001, 12 June 1987.

6.5 The blue jacket

672. A lightweight blue jacket with red and grey lining, seized from the home of the business associate of Person Y19, was submitted for testing on 16 June 1987 to see whether it matched the fibres found on the axe used to murder Daniel Morgan.¹¹⁶³ The fibres did not match.

673. No further information is available as to the outcome of any testing which may have been conducted. It is not included in any report prepared by the forensic scientists.

674. Nothing emerged from the forensic examination of exhibits which had been seized following the arrests, which was of assistance to the investigation.

6.6 Material seized but not sent for forensic examination

675. A number of items were seized during the searches following the arrests referred to above. Some were sent for forensic analysis. Others were not.

676. DC Michael Crofts said in his statement of 10 April 1987 that he seized a pair of trousers (MC/1) and some correspondence (MC/2) from a wardrobe in the main bedroom of Glenn Vian's house.¹¹⁶⁴ No further records exist in respect of these trousers.

677. The material available shows that, during the search of Glenn Vian's house, two pairs of trousers were recovered: one by DC Michael Crofts and a second pair of trousers seized by DC Kinley Davies. They were seized from different locations in Glenn Vian's house. One pair of trousers was submitted for forensic examination. There is no record of what happened to the trousers seized by DC Crofts. There was a failure to preserve these trousers for forensic examination. This constitutes a loss of evidence which may have been of significance to the investigation.

678. A telescopic truncheon, two Stanley knives, a letter addressed to Glenn Vian, and two pieces of paper on which there were phone numbers, were also recorded as seized from 'VIANs HA [Home Address]' on 03 April 1987.¹¹⁶⁵ They were seized by DC Kinley Davies and bear the labels KD/28, KD/29, KD/30 and KD/31. Since DC Kinley Davies was involved in the search of Glenn Vian's house, it is probable that these items came from Glenn Vian's house. All these items are recorded as having been destroyed by the police,¹¹⁶⁶ following consultation, incorrectly, with the solicitor acting for Garry Vian.¹¹⁶⁷ There is no record of the date of destruction, and no indication that the Stanley knives or the truncheon were submitted for analysis.

¹¹⁶³ Submission of articles to Forensic Science Laboratory, MPS079608001, 16 June 1987.

¹¹⁶⁴ Witness statement of DC Michael Crofts, MPS010572001, p1, 10 April 1987.

¹¹⁶⁵ Document D500 List of exhibits, MPS014806001, pp19-20.

¹¹⁶⁶ Copy of Exhibit Book, MPS018739001, pp15-16, 03 April 1987.

¹¹⁶⁷ Message M877, telephone call to Gary Vian's solicitor from DC Blake, the Morgan One Investigation Exhibits Officer, MPS012937001, 24 May 1988.

679. The Panel has been unable to determine why DC Clive Blake (the Exhibits Officer) consulted Garry Vian's solicitor, rather than Glenn Vian's solicitor, in relation to the exhibits described above. There are three possibilities: that the items belonged to Garry Vian but were found at Glenn Vian's home, that they belonged to Garry Vian and were found at Garry Vian's home, or that they belonged to Glenn Vian and that DC Blake was confused when he sought permission from Garry Vian's solicitor to destroy them. The Panel is of the view, given the labelling of the items seized as Exhibits KD/27 to KD/31, that they were seized by DC Kinley Davies during the search of Glenn Vian's home.

680. These materials should not simply have been destroyed. The handle of the axe used to murder Daniel Morgan had been scored by a sharp instrument. The forensic scientist could have determined whether there was any possible link between one of the knives and the scoring on the axe.

Moreover, as stated above, Jonathan Rees had been accompanied by Glenn Vian and Garry Vian until shortly before he was attacked and robbed in March 1986, and the authenticity of that robbery had been called into question (see paragraphs 496iii and 497 above). Jonathan Rees had claimed that he was hit on the head by a truncheon when he was attacked during the Belmont Car Auctions robbery and so the Morgan One Investigation should have submitted the truncheon for forensic analysis to test if it had any link to Jonathan Rees.

There is no information about the phone numbers on the documentation seized, which may or may not have been relevant to the murder investigation.

681. At no stage during the Morgan One Investigation or subsequent investigations were these matters discussed. They should have been, because these failures meant potentially useful evidence was lost.

6.7 Jonathan Rees's raincoat

682. On 06 April 1987, DC Kinley Davies was instructed by DS Malcolm Davidson, acting on instruction from D/Supt Douglas Campbell, to obtain clothing worn by Jonathan Rees at the time of the murder, including a white raincoat and black gloves.

683. On 10 April 1987, it was recorded that these items were now not required.¹¹⁶⁸ There is nothing within the available papers to explain the decision.

684. In interview with the Panel, former DC Kinley Davies said that he could not remember whether he or DC Richard Davis had been tasked to obtain clothing worn by Jonathan Rees.¹¹⁶⁹ It has been impossible, therefore, to establish why on 10 April 1987 it was apparently decided that these items were no longer required for examination.

¹¹⁶⁸ Action A514 Obtain clothing worn by Rees at time of murder includes white top coat & black gloves and hand to exhibits officer, MPS013577001, 06 April 1987.

¹¹⁶⁹ Panel interview with former DC Kinley Davies, p5, 14 June 2016.

685. On 07 March 1988, a Detective Constable, who had been tasked to ensure that Jonathan Rees's car was forensically examined, noted that '*REES refused to submit the raincoat he wore on the night of the murder for forensic examination. This coat has been lodged with his solicitor Michael GOODRIDGE.*'¹¹⁷⁰

686. On 04 May 1988, Michael Goodridge spoke to DI Allan Jones by telephone and stated that he did not have the raincoat. He said that he would look into it and phone back. There is no further evidence in relation to the raincoat.

687. Every effort should have been made to secure and present for forensic examination all the clothing worn by Jonathan Rees when he was in the Golden Lion public house on the night of the murder. It is a matter of great concern that this issue was not pursued further, so that the clothing could be subjected to appropriate forensic examination. There is no evidence in the material available to the Panel that the Morgan One Investigation ensured that this was done. This was a major failing, which was ultimately the responsibility of D/Supt Douglas Campbell.

6.8 Documentary material seized but apparently never examined

688. In addition to the failures to submit items seized for forensic examination, the Morgan One Investigation papers indicate that material which had been seized in the course of the investigation was not examined to determine whether there was information which might be of use to the investigation:

- i. On 03 April 1987, a briefcase containing assorted correspondence, a 1987 Letts Desk Diary, two Trustees Saving Bank (TSB) diaries for 1985 and 1986, a 1986 Southern Investigations diary, an address and telephone binder, a letter re Belmont Car Auctions and a quantity of invoices were recorded as having been taken from Jonathan Rees on the Custody Record created when he was arrested.¹¹⁷¹
- ii. Nineteen items were recorded as having been seized from the Southern Investigations office by WDS Christine Fowles and DC Clive Blake on 03 April 1987. Two of these items, a telephone message book and a red indexed book, were returned to Peter Newby, the Office Manager at Southern Investigations, on 05 May 1987. The remaining 17 items were stated to have been returned to Peter Newby on 18 May 1987.¹¹⁷² There is no record that any copy was made of any of these items before their return. In 2020, former DC Blake informed the Panel that the decision to retain or restore property and exhibits would have been made by '*the SIO or other supervisor*', and not by him.

The Panel has found no trace of any consideration of, or investigative actions arising from, the various documentary exhibits seized at the time of Jonathan Rees's arrest, which were returned either on the date of his arrest or six weeks later.

¹¹⁷⁰ Action A1623, '*Arrange for REES to bring his car to a police station for SOCO examination. Obtain fibre samples from seats front and rear floor mats and boot mats*', MPS014686001, 07 March 1988.

¹¹⁷¹ Custody Record for Jonathan Rees, MPS014837001, p3, 18, 03 April 1987.

¹¹⁷² Statement of DC Clive Blake, MPS028077001, pp3-4, 07 June 1988.

- iii. 'Five files'¹¹⁷³ were taken from Daniel Morgan's home, probably on 22 December 1987.¹¹⁷⁴ They were returned to Iris Morgan on 25 August 1988.¹¹⁷⁵

There is no indication of what was in the files. There is consequentially no evidence that they were considered by the Morgan One Investigation.

689. The failure to pursue all forensic and investigative opportunities after the arrests was a missed opportunity which could have had significant consequences for the investigation.

7 Ongoing investigation into possible motives for the murder of Daniel Morgan

690. Although D/Supt Douglas Campbell largely focused his investigation on the six suspects arrested on 03 April 1987 in connection with their involvement with Belmont Car Auctions, he also pursued other lines of enquiry. The most significant of these are summarised below.

7.1 The recovery of a Range Rover from Malta

691. On 11 March 1987, the day after Daniel Morgan was murdered, two officers from West Yorkshire Police, DS Peter Mann and a Detective Constable, contacted Southern Investigations. The West Yorkshire Police officers were carrying out a £1,000,000 fraud investigation involving two companies and seven named individuals.^{1176,1177} This investigation ultimately led to the conviction of five people.

692. The officers had intended to meet Daniel Morgan and take a witness statement from him about a business trip which he had made to Malta in the first week of February 1987, to repossess a Range Rover motor vehicle on behalf of a finance company. An office diary seized by police from Southern Investigations' offices on 03 April 1987 was subsequently found to have contained an entry for 02 March 1987, '*Sgt Peter MANN to ring Daniel*'.¹¹⁷⁸

693. The fact that Daniel Morgan had been murdered the night before he was to have been interviewed by these police officers raises the obvious question as to whether the timings of the murder and of the visit were mere coincidence, or were connected. Therefore, the subject matter of the West Yorkshire officers' visit and of the trip to Malta quite properly became a line of enquiry for the murder investigation.

7.1.1 Daniel Morgan's trip to Malta

694. The Panel's knowledge of the Malta trip derives largely from the accounts given by a witness, David Bray, to West Yorkshire Police officers and to the Metropolitan Police. David Bray had been employed as a process-server at Southern Investigations and had worked

1173 Exhibit IM/14.

1174 Exhibits book, Miscellaneous Venues, MPS005801001, pp30-31.

1175 Metropolitan Police Property receipt in respect of items returned to Iris Morgan, MPS079844001, 25 August 1988.

1176 Message M71 from DS Peter Mann, MPS012131001, 11 March 1987.

1177 Report regarding Operation Westgate witness statement of David Bray, MPS011163001, 14 March 1987.

1178 Copies diaries, phone books and message pads of Rees from Southern Investigations office, MPS103877001, p1964.

regularly with Daniel Morgan for a year, although he had known him for some time longer. He had accompanied Daniel Morgan to Malta and, during the course of the Morgan One and subsequent investigations, he made a total of 13 witness statements concerning his knowledge of Daniel Morgan, his work at Southern Investigations and related matters.¹¹⁷⁹ David Bray produced to the Morgan One Investigation two rolls of film which he had taken in Malta.^{1180,1181}

695. A man called Irving Markson was believed to have taken a Range Rover to Malta. He had subsequently been deported and had been arrested on his arrival back in the UK in July 1986. On 01 February 1987, Daniel Morgan and David Bray had flown to Malta to repossess the Range Rover, which had been in the possession of Irving Markson who, with several other people, was the subject of the major fraud investigation by West Yorkshire Police. The evidence surrounding the vehicle's removal formed a minor part of the subsequent prosecution against him, and he and four others were later convicted of serious fraud. Irving Markson was sentenced to five years' imprisonment.^{1182,1183,1184}

696. While in Malta, Daniel Morgan and David Bray came into contact with a number of local people in their efforts to locate and repossess the Range Rover, and also had dealings with the Maltese Police, who, David Bray said, were unhelpful (although police are not usually involved in non-criminal matters such as the recovery of vehicles), and with the Maltese Customs.¹¹⁸⁵ They had been told by a contact that a lawyer called Dr Alfred Greech might be able to help them find the car.¹¹⁸⁶ They were unable to contact Dr Greech. They had also been told, by the finance company for which they were working, that Irving Markson, who had a house on the adjacent Maltese island of Gozo, had been seen driving the vehicle. This had been confirmed on their arrival in Malta. They had been told that it was being kept by Person C22. Person C22 had been storing it on behalf of Irving Markson in a barn on Gozo.^{1187,1188}

697. Daniel Morgan and David Bray had travelled to Gozo, located the Range Rover and brought it back to Valetta in Malta. David Bray said that Daniel Morgan had had to negotiate with Person C22 to obtain the release of the vehicle, as storage charges were allegedly owed. Customs duties were also payable to Maltese Customs before it could be exported from Malta.¹¹⁸⁹ The total charges amounted to some £2,000, and Daniel Morgan had telephoned the finance company in the UK to get approval to pay these charges. Having obtained approval, on 05 February 1987 Daniel Morgan, David Bray and Person C22 went to the Customs offices in Valetta. Daniel Morgan paid the necessary charges for the car and Person C22 paid some money – *'not more than £100'* – to a Customs Officer.¹¹⁹⁰ An unusual and unexplained aspect of the transaction was that at the same time he handed the officer six passports, one of which was British and the others of different nationalities. According to David Bray, none of them belonged

1179 Witness statements of David Bray, MPS010154001, 11 March 1987, MPS011163001, pp4-8, 11 March 1987, MPS010155001, 14 March 1987, MPS010156001, 18 March 1987, MPS010157001, 19 March 1987, MPS010158001, 20 March 1987, MPS010159001, 11 May 1987, MPS010160001, 13 January 1988, MPS028074001, 31 October 1988 (unsigned), MPS010161001, 13 December 1988, MPS010162001, 02 March 1989, MPS010163001, 15 March 1989, and MPS077657001, 25 June 2007.

1180 Exhibit DAJB/5, copy of exhibits book David Bray, MPS005799001, p6, 20 March 1987.

1181 Witness statement of David Bray, MPS010158001, 20 March 1987.

1182 Panel Interview with former DCS Trevor Brading, West Yorkshire Police, 22 February 2016.

1183 Panel interview with a former Detective Constable from West Yorkshire Police, 06 January 2016.

1184 Registry docket report by D/Supt Douglas Campbell, MPS008491001, pp3-4.

1185 Witness statement of David Bray, MPS011163001, pp5-6, 11 March 1987.

1186 Witness statement of David Bray, MPS010155001, p8, 14 March 1987.

1187 Witness statement of David Bray, MPS010155001, p8, 14 March 1987.

1188 Witness statement of a client of Daniel Morgan, MPS010636001, 10 April 1987.

1189 Witness statement of David Bray, MPS010155001, p10, 14 March 1987.

1190 Witness statement of David Bray, MPS010156001, p4, 18 March 1987.

to Person C22. The Customs Officer stamped them all and then handed them back.¹¹⁹¹ It is not known to whom they belonged, nor whether they had any relevance to the subsequent murder of Daniel Morgan. Daniel Morgan was then authorised to remove the vehicle from Malta. Person C22 then gave the Customs Officer a further sum of money, the equivalent of about £20.¹¹⁹²

698. On 07 February 1987 they left Malta for Sicily and drove back to London, arriving at 3.30 pm on 09 February 1987.^{1193,1194}

699. David Bray then stated that, on returning to the UK, Daniel Morgan telephoned West Yorkshire Police investigating the fraud *'and told them about the Malta trip, the vehicle, the passports and corruption, the lot'*. The police said that they would take a statement from him in due course.¹¹⁹⁵

700. A 1987 diary, which had been seized by the Morgan One Investigation during its searches of the Southern Investigations office following the arrests on 03 April 1987, and had been returned to Jonathan Rees on 18 May 1987 without any examination, contained a written entry for 02 March 1987: *'Sgt Peter MANN to ring Daniel'*. This entry was not identified by the Morgan One Investigation. However, the diary was seized during a subsequent search of Southern Investigations' offices by the Hampshire/Police Complaints Authority Investigation, on 31 January 1989, and the entry was identified.

701. There is no suggestion from anything the Panel has seen that West Yorkshire Police were intending to investigate allegations of corruption in Malta. In interview with the Panel, David Bray stated that in his view the Maltese Police were not corrupt, but that Customs were, and he made reference to the passports handed to the Customs Officer to support his assertion.¹¹⁹⁶

702. Other witnesses provided evidence that, on his return to the UK, Daniel Morgan had remarked about the level of corruption he had witnessed in Malta, although little or no detail was provided. Daniel Morgan's wife, Iris Morgan, told police that after he returned he told her that:

*'he couldn't believe the amount of corruption over there and wouldn't want to go back there again. I think he was shocked by the corruption and I don't think he was threatened.'*¹¹⁹⁷

703. Malcolm Webb, a colleague of Daniel Morgan, made a statement in which he said that when Daniel Morgan came back from Malta:

*'he just kept on about how bent and corrupt the Maltese police, customs and people were. He mentioned a bloke [Person C22] who was a bit of a cool customer out there who had a thing going on out there and that no one could touch him, he didn't say that he had been threatened or anything out there.'*¹¹⁹⁸

1191 Witness statement of David Bray, MPS010156001, p4, 18 March 1987.

1192 Witness statement of David Bray, MPS010156001, p5, 18 March 1987.

1193 Witness statement of David Bray, MPS010156001, pp5-6, 18 March 1987.

1194 Witness statement of a client of Daniel Morgan, MPS010636001, p3, 10 April 1987.

1195 Witness statement of David Bray, MPS010156001, p7, 18 March 1987.

1196 Panel interview with David Bray on 27 March 2018.

1197 Witness statement of Iris Morgan, MPS010373001, p16, 17 March 1987.

1198 Witness statement of Malcolm Webb, MPS010327001, pp10-11, 20 March 1987.

7.1.2 The West Yorkshire Police officers' visit to the Morgan One Investigation

704. Having been told that Daniel Morgan had been murdered, DS Peter Mann of West Yorkshire Police informed DS Christopher Horne of their investigation and its link with the recovery of the Range Rover, and gave him the names of Irving Markson, Person C22, Terence Sansom (who was believed to be linked to notorious London criminals, the Krays)¹¹⁹⁹ and four other suspects, one of whom was stated to be a drug dealer, another to have London connections and another to be an American with European connections. They told DS Horne that the suspects in their investigation were also of interest to detectives of the Number 6 Regional Crime Squad based in Brighton.¹²⁰⁰

705. The police message recording the information provided by DS Peter Mann to DS Christopher Horne was not processed until 17 March, and there is no evidence that anything was done with the content before that date. However, on 17 and 18 March, nine investigative actions were directed as a result of it. Seven of these were to carry out research on the persons named by the West Yorkshire Police officers, one to contact the finance company, and the last to contact detectives at Number 6 Regional Crime Squad, Brighton (see paragraph 734 below).

706. The six-day delay in registering the fact that West Yorkshire Police were carrying out a major fraud investigation involving organised criminals with links to London, an investigation to which Daniel Morgan was connected, and the lack of urgency in following up the information even after it had been registered, was unacceptable. Although there may be some delays in a busy incident room in the early stages of an investigation, the fact that Daniel Morgan was to have been interviewed by police officers the day after he was murdered should have led to a prompt response, given the possibility that his death and the proposed interview could have been connected. That there was no such prompt response was a serious failing of the Morgan One Investigation.

707. DS Peter Mann took a statement from David Bray in relation to Malta on 11 March 1987 and, on 24 March, sent a copy of it to the Morgan One incident room, together with a report which stated that '*[a]t this time there does not appear to be any evidence to suggest that MORGAN's murder is connected with this fraud enquiry*'.¹²⁰¹ It is not clear to the Panel what enquiries, if any, DS Mann had made to enable him to come to that conclusion. DS Mann maintained this stance in 1989, when he was contacted by a member of the Hampshire/Police Complaints Authority Investigation.¹²⁰² When interviewed by the Panel, former DS Mann was unable to remember any detail that would assist the Panel in its work.¹²⁰³

1199 Panel interview with former Detective Constable from West Yorkshire Police, 24 November 2015.

1200 M71 from DS Peter Mann, West Yorkshire Police, to Morgan One incident room, MPS012131001, 11 March 1987.

1201 Report from DS Peter Mann, West Yorkshire Police, MPS011163001, p2, 24 March 1987.

1202 Hampshire/Police Complaints Authority Investigation report R68P by DI Rex Carpenter, MPS022389001, 03 April 1989.

1203 Interview of former DS Peter Mann, West Yorkshire Police, with members of the Panel on 16 March 2016.

7.1.3 Reported threats to Daniel Morgan linked to the Malta trip

708. While both David Bray and Iris Morgan's evidence suggest that nothing untoward had occurred in Malta, there is evidence from a number of witnesses that, both before and after the trip, Daniel Morgan had been subjected to a number of threats or had encountered problems connected to it. Most of this evidence was in the possession of the Morgan One Investigation very shortly after the murder:

- i. In his statement of 11 March 1987 Jonathan Rees claimed that *'Daniel did mention to me on his return that he had received serious threats whilst in Malta from some person with whom he had dealings who travels regularly from Malta to England'*.¹²⁰⁴
- ii. On 13 March 1987 an acquaintance of Daniel Morgan made a statement in which he said, *'I recall that back in January of this year [Daniel] mentioned in a telephone conversation we had that he was going to Malta to repossess a Range Rover and that prior to him leaving the country he'd had a threatening call to the effect that he'd "be had for it"'*.¹²⁰⁵
- iii. On 17 March 1987, DS Alec Leighton, a Metropolitan Police officer who was one of a number of officers known to Jonathan Rees and Daniel Morgan, informed the Morgan One Investigation that on 24 February Daniel Morgan had told him that he had encountered a number of problems in relation to the trip:

'[W]hilst engaged on his enquiry in Malta, he had come up against someone who had caused him lots of problems and had threatened him. The person who he mentioned and in fact named, had not threatened MORGAN directly but the threats had been offered via third persons. Danny indicated that this man was the local gangster – and of Mafia proportions. However, Danny was prone to excitement and exaggeration and often you used to take what he said "with a pinch of salt". Danny did say that in a couple of weeks the Maltese man was coming to England to carry out some more business with the cars and he was expecting trouble again. Probably just to appease him I told him that if he had the slightest bit of aggravation that he was to contact me.'

DS Leighton went on to say that he heard nothing further from Daniel Morgan and did not see him again after 24 February 1987.¹²⁰⁶

DS Leighton did not record the name of the person who had made the threats in his statement, and it does not appear to have been recorded anywhere else. In a later statement he said *'he [Daniel Morgan] indicated that threats had been made on his life but that the threats had been confined to his time in Malta and had not been made before then or since his return'*.¹²⁰⁷

1204 Witness statement of Jonathan Rees, MPS021752001, p11.

1205 Witness statement of owner of Ashdown Investigations, MPS016575001, p2.

1206 Witness statement of DS Alec Leighton, MPS015990001, pp2-3, 17 March 1987.

1207 Witness statement of DS Alec Leighton, MPS028057001, 21 June 1988.

There is no evidence that any action was taken to identify the man to whom DS Alec Leighton referred in his statement as having allegedly threatened Daniel Morgan in Malta, despite the fact that he said that Daniel Morgan had named the man. There is no evidence to demonstrate that DS Leighton was asked about the identity of this individual. As an experienced police officer, it would have been expected that he would have recorded this fact in his statement, as it would have been obvious that it was relevant.

- iv. On 23 March 1987, Peter Newby, the Southern Investigations Office Manager, said in a statement:
- 'The only other time that I was aware that Danny may have been threatened was shortly after he returned from his trip to Malta [...] I walked into the office [...] one morning and I heard him slam the phone down. His face looked white. It often went like this if he was worried or tired. I asked him what was wrong. He said "I've just had a phone call about that job in Malta." I said, "What sort of phone call." I think his words were, "A bit heavy." With that he got up, said he'd be back and walked out.'*¹²⁰⁸
- v. On 24 March 1987, a client of Southern Investigations said in a statement that, on 10 March 1987, he had had lunch with Daniel Morgan and then a meeting at the client's office in order to draw up a number of distress warrants in connection with civil court proceedings. During conversation, Daniel Morgan mentioned the trip to Malta and said, *'that he'd had trouble getting off the island'*.¹²⁰⁹ It is not clear in the statement or elsewhere what kind of *'trouble'* Daniel Morgan had been referring to here. It may have been simply a reference to the issues encountered when leaving.
- vi. On 05 June 1987, a police officer from Dumfries and Galloway Constabulary, acting on behalf of the Morgan One Investigation, took a witness statement from a former employee of Daniel Morgan.¹²¹⁰ Dumfries and Galloway Police had been asked simply to obtain details of the man's *'dealings with MORGAN or Southern Investigations'*.¹²¹¹ In his statement the witness said that, although he could not think of anyone who would have wanted to kill Daniel Morgan, he believed that he had repossessed a car in Malta and had also previously been involved in a case relating to a Soho club, the owner of which *'fell out with some of the local Maltese community'*.¹²¹² The officer who took the statement subsequently reported that *'[a]lthough [the witness] couldn't provide me with any form of evidence, he is of the opinion that MORGAN has had dealings with a number of the Maltese community both in London and back in Malta, which would have given them cause to dislike him to say the least'*.¹²¹³

1208 Witness statement of Peter Newby, MPS010344001, p12, 23 March 1987.

1209 Witness statement of a client of Southern Investigations, MPS010461001, p2, 24 March 1987.

1210 Witness statement of former employee of DJM Investigations, MPS010702001, 05 June 1987.

1211 Report from Dumfries and Galloway Constabulary re. a former employee of DJM Investigations, MPS011324001, p3, 15 May 1987.

1212 Witness statement of the former employee of DJM Investigations, MPS010702001, 05 June 1987.

1213 Witness statement of a Detective Constable from Dumfries and Galloway Constabulary, MPS010703001, undated.

709. Having received the witness statement and a report from Dumfries and Galloway Constabulary, in which reference was made to Daniel Morgan's trip to Malta and apparent contacts with members of the Maltese community living in London, the Morgan One Investigation should have made further enquiries of the witness in order to establish exactly what he knew.

710. Two other items of information received in the Morgan One Investigation incident room concerning alleged threats against Daniel Morgan might also have been connected to this subject, given the reported link between at least one of the suspects in the West Yorkshire Police investigation and the Krays. On 01 June 1987, a woman contacted the incident room, as a result of which arrangements were made to meet with her. D/Supt Douglas Campbell and another officer from the investigation went to East Croydon Railway Station where the other officer spoke to the woman while D/Supt Campbell watched from a distance. She told the attending police officer that she had *'heard through the grapevine'* that Jonathan Rees was heavily involved in drug dealing and that Southern Investigations was a front for this with Charlie Kray being the *'head of the drugs ring although he was not actively involved'*. The message said that *'[Daniel] MORGAN had found out about the drugs & John REES & was going to do something & that's why he was killed'*. She also gave information concerning another, unrelated crime and some personal details about herself, although these were not sufficient for her to be identified. She told the officer that she would attempt to find out more information and would telephone her the following day, but nothing further was ever heard from her.¹²¹⁴

711. Later that same month, on 30 June 1987, a message was submitted to the incident room by DC Kinley Davies to the effect that a private investigator and former Metropolitan Police Detective Constable called Peter Wilkins had spoken with him on 14 April 1987, and had stated he had been told that some time prior to the murder, a solicitor was alleged to have remarked that *'a driver of Charlie KRAY'* had told him that *'if MORGAN "didn't keep his nose out, he'd be topped"'*.¹²¹⁵ It is not clear to the Panel why it took DC Davies more than ten weeks to submit his report.

712. The solicitor was interviewed in August 1987 and made a very short, strangely worded and ambiguous statement in which he said, *'[d]ue to my profession, I have had numerous conversations with other people about possible causes for Daniel's death, but all of these were purely speculative [...] I can say that I have never had a conversation with anybody about a certain motive for Daniel's death.'*¹²¹⁶ The statement did not in fact address the issue raised by former DC Peter Wilkins. There is no indication that a link was made between this information and that provided by the woman who contacted the incident room or that the two pieces of information were followed up in any meaningful way.

¹²¹⁴ Message M277 Morgan One Investigation, MPS012337001, 01 June 1987.

¹²¹⁵ Message M362 Morgan One Investigation M362, MPS012422001, 30 June 1987.

¹²¹⁶ Witness statement of the solicitor, MPS010484001, p1, 18 August 1987.

713. The delay by DC Kinley Davies in submitting a written report concerning information he had received ten weeks previously, about an alleged threat to Daniel Morgan's life by an associate of a notorious London criminal, was a failing on the part of DC Davies. The failure to investigate this matter further by seeking additional information from the solicitor who had made such a carefully worded statement was another failing of the Morgan One Investigation.

714. In 1989, the Hampshire/Police Complaints Authority Investigation obtained further information concerning the hypothesis that there might have been a connection between the trip to Malta and the murder of Daniel Morgan. In March 1989, a statement was taken from an employee of Southern Investigations who said that one day in mid-April 1987, she joined Jonathan Rees, Michael Goodridge and several other associates in the Victory public house. She said:

*'We were discussing the murder in general and various theories were being put forward as to how it had happened. One of the theories was that after returning to England with the Range Rover [sic] from Malta, Daniel had received a telephone call [...] requiring [him] to hand over the packets that had been in the vehicle or there would be trouble. Daniel apparently told whoever was on the telephone to go to the Police. The telephone call was not a theory but apparently a fact. The theory was that Daniel was killed because of it. I do not know who in the group knew about the telephone call but whoever it was had obviously been told this by Daniel MORGAN. I presumed the packets referred to related to drugs.'*¹²¹⁷

7.1.4 Information provided by Person O24 and a mutual friend

715. On 13 April 1987, Person O24 had provided a witness statement in which he said that he had been informed of the murder on 12 March 1987 by a mutual friend.¹²¹⁸ The mutual friend was said by Person O24 to own several garages on Albion Place, South Norwood, a location which, he said, Daniel Morgan visited regularly.¹²¹⁹ For reasons that are unclear to the Panel, no steps were taken to contact or interview the mutual friend. In November 1987, Person O24 was contacted again by an officer from the Morgan One Investigation but it was reported that he had nothing to add to his April statement.¹²²⁰

716. It was not until 2006 that the mutual friend was approached by police and interviewed. On 13 November 2006, the mutual friend told officers from the Abelard Two Investigation team that he, Person O24 and Daniel Morgan shared an interest in classic cars and on the weekend prior to Daniel Morgan's murder, all three had gone to a classic car show near Enfield. He said that he knew little of Daniel Morgan's work other than that he was a private detective, but during the weekend Daniel Morgan told him that he had uncovered some damning evidence about some members of the Metropolitan Police. The information was so serious that he could not go to the Metropolitan Police about it and so had made contact with another police force. The mutual friend could not remember which force had been named but said that 'West Midlands'

¹²¹⁷ Witness statement of an employee of Southern Investigations, IPC000343001, 09 March 1989.

¹²¹⁸ Witness statement of Person O24, MPS010599001, p6, 13 April 1987.

¹²¹⁹ Witness statement of Person O24, MPS010599001, pp1-2, 13 April 1987.

¹²²⁰ Action A1452, 'Ring Person O24 ... ask him if he can recollect anything further ...', MPS014515001, 24 November 1987.

came to mind, and he believed that arrangements had been made for Daniel Morgan to meet officers from that force the week that he was murdered. Daniel Morgan did not tell him what the evidence was.¹²²¹

717. The Morgan One Investigation did not trace the mutual friend, despite being aware of his existence. This resulted in a failure to obtain evidence which may have linked information Daniel Morgan allegedly had about police misconduct, to the West Yorkshire investigation.

718. It is not unreasonable to assume that Daniel Morgan may have said 'West Yorkshire Police' rather than 'West Midlands Police'. It is also reasonable to believe that had the Morgan One Investigation spoken with the mutual friend in 1987, a possible connection between his evidence and the West Yorkshire investigation would have been made. This was a missed opportunity.

7.1.5 Action by D/Supt Campbell and the Morgan One Investigation

719. Despite all the evidence received in March 1987, the Malta line of enquiry was not prioritised. It was not until after the arrests of Jonathan Rees, DS Sidney Fillery and others on 03 April 1987, that the investigation of the West Yorkshire suspects, directed on 17 March 1987, actually occurred, and not until July 1987 that initial contact was made with the Number 6 Regional Crime Squad in Brighton.¹²²² (See paragraph 734 below.)

720. On 08 April 1987, D/Supt Douglas Campbell telephoned a Detective Inspector in the Metropolitan Police Drugs and Illegal Immigration Intelligence Unit and asked whether Malta was known to be a drugs transit area. He was told that it was not. He also asked for the files to be checked to establish if either Daniel Morgan or Person C22 were known. The Detective Inspector later telephoned the incident room and replied that they were not but asked whether he should make further enquiries with his contacts in the Maltese Police. DI Allan Jones endorsed the record '*None at this stage*'.¹²²³

721. It is unclear to the Panel what prompted D/Supt Douglas Campbell himself to make this enquiry – such enquiries might more usually be done by a junior officer – and why he restricted the checking of the intelligence records to only Daniel Morgan and Person C22. However, an explanation for the timing and content of the call may be found in a conversation D/Supt Campbell had had with Jonathan Rees on 04 April 1987.

7.1.6 The interview of Jonathan Rees on 04 April 1987

722. Jonathan Rees had been arrested on suspicion of Daniel Morgan's murder on 03 April 1987 and had been interviewed under caution in the presence of his solicitor by D/Supt Douglas Campbell that day. Towards the end of the interviews, when asked if he had any information

1221 Message M328, Abelard 2 Investigation, MPS068574001, 14 November 2006.

1222 See, for example, A239, MPS005173001, 07 April 1987; and A242, MPS083125001, 16 April 1987.

1223 Message M154 Morgan One Investigation, MPS012214001, 08 April 1987.

that could be relevant to the murder, Jonathan Rees said, '[t]he only thing that I'm not content with is Daniel's connection with Malta and David BRAY. I am willing to discuss this matter further informally.'¹²²⁴

723. The following morning, at 10.55am, D/Supt Douglas Campbell again interviewed Jonathan Rees. In a statement made in 1991 in connection with civil proceedings, D/Supt Campbell stated:

*'There was no solicitor present and no notes were taken. This was at his request because we were dealing with what he had said to me the previous night about Danny MORGAN's connection with Malta and David Bray. The interview lasted until about midday [...].'*¹²²⁵

724. No further information was given about the substance of what Jonathan Rees said, and the Panel has been unable to find any record of, or any other reference to what was said by Jonathan Rees during this interview.

725. While it is not uncommon for suspects in custody or otherwise to ask to speak to police officers 'off the record' and therefore no contemporaneous note is taken, the proper practice is for a record to be made as soon as possible afterwards.¹²²⁶ In this case – whether or not Jonathan Rees had provided any useful information – he should have been cautioned at the outset of the interview and a written record should have been submitted by D/Supt Douglas Campbell to the incident room and processed in accordance with standard administrative procedures. The fact that this was not done is a failing on his part.

Following the informal interview with Jonathan Rees on 04 April 1987, during which Daniel Morgan's trip to Malta was discussed, D/Supt Douglas Campbell's failure to make a written record of what had been said was a breach of the Police and Criminal Evidence Act 1984 Code of Practice C.

726. The following month, D/Supt Douglas Campbell instructed that the Range Rover which had been recovered by Daniel Morgan should be searched in order to establish if it contained any sealed compartments that might be used to conceal drugs. He recorded that the reason for this was that the removal of the vehicle from Malta may have provided '*an opportunist a chance to smuggle drugs or other contraband [...] unbeknown to MORGAN or BRAY*'.¹²²⁷ The vehicle was traced to an address in Brighton, and Sussex Police officers took it to a police station and stripped it down but were not able to find any such compartments.¹²²⁸ Again, it is not clear to the Panel what specific information prompted this action, nor its timing.

¹²²⁴ Record of interview with William Jonathan Rees, MPS015316001, p95, 03 April 1987.

¹²²⁵ Witness statement of D/Supt Douglas Campbell, MPS037217001, p19, 09 September 1995.

¹²²⁶ Police and Criminal Evidence Act 1984, Code of Practice C, 1985, para 11.5(b), '*The record must be made during the course of the interview, unless in the investigating officer's view this would not be practicable or would interfere with the conduct of the interview, and must constitute either a verbatim record of what has been said or, failing this, an account of the interview which adequately and accurately summarises it.*' Para 11.7 '*If an interview record is not made during the course of the interview it must be made as soon as practicable after its completion.*'

¹²²⁷ Registry docket report by D/Supt Douglas Campbell, MPS008491001, p4, undated.

¹²²⁸ Action A783 Morgan One Investigation, MPS013846001, 29 May 1987.

727. In an email reply to a written question from the Panel, former D/Supt Douglas Campbell stated that while he did recall the fact of the trip to Malta, he was unable to remember any of the detail or the West Yorkshire involvement.¹²²⁹

7.1.7 Information given to the Panel by former members of the West Yorkshire Police

728. The Panel interviewed former DCS Trevor Brading, who as a Detective Constable and Detective Sergeant in 1985 and 1987 had been a member of the West Yorkshire Police investigation into the fraud involving Irving Markson and others. He stated that Irving Markson had been based in Leeds but was originally from London and maintained links to his family and criminal associates there and in the South East of England, including Terence Sansom.¹²³⁰

729. During the period of the West Yorkshire investigation prior to Daniel Morgan's visit to Malta in February 1987, Irving Markson, knowing that he was under investigation, had fled the UK with about £500,000 in cash and a BMW car, as well as with the Range Rover.

730. Irving Markson was subsequently deported from Malta and, on his return to the UK, he was arrested and charged by the West Yorkshire investigation. Prior to his arrest, the West Yorkshire investigation carried out a series of coordinated searches at premises in Leeds and London, including at a solicitor's offices on Oxford Street in London.¹²³¹ Former DCS Trevor Brading said that they had not told local Metropolitan Police officers of their intentions and were therefore surprised when, ten or fifteen minutes after they had commenced their search, two Metropolitan Police detectives turned up offering to assist. Former DCS Brading told the Panel that he believed that the solicitor was corrupt and had telephoned contacts in the local Criminal Investigation Department (CID) when the West Yorkshire Police officers arrived.¹²³²

731. Former DCS Trevor Brading also told the Panel that he believed at the time that, as well as being involved in the fraud, Irving Markson and his associates were also involved in drug-trafficking. The intelligence the West Yorkshire investigation team had had was that cannabis was being brought out of North Africa by fast boat to Gozo, Malta, and from there smuggled by car ferry to Sicily and through Europe to the UK. He also stated that after he had seen the *Crimewatch* programme concerning Daniel Morgan's murder, during which the two Mediterranean looking men who were allegedly seen looking into the Golden Lion public house on the night of the murder were mentioned (see paragraph 383iv above), he telephoned the Morgan One Investigation to ensure that a connection was made between Malta, Gozo, drug-trafficking and the two men.¹²³³ The Panel has been unable to find any record of this telephone call in the Morgan One papers. However, an investigative action on 24 April 1987, the day after the *Crimewatch* broadcast, directed that enquiries be made 'at Regan's' Wine Bar for two Maltese types'.¹²³⁴

7.1.8 Investigative steps directed on 17 and 18 March 1987 and subsequent activity

732. The outcomes of the investigative actions which were raised on 17 and 18 March (only one of which was completed fully), and others which were raised later, all provided abundant evidence to support the alleged links between the West Yorkshire suspects and organised crime in London.

1229 Email from former D/Supt Douglas Campbell to the Panel, 27 February 2016.

1230 Panel interview of former DCS Trevor Brading, 22 February 2016.

1231 Panel interview with former DCS Trevor Brading, 22 February 2016.

1232 Panel interview with former DCS Trevor Brading, 22 February 2016.

1233 Panel interview with former-DCS Trevor Brading, 22 February 2016.

1234 Action A699 Morgan One Investigation, MPS013762001.

733. The 17 and 18 March investigative actions were:

- i. To obtain a statement from the finance company which had engaged Daniel Morgan to go to Malta.¹²³⁵ The statement was obtained on 10 April 1987 on behalf of the Metropolitan Police.¹²³⁶ This was the only fully completed action.
- ii. To research Person C22.¹²³⁷ Following a request by the Morgan One Investigation, via Interpol, Person C22 was interviewed by the Maltese Police on 28 April 1987. A very brief report received from the police in Malta confirmed little more than that he had met with Daniel Morgan and that he had stored the Range Rover on behalf of Irving Markson. However, there is no indication that he was asked if he had travelled to the UK since his dealings with Daniel Morgan, nor about his movements on 10 March, and no physical description of him was obtained.¹²³⁸ He was never interviewed by detectives from the Morgan One Investigation.
- iii. To research an individual who the West Yorkshire Police officers had said was a drug dealer.¹²³⁹ This fact was not recorded as part of the information for the officer conducting the research. It was recorded that local intelligence records were checked that showed links between Irving Markson, and the alleged drug dealer and a car dealership in North London. The West Yorkshire officers linked the car dealers to Terence Sansom.
- iv. To research an individual who was a US citizen. The original message from the West Yorkshire officers stated that they held a copy of his FBI file. The Morgan One Investigation recorded simply that arrangements had been made for enquiries to be made at the American Embassy, and that a check with the Metropolitan Police Criminal Intelligence Bureau had produced an address for him in the United States.¹²⁴⁰ There is no indication in the records available to the Panel that a copy of the FBI file was obtained, or that enquiries were in fact made with the American Embassy, or that any further research was done on him.
- v. To create a file in respect of Irving Markson (spelled at various times as Irvin Markson). This was done. It was established that Irving Markson lived in Central London and had been charged with the theft of the Range Rover recovered by Daniel Morgan from Malta. He was the subject of enquiries by a Detective Chief Inspector from the Metropolitan Police at Streatham.¹²⁴¹ Irving Markson was linked through entries in his telephone book to others being investigated by West Yorkshire Police in the fraud case. He was one of those ultimately convicted following the West Yorkshire fraud investigation.¹²⁴²

Irving Markson answered bail in North London at 5.30 pm on the day that Daniel Morgan was murdered.¹²⁴³ DS Christopher Horne reported that a copy of the bail record was being sent to the Morgan One Investigation. There is no copy of that bail report among the documents received by the Panel.

1235 Action A234 Morgan One Investigation, MPS013297001, 18 March 1987.

1236 Witness statement of client of Daniel Morgan, MPS010636001, 10 April 1987.

1237 Action A235 Morgan One Investigation, MPS013298001, 18 March 1987.

1238 Interpol Report, MPS011323001, 29 May 1987.

1239 Action A236 Morgan One Investigation, MPS013299001, 18 March 1987.

1240 Action A238 Morgan One Investigation, MPS013301001, 18 March 1987.

1241 Action A239 to research and make up a docket on Irving Markson, MPS005173001, 18 March 1987.

1242 Action A239 Morgan One Investigation, MPS013302001, 18 March 1987.

1243 Action A239 Morgan One Investigation, MPS013302001, p1, 07 April 1987.

At the beginning of June 1987, it was directed that Irving Markson should be interviewed about his knowledge of Daniel Morgan, but this was never done, and on 07 January 1988 it was marked 'NFA'¹²⁴⁴ on the instructions of D/Supt Douglas Campbell. There is nothing in the papers available to the Panel to explain this.¹²⁴⁵

There is no evidence that Irving Markson, or any of the other suspects being investigated by West Yorkshire Police in connection with the fraud and the vehicle recovered by Daniel Morgan from Malta, were interviewed about any knowledge they may have had of events leading up to his murder. Attempts should have been made to trace and interview them, to see if they could have been eliminated from the enquiries.

- vi. To research Terence Sansom (spelled at various times as 'SAMPSON' or as 'Michael TERRANCE').¹²⁴⁶ It was established that he was considered a 'target'¹²⁴⁷ by the Metropolitan Police Criminal Intelligence Bureau (CIB). He was reported to be a man of violence, having a previous conviction for affray and for possessing a firearm when prohibited because of his criminal record.

Further information about Terence Sansom

In 1989, during the period when the Hampshire/Police Complaints Authority Investigation was ongoing, Terence Sansom was arrested and charged by HM Customs & Excise in Southampton '*with a multi-million pound drug importation job*'. DS Peter Mann from the West Yorkshire Police investigation team recommended at that time that, if Hampshire officers wished to investigate potential links between Daniel Morgan's death and the Malta trip, they take the opportunity to interview Irving Markson, '*especially as SANSOM, whom MARKSON is supposed to be in fear of, is now in custody*'.¹²⁴⁸ It was directed that this should be done. This did not happen.¹²⁴⁹

The Panel interviewed one of the West Yorkshire detectives who stated that Terence Sansom was of interest to the Number 6 Regional Crime Squad because he was suspected of involvement in police corruption. He was said to '*have senior police officers in his pocket*'.¹²⁵⁰ In his interview with the Panel an intelligence officer of Number 6 Regional Crime Squad confirmed this and said that during Operation Switzerland (see Section 7.1.9) there was a great deal of nervousness about leaks and the possibility that the targets would become aware of the fact that they were being investigated, to the extent that he was told that no information was to be passed to the Metropolitan Police Criminal Intelligence Bureau.¹²⁵¹

1244 No further action.

1245 Action A788 Morgan One Investigation, MPS083125001.

1246 Action A237 Morgan One Investigation, MPS013300001, 18 March 1987.

1247 A target in this instance was somebody of interest to police because of their suspected criminal activities.

1248 Officers report R68P Hampshire/PCA Investigation R68P, MPS018866001, p2, 03 April 1989.

1249 Action A718 Hampshire/PCA Investigation, MPS032804001.

1250 Panel Interview of former Detective Constable from West Yorkshire Police, 24 November 2015.

1251 Panel Interview of former the Detective Constable at Number 6 Regional Crime Squad (Brighton), 26 January 2016.

Terence Sansom was suspected of having been involved in the 1963 Great Train Robbery. His name was on a list of suspects compiled by police and released from Royal Mail archives just before the fiftieth anniversary of the robbery in 2012.¹²⁵²

- vii. To research Person Z10. On 13 April 1987, the Morgan One Investigation identified Person Z10 and confirmed that he was an associate of Irving Markson and also of interest to HM Customs & Excise.¹²⁵³ It was stated that arrangements had been made for the Customs Officer concerned to contact the investigation but there is no record of him ever having done so, or if he did, of any information he imparted. It was also recorded that in 1976 a very similar name, differently spelled from that of Person Z10, had been charged with keeping a brothel, living off the earnings of prostitution and allowing premises to be used for gaming.¹²⁵⁴ There were inconsistencies in the spelling of Person Z10's first name during the Morgan One Investigation.

Further information relating to Person Z10 and Person R16

The Morgan One Investigation failed to make a connection between Person Z10 and Person R16, also known by an alias (who was identified by the Panel from the papers available to it) and who had been convicted in 1984 for assaulting Daniel Morgan, occasioning him actual bodily harm, and assaulting a police officer in the same incident. Person R16's criminal record was obtained by the Morgan One Investigation. It showed that, in January 1984, he had been convicted of the assaults on Daniel Morgan and the police officer, arising out of an incident in May 1983 when Daniel Morgan was attempting to serve an eviction notice on him. He was given a conditional discharge. However, his criminal record shows that he was a violent man with previous convictions for demanding money with menaces and wounding with intent to cause grievous bodily harm, including by stabbing someone in the face with broken glass.¹²⁵⁵ The papers available to the Panel indicate that Person R16 could have been the father of Person Z10 or may have been otherwise related to him.¹²⁵⁶

A witness who gave evidence of the threat allegedly made against Daniel Morgan, before he undertook the trip to Malta, also said that Daniel Morgan had been threatened with a knife two or three years earlier by a man sharing the same surname as Person R16 when he was attempting to serve some legal documents in East Dulwich. The witness said that, at the time, the incident '*really worried*' Daniel Morgan.¹²⁵⁷

¹²⁵² 'Hove man was Great Train Robbery suspect', www.thelatest.co.uk, 6 February 2012.

¹²⁵³ Action A239 Morgan One Investigation, MPS013303001, 17 March 1987.

¹²⁵⁴ Document D126, 'Fische + copy printout [Person Z10]', MPS011194001, p6, 08 January 1977.

¹²⁵⁵ Fiche and print out for Person R16, MPS011390001, undated.

¹²⁵⁶ Fiche and print out for Person R16, MPS011390001, undated.

¹²⁵⁷ Witness statement of former business associate of Daniel Morgan, MPS010234001, pp2-3, 13 March 1987.

On reading the statement, D/Supt Douglas Campbell instructed that Person R16 should be interviewed. DS Christopher Horne later reported that an address had been checked for Person R16 but that the premises had been unoccupied and further enquiries were in hand to trace him. It is not clear what these enquiries were, but if they were carried out, they were unsuccessful. He was not interviewed by the Morgan One Investigation and on 08 January 1988 the instruction was marked 'NFA'.^{1258,1259}

While there is no conclusive proof that Person Z10 and Person R16 were related, research by the Panel of the information contained in the Morgan One Investigation papers suggests that, given their ages, places of residence, antecedents and their common surname, it is possible that they were related.

The Morgan One Investigation should have identified the link between Person Z10 and a man who was possibly a close relative of his, Person R16, who had been convicted of assaulting Daniel Morgan and who was already the subject of enquiries in connection with the West Yorkshire fraud investigation. They should then have conducted further enquiries.

- viii. To research Person V7. It was reported that he was wanted for failing to appear at Knightsbridge Crown Court on 16 May 1986 in connection with a charge of possession of drugs with intent to supply.¹²⁶⁰ He was stated to have been born in Gozo, Malta, to own a large house in London and to be the manager of '*various West End clubs of a dubious nature*' and the director of several companies, including a property company that owned a number of premises in Soho that were operated as sex shops.¹²⁶¹

7.1.9 Operation Switzerland

734. On 18 March 1987 DS Christopher Horne was directed to contact Number 6 Regional Crime Squad, who were interested in the West Yorkshire investigation, and speak with a Detective Constable to ask if he could assist the Morgan One Investigation. On 16 April 1987, an attempt was made to contact the Detective Constable who was said to be on leave and due back at work on 24 April 1987. Nothing further happened until the matter was reallocated to Police Officer A27 on 20 July 1987. The same day, Police Officer A27 spoke to the Detective Constable and was told that access would be granted to the 'Operation Switzerland' database, and a meeting was arranged for 27 July 1987. However, for an unstated reason, this was cancelled on 23 July 1987.¹²⁶² On 31 July 1987, Police Officer A27 sent a telex message to Number 6 Regional Crime Squad asking for the names of 14 people including Daniel Morgan,

¹²⁵⁸ Morgan One Investigation A611, 13 April 1987, MPS013674001.

¹²⁵⁹ NFA indicated no further action.

¹²⁶⁰ Action A241 Morgan One Investigation, MPS013304001, 18 March 1987.

¹²⁶¹ Document D127, '*Fische + copy printout ..*', MPS011195001, p5, 06 March 1984.

¹²⁶² Action A242, Contact Detective Constable, Intelligence Officer at Number 6 Regional Crime Squad (Brighton), and see if he can assist the enquiry, MPS013305001, 18 March 1987.

Jonathan Rees, David Bray, Garry Vian, Glenn Vian, Paul Goodridge, Irving (spelt Irvin by Police Officer A27) Markson, Person C22 and six other persons to be checked against the database held by the Regional Crime Squad.¹²⁶³

735. Of the list of suspects provided by West Yorkshire Police, information was sought only in respect of Irving Markson and Person C22.

736. The records then show that, on 10 August 1987, the action was reallocated to DC Paul Lombard. This telex was reported on 18 August 1987, by DC Lombard, to have gone astray, and it was sent again to the Detective Constable at Number 6 Regional Crime Squad.^{1264,1265} Six months later, on 23 February 1988, Number 6 Regional Crime Squad replied to the request reporting on 13 of those about whom the question was asked, saying that only Irving Markson was recorded in relation to the West Yorkshire Police fraud enquiry.¹²⁶⁶ There is no explanation for the delay, nor for the fact that no information was provided about one of those about whom a query had been made.¹²⁶⁷

737. The Panel interviewed both DC Paul Lombard, who said he had no recollection of any dealings with Number 6 Regional Crime Squad, and the Detective Constable at Number 6 Regional Crime Squad who initially dealt with the enquiry, who said that he was not able to recall it and so was not able to account for the delay.^{1268,1269}

738. There was an inexcusable failure to maintain accuracy and consistency in the spelling of names – a factor present throughout the Morgan One Investigation. This may have resulted in inaccurate, incomplete or no information being obtained in response to requests for checks of databases and thus probably contributed to preventing this line of enquiry from being completed effectively.

7.1.10 A Croydon massage parlour/brothel and possible links to the Malta enquiry

739. Daniel Morgan and Jonathan Rees had been due to give evidence at a County Court hearing on 24 March 1987. In September 1986, Daniel Morgan and Jonathan Rees had been engaged by a company to make enquiries into premises, which were believed to be being operated as a massage parlour and brothel called '*Bodyscene*', at the rear of Austin Motors, London Road, Croydon.¹²⁷⁰ It was run by Patricia Osborne and was under the control of George Osborne and Maria Marsh. As a result of the evidence obtained by Daniel Morgan, who had posed as a customer, and Jonathan Rees, who had kept observations on people entering and

¹²⁶³ Document D475, Telex message and letter to number 6 Regional Crime Squad, MPS011588001, pp3-4, 31 July 1987.

¹²⁶⁴ Action A242, Contact Detective Constable, Intelligence Officer at Number 6 Regional Crime Squad (Brighton), and see if he can assist the enquiry, MPS013305001, 18 March 1987.

¹²⁶⁵ Document D475, Telex message and letter to number 6 Regional Crime Squad, MPS011588001, p5, undated.

¹²⁶⁶ Document D475, Telex message and letter to number 6 Regional Crime Squad, MPS011588001, p2, 23 February 1988.

¹²⁶⁷ A solicitor. (Document D475, Telex message and letter to number 6 Regional Crime Squad, MPS011588001, p4, 31 July 1987 and p2, 23 February 1988).

¹²⁶⁸ Panel interview of former DC Paul Lombard, 29 September 2016.

¹²⁶⁹ Panel interview of former Detective Constable at Number 6 Regional Crime Squad (Brighton), 26 January 2016.

¹²⁷⁰ Witness statement of Daniel Morgan, MPS008197001, undated.

leaving, the company owning the building had begun eviction proceedings.¹²⁷¹ The requirement to attend court and give evidence was cancelled on 13 March 1987, three days after Daniel Morgan's murder.¹²⁷²

740. In early 1986, there had been a fire at adjoining premises also under the control of Patricia Osborne, the wife of George Osborne, which had led to an insurance claim.^{1273,1274,1275} George Osborne had previous convictions and was of interest to Number 6 Regional Crime Squad, although it is not known if this was in connection with 'Operation Switzerland' or some other matter. According to intelligence records obtained by the Morgan One Investigation, George Osborne was also an associate of Terence Sansom (see paragraph 733vi above).

741. On 14 August 1987, a Police Constable from Surrey Police received a telephone call from an anonymous caller who said he was a private detective and claimed that he was 'ex-job' (ie, a former police officer). The caller said that he had received information that George Osborne had been involved in Daniel Morgan's murder. He said, *'Danny MORGAN was doing some job on his own, away from the firm [Southern Investigations] and was using a different name. [... He] gained some information about OSBORNE that cost OSBORNE a lot of money. OSBORNE was working with heavy people in Thornton Heath. They went to work MORGAN over but they went to [sic] far.'*¹²⁷⁶ The caller was never identified.

742. On 18 August 1987, it was reported that a former Metropolitan Police officer who was now the proprietor of premises adjacent to 'Bodyscene' had told officers from the Morgan One Investigation that he understood that the Criminal Investigation Department (CID) at 'ZN' (believed to be Croydon CID) were investigating allegations that George Osborne had submitted forged receipts in connection with the insurance claim made in respect of the fire. He also said that he had spoken with George Osborne about the activities at 'Bodyscene' and told him that if they did not cease, he would report the matter to the police. Allegedly George Osborne responded that this *'wouldn't get him anywhere as he knows someone high up in the police who would help him'*.¹²⁷⁷ There is no evidence that any effort was made at the time by the Morgan One Investigation to contact the Criminal Investigation Department (CID) at 'ZN'¹²⁷⁸ to ascertain what information they may have had about George Osborne or who he may have known in the Metropolitan Police who may have been willing to assist him.

743. On 21 October 1987, D/Supt Douglas Campbell took a statement from a representative of the insurance company which had insured the premises in London Road, Croydon. The proposal had been received from Patricia Osborne and the insurance company representative stated that at no time were there any dealings with her husband. Following the fire, the company had paid out a sum of £43,110 for the damage and an interim payment of £5,000 was agreed for business interruption. However, this latter sum was not paid because of a number of telephone calls and letters received by the official from a man calling himself 'P Westcott', and describing himself as an enquiry agent but giving no contact details. 'P Westcott' had made reference to George Osborne's criminal record and his criminal associates. The official said that 'P Westcott'

1271 D301 Morgan One Investigation, MPS011354001, undated.

1272 Photocopy of Jonathan Rees's Letts Desk Diary, MPS103877001, p1145, 13 March 1987.

1273 Witness statement, MPS010818001, 27 October 1987.

1274 Witness statement, MPS010815001, 21 October 1987.

1275 Witness statement, MPS010817001, pp3-4, 27 October 1987.

1276 Witness statement of a Police Constable from Surrey Police, MPS010734001, 14 August 1987.

1277 Message M442 Morgan One Investigation, MPS012502001, 18 August 1987.

1278 ZN was the South Norwood Metropolitan Police sector area of the London Borough of Croydon and had its own CID department.

was clearly aware of the fire and of the fact that the first payout had been made, but was anxious that no further money be paid. The last call he had from him was the week before Daniel Morgan's murder.¹²⁷⁹

744. Former D/Supt Douglas Campbell was asked by the Panel why he had taken this statement, as such a task would normally be done by a more junior officer. He replied: *'To explain my involvement in the investigation you must not view the manpower of the Mets murder investigations in 1987 with either those of the Constabularies of that time or indeed of similar investigations today. [...] If jobs had to be done and officers were not available they were sometimes undertaken by DI Jones or myself. [...] But needs must.'*¹²⁸⁰

745. A police officer, who was the local 'beat' police officer for the area in which 'Bodyscene' was situated between June 1985 and September 1986, had first notified the owners of the building that a brothel was possibly operating from it. He made a statement to the Morgan One Investigation in October 1987 in which he said that he knew both Daniel Morgan and Patricia Osborne, and that Daniel Morgan knew Patricia Osborne and had been seen drinking with her in a wine bar near the brothel. Daniel Morgan had given the police officer his Southern Investigations business card, and when he did so claimed that he was a former Criminal Investigation Department (CID) officer from Surrey Police. He said that Daniel Morgan used to approach him *'on a semi-regular basis'* in the street and either offer information or ask for checks to be carried out on individuals about whom information was held on the Police National Computer database. The officer knew Patricia Osborne because he had taken key holder¹²⁸¹ details from her and saw her regularly at 'Bodyscene'.¹²⁸²

746. The officer was subsequently challenged by D/Supt Douglas Campbell and told that he may have been mistaken when he said that he had seen Daniel Morgan in the wine bar. However, he made a second statement in which he maintained that he knew both people and had seen them there.¹²⁸³

747. On 25 November 1987, officers from the Morgan One Investigation spoke with Patricia Osborne, but she declined to make a statement unless she could do so in the presence of her husband. George Osborne told the officers that he had been advised by his solicitor not to make a statement because of a forthcoming High Court action relating to the insurance claim in respect of 'Bodyscene'.¹²⁸⁴ It was therefore not until 01 April 1988 that George and Patricia Osborne were interviewed together, in the presence of their solicitor at their solicitor's office. They were not cautioned but were asked questions about 'Bodyscene', the insurance claim for the fire, and the anonymous allegation made to the Police Constable from Surrey Police. They denied having dealings with Daniel Morgan, Jonathan Rees or Southern Investigations. They denied any knowledge of the murder. They denied knowing who had made telephone calls alleging that they should not be paid insurance moneys in respect of the fire at their premises or who had said that they had been involved in the murder of Daniel Morgan.¹²⁸⁵

1279 Witness statement, MPS010815001, 21 October 1987.

1280 Email from former D/Supt Douglas Campbell to the Panel, 27 February 2016.

1281 A keyholder is a person who is entrusted with keeping a key to commercial or industrial premises.

1282 Witness statement, MPS010817001, 27 October 1987.

1283 Witness statement, MPS016974001, 25 December 1987 (possibly 25 November 1987).

1284 Message M615 Morgan One Investigation, MPS012675001, 25 November 1987.

1285 Transcript of interview of George and Patricia Osborne, MPS010900001, 01 April 1988.

748. While there may have been good reasons why the interview of George and Patricia Osborne took more than seven months to be carried out, it is not clear to the Panel why it took more than three months for initial contact to be made with them. Furthermore, while the mere fact of an anonymous telephone call was insufficient to provide enough reasonable suspicion to arrest George Osborne, it is not clear to the Panel why he was not cautioned before questions were put to him.

749. From the papers available to the Panel, it appears that few steps were taken to further investigate the information received from the Police Constable from Surrey Police before or after the interviews of George and Patricia Osborne. Despite the criminal record and local intelligence records in respect of George Osborne being obtained, in which it was noted that he was both an associate of Terence Sansom and of interest to a Detective Inspector at Number 6 Regional Crime Squad, there is no evidence that the connection was made between these facts and the West Yorkshire Police investigation and no enquiries were made with the Regional Crime Squad.

750. The information received by the Police Constable from Surrey Police to the effect that George Osborne, who was a known associate of Terence Sansom, had been involved in Daniel Morgan's murder should have been subject of further investigation and that contact with him should have taken place sooner than over three months after it had been received.

751. Had thorough investigation been carried out of the information in the possession of the Morgan One Investigation about George Osborne, links should have been revealed between him and those under investigation by West Yorkshire Police.

752. At the beginning of March 1988, DI Allan Jones met a prostitute who told him that she had previously worked at 'Bodyscene', the brothel operated by Patricia Osborne. She said that she had been controlled by George Osborne and a woman she named as Maria Marsh.¹²⁸⁶ Later that day she telephoned the incident room and said that another woman, who also worked as a prostitute at 'Bodyscene', had just told her that '*if anyone was responsible for MORGAN's death it would probably concern a man called Alf who was concerned with Maria [Marsh] in the importation of drugs into the country*'.¹²⁸⁷

753. On 02 March 1988, DI Allan Jones was instructed to go to the offices of Number 6 Regional Crime Squad in Brighton to seek information about Maria Marsh.¹²⁸⁸ On 17 March 1988, he did so and returned with a copy of an intelligence report relating to her, which had been sent from Sussex Police to Number 6 Regional Crime Squad, who also had an interest

1286 Message M773 Morgan One Investigation M773, MPS012833001, 04 March 1988.

1287 Message M774, Morgan One Investigation, MPS012834001, 04 March 1988.

1288 Action A1615 Morgan One Investigation, MPS014678001, 02 March 1988.

in her. The nature of that interest is not known. DI Jones also returned with copies of other documents, including extracts from Irving Markson's diary and telephone book, and a copy of the Number 6 Regional Crime Squad intelligence card relating to the Range Rover.¹²⁸⁹

754. While the assumption must be that the impetus for this action was DI Allan Jones's meeting with the prostitute, there is no audit trail indicating what prompted it. Nor is there any evidence that any other enquiries were made to identify the man called 'Alf', named as possibly involved in Daniel Morgan's murder. The Panel has noted that Dr Alfred Greech was one of those who had been said to have been connected to Irving Markson (see paragraph 733v above). The Panel therefore sought clarification from former DI Jones. However, in an interview with the Panel, he stated that, although he remembered there being a line of enquiry involving Malta and a Range Rover, he was unable to remember any detail.¹²⁹⁰

755. There should have been further investigation of the information provided by the prostitute that a man called 'Alf' might have been concerned in Daniel Morgan's murder, given the link to a person with the same forename linked to suspects in the West Yorkshire investigation.

7.1.11 The Panel's efforts to access the West Yorkshire and 'Operation Switzerland' databases

756. The Panel sought access to the West Yorkshire Police HOLMES database¹²⁹¹ in respect of the fraud investigation with a view to researching it for links to Daniel Morgan's murder which may not have been identified or passed on at the time. Unfortunately, only the original reel-to-reel magnetic tape remained and despite the best efforts of West Yorkshire Police and of the Panel's staff, it proved impossible to find a way of converting it into an accessible format for searching by current IT systems.

757. Similarly, the Panel also sought to access the 'Operation Switzerland' database and files, and a search of the archives for them was carried out on its behalf by the National Crime Agency, the successor organisation to the Regional Crime Squads. Unfortunately, no trace could be found.

¹²⁸⁹ D498 Morgan One Investigation, Correspondence from 6RCS – Markson's telephone book & correspondence re. Marsh, MPS011612001, undated.

¹²⁹⁰ Panel Interview of former DI Allan Jones, p2, 08 June 2016.

¹²⁹¹ Home Office Large Major Enquiry System: HOLMES is a computerised database designed to support the police investigation of major crimes.

758. The line of enquiry arising out of the trip to Malta was clearly a very important one and a link to possible drug smuggling would have provided a credible motive for Daniel Morgan's killing. Given the fact that it involved an organised crime group with links to suspected police corruption, that another police force and a regional crime squad were already carrying out major investigations into the organised crime group, that Daniel Morgan was a witness in one of those investigations, that he was reportedly linked indirectly to several of the suspects in those investigations and that there was also an international aspect to the matter, it demanded a sustained and coordinated approach. Instead, it was dealt with in an incoherent and piecemeal way which did not reflect the possible significance of the issues under investigation.

759. Some potential lines of inquiry were not dealt with at all, others were not completed, without explanation or apparent reason being recorded, or were only partially completed; and there was inexplicable delay and a lack of consistency and strategy in dealing with the issue as a whole. The inevitable outcome is that the matter remains unresolved and the circumstances surrounding the Malta trip can neither be ruled in nor ruled out as a factor in Daniel Morgan's murder. This was another serious failing of the Morgan One Investigation.

7.2 Information that Daniel Morgan was going to reveal details of police corruption to newspapers

760. On 12 March 1987, a message was received from journalist Sylvia Jones of the *Daily Mirror*. This stated that Daniel Morgan used to deal with the press a great deal, and that Daniel Morgan had previously been in business with Bryan Madagan but that after an acrimonious split, Daniel Morgan had tried to get the *Daily Mirror* to “do a dirty” piece’ on Bryan Madagan, and that ‘Madagan always swore revenge’.¹²⁹²

761. On 15 March 1987, DS Christopher Horne was told by DS Malcolm Davidson to take a statement from Sylvia Jones. Sylvia Jones was not spoken to until 28 May 1987.¹²⁹³

762. On 21 May 1987, Anthony Pearce of Southern Investigations informed the Morgan One Investigation that Bryan Madagan of BE Madagan & Co, for whom Daniel Morgan had previously worked, had told him the previous day that:

*‘he had received information from a local police officer that there were Police officers engaged in illegal activities. Daniel MORGAN also had the same information and related to him illegal police activities and he was going to the Sunday newspapers with the knowledge and was to obtain a substantial sum of money from the newspaper.’*¹²⁹⁴

763. Anthony Pearce also stated that he had told Peter Newby about this on the same day.¹²⁹⁵

¹²⁹² Message M53, from the Metropolitan Police Press Officer, MPS012112001, p1, 12 March 1987.

¹²⁹³ Action A189 Obtain statement from Sylvia Jones, MPS013252001, allocated 15 March 1987.

¹²⁹⁴ Witness statement of Anthony Pearce, MPS010463001, 21 May 1987.

¹²⁹⁵ Witness statement of Anthony Pearce, MPS010463001, 21 May 1987.

764. On 22 May 1987, Bryan Madagan gave a statement relating to information which he had passed to Anthony Pearce on 20 May 1987.¹²⁹⁶ He said that, before Christmas 1986, Daniel Morgan had told him that, *'he was going to "hit the jackpot"'* and that *'he had been in contact with a Sunday Newspaper who had offered him a sum in the region of £250,000 for an exposé on his business – client relationship with regard to how he obtained his information'*. He continued, *'[h]e didn't elaborate on this but I drew the inference and I don't think unnaturally that he meant his dealings with Police Officers'*. He did not make any reference to learning this information from police officers, he said that no names were mentioned by Daniel Morgan, and that although the facts were correct, *'the whole episode is not that clear in my mind'*.¹²⁹⁷ In a subsequent message to DC Kinley Davies on 09 June 1987, Bryan Madagan said that Daniel Morgan had sold stories to various papers, *'the content of which would be any "Tasty" affidavit that he was working on'*.¹²⁹⁸

765. On 28 May 1987, DC Christopher Horne met Sylvia Jones and recorded that she had said that although she had never met Daniel Morgan, another journalist, who was later identified as Anton Antonowicz, a reporter with the *Daily Mirror* newspaper, had been contacted by Daniel Morgan around August 1986, who had said that he had information which he would supply to the newspaper for payment. The newspaper had stated that it had no interest in the information. It was decided that no further action should be taken in relation to this matter.¹²⁹⁹

766. On 09 June 1987, Bryan Madagan confirmed to police that he did not know the name of any police officer who might have been the subject of the corruption story which he had said Daniel Morgan was taking to the media.¹³⁰⁰

767. Shortly after the murder, the Metropolitan Police press officer¹³⁰¹ made enquiries on behalf of the Morgan One Investigation based on the information provided by Bryan Madagan that there had been a suggestion that Daniel Morgan was negotiating to sell a story on police corruption to a Sunday paper for £250,000. DI Allan Jones had asked the press officer to make enquiries of his press contacts to see if anyone had heard anything relevant.¹³⁰²

768. The press officer made a statement recording that he spoke informally to Jeff Edwards (subsequently of the *Daily Star* but, before 1985, of the *News of the World*) and John Toomey (who worked at the *Sunday People* between July and September 1987, and subsequently at the *Daily Express*). Both Jeff Edwards and John Toomey had reportedly made enquiries of several other colleagues and had said that there was no trace whatsoever of anything to support the suggestion that Daniel Morgan had been trying to sell anyone a story on police corruption, and that *'[t]here was certainly no suggestion that he was anticipating any £250,000 payout'*. The press officer added that a story on police corruption would have to be a *'remarkable story to merit an offer of £250,000'* and said that, if someone selling such a story was murdered, *'the story would have appeared immediately'*.¹³⁰³

1296 Witness statement of Bryan Madagan, MPS010404001, 22 May 1987.

1297 Witness statement of Bryan Madagan, MPS010404001, 22 May 1987.

1298 Message M295, from Bryan Madagan re work, Daniel Morgan., MPS012355001, 09 June 1987.

1299 Action A189, *'Obtain statement from Sylvia JONES'*, MPS013252001, 15 March 1987.

1300 Message M295 from Bryan Madagan, MPS012355001, p1, 09 June 1987.

1301 Also referred to as the Metropolitan Police Senior Information Officer. (Witness statement of Area Press Officer, MPS028058001, 15 July 1988.)

1302 Witness statement of the Area Press Officer, MPS028058001, 15 July 1988.

1303 Witness statement of the Area Press Officer, MPS028058001, 15 July 1988.

769. Neither of the journalists contacted by the press officer fitted the description given by Bryan Madagan, as neither of them were working for a Sunday newspaper at the time of the murder. There was a relatively small number of Sunday newspapers operating at the time. The Morgan One Investigation should have contacted the editors of the Sunday newspapers directly, obtaining contact details from press officers, to see whether any of the editors were able to help and clarify if Daniel Morgan had approached journalists working on their newspaper.

770. On 06 August 1987, DC Kinley Davies, a member of the Morgan One Investigation, was returned to other duties. As he was leaving, he put a message into the Morgan One Investigation reporting that information had been received some months previously from Peter Wilkins (a retired Detective Constable who worked with Southern Investigations) that Daniel Morgan had been preparing an exposé of police corruption for which he had been offered £250,000, and had been in contact with an *'investigative journalist from a Fleet St "Sunday"'*. DC Davies said that this information had not been acted upon, and that given *'the connections between HASLAM & REES, the suicide of Taffy HOLMES & the present investigation with Ray ADAMS [see below], it might be worth meeting WILKINS press man'*.¹³⁰⁴

771. This issue of whether Daniel Morgan had been in touch with a newspaper to sell a story had been the subject of enquiries. (See paragraphs 762-769 above.) There is no record that the information alleged to have been supplied previously by former DC Peter Wilkins had been entered into the Morgan One Investigation files has not been identified. Either it was not supplied until August 1987 or it had not been entered into the investigation system. DC Kinley Davies's message, before he left the Morgan One Investigation, is the only record of the receipt of this information among the Morgan One Investigation papers seen by the Panel.

772. There is no record within the material available to the Panel that former DC Peter Wilkins did provide such information.

773. On 18 August 1987, DC Richard Davis reported that he had spoken to Nicholas Fullagar of the *Daily Mirror* newspaper who said that he did not recall Daniel Morgan approaching him with a story about police corruption; he did recall Jonathan Rees passing stories to him although he did not think they were stories about police corruption. He said that he would check his records and try to establish the nature of the information and was willing to discuss the matter with police if required.¹³⁰⁵

774. On 14 December 1987, DC Richard Davis took a statement from former DC Peter Wilkins who said that: *'I have been asked about my knowledge concerning Danny MORGAN approaching the press concerning police corruption. I have no knowledge of this whatsoever.'*¹³⁰⁶

775. The Panel asked former DC Kinley Davies why former DC Peter Wilkins would have later denied his alleged claim about Daniel Morgan going to the press with a story. Former DC Davies said that it was possible that former DC Wilkins was threatened as there were a lot of *'tasty'* people involved.¹³⁰⁷

1304 Message M423 from DC Kinley Davies, MPS012483001, p1, 06 August 1987.

1305 Message M443 Morgan One Investigation, MPS012503001, 18 August 1987.

1306 Witness statement of Peter Wilkins MPS010560001, p5, 14 December 1987.

1307 Panel interview with former DC Kinley Davies, 14 June 2016.

776. On 11 November 1987, Bryan Madagan made a statement in which he said that he believed that Daniel Morgan was trying to sell a story but had not been explicit and had never mentioned police corruption. He said, '*I am sure he did not say to me that this related to information he obtained from police officers, although I assumed this is what he meant*'. He also said he doubted that the sum of money that Daniel Morgan had been offered by the press was £250,000, as '*Daniel was always bragging*'.¹³⁰⁸

777. On 29 January 1988, the Deputy Editor of the *Daily Mirror* newspaper, Nicholas Fullagar, was interviewed and provided a witness statement. He stated that:

- i. he had met Jonathan Rees through former DC Peter Wilkins around two years previously and had bought stories from him which were tittle-tattle, and paying him about £50 '*to keep him "sweet"*'.
- ii. Jonathan Rees had attempted to sell him a story about Paul Goodridge's life as '*minder to the stars*' for £10,000. Nicholas Fullagar had arranged to meet with Jonathan Rees and Paul GOODRIDGE to discuss the story. However, the meeting was cancelled, and the *Daily Star* subsequently ran the story.
- iii. he did not know Daniel Morgan on a personal basis, though he had spoken to him once on the telephone when he had tried to contact Jonathan Rees, and Daniel Morgan had '*ranted and raved about John stitching him up over various things*' and asked what Nicholas Fullagar had wanted to talk to Jonathan Rees about.¹³⁰⁹

778. There is no evidence of any further action in response to Nicholas Fullagar's statement, despite the fact that police were investigating the sale of a corruption story to the media as a possible motive for the murder.

779. On 08 February 1988, Anton Antonowicz, a reporter with the *Daily Mirror* newspaper, who had been mentioned by Sylvia Jones to the Morgan One Investigation in May 1987 as being a contact of Daniel Morgan, was asked by DC Paul Lombard about his knowledge of Daniel Morgan. Anton Antonowicz said:

- i. He knew Daniel Morgan and had met him on a couple of occasions.
- ii. Daniel Morgan had passed him information which was considered unsuitable for the daily papers.
- iii. About a month before Daniel Morgan's death, he had received a call asking him to contact Daniel Morgan urgently, but because he was at the House of Commons covering the forthcoming budget, he did not receive the message until after Daniel Morgan's death.¹³¹⁰ He said that all Daniel Morgan's calls were deemed to be urgent, so therefore he did not place too much importance on that particular call. He stated

¹³⁰⁸ Witness statement of Bryan Madagan, MPS010406001, 11 November 1987.

¹³⁰⁹ Witness statement of Nicholas Fullagar, MPS010899001, 29 January 1988.

¹³¹⁰ The actual budget statement was made on 15 March 1988.

that he had never paid Daniel Morgan for any information but said that '*Morgan was always on the make for money and stories*'. In return he would run names through the press cutting library to assist Daniel Morgan in his investigations.¹³¹¹

780. DC Paul Lombard concluded that in the absence of useful information it was not necessary to obtain a statement.¹³¹²

781. The police should have interviewed Anton Antonowicz when information was provided by Sylvia Jones in May 1987, rather than ten months later. The police should also have questioned Anton Antonowicz further to see whether the timing of Daniel Morgan's call to him was relevant to any of the information held by police. Daniel Morgan had returned from Malta a month before he was murdered, and Anton Antonowicz's evidence was that Daniel Morgan had phoned him a month before the murder.

782. There has been much media speculation about a *News of the World* journalist, Alex Marunchak, who became closely involved with Southern Investigations sometime after Daniel Morgan's death. There is no evidence that Daniel Morgan had any contact with him. There is also no evidence that Alex Marunchak was contacted by the Morgan One Investigation about any knowledge he may have had of Daniel Morgan. On 13 October 2009, Alex Marunchak made a statement to the Abelard Two Investigation that he '*had never met or had any contact with Daniel MORGAN under any circumstances*' and '*did not know anything about him prior to his murder*'.¹³¹³ There is nothing to indicate that Alex Marunchak was in a business or social relationship with those at Southern Investigations before the murder of Daniel Morgan.

783. The documentary evidence available does not show that there was any information which linked Alex Marunchak to Daniel Morgan and which would therefore have required investigation.

784. In April 1988, D/Supt Douglas Campbell testified at the Inquest into the death of Daniel Morgan that he had examined the possibility that Daniel Morgan had intended to sell a story of police corruption and said:

*'I could find no evidence at all. It was a suggestion that he had a story to sell to a newspaper. I spoke to the other persons concerned. I even went to the newspaper but if I told you what he was offered you would see it was quite ludicrous. He was alleged to have been offered £250,000 per story.'*¹³¹⁴

*'We looked at all possible aspects [of the police corruption exposé theory] and [...] could not take it any further'*¹³¹⁵ (see Chapter 2, The Inquest).

1311 Action A1581, MPS014644001, pp1-2, 04 February 1988.

1312 Action A1581, MPS014644001, pp1-2, 04 February 1988.

1313 Witness statement of Alexander Marunchak, MPS079262001, p1, 13 October 2009.

1314 Witness D/Supt Douglas Campbell cross examined by June Tweedie, Inquest Day Five, INT000005001, p63, 15 April 1988.

1315 Witness D/Supt Douglas Campbell cross examined by June Tweedie, Inquest Day Five, INT000005001, p64, 15 April 1988.

785. D/Supt Douglas Campbell's evidence at the Inquest of Daniel Morgan, that the Morgan One Investigation had '*looked at all possible aspects* [of the police corruption exposé theory] *and* [...] *could not take it any further*' was both inaccurate and misleading. The matter had not been properly investigated, as police had not even made enquiries of all the Sunday newspapers.

786. D/Supt Douglas Campbell also stated, on 23 August 1988, that the suggestion that Daniel Morgan was seeking to sell information on police corruption had been '*fully investigated*'.¹³¹⁶

787. Nothing further can be found among the papers in relation to the suggestion that Daniel Morgan was going to take a story to the media in exchange for £250,000.

788. Other than the evidence referred to above, there is nothing to indicate that Daniel Morgan wished to sell a story to the media. No information indicating that Daniel Morgan had significant contact with any journalist has been identified.

789. Had Daniel Morgan been in the process of contacting the media about police corruption, any newspaper or journalist he had contacted would almost certainly have reported this after his murder. This did not happen. It is, therefore, most unlikely that Daniel Morgan had contacted any member of the media with a major story on police corruption before his murder.

7.3 An allegation of a connection between Daniel Morgan's murder and the death of DC Alan Holmes

790. Throughout the period since Daniel Morgan's murder in March 1987, there have been rumours, speculation and allegations that his death was somehow linked to the death later that year of a Metropolitan Police detective, DC Alan Holmes.

791. DC Alan Holmes had joined the Metropolitan Police in 1961 and served until his death on 28 July 1987. An inquest was held, and the Coroner ruled on 14 March 1988 that his death was caused by suicide. DC Holmes was known by the nickname 'Taffy'.¹³¹⁷ At the time of his death, DC Holmes was a member of the Metropolitan Police Special Operations Task Force. He was also a Freemason and the Master of his local Lodge.¹³¹⁸ He had close connections with PC Derek Haslam (a member of his Masonic Lodge), and is known to have met Commander Ray Adams (who described himself as a '*lapsed*' Freemason during that time) on a number of occasions between April and July 1987.

¹³¹⁶ Interview of D/Supt Douglas Campbell by DCS David Lamper, MPS038437001, p24, 23 August 1988.

¹³¹⁷ Some of the documentation seen by the Panel refers to DC Holmes as 'Taffy' and some as 'Alan'. The Panel has mostly used DC Alan Holmes henceforth.

¹³¹⁸ The Wagstaff Report, para 9, 05 November 1987.

792. In April 1987, PC Derek Haslam had passed on to a Detective Chief Superintendent some information, received from a person whom he had interviewed in the course of his work, alleging corruption on the part of Commander Ray Adams. In January 2021, former Commander Adams told the Panel that he had turned down PC Derek Haslam's application to transfer to the Divisional Crime Squad and implied that this was the reason for the antipathy that former PC Haslam showed to him.

793. In 1987, an investigation into the information supplied by PC Derek Haslam was established, led by DAC Peter Winship.¹³¹⁹ DC Alan Holmes became aware of this information. PC Haslam said that DC Holmes had later contacted him (PC Haslam) on behalf of Commander Adams and asked to listen to the tapes which he had of the interview at which the information about alleged corruption had been provided. PC Haslam informed the investigation about DC Holmes making this request and his association with Commander Adams. There were concerns that DC Holmes may have informed Commander Adams of matters relating to DAC Winship's investigation.¹³²⁰ and DC Holmes also became the subject of investigation.

794. DC Alan Holmes was interviewed on 19 and 23 July 1987. Concerns were subsequently raised about whether he had been questioned in an oppressive manner during these interviews, which had been lengthy, and whether this had contributed to his death on 28 July 1987. He had been asked about his association with Commander Ray Adams. Commander Thelma Wagstaff, who worked in the Metropolitan Police Business Group, was appointed on 04 September 1987 to listen to the interviews of DC Holmes and conduct an investigation.

795. Given the suggestion that there may have been a connection between the murder of Daniel Morgan in March 1987 and the death of DC Alan Holmes in July 1987, the Panel has examined the extensive papers available in relation to Commander Thelma Wagstaff's investigation and the anti-corruption investigation being conducted by DAC Peter Winship, to ascertain whether any mention was made of Daniel Morgan or whether there was anything which might link the murder of Daniel Morgan and the death of DC Holmes. The Panel was unable to find any evidence to indicate any connection between Daniel Morgan and DC Alan Holmes, and nothing to indicate any connection between the tragic deaths of the two men. Nor was there anything to link Daniel Morgan to the investigation of Commander Ray Adams.

796. PC Derek Haslam was among those interviewed about DC Holmes and his connections to Commander Adams. In the statements which he made in the aftermath of both Daniel Morgan's death and that of DC Alan Holmes, he made no reference to Daniel Morgan. He made three statements to DAC Winship's investigation and three to Commander Wagstaff's investigation.¹³²¹ He made no reference to Daniel Morgan in these statements. He also made two statements to the Morgan One Investigation in the months following Daniel Morgan's death, in which he made no mention of DC Holmes. In the first of his statements to the Morgan One Investigation, he described Jonathan Rees as an acquaintance rather than a friend, and Daniel Morgan as someone he had met briefly on two occasions.¹³²² In the second statement he provided some information about crime in the area and about Jonathan Rees, and named two individuals who, it was rumoured, had murdered Daniel Morgan; this was investigated and found to have no substance.¹³²³

1319 Operation Russell.

1320 Operation Russell.

1321 Witness statements of PC Derek Haslam, 29 April, 08 May, and 17 July 1987 to DAC Winship's investigation, and three witness statements to Commander Wagstaff's investigation, 03, 17, and 28 August 1987.

1322 Witness statement of PC Derek Haslam, MPS010631001, 10 April 1987.

1323 Witness statement of PC Derek Haslam, MPS010635001, 16 November 1987.

797. Commander Wagstaff concluded her investigation in November 1987. There was no mention of Daniel Morgan in her report. DAC Winship's investigation of Commander Adams concluded with no finding of any wrongdoing.

798. The Panel is aware of an allegation that Commander Thelma Wagstaff was appointed head of SO11, the Metropolitan Police Criminal Intelligence Branch, in February 1987, and that, on her very first day she was removed from that post and Commander Ray Adams was appointed in her place. Having been made aware of the concerns created by this allegation, the Panel sought to establish whether there was anything in the personnel records of the two officers, or anywhere else, to substantiate this allegation. There is none. Commander Wagstaff served in the Metropolitan Police Business Group between 01 September 1986 and 15 March 1989, while Commander Adams was in charge of SO11 between 12 January 1987 and 04 September 1989, with the exception of the period during which he was under investigation.

799. There are six references to DC Alan Holmes in the Morgan One Investigation papers:

- i. In June 1987, a message was received from DC Holmes by the Morgan One Investigation that Garry Vian was a target of a drugs investigation being run by the Metropolitan Police Serious and International Crime Squad, and that police were aware of information which suggested that the murder of Daniel Morgan had been discussed by Garry Vian and another named individual, both of whom were suspects in the drugs investigation.¹³²⁴ On 14 July 1987, DS Christopher Horne of the Morgan One Investigation Team spoke to a Detective Sergeant in the Metropolitan Police Serious and International Crime Squad, to find out what had been said about the murder. The Detective Sergeant stated that according to his information, there had been no mention between them of Daniel Morgan's murder, and there appeared to be no connection at this stage.¹³²⁵ No further information is available to the Panel.
- ii. On 03 August 1987, following DC Alan Holmes's death, Peter Newby, the Office Manager at Southern Investigations, called the Morgan One Investigation, having seen articles in the *Daily Mirror* and *The Sun* regarding DC Holmes and PC Derek Haslam, to say that Jonathan Rees knew both officers. Peter Newby also said that Jonathan Rees had met Bryan Madagan the previous week at Bryan Madagan's request. The message is marked '*no further action*'.¹³²⁶ Peter Newby later said in his witness statement of 20 August 1988 that he knew DC Holmes himself, but did not believe that Daniel Morgan knew DC Holmes, '*he certainly did not mention his name ever and I have no knowledge of them ever meeting*'.¹³²⁷
- iii. Following DC Alan Holmes death in July 1987, D/Supt David Banks who was working on DAC Winship's investigation, visited the Morgan One investigation on 08 October 1987 to check the Investigation's computer records for information submitted by either DC Holmes or PC Derek Haslam. No discussion between D/Supt David Banks and any member of the Morgan One Investigation is recorded in the Morgan One Investigation

¹³²⁴ Message M362, Information from DC Holmes, MPS012422001, pp3-4, 30 June 1987.

¹³²⁵ Action A949, Liaise with a Detective Inspector and Detective Sergeant re. information about the Vians, MPS014012001, 02 July 1987.

¹³²⁶ Message M419 from Peter Newby, MPS012479001, 03 August 1987.

¹³²⁷ Statement of Peter Newby, MPS015790001, p3, 20 August 1988.

papers. However, D/Supt Banks later gave a statement in which he confirmed that such a discussion took place.¹³²⁸ D/Supt Douglas Campbell later said in interview on 23 August 1988, *'I liaised closely with Det. Supt BANKS... who was dealing with [the] DC HOLMES case and we are both convinced that neither DC HOLMES [sic] death or Daniel MORGAN's were connected'*.¹³²⁹

- iv. On 11 March 1988, the Morgan One Investigation received a message from PC Derek Haslam, who had been in the Victory public house that day with Jonathan Rees. He reported that Jonathan Rees had told him that Daniel Morgan was friendly with DC Alan Holmes and had met him in a pub in Beulah Hill some days before his death.¹³³⁰
- v. On 17 May 1988, Alastair Morgan telephoned the Morgan One Investigation stating that he had met a man named *'Derek'* with Jonathan Rees. *'Derek'*, who had done some driving for Jonathan Rees, had said that DC Alan Holmes was a good friend of Daniel Morgan, and *'Derek'* had asked Alastair Morgan whether he knew this. Evidence available to the Panel indicates that PC Derek Haslam had done some driving for Jonathan Rees at this time as Jonathan Rees had been disqualified from driving. Police told Alastair Morgan that they knew nothing to suggest that Daniel Morgan and DC Holmes had ever met.^{1331,1332}
- vi. In 1988, Jonathan Rees made complaints against the police regarding the Morgan One Investigation (see Section 14.3 below). These included a complaint that before his death, Daniel Morgan had met DC Alan Holmes and had told his wife, Iris, and others that he was going to sell information on police corruption to the media for £10,000, and that this had not been investigated. DCS David Lamper investigated these complaints. On 17 November 1988, DCS Lamper stated that, although he had investigated, he could find no connection between the Daniel Morgan case and the DC Holmes case.¹³³³

800. There is nothing to indicate that there was any investigative response to the information provided by PC Derek Haslam on 11 March 1988, or by Alastair Morgan on 17 May 1988, during the Morgan One Investigation. This was a failure of the Morgan One investigation.

801. The matter was further considered during the subsequent Hampshire/Police Complaints Authority Investigation into possible police involvement in Daniel Morgan's murder. What happened in this context during that investigation is dealt with here, as no further lines of enquiry in relation to the issue emerged:

1328 Statement of D/Supt David Banks, MPS029307001, 19 July 1988.

1329 Interview with D/Supt Douglas Campbell, MPS038437001, p25, 23 August 1988.

1330 Message M786 from PC Derek Haslam, MPS012846001, 11 March 1988.

1331 Message M872, information from Alastair Morgan, MPS012932001, 17 May 1988.

1332 Message M872, information from Alastair Morgan, MPS012932001, 17 May 1988.

1333 Report by DCS David Lamper, MPS005459001, p60, 17 November 1988.

- i. On 01 December 1988, PC Derek Haslam telephoned the Hampshire/Police Complaints Authority Investigation stating that: *'Alan HOLMES and Daniel MORGAN's friendship started in Sept 85 and HOLMES when ringing up would identify himself as "Omo"! People in "Cheers" or "Biggles" wine bar¹³³⁴ knew of the relationship.'*¹³³⁵
- ii. On 06 December 1988, PC Derek Haslam provided further information to the Hampshire/Police Complaints Authority Investigation that:
 - a. DC Alan Holmes had met Daniel Morgan in Gossips Wine Bar in 1986. When the bill came to Southern Investigations Daniel Morgan had written on it *'Holmes will pay next time.'*
 - b. DC Alan Holmes had intended to propose Daniel Morgan as a member of the Freemasons.
 - c. Daniel Morgan had told Jonathan Rees that there were lots of police officers and business people in Croydon Freemasons Lodge, and that this offered the potential for Southern Investigations to obtain lots of business.¹³³⁶
- iii. In a second message on 06 December 1988, PC Derek Haslam told the Hampshire/Police Complaints Authority Investigation that Jonathan Rees had told PC Haslam of an investigative action raised during the Morgan One Investigation, to look at the connection between Daniel Morgan and DC Alan Holmes, but it had been taken out of the system by D/Supt Douglas Campbell.¹³³⁷

802. On 31 January 1989, Jonathan Rees was arrested in the course of the Hampshire/Police Complaints Authority Investigation and interviewed by DCS Alan Wheeler, the Senior Investigating Officer. On 02 February 1989, DCS Wheeler wrote a statement in which he said that Jonathan Rees had asked to speak to him privately after interview that day, and had told him that DC Michael Crofts and DC Kinley Davies had *'fed into the [investigation] information that Taffy HOLMES, Ray ADAMS and the Brinksmat [sic] job was connected with the murder of Danny MORGAN. Danny had been to Private Eye and another paper. He was to get £10,000 for this information [...] Both officers were taken off the Murder Squad shortly after'*.¹³³⁸

803. Two other witnesses provided information to the Hampshire/Police Complaints Authority Investigation that Jonathan Rees had told them that Daniel Morgan had discovered that there was a connection between a senior Metropolitan Police officer and the Brink's-Mat robbery. One named the police officer as Commander Ray Adams.^{1339,1340}

1334 PC Haslam said that the wine bar was in West Norwood.

1335 Message M456, information from PC Derek Haslam, 01 December 1988.

1336 Message M463, information from PC Derek Haslam MPS028844001, 06 December 1988.

1337 Message M464, information from PC Derek Haslam, MPS030413001, 06 December 1988.

1338 Witness statement of DCS Alan Wheeler, MPS021819001, 02 February 1989.

1339 Witness statement of neighbour of Daniel Morgan, MPS037327001, p2, 29 June 1988.

1340 Witness statement of book keeper at Southern Investigations, MPS011017001, pp4-5, 08 February 1989.

804. There is no evidence in the papers available that the information described in paragraph 802 above had been inserted into or removed from the Morgan One investigation. There is no mention of *Private Eye* before Jonathan Rees raised it on 02 February 1989. The evidence from a number of sources shows that the question of whether the murder of Daniel Morgan and the death by suicide of DC Alan Holmes were linked was examined by both D/Supt Douglas Campbell and D/Supt David Banks during the Morgan One Investigation, and that no link was established. There was no reference to Daniel Morgan in Commander Wagstaff's investigation. The removal of DC Kinley Davies and DC Michael Crofts from the Morgan One Investigation was recorded as being due to a reduction in the number of investigative actions at that stage of the investigation. That reduction in investigative activity can be observed from the papers available.

805. In the later Abelard One/Morgan Two Investigation (See Chapter 6), on 07 March 2003, the Senior Investigating Officer DCS David Cook had reported to the Crown Prosecution Service that: '*There is nothing to link the death of DC Holmes, the activities of ex-Commander Adams, or the Brinksmat [sic] robbery to the Morgan murder.*'¹³⁴¹

806. Subsequently, as enquiries continued, on 09 April 2003 former Police Officer N21 told the Abelard One/Morgan Two Investigation that he believed that Daniel Morgan was going to '*grass up a police officer about a coke deal*', although he could not be more precise.¹³⁴² Former Police Officer N21 also said that he thought Daniel Morgan had been linked to DC Alan Holmes and that there was a connection to the Brink's-Mat robbery.¹³⁴³ He did not provide any further information specific to any link between Daniel Morgan and DC Holmes.

807. On 15 April 2003, former PC Derek Haslam, who had been a regular visitor to Jonathan Rees who was then in prison was asked by the Abelard One/Morgan Two investigation about his knowledge of the Daniel Morgan murder investigation. Former PC Derek Haslam provided information which confirmed the details about the death of DC Alan Holmes and which included the following:

- i. Daniel Morgan and DC Alan Holmes, who had been working on the Brink's-Mat Robbery Investigation, were very close.
- ii. DC Holmes helped Daniel Morgan with enquiries and Daniel Morgan would '*wine and dine*' DC Holmes in return.
- iii. DC Holmes had allegedly told Daniel Morgan about a plan to smuggle £100m worth of cocaine into the UK possibly involving serving police officers.
- iv. Daniel Morgan and DC Holmes had gone to *Private Eye* magazine with the story and according to him, *Private Eye* was not interested in running it. Daniel Morgan and DC Holmes then attended another unnamed newspaper.

¹³⁴¹ Report to the Crown Prosecution Service, MPS060058001, p31, 07 March 2003.

¹³⁴² Action A315, MPS059757001, p5, 25 April 2003.

¹³⁴³ Action A315, MPS059757001, p5, 25 April 2003.

808. Attempts were made to corroborate the information provided by former PC Derek Haslam and it was forwarded to the Metropolitan Police Professional Standards Department. In January 2021, former DCS Cook informed the Panel that the Abelard One/Morgan Two Investigation was not permitted to engage further with PC Derek Haslam and, as a result, was not able to interview him further or request a formal statement.

809. On 04 May 2007, former PC Derek Haslam provided a witness statement to the Abelard Two Investigation into Daniel Morgan's murder in which he said that he had received from Jonathan Rees and DS Alec Leighton information that Daniel Morgan knew DC Alan Holmes and that they were trying to sell a story on police corruption.¹³⁴⁴ At no stage during this witness statement, or in any other seen by the Panel, did he say that DC Holmes had told him that he knew Daniel Morgan, or that he was going to sell a corruption story with Daniel Morgan.

810. Nine years later, in June 2016, former PC Derek Haslam told the Panel in interview that:

- i. he recalled speaking to DC Alan Holmes, who had told him that he had a story on police corruption that he intended to sell to the press for £250,000;¹³⁴⁵
- ii. DC Alan Holmes told him that he was working on this story with Daniel Morgan, who was leading the negotiations with the press;¹³⁴⁶
- iii. he possibly gave this information to the Morgan One Investigation, without providing DC Alan Holmes's name.¹³⁴⁷

811. The Morgan One Investigation papers include no record of the information referred to in the previous paragraph. However, given the poor state of those papers – as is discussed elsewhere in this report – this cannot be considered conclusive. Former PC Derek Haslam's witness statements to the Morgan One Investigation, and subsequent investigations, do not include this information. He was asked about this during interview with the Panel and responded '*Yeah, I know where you're coming from. There was that relationship, they did know each other...*'¹³⁴⁸ He did not answer the question.

1344 Witness statement of former PC Derek Haslam, MPS001491001, pp6-7, 04 May 2007 (unsigned).

1345 Panel interview with Derek Haslam, pp51-52, 01 June 2016.

1346 Panel interview with Derek Haslam, pp51-52, 01 June 2016.

1347 Panel interview with Derek Haslam, p75, 01 June 2016.

1348 Panel interview with Derek Haslam, p53, 01 June 2016.

812. The Panel has read all the witness statements and messages which were made by PC Derek Haslam which are available to it, including those made to the DAC Winship Investigation,¹³⁴⁹ and to the investigation by Commander Thelma Wagstaff into DC Holmes' death. He did not report anything of what he allegedly knew until 1988, when he simply provided information that DC Holmes and Daniel Morgan knew one another and socialised together.

It is extremely difficult to understand why, if PC Haslam had information that DC Holmes and Daniel Morgan were going to sell a specific story to the press about corruption in the police, PC Haslam did not tell DAC Peter Winship's or Commander Thelma Wagstaff's investigations (to which he provided a total of at least six witness statements). In addition to this, PC Haslam did not tell D/Supt Campbell about this after Daniel Morgan was murdered in March 1987, or report it to the police until 2003.

813. The Panel sought to establish whether there was any evidence other than that provided by Jonathan Rees and former PC Derek Haslam that Daniel Morgan and DC Alan Holmes knew each other. Initially, it appeared that there was none:

- i. DC Alan Holmes's widow told the Panel that her husband did not know Daniel Morgan.¹³⁵⁰
- ii. Iris Morgan told the Panel that she did not know whether her husband, Daniel Morgan, had met DC Alan Holmes.¹³⁵¹ In June 1988, she told the investigation led by DCS David Lamper that her husband had never mentioned knowledge of police corruption to her, nor had he said that he had any intention of selling such information to the press.¹³⁵² She also told the Hampshire/Police Complaints Authority Investigation on 30 June 1989 that her husband had never mentioned DC Holmes to her.¹³⁵³

814. However, in 2017 the Panel was approached by David Bray, who had worked with Daniel Morgan before his death, and had travelled to Malta with him to recover a stolen Range Rover. He expressed a wish to speak about his knowledge of the case. Two meetings took place in November 2017 and March 2018. These were followed up by a lengthy telephone conversation, at David Bray's initiative, in December 2018. David Bray said that he had been re-reading the transcripts of the inquest into Daniel Morgan's death and wished to draw the Panel's attention to a number of issues which he had not previously discussed with the police. He felt that now was the right time to divulge the information and that he wished to speak with the Panel rather than with the police. He had also written a (then yet to be published) book concerning his knowledge of Southern Investigations and the circumstances surrounding Daniel Morgan's murder.¹³⁵⁴

815. David Bray told the Panel that in the two-year period prior to his death, Daniel Morgan had spoken frequently of his dealings with DC Holmes, and that in early 1987, he had been present at two meetings between Daniel Morgan and DC Holmes.

1349 Operation Russell was an investigation led by DAC Peter Winship into allegations of corruption made against Commander Ray Adams.

1350 Letter from DC Alan Holmes's widow to Baroness Nuala O'Loan, MPS109469001, p1, 01 February 2016.

1351 Panel meeting with Iris Morgan, p2, 19 May 2015.

1352 Witness statement of Iris Morgan, MPS038947001, p1, 24 June 1988.

1353 Officer's Report by DI Rex Carpenter, MPS022747001, p1, 31 May 1989.

1354 The book was eventually published in November 2018: '*Daniel Morgan Southern Investigation*', ISBN-10: 1731188641, independently published.

816. His account of the alleged dealings between Daniel Morgan and DC Holmes was as follows:

- i. One day towards the end of 1984 or in early 1985, he had visited Daniel Morgan at the latter's home, and they walked together to the South Norwood Sports Club. Daniel Morgan had asked him if he had heard of the Brinks-Mat robbery.¹³⁵⁵ He had not. Daniel Morgan had talked about a reward or '*finder's fee*' in respect of it and had told David Bray that he had met a police officer whose '*codename*' was '*Omo*'. David Bray said that this had been said in the context of the robbery and it was unusual for Daniel Morgan as, unlike Jonathan Rees, he did not have a lot of police contacts.¹³⁵⁶ Subsequently, he said, Daniel Morgan mentioned '*Omo*' on a number of occasions but David Bray did not take all that much notice, other than that the officer was based at Tottenham Court Road, involved in the investigation of serious crime and '*was difficult to get hold of*'.
- ii. Towards the end of the summers of 1985 or of 1986 – he was unable to remember which – Daniel Morgan had talked to him about conversations he was having at that time with DC Alan Holmes. He said that Daniel Morgan had said that DC Holmes had told him about a senior police officer, (whom he named, and who was not Commander Ray Adams,) who was apparently '*a supercop*', a senior detective with lots of experience, and was DC Holmes's '*guv'nor*'.^{1357,1358}
- iii. DC Alan Holmes had spoken to the senior officer about Daniel Morgan and the senior officer had said that he wanted to meet Daniel Morgan, who had initially been pleased about this but, over the next four weeks, his enthusiasm had waned. He had prevaricated about whether or not to meet the senior officer, but had been pressed to do so, to the extent that he thought that if he did not meet with the officer he would be '*picked up*' or arrested.¹³⁵⁹
- iv. He believed that Daniel Morgan did go to meet the senior officer, although he did not know what transpired at the meeting or subsequently. However, he wondered whether Daniel Morgan may as a result have been '*working undercover or become an informant*'.¹³⁶⁰

817. David Bray's account of the two occasions on which he had allegedly met DC Holmes with Daniel Morgan was as follows:

- i. He had been in the Southern Investigations offices one day, around the time of the trip to Malta in 1987 to recover the Range Rover, when Daniel Morgan had invited him to lunch, saying that they were going to meet DC Holmes at a burger bar. David Bray said that DC Holmes had arrived at the burger bar about ten minutes after they did, and that he and Daniel Morgan had gone to have a private chat. David Bray said that this was unusual, as he was normally able to be present while Daniel Morgan was having conversations. The two men had come back after ten minutes and they had all had lunch, but there had been a change in Daniel Morgan's demeanour. On the way back

¹³⁵⁵ The Brink's-Mat robbery occurred on 26 November 1983, when £26 million worth of gold bullion, diamonds, and cash were stolen from a warehouse near Heathrow Airport in London.

¹³⁵⁶ Panel meetings with David Bray, p1, 28 November 2017, and p1, 27 March 2018.

¹³⁵⁷ 'Governor' is a Metropolitan Police familiar term used to refer to officers of the rank of Inspector or above by officers of a lower rank.

¹³⁵⁸ Telephone conversation on 05 December 2018 between David Bray and the Panel, pp 1 and 2.

¹³⁵⁹ Telephone conversation on 05 December 2018 between David Bray and the Panel, pp1 and 2.

¹³⁶⁰ Telephone conversation on 05 December 2018 between David Bray and the Panel, p2.

to Southern Investigations, Daniel Morgan had been agitated and had wanted to get back and make some phone calls. David Bray had asked what they were about, but Daniel Morgan had not told him.¹³⁶¹

- ii. Shortly after Daniel Morgan and David Bray had returned from Malta in February 1987, they had gone to the Wilton Arms public house in Thornton Heath one Saturday afternoon and had met DC Alan Holmes and former DC Peter Wilkins¹³⁶² there. While the four men had been at the bar, an individual had come into the public house and had looked at them. Daniel Morgan and DC Holmes had been concerned that the man had seen them together. They had exchanged glances as if to say, '*is this a problem?*' David Bray said he had believed that the man was a senior police officer, as Daniel Morgan had said words to that effect. The man had not said anything to them; he had just looked at them and left.¹³⁶³

818. David Bray said he had no knowledge of how, if at all, the association between Daniel Morgan and DC Alan Holmes had developed after that meeting.¹³⁶⁴

819. The Panel wrote to former DC Peter Wilkins, seeking to interview him about this and other matters but he declined the invitation to meet. The Panel has examined his witness statements and any other material relevant to him, and notes that, in December 1987, he stated that he had no knowledge about Daniel Morgan approaching the media with concerns about police corruption.¹³⁶⁵

820. David Bray made three lengthy witness statements in the first eight days after Daniel Morgan's murder, about Daniel Morgan's work, his social life, threats which had been received by Daniel Morgan during the time he knew him and many other matters. He described himself as being very close to Daniel Morgan, with whom he worked on a regular basis. Yet he did not mention DC Alan Holmes at all in any of these or the other ten witness statements which he made over the years.

¹³⁶¹ Panel meetings with David Bray, p1, 28 November 2017, and p1, 27 March 2018.

¹³⁶² A private investigator who worked with Southern Investigations.

¹³⁶³ Panel meetings with David Bray, p2, 28 November 2017, and pp 1 and 4, 27 March 2018.

¹³⁶⁴ Panel meeting with David Bray, p2, 28 November 2017.

¹³⁶⁵ Witness statement of former DC Peter Wilkins, MPS016854001, p1, 14 December 1987.

821. The Panel has looked extensively at the suggestion that Daniel Morgan was working with DC Alan Holmes to expose police corruption:

- i. The Panel has found evidence that the story of a link between Daniel Morgan and DC Holmes was first told by Jonathan Rees to several individuals. Jonathan Rees also made this claim directly to the Metropolitan Police and the Hampshire/Police Complaints Authority Investigation.
- ii. PC Derek Haslam said repeatedly that he had been told by Jonathan Rees that Daniel Morgan and DC Holmes knew each other and that they planned to expose police corruption. There is no evidence in the papers available to the Panel that former PC Haslam had told any of the investigations that DC Holmes had told him that Daniel Morgan was negotiating the sale of a story for £250,000. He only said that he had been with Daniel Morgan when he had met DC Holmes after he approached the Panel in 2016.
- iii. Just before he was to publish a book about Daniel Morgan's murder, David Bray informed the Panel that he had been present at two meetings between Daniel Morgan and DC Holmes and that he was aware that the context of the alleged relationship between the two men was the 1983 Brink's-Mat robbery. David Bray had not disclosed this information previously, in any of the 13 witness statements he had made over the years to police officers investigating the murder.

Having considered all the evidence available, the Panel is not persuaded that the evidence provided by former PC Derek Haslam and David Bray that Daniel Morgan was working with DC Alan Holmes to reveal police corruption is credible.

7.4 Information from Kevin Lennon that Jonathan Rees had said he wanted to kill Daniel Morgan

822. Kevin Lennon, who had acted as a bookkeeper to Southern Investigations, had been charged in January 1987 with serious fraud offences. The fraud offences were unrelated to Southern Investigations.¹³⁶⁶ On 06 March 1987, their new accountant, William Newton, had informed Jonathan Rees and Daniel Morgan about an outstanding tax liability of £23,400, plus penalties.¹³⁶⁷ Kevin Lennon was interviewed by the Morgan One Investigation on 02 April 1987 regarding his work with Southern Investigations, during which he stated that there were no financial problems with the business.¹³⁶⁸ This was not true.

823. In July 1987, Laurence Bucknole, a retired Metropolitan Police Detective Chief Inspector, provided information that Kevin Lennon had told him, in June 1987, that Jonathan Rees had asked him to find someone to murder Daniel Morgan.^{1369,1370}

¹³⁶⁶ Witness statement, MPS010892001, pp3-4, 27 January 1988.

¹³⁶⁷ Letter from William Newton, MPS008348001, 06 March 1987.

¹³⁶⁸ Witness statement of Kevin Lennon, MPS010519001, pp2-3, 02 April 1987.

¹³⁶⁹ Witness statement of D/Supt Douglas Campbell, MPS010915001, pp8-9, 03 July 1989.

¹³⁷⁰ Witness statement of Laurence Bucknole, MPS010415001, p3, 20 January 1988.

824. D/Supt Douglas Campbell arranged for former DCI Laurence Bucknole to meet Kevin Lennon on 28 July 1987 wearing a tape recorder, as he suspected that Kevin Lennon would deny the information if directly approached.¹³⁷¹ D/Supt Campbell hoped that Kevin Lennon would repeat his allegations about Jonathan Rees.¹³⁷²

825. Former DCI Laurence Bucknole met Kevin Lennon and the allegations about Jonathan Rees were repeated and recorded.^{1373,1374} D/Supt Douglas Campbell and DI Allan Jones then interviewed Kevin Lennon on 21 August 1987. He denied the information. However, after a section of the recording was played to him, he agreed that the information was correct, but said that it had been given in confidence. He declined to make a statement.^{1375,1376} Two statements were eventually taken from Kevin Lennon in September 1987.^{1377,1378}

826. In September 1987, Kevin Lennon said that he had also told former DCI Laurence Bucknole this information on a previous occasion.¹³⁷⁹ Former DCI Bucknole had no recollection of hearing the allegation previously.¹³⁸⁰

827. Kevin Lennon described Daniel Morgan as being very different from Jonathan Rees and said that he had witnessed a number of occasions on which:

‘John REES lost his temper with Daniel MORGAN. He would go into an absolute rage and shout at Daniel about things which he hadn’t done and should have attended to. John REES would go on at Daniel like this for a quarter of an hour or more, shouting and abusing him.’¹³⁸¹

828. In his witness statements, Kevin Lennon made the following allegations:

- i. That Jonathan Rees had spoken to police officers about getting Daniel Morgan arrested for driving under the influence of alcohol, as he thought that this would lead to Daniel Morgan losing his driving licence, which in turn would mean Daniel Morgan would be unable to do his job, and would have to give up his share of Southern Investigations.¹³⁸²
- ii. That he (Kevin Lennon) had been drinking in the Victory public house with Jonathan Rees and Daniel Morgan on two evenings on which arrangements had been made for Daniel Morgan to be stopped for driving under the influence of alcohol. Jonathan Rees had commented to him on both evenings that Daniel Morgan would be stopped and breathalysed when he left the public house. He added that the reason the police would give for stopping Daniel Morgan would be a broken rear light on his car. However, Kevin Lennon stated that *‘nothing happened’* either time.¹³⁸³

1371 Decision 12 of Policy File for the Case of Daniel Morgan, MPS004821001, p13, 16 July 1987.

1372 Witness statement of D/Supt Douglas Campbell, MPS010915001, pp8-9, 03 July 1989.

1373 D342 Lab Form re body tape audio Exhibit AJ/7, MPS005249001, pp2-3, 29 July 1987.

1374 Witness statement of DI Allan Jones, MPS015298001, p5, 20 July 1989.

1375 Witness statement of DI Allan Jones, MPS015298001, p5, 20 July 1989.

1376 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS022269001, p31, 22 January 1988.

1377 Witness statement of Kevin Lennon, MPS010520001, 04 September 1987.

1378 Witness statement of Kevin Lennon, MPS010528001, 15 September 1987.

1379 Witness statement of Kevin Lennon, MPS010528001, 15 September 1987.

1380 Witness statement of former DCI Laurence Bucknole, MPS001756001, p3, 20 January 1988.

1381 Witness statement of Kevin Lennon, MPS010528001, pp4-5 and 8-9, 15 September 1987.

1382 Witness statement of Kevin Lennon, MPS010520001, p3, 04 September 1987.

1383 Witness statement of Kevin Lennon, MPS010528001, pp12-13, 15 September 1987.

- iii. That at a function in Croydon, Jonathan Rees had said that he had arranged for the police to stop Daniel Morgan a few days prior to the function. Again, the alleged efforts to have Daniel Morgan breathalysed failed.¹³⁸⁴
- iv. That Jonathan Rees persistently asked him to arrange Daniel Morgan's murder, but, he said, *'I told John REES emphatically that there was no way that I would help him find anyone to kill Daniel MORGAN, in spite of this he persisted in his request of me and attempted to encourage me to find a person prepared to kill Daniel MORGAN'*.¹³⁸⁵
- v. That in August or September 1986, Jonathan Rees had told Kevin Lennon that: *'I've the perfect solution for Daniel's murder; my mates at Catford Nick are going to arrange it'*.¹³⁸⁶ Kevin Lennon stated that Jonathan Rees had said that his friends at Catford Police Station would *'either do it themselves or [...] get someone who they had something over to do the killing [...] in return to be let off whatever they had over them'*.¹³⁸⁷ According to Kevin Lennon, Jonathan Rees stated that the officers would then be in a position to suppress information linking the murder with Jonathan Rees or themselves. Kevin Lennon stated that Jonathan Rees had said that it would cost him £1,000 for Catford police officers to either commit the murder themselves or arrange for someone else to do it.¹³⁸⁸
- vi. That Jonathan Rees told him that Daniel Morgan had seized a car from a South London criminal, who had then telephoned the Southern Investigations office threatening to break Daniel Morgan's legs. Kevin Lennon stated that Jonathan Rees was happy with this development and had explained that after Daniel Morgan was murdered, he would mention these phone calls to the police, thereby giving them a suspect.¹³⁸⁹
- vii. That sometime during 1986, Jonathan Rees had told him that after Daniel Morgan was dead, DS Sidney Fillery would take Daniel Morgan's place in Southern Investigations.¹³⁹⁰
- viii. That Jonathan Rees had told him that he had had similar conversations with two other people about arranging to have Daniel Morgan murdered, and he had provided him (Kevin Lennon) with the names of these people. Kevin Lennon told the police that he would withhold their names at that stage but would reveal them later.¹³⁹¹

829. D/Supt Douglas Campbell later recorded that Kevin Lennon hesitated for some time before naming Jonathan Rees's wife, Sharon Rees, and his solicitor, Michael Goodridge, as the two people who allegedly also knew of Jonathan Rees's plans to have Daniel Morgan murdered.¹³⁹²

830. The Morgan One Investigation asked Michael Goodridge whether he knew anything about threats being made to kill Daniel Morgan, either by Jonathan Rees or others. He said that he did not.¹³⁹³ There is no indication that Sharon Rees was asked about this at any stage.

1384 Witness statement of Kevin Lennon, MPS010528001, pp13-14, 15 September 1987.

1385 Witness statement of Kevin Lennon, MPS010528001, pp16-17, 15 September 1987.

1386 Witness statement of Kevin Lennon, MPS010528001, p22, 15 September 1987.

1387 Witness statement of Kevin Lennon, MPS010520001, p4, 04 September 1987.

1388 Witness statement of Kevin Lennon, MPS010528001, p24, 15 September 1987.

1389 Witness statement of Kevin Lennon, MPS010528001, pp17-19, 15 September 1987.

1390 Witness statement of Kevin Lennon, MPS010520001, p4, 04 September 1987.

1391 Witness statement of Kevin Lennon, MPS010520001, p7, 04 September 1987.

1392 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS022269001, p32, 22 January 1988.

1393 Witness statement of Michael Goodridge, MPS010253001, p2, 20 October 1987.

831. In view of the allegation made by Kevin Lennon that friends of Jonathan Rees at Catford Police Station were somehow involved in the murder of Daniel Morgan, the Panel has looked at the role of Catford Crime Squad, to which DS Sidney Fillery and other officers were attached when assisting in the early days of the Morgan One Investigation. Catford Crime Squad had been assisting in another murder investigation, and their role in that investigation had concluded on 09 March 1987. The officers of the Catford Crime Squad were therefore available on 10 March 1987 to assist at the next serious crime to be committed in the Catford Crime Squad area. The next serious crime committed in that area was the murder of Daniel Morgan. However, despite the fact that Kevin Lennon said that Jonathan Rees told him the murder *'would be in the Catford area and sorted out by the Catford Police to cover up the murder leads or information coming in'*,¹³⁹⁴ the Panel has seen no evidence that the Catford Crime Squad, except in the case of DS Sidney Fillery, covered up anything in relation to the murder.

832. The Golden Lion public house was in the Catford Crime Squad area, which meant that Catford Crime Squad would probably, but not definitely, be called upon to assist in the event of any serious crime occurring at that location. Had the murder of Daniel Morgan been committed elsewhere, or on a different date, the Catford Crime Squad might not have been involved in the investigation. Had another murder been committed in that area before Daniel Morgan's murder, the Catford Crime Squad may not have been available to work on Daniel Morgan's murder.

833. It is not possible to reach any conclusion on the information available as to whether the murder was committed when and where it was to facilitate the involvement of Catford Crime Squad in the early days of the investigation.

834. On 15 October 1987, D/Supt Douglas Campbell and DS Malcolm Davidson met Kevin Lennon's solicitor, who was aware of Kevin Lennon's position and the fact that he faced trial for fraud. D/Supt Campbell recorded that he made the solicitor aware that, as matters stood, Kevin Lennon's statement was *'worthless for evidential purposes and that no assistance could be offered'*. D/Supt Campbell did indicate, however, that there was a *'possibility of [a] letter to the judge if corroboration is obtained'*. While expressing concerns for his client's safety, the solicitor agreed that Kevin Lennon would continue to try to be of assistance to the investigation.¹³⁹⁵

835. On 24 November 1987, a policy decision was recorded to use a tape recorder in an attempt to corroborate Kevin Lennon's evidence through the covert recording of a meeting arranged between Kevin Lennon and Jonathan Rees.¹³⁹⁶ A covert recording device was fitted to Kevin Lennon on 26 November 1987, with his consent, and he met Jonathan Rees in a bar. A draft transcript of the meeting records that Jonathan Rees did not make any incriminating statements about Daniel Morgan's murder.¹³⁹⁷

836. A decision was made to ask Kevin Lennon to wear a recording device on a second occasion, and on 02 December 1987 he did so when he met Jonathan Rees in The Albert public house. The recording obtained on this occasion was of a very poor quality, but Jonathan

1394 Witness statement of Kevin Lennon, MPS010520001, p5, 04 September 1987.

1395 Message 515 re: D/Supt Douglas Campbell and the solicitor's discussion of Kevin Lennon's assistance, MPS012575001, 15 October 1987.

1396 Decision 18 of Policy File for the Case of Daniel Morgan, MPS004821001, p19, 24 November 1987.

1397 Draft transcript of Audio Recording of Kevin Lennon, MPS015593001, 26 November 1987.

Rees can be heard asking questions about what Kevin Lennon had told police and showing significant interest in the case.¹³⁹⁸ Jonathan Rees did not reiterate any of the statements which Kevin Lennon attributed to him.

837. Kevin Lennon subsequently told police that he felt Jonathan Rees may have realised he was wearing a tape recorder.^{1399,1400} Former DC Peter Wilkins told police, on the day after the meeting at The Albert public house, that Jonathan Rees had said he had met someone who *'he believed was "taped up"'*.¹⁴⁰¹

838. In his report on the investigation dated 27 January 1988, D/Supt Douglas Campbell described Kevin Lennon's evidence as *'probably the most alarming aspect of the whole case'*.¹⁴⁰²

839. D/Supt Douglas Campbell further stated that *'I have attempted to corroborate aspects of LENNON's statements such as REES' attempts to get MORGAN breathalized, without success.'*¹⁴⁰³

840. When D/Supt Douglas Campbell created a list of possible witnesses for the Coroner at the Inquest into Daniel Morgan's death, he included Kevin Lennon's name on that list and Kevin Lennon was called to give evidence at the early stages of the Inquest.

841. Kevin Lennon had alleged that Sharon Rees knew that Jonathan Rees wanted to murder Daniel Morgan. Despite still being married to Sharon Rees, Jonathan Rees was in very close contact with Margaret Harrison and his relationship with Margaret Harrison was subsequently discussed at the Inquest.¹⁴⁰⁴ Jonathan Rees's relationship with Margaret Harrison made it possible that his wife might have spoken to the police. In these circumstances, Sharon Rees should have been interviewed by the police when this information was received.

842. Kevin Lennon was reluctant to be a witness to the investigation of Daniel Morgan's murder and only provided his evidence when faced with the recording made by former DCI Laurence Bucknole on 28 July 1987. On 13 June 1988, Kevin Lennon appeared at the Central Criminal Court in London, where he pleaded guilty to various fraud and theft charges. Kevin Lennon understood that if the judge hearing the case against him was informed that he had assisted the Morgan One Investigation, then it was possible that his sentence might be reduced.

843. Before Kevin Lennon was sentenced, a Deputy Assistant Commissioner at the Metropolitan Police wrote to the trial judge recounting Kevin Lennon's assistance to the Morgan One Investigation, by way of written statements, and evidence on 11 April 1988 to the Inquest into the death of Daniel Morgan. He was sentenced to 18 months' imprisonment, suspended for two years on each indictment. The sentences were to run concurrently.¹⁴⁰⁵ It is not possible to comment on what impact, if any, the letter from the police to the judge in the case made to the sentence imposed on Kevin Lennon.

1398 Draft transcript of Audio Recording of Kevin Lennon, MPS015596001, p3-18 [this version has annotations, but is missing p1; MPS015597001 is complete but with no annotations], 02 December 1987.

1399 Message M634, DC Blake documents conversation with Kevin Lennon, MPS012694001, 09 December 1987.

1400 Message 639 re: Jonathan Rees and covert recording carried out by Kevin Lennon, MPS008717001, 10 December 1987.

1401 Message M634, DC Blake documents conversation with Kevin Lennon, MPS012694001, 09 December 1987.

1402 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS022269001, p41, 22 January 1988.

1403 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS022269001, p33, 22 January 1988.

1404 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS022269001, p29, 22 January 1988.

1405 Report by DI Allan Jones re: Kevin Lennon, MPS017088001, 14 June 1988.

844. Kevin Lennon's evidence should have formed a major line of enquiry for the Morgan One Investigation. This did not happen. Greater attempts should have been made to corroborate his evidence.

845. The members of Daniel Morgan's family were unaware of Kevin Lennon's evidence until he appeared as a witness at the Inquest into Daniel Morgan's death. This caused the family great shock and distress (see Chapter 12, The Treatment of the Family). This should not have happened. It would have been possible for D/Supt Douglas Campbell to have arranged to inform the members of the family just before the Inquest that evidence of this kind would be given, to enable them to prepare, rather than hearing it for the first time in the Coroner's Court (see Chapter 2, The Inquest).

7.5 Daniel Morgan investigating drugs supply to a client's daughter

846. Four messages were received by the Morgan One Investigation, from an individual who was on bail for credit card offences.^{1406,1407,1408,1409} The information was that Daniel Morgan had been engaged by a man from a named company to identify a drug dealer who was supplying drugs to his daughter. The individual said that Daniel Morgan initially approached a known dealer at the Golden Lion public house to see if he would supply drugs. The dealer was not able to supply the quantity for which Daniel Morgan asked, and in turn, referred the request to two other known drug dealers.

847. The individual said that, on an unknown evening, all three drug dealers (one of whom was being investigated by DS Sidney Fillery for handling stolen goods and was on bail at the time of the murder) and a 'bodyguard' were in the Golden Lion public house with Daniel Morgan. One of the dealers was also said to have been in the Golden Lion public house on the night of the murder.^{1410,1411} Police made enquiries and although they traced an individual who matched the description given and had a daughter with a name similar to that given by the witness, there was no such connection between them and Daniel Morgan.^{1412,1413,1414}

848. Police sought to identify the people the individual said were in the Golden Lion public house at the same time as Daniel Morgan on the night of the murder. While initial enquiries failed to identify the 'bodyguard', subsequently a man interviewed by an officer from the Morgan One

1406 Message 457 from D/Supt Douglas Campbell regarding information from an individual about Daniel Morgan trying to identify a drug dealer, MPS012517001, 26 August 1987.

1407 Message 491 from Police Officer A27 regarding information from an individual about Daniel Morgan trying to identify a drug dealer, MPS012551001, 29 September 1987.

1408 Message 517 from Police Officer A27 regarding information from an individual about Daniel Morgan trying to identify a drug dealer and giving descriptions, MPS012577001, 16 October 1987.

1409 Message 539 from Police Officer A27 regarding information from an individual willing to be interviewed, MPS012599001, 27 October 1987.

1410 Message 457 from D/Supt Douglas Campbell regarding information from an individual about Daniel Morgan trying to identify a drug dealer, MPS012517001, 26 August 1987.

1411 Message 491 from Police Officer A27 regarding information from an individual about Daniel Morgan trying to identify a drug dealer, MPS012551001, 29 September 1987.

1412 Action 1159 – Enq FADS security re staff hired Morgan re his daughter and drugs, MPS014222001, 27 August 1987.

1413 Witness statement, MPS010816001, 30 October 1987.

1414 Witness statement, MPS010785001, 19 October 1987.

Investigation while in custody for an unrelated matter was identified as being this person. No information relevant to the murder of Daniel Morgan was obtained. The three drug dealers were identified, but not interviewed.^{1415,1416,1417} One was subsequently identified as having been in custody on the night of the murder.

849. It was stated by officers that the individual who had provided the Morgan One Investigation with the information was a drug addict and unreliable.^{1418,1419} No further enquiries were carried out.

850. This matter should have been further investigated by the Morgan One Investigation, which could have interviewed those who had been identified. No explanation has been found as to why there was no further investigation. The fact that the individual who provided the information was a drug addict and might have been unreliable, did not necessarily mean that the witness was not telling the truth.

7.6 Daniel Morgan's alleged relationships

851. Police received evidence alleging that Daniel Morgan had been engaged in a number of extramarital affairs. The question of whether Daniel Morgan might have been murdered by a jealous or angry partner or spouse of one of those with whom he had allegedly had a relationship, or by one of the women, was considered by the Morgan One Investigation.^{1420,1421,1422,1423,1424}

852. On 11 March 1987, the day after the murder, information was received which referred to Daniel Morgan's alleged extramarital affairs from two separate sources, Jonathan Rees and David Bray.

853. Jonathan Rees, in a statement taken by DS Sidney Fillery, said:

*'Daniel has often confided in me regarding a number of extra-marital sexual relationships. Several times I have been aware that when Daniel has an injunction to serve on an estranged husband, he would make efforts to contact, and discuss the matter with the wife. I believe that this has sometimes led to a sexual relationship. I have been asked if I can name any such women; I can remember four such cases.'*¹⁴²⁵

1415 Action 1111 – Liaise with DI Baker re [drug dealer] re info, MPS014174001, 27 July 1987.

1416 Action 1215 – Research [of a further drug dealer], MPS014278001, 30 September 1987.

1417 Action 1218 – ID Research [another drug dealer], MPS014281001, 30 September 1987.

1418 Action 1111 – Liaise with DI Baker re [drug dealer] re info, MPS014174001 MPS083125001, p1133, 27 July 1987.

1419 Message 457 from D/Supt Douglas Campbell regarding information from an individual about Daniel Morgan trying to identify a drug dealer, MPS012517001, 26 August 1987.

1420 Action A119, MPS013182001, 12 March 1987.

1421 Action A129, MPS013192001, 13 March 1987.

1422 Action A131, MPS013194001, 13 March 1987.

1423 Action A288, MPS013351001, 19 March 1987.

1424 Action A322 – 'Obtain full comprehensive statement from Margaret HARRISON....', MPS013385001, 19 March 1987.

1425 Witness statement of Jonathan Rees, MPS021752001, pp3-4, 11 March 1987.

The Report of the Daniel Morgan Independent Panel

854. Jonathan Rees named the four women in his statement.¹⁴²⁶ One of the names given by Jonathan Rees in the statement taken by DS Sidney Fillery includes the wrong first name. This would have had the effect of delaying the investigation slightly as police sought to identify the woman with whom Daniel Morgan had allegedly had an affair.

855. At no point in his statement did Jonathan Rees mention Margaret Harrison, despite the fact that the evidence suggests that he was aware of the relationship between her and Daniel Morgan, and that they were drinking together on the night of the murder. This also had the effect of delaying the Morgan One Investigation's enquiries.

856. The four women named by Jonathan Rees, together with Margaret Harrison, were the subjects of enquiries by the Morgan One Investigation.^{1427,1428,1429,1430,1431} There is no evidence of anything to link them to Daniel Morgan's murder.

857. The women's partners were also investigated, and recorded as eliminated from the enquiries.^{1432,1433,1434,1435,1436} However, the Morgan One Investigation did not eliminate the men fully as they did not verify some of the alibis, or no alibi was provided.^{1437,1438,1439,1440,1441,1442,1443}

858. David Bray also gave information on 11 March 1987 that Daniel Morgan had told him 'around mid 1985' that he had been seeing a woman and that the woman's husband had found out about them and had phoned Daniel Morgan at home and threatened to kill him. He said that Daniel Morgan pointed out the woman's house to him. David Bray further stated that, although Daniel Morgan did not tell him the name of the person, Daniel Morgan had said to him that if he was ever attacked and hospitalised, then David Bray was to visit him, and that Daniel Morgan would tell him who and where the person was.¹⁴⁴⁴

859. Police sought, in July 1987, to find the address which Daniel Morgan had pointed out to David Bray in 1985, but they were unable to do so.¹⁴⁴⁵

1426 Witness statement of Jonathan Rees, MPS021752001, p4, 11 March 1987.

1427 Action A119, MPS013182001, 12 March 1987.

1428 Action A129, MPS013192001, 13 March 1987.

1429 Action A131, MPS013194001, 13 March 1987.

1430 Action A288, MPS013351001, 19 March 1987.

1431 Action A322, 'Obtain full comprehensive statement from Margaret HARRISON....', MPS013385001, 19 March 1987.

1432 Action A220, MPS013283001, 17 March 1987.

1433 Action A376, Take statement from husband of Margaret Harrison, MPS013439001, 20 March 1987.

1434 Action A418, MPS013481001 29 March 1987.

1435 Action A641 – Take statement from [Person Y19] re his knowledge of victim, MPS013704001, 14 April 1987.

1436 Action A1009, MPS014072001, 16 July 1987.

1437 Police interview, MPS016628001, 16 June 1987.

1438 Briefing Notes re: [Person Y19], MPS011332001, 15 June 1987.

1439 Witness statement, MPS010715001, 25 June 1987.

1440 Action A1009, MPS014072001, 16 July 1987.

1441 Witness statement of husband of Margaret Harrison, MPS010425001, 20 March 1987.

1442 Witness statement, MPS010512001, 01 April 1987.

1443 Work rota for husband of Margaret Harrison, MPS011172001, 10 March 1987.

1444 Witness statement of David Bray, MPS010154001, pp8-9, 11 March 1987.

1445 Action A316, 'Get BRAY to identify the house in Sydenham where victim was seeing a woman T/statement', MPS013379001, 19 March 1987.

860. The Morgan One Investigation should have completed the investigation into all the women named by Jonathan Rees in his statement and their partners. This was a plausible line of enquiry and should not have been left incomplete.

7.7 Retaliation for actions taken by Daniel Morgan after a theft from his car

861. On 11 March 1987, David Bray stated that Daniel Morgan had told him that his car had been broken into the previous Christmas and the car stereo had been stolen. The stereo had been found in the possession of a number of youths, who had been charged. After they had been charged Daniel Morgan had told David Bray that he had received threats at home, which he believed to have come from these youths.¹⁴⁴⁶

862. The men who had been charged with the theft from Daniel Morgan's car between 26 and 27 October 1986 were identified by the Morgan One Investigation. The officer in charge of the investigation into the theft was Police Officer E1.¹⁴⁴⁷ One of those suspected of the theft had been detained in custody while the other two were released on bail.¹⁴⁴⁸

863. The two suspects who had been released on bail were interviewed by police officers from the Morgan One Investigation about their connection with Daniel Morgan and movements on the night of the murder.^{1449,1450} They both provided statements saying that they had had no contact with Daniel Morgan and had been laying flooring at a shop in South Norwood during the evening of 10 March 1987.^{1451,1452}

864. On 17 March 1987, the owner of the shop said that between 7.00 pm and 7.30 pm on Tuesday 10 March 1987 the two suspects came to his shop to lay lino. Apart from an hour-and-a-half period sometime between 8.00 pm and 10.00 pm, when they left to let some cement dry, they were there until 3.00 am the following morning.¹⁴⁵³

865. A search was made of the house occupied by the two individuals suspected of the theft of Daniel Morgan's car stereo, to see if his Rolex watch could be found. It was not found.¹⁴⁵⁴

866. The shopkeeper was unable to say that the suspects were at his premises during the crucial period when Daniel Morgan was murdered. Despite making extensive efforts, the Morgan One Investigation was unable to eliminate them in accordance with required procedure.

1446 Witness statement of David Bray, MPS010154001, pp9-10, 11 March 1987

1447 Message M21 from [a Police Sergeant] showing Daniel Morgan as witness to a theft, MPS012080001, 12 March 1987.

1448 Witness statement of [Police Officer E1], MPS010380001, p1, 18 March 1987.

1449 Action A206, interview [...], MPS013269001, 16 March 1987.

1450 Action A207, interview [...], MPS013270001, 16 March 1987.

1451 Witness statement, MPS010399001, 17 March 1987.

1452 Witness statement, MPS010401001, 17 March 1987.

1453 Witness statement of a shop owner, MPS010400001, 17 March 1987.

1454 Action A209, MPS013272001, 16 March 1987.

7.8 Dispute with a rival investigator

867. At 3.30 pm on 11 March 1987, a Detective Inspector from the Criminal Investigation Department (CID) in Croydon informed the Morgan One Investigation that a named individual had been served with a writ the previous day by Daniel Morgan, and had said that *'MORGAN told him that another bailiff'*, whom he named, *'(from whom MORGAN had poached an employee) had threatened to kill [Daniel Morgan]'*.¹⁴⁵⁵

868. On 11 March 1987, DC Kinley Davies obtained a statement from the bailiff, who dismissed the suggestion of any antagonism between him and Daniel Morgan and stated that their work was completely different. He was never asked to account for his movements on the evening of 10 March 1987.¹⁴⁵⁶

869. On 17 March 1987, Iris Morgan made a statement saying *'I had a telephone call from [the same bailiff] one day, it was about two years ago. I know there was dispute over what [the bailiff] was charging for certain jobs and the fees that were laid down. [The bailiff] said to me on the 'phone that, "he'll break Daniel's legs"'*.¹⁴⁵⁷

870. On 14 April 1987, a statement was taken from the man who had been served a writ by Daniel Morgan on 09 March 1987. He confirmed the account he had given to the Detective Inspector and said that Daniel Morgan *'had discussed our line of business'* and that *'Morgan did not seem worried or concerned about this threat'*.¹⁴⁵⁸

871. Seven months later, a witness gave a statement which referred to the named bailiff and said that he had lost money because Daniel Morgan had given assistance to the Certificated Bailiffs Association in an action against the bailiff in question.¹⁴⁵⁹

872. No further enquiries about the bailiff were made by the Morgan One Investigation.

873. The bailiff was not eliminated from the Morgan One Investigation. He should have been asked by DC Kinley Davies to account for his movements on 10 March 1987 to determine whether he could be eliminated.

7.9 Matrimonial/family-related investigations pursued by Daniel Morgan

874. Some of Daniel Morgan's work at Southern Investigations involved matrimonial and family disputes. Those disputes sometimes concerned estranged partners and included 'snatch backs' of children taken by separated partners. It has been established that at least six of Daniel Morgan's matrimonial cases were examined to determine whether further investigation was required of any possible link to Daniel Morgan's murder.^{1460,1461,1462,1463,1464,1465}

1455 Message M9, MPS012068001, 11 March 1987.

1456 Witness statement of Bailiff, MPS010151001, 11 March 1987.

1457 Witness statement of Iris Morgan, MPS010373001, p15, 17 March 1987.

1458 Witness statement of an individual who was served a writ by Daniel Morgan, MPS010590001, p1, 14 April 1987.

1459 Witness statement, MPS010803001, p2, 22 October 1987.

1460 Action A296, MPS013359001, 19 March 1987.

1461 Action A597, MPS013660001, 10 April 1987.

1462 Action A675, MPS013738001, 22 April 1987.

1463 Action A143, MPS013206001, 14 March 1987.

1464 Action A586, MPS013649001, 06 August 1987.

1465 Action A1209, MPS014272001, 29 September 1987.

875. The cases were those which were brought to the attention of the Morgan One Investigation in a variety of ways, including by witnesses who came forward and by those who had business dealings with Southern Investigations. It is not known whether all Daniel Morgan's case files were examined to determine whether there was anything to give rise to suspicions of possible motive for the murder or involvement in the murder.

876. Examination of each of these cases has confirmed that, in four cases, no further action was required. In the remaining two cases, there was no proper attempt to establish the whereabouts of the three individuals named, but on the basis of the information which is available, there is nothing to link them to the murder of Daniel Morgan.

7.10 A man who had been served a summons shortly before Daniel Morgan's murder

877. On 19 March 1987, Jonathan Rees provided information about a named individual on whom a summons had been served on 09 March 1987 by Daniel Morgan.¹⁴⁶⁶ Jonathan Rees also provided a letter received by Southern Investigations stating that the individual had previous convictions for violent offences.¹⁴⁶⁷

878. The Morgan One Investigation decided to trace the individual, to '*interrogate*' him and to execute a search warrant to look for Daniel Morgan's Rolex watch.¹⁴⁶⁸ On 01 April 1987, the premises were searched, but the watch was not found. A statement was taken from the man. He said that during the evening of 10 March 1987, he would have been doing the laundry and preparing dinner.¹⁴⁶⁹ However, there was no evidence that another male who lived at the house was questioned to verify this alibi.

879. The Morgan One Investigation should have sought to verify the alibi given by this man.

7.11 Debt recovery, fraud investigations, and service of bankruptcy orders

880. Daniel Morgan had been involved in debt recovery, fraud investigations, and the service of bankruptcy orders, as part of his bailiff business. The evidence suggests that, as a result of having to deal with such matters, he may have angered a number of individuals. The Morgan One Investigation considered whether any of these matters might have provided a motive for Daniel Morgan's murder. Details of four of the more serious cases are detailed below.

¹⁴⁶⁶ Message M78 from Jonathan Rees, MPS012138001, 19 March 1987.

¹⁴⁶⁷ Document D69, Letter, MPS011137001, pp2-3, 06 March 1987.

¹⁴⁶⁸ Action A292, MPS013355001, 19 March 1987.

¹⁴⁶⁹ Witness statement of individual who was served summons by Daniel Morgan, MPS010509001, 01 April 1987.

881. The first case was brought to the attention of the Morgan One Investigation on 06 April 1987, when DCI Brian Wallace of the Metropolitan Police Fraud Squad informed the Morgan One Investigation that he had had dealings with Daniel Morgan, most recently in January 1987, concerning '*a fraudster from Australia who entered this country leaving behind a debt of Aus \$4,000,000*'. DCI Brian Wallace said that he would forward a report.¹⁴⁷⁰

882. Police sought further information and were told that the whereabouts of the alleged fraudster were not known.¹⁴⁷¹ No further action was taken by the Morgan One Investigation and it appears that the alleged fraudster was not traced.

883. This matter should have been pursued further by the Morgan One Investigation to identify the detail of the matter in which Daniel Morgan had been assisting police, in order to determine whether further investigative action was required. It was subsequently investigated by the Hampshire/Police Complaints Authority Investigation.

884. On 09 April 1987, a former employee of Southern Investigations made a statement saying that she and Daniel Morgan had served a bankruptcy notice on a named individual, who '*would have had the money and contacts to inflict such injuries on Daniel*'.¹⁴⁷² The man concerned was identified and was in prison at the time of the murder. DS Christopher Horne made enquiries and reported that he attended the prisoner's solicitor, '*who confirms that [the prisoner] would have nothing to gain by killing MORGAN at this late stage as much of the Bankruptcy Matters were almost over with*'.¹⁴⁷³

885. No further action was taken by police in respect of this matter. There is nothing among the papers seen by the Panel to suggest this was not a proportionate response.

886. The former employee also referred to a property repossession case in which she and Daniel Morgan had been involved, which had been listed for 09 and 10 March 1987 (the day of Daniel Morgan's murder). She said that the property had been vacated at the last moment, so '*we did not have to attend court*'.¹⁴⁷⁴

887. There is no evidence in the papers available to the Panel that this matter was investigated. Given that the date for the proposed hearing was 09 or 10 March 1987, this matter should have been the subject of investigation.

1470 Message M126 from DCI Wallace, MPS012186001, 06 April 1987.

1471 Action A519 Contact DCI Wallace re info re victims [sic] accommodation address, MPS013582001, 07 April 1987.

1472 Witness statement of a former employee of Southern Investigations, MPS010566001, p2, 09 April 1987.

1473 Action A734 See DCI Dixon re [...] and his dealings with Morgan, MPS013797001, 28 April 1987.

1474 Witness statement of a former employee of Southern Investigations, MPS010566001, p2, 09 April 1987.

888. On 28 May 1987, a solicitor who had instructed Daniel Morgan to carry out repossession and enquiry work made a statement. He provided information that on 28 November 1985, following an individual's non-payment of rent for some warehouse units, Daniel Morgan had been instructed to take back possession of the premises. It was reported that the tenant had in the past made threats of violence, and that Daniel Morgan had encountered considerable difficulties with this tenant and had been assaulted by him. Police had to be called to assist. When the tenant broke back into the premises, Daniel Morgan had to re-attend to re-secure them.¹⁴⁷⁵

889. Police decided to make enquiries of the tenant.¹⁴⁷⁶ However, it was not possible to trace the tenant.

890. The Morgan One Investigation undertook appropriate enquiries to trace the tenant, and the matter was therefore appropriately dealt with.

891. In the same statement, the solicitor explained that Daniel Morgan had served bankruptcy notices on 02 October 1986 on two alleged guarantors, of a company which had gone into rent arrears, who were said to be men of violence. A sum of £20,000 had been recovered. However, the company had again gone into arrears and Daniel Morgan had been engaged to take back possession of the premises.¹⁴⁷⁷ One guarantor said he had never seen Daniel Morgan and had never heard of Southern Investigations.¹⁴⁷⁸ The other guarantor stated that Daniel Morgan had served papers on him in October/November 1986 and had repossessed the property. He said he knew that Daniel Morgan drove a BMW car.¹⁴⁷⁹ Neither individual was asked to account for their movements on 10 March 1987. No further action was taken.

892. The two guarantors should have been asked to account for their whereabouts on 10 March 1987.

7.12 Car repossessions

893. Southern Investigations and Daniel Morgan had been contracted by finance companies to repossess motor vehicles purchased on finance when purchasers defaulted on payments.

894. Police made enquiries with a finance company from Eltham,¹⁴⁸⁰ which had instructed Daniel Morgan to repossess 18 vehicles. There were no reports of any trouble having occurred with any repossession or attempted repossession. Some vehicles had been repossessed, but in some instances neither the vehicle nor the purchaser could be found.

1475 Witness statement of the solicitor, MPS010683001 pp3-4, 28 May 1987.

1476 Action 1119 – Make enq [...] re possession of property by Morgan, MPS014182001, 29 July 1987.

1477 Witness statement of the solicitor, MPS010683001, pp4-5, 28 May 1987.

1478 Witness statement of a guarantor, MPS010865001 p4, 30 November 1987.

1479 Witness statement of the other guarantor, MPS010866001, 07 December 1987.

1480 Medens Ltd.

895. These car repossession cases, other than the case involving the recovery of a Range Rover in Malta, were appropriately investigated, and there was no evidence linking any of them with Daniel Morgan's murder.

8 Other information leading to lines of enquiry during the Morgan One Investigation

896. The Morgan One Investigation made a very significant number of other enquiries as information was received. It is not possible to include all the lines of enquiry here. However, to show the range of enquiries made by the Morgan One Investigation some are included below:

- i. A man, also called Daniel Morgan, who was born in Wales in 1958, reported that his car had been stolen on 09 March 1987. It was found in Sydenham with fire damage on 11 March 1987. DC Paul Lombard recorded that the man had no connection to the enquiry and no further action was taken. No further papers relating to this matter can be identified.¹⁴⁸¹

There is no evidence in the investigation papers which would explain or justify the decision to take no further action. The Morgan One Investigation should have considered further whether Daniel Morgan's death could have been a case of mistaken identity, and whether the other Welsh Daniel Morgan may have been the intended victim. It is not evident from the papers seen that this was done.

- ii. On 14 March 1987, DS Sidney Fillery was tasked to research information received that a man known as 'Nutty Tony'¹⁴⁸² had been responsible for the murder of Daniel Morgan. He took no action on the matter, as the last date on which he worked on the Morgan One Investigation was 15 March 1987. The matter was then referred to a Detective Constable on 16 March 1987 and the man was identified as someone living only some 350 yards away from the Golden Lion public house and who had a criminal record, although the nature of his convictions was not recorded in the Morgan One Investigation's papers.^{1483,1484} No efforts were made to trace him and interview him until January 1989, when officers from the Hampshire/Police Complaints Authority Investigation spoke with his mother and ascertained that her son had been in Australia between December 1986 and May 1988.¹⁴⁸⁵ It was only in November 2002 that detectives from the Abelard One/Morgan Two Investigation spoke to this man who confirmed his mother's statement that he had been overseas at the time of the murder and that stamps in his passport would prove this. There is no evidence demonstrating that his passport was in fact seen by police officers.¹⁴⁸⁶

1481 Action A118 Research Reg Owner [...] MPS013181001, 12 March 1987.

1482 Action A176, Research 'Nutty Tony', MPS013239001, 14 March 1987.

1483 Message M52 Male contacts Incident Room with information heard on 'crossed line', MPS012111001, 14 March 1987.

1484 Action A177 Take statement from [...], MPS013240001, p3, 14 March 1987.

1485 Action A550, Identify and take statement from [...], MPS032478001, 11 January 1989.

1486 Action A59 TIE [...], MPS059449001, 12 November 2002.

There is no explanation among the available papers for the failure by the Morgan One Investigation to pursue this information further by ascertaining the type of crimes for which the man had been convicted and attempting to trace and interview him. This was not pursued until during the Hampshire/Police Complaints Authority Investigation.

- iii. In August 1987, police were informed by Person M12 that Daniel Morgan had made attempts to identify a man who had raped the girlfriend of a colleague of his.^{1487,1488} This man was identified as John Steed and he had been convicted in November 1986 of three rapes and one case of manslaughter. He is reported to have later died by suicide in Full Sutton Prison. Police concluded that there was no connection between this incident and Daniel Morgan's death.¹⁴⁸⁹

John Steed was in prison at the time of Daniel Morgan's murder and there is no evidence of any further connection between this case and the murder of Daniel Morgan.

- iv. Information was received from a prisoner that a named individual had information about the murder of Daniel Morgan, and that he had '*received information prior to the [murder]*'.^{1490,1491} When that prisoner was contacted on 05 May 1987 he declined to provide any further information.¹⁴⁹² On 06 May 1987 the named individual's wife gave a statement that she had told the prisoner that her husband may have been in the Golden Lion public house on 10 March 1987. However, she went on to say that he came home about 7.30 pm and stayed at home thereafter. She did not know Daniel Morgan.¹⁴⁹³ She did not indicate that she thought he might have been involved in the murder. The named individual made a statement on 11 May 1987 that he was not in the Golden Lion public house on 10 March but had been there on 09 and 11 March 1987. He did not know Daniel Morgan.¹⁴⁹⁴

Police spoke to the named individual on a second occasion in February 1988, but he could provide no further information. He was eliminated from the Morgan One Investigation.¹⁴⁹⁵

1487 Witness statement of Person M12, MPS015635001, 25 August 1987.

1488 Witness statement of a colleague of Daniel Morgan, MPS010874001, 22 December 1987.

1489 Action A1543 to draw correspondence relating to Steed enquiry, MPS014606001, p1, 11 January 1987 (believe this is a mistake, and should be 1988).

1490 Message M216 from DI Allan Jones regarding information from a prisoner, MPS012276001, 05 May 1987.

1491 Action A516, MPS013579001, 07 April 1987.

1492 Message M217 from DI Allan Jones regarding information from a prisoner, MPS012277001, 06 May 1987.

1493 Witness statement of the named individual's wife, MPS010661001, pp2-3, 06 May 1987.

1494 Witness statement of the named individual, MPS010662001, 11 May 1987.

1495 Message M719, MPS012779001, 04 February 1988.

Nothing more can be ascertained from the papers available about the named individual. He was not properly eliminated from the enquiry because his alibi was verified only by his wife. As he frequented the Golden Lion public house, enquiries should have been made with the landlord and staff, who may have been able to confirm or refute his account of his whereabouts on 10 March 1987. Enquiries should also have been made in an attempt to establish whether there was any link between him and the murder of Daniel Morgan, and what was meant by the reference to information received before the murder.

- v. Daniel Morgan had lived for a period in Denmark and police were aware that he had made several trips there. Enquiries were therefore made in Denmark through Interpol in May 1987 to see whether anything relevant to the investigation of Daniel Morgan's murder would emerge.¹⁴⁹⁶ Police in Denmark interviewed seven people. The witnesses all knew Daniel Morgan, who had been employed by one of the witnesses on a farm when he was 17-18 years old, in the early 1970s. The Danish Police supplied a report providing details about what had been said during the interviews, including references to business and social activities.¹⁴⁹⁷ Nothing relevant to the investigation appears to have been identified.

There is no evidence of any other actions by the Morgan One Investigation to clarify what Daniel Morgan had been working on in Denmark, and whether it might have been relevant to the investigation of his murder. However, nothing can be found in the investigation papers or in other material available to the Panel to suggest any connection between Denmark and the murder. This was a proportionate response.

- vi. On 19 June 1987 at 10.55 am, a telephonist employed by British Telecom at their Croydon exchange answered an emergency call from a male caller who wanted her to take a message. She stated that she told the caller that she could not take messages, and that she would have to put him through to the fire, police or ambulance service. She stated that the man said that he did not want to be put through to any of them and repeated that he wanted her to take a message about Daniel Morgan's murder. The caller then said that Jonathan Rees was involved in the Daniel Morgan murder and ended the call. The telephonist then told a Police Constable attached to the Central Command Unit at New Scotland Yard what the man had said and asked whether she should trace the call, but was told not to, as it was probably made from a call box.¹⁴⁹⁸ There is nothing in the papers to suggest that this officer sought instructions about whether it would be necessary to trace the call. The officer then transmitted the information to the Morgan One Investigation¹⁴⁹⁹

1496 Document D262 – Report and translation from Danish Police re [...], MPS011315001, 19 May 1987.

1497 Document D262 – Report and translation from Danish Police [...], MPS011315001, 19 May 1987.

1498 Witness statement of the telephonist employed by British Telecom, MPS002246001, p1, 20 June 1987.

1499 Message M321, MPS012381001, 19 June 1987.

A request was made by the Morgan One Investigation on 19 June 1987 to obtain a copy of the conversation which had been recorded.¹⁵⁰⁰ On 09 July 1987, a copy was requested by DAC TJ Siggs.¹⁵⁰¹ However, there is no documentation indicating that a copy was made available to the Morgan One Investigation, and it is not within the materials available to the Panel.

The Police Constable should have accepted the telephonist's offer to trace the call. Even if the call had been made from a public phone box, its location may have provided some assistance in identifying the caller and establishing the veracity of the information. Fingerprint evidence may also possibly have been secured at the location.

In addition to this, police should have sought to establish whether it was possible to trace the call subsequently. There is no evidence that this was done.

- vii. On 06 March 1988, Alastair Morgan received information via an anonymous phone call that Daniel Morgan had been asked by a person whose daughter had recently died of a drug overdose, to find her suppliers, that he had investigated this by using '*bugging equipment*' and provided information to the Metropolitan Police. The caller asked Alastair Morgan to provide funds for further investigation. The caller had previously made similar calls which had proved to be fraudulent.^{1502,1503}

It was also reported by D/Supt Douglas Campbell that information was received by a former Detective Chief Superintendent about Daniel Morgan being supplied with '*bugging equipment*' which was delivered to an address in Hampshire. It was established that this information also came from the same caller above.¹⁵⁰⁴

The papers seen by the Panel indicate that this matter was dealt with properly.

- viii. In May 1987, information was received through PC Derek Haslam, from two sources, that a named individual had killed Daniel Morgan, but that Jonathan Rees had been the intended victim.^{1505,1506} In a statement taken six months later on 16 November 1987, by D/Supt Douglas Campbell, PC Haslam stated that he had been told by D/Supt Campbell that both sources, whose details he had provided, had denied knowledge of Daniel Morgan's murder, to which PC Haslam responded he could only repeat that both men had independently spoken to him about this.¹⁵⁰⁷

1500 Request to Chief Superintendent from DS Davies, MPS020620001, p1, 19 June 1987.

1501 Copy of letter to British Telecom from DAC TJ Siggs, PNL000021001, p1, 09 July 1987.

1502 Message 776 from Alastair Morgan regarding message about drugs and Daniel Morgan's investigation of an overdose, MPS018896001, p1, 08 March 1988.

1503 Registry docket report by D/Supt Douglas Campbell MPS005461001, p13, undated.

1504 Registry docket report by D/Supt Douglas Campbell MPS005461001, p13, undated.

1505 Message from PC Derek Haslam, MPS012311001, p2, 22 May 1987.

1506 Statement of PC Derek Haslam, MPS010635001, p10, 16 November 1987.

1507 Statement of PC Derek Haslam, MPS010635001, p14, 16 November 1987.

On 05 January 1988, a witness statement was taken from the named individual by Police Officer A27.¹⁵⁰⁸ He denied involvement in Daniel Morgan's murder, or knowledge of anyone called Jonathan Rees. When asked about his movements on 10 March 1987, he said '*I haven't got a clue*'.¹⁵⁰⁹ No further action to eliminate him as a suspect in the enquiry appears to have occurred.

Police Officer A27 said in his statement of 22 June 1988, that he did not question PC Derek Haslam about the matter because he was aware that '*direct liaison took place between Detective Superintendent CAMPBELL and Detective [sic] Constable HASLAM*'.¹⁵¹⁰

Police concluded that there was no connection between the information and Daniel Morgan's murder, nor was there anything to support the suggestions that the intended target had been Jonathan Rees.

Although D/Supt Douglas Campbell knew of the allegation that Jonathan Rees had been the intended victim when Daniel Morgan was murdered, there is no information to indicate that he made any attempt to warn Jonathan Rees about the matter in the six months before he took the statement from PC Derek Haslam.

The allegation that the named individual killed Daniel Morgan was dealt with proportionately and was reasonably identified as being unfounded. There was no evidence to support the allegation that Jonathan Rees had been the intended victim. Jonathan Rees should have been told that uncorroborated information had been received by police that he had been the intended murder victim.

- ix. The Morgan One Investigation was informed that a group of people who had been drinking at the Dolphin public house left suddenly, leaving their drinks, at some point between 8.30 pm and 9.30 pm on 10 March 1987.¹⁵¹¹ PS Phillip Barrett was tasked to make enquiries of the bar staff at the Dolphin public house. No statements were obtained, but PS Barrett questioned bar staff who said that there had been no untoward incidents in the Dolphin public house on 10 March 1987.¹⁵¹² The information available to the Panel shows that PS Barrett left the investigation on 16 March 1987 with the rest of the Catford Crime Squad, of which he was a member (although it appears he undertook enquiries for a few days afterwards).¹⁵¹³ Eight months later, statements were finally taken from five witnesses who had observed the group leave.^{1514,1515,1516,1517,1518} One of the witnesses said that these people returned two

1508 Witness statement of the named individual, MPS002522001, 05 January 1988.

1509 Witness statement of the named individual, MPS002522001, p3, 05 January 1988.

1510 Witness statement of Police Officer A27, MPS028055001, 22 June 1988.

1511 Message M62 Information from serving officer re. men in Dolphin public house on night of murder, MPS012122001, 16 March 1987.

1512 Action A197 Make enquiries. at Dolphin public house re any unusual incidents, MPS013260001, 16 March 1987.

1513 Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p4, 11 March 1987 to 07 February 1989.

1514 Witness statement, MPS010836001, 16 November 1987.

1515 Witness statement, MPS010845001, 18 November 1987.

1516 Witness statement, MPS010843001, 18 November 1987.

1517 Witness statement, MPS010835001, 16 November 1987.

1518 Witness statement, MPS010837001, 16 November 1987.

or three minutes later.¹⁵¹⁹ Police concluded that there was no cause for further investigation of this matter and no further enquiries were made by the Morgan One Investigation.

Although the Panel accepts this was not a high priority area of enquiry, the taking of statements from those who left the bar suddenly should have been completed earlier than eight months after the murder.

- x. On 11 March 1987, John Peacock contacted the Morgan One Investigation and reported that there had been a burglary at Southern Investigations ‘*about 3 weeks ago*’.¹⁵²⁰ This information was investigated. A copy of the crime report in respect of the burglary was obtained.¹⁵²¹ It was confirmed that the building containing Southern Investigations’ offices had been burgled, as had the offices of the insurance broker located in the same building. No further action was directed.¹⁵²² The stolen items from Southern Investigations were identified as ‘*a VDU and Keyboard*’ and a ‘*Quantity of cash*’.¹⁵²³

897. The burglary occurred during the week when Daniel Morgan was away in Malta, and only weeks before the murder. It should have prompted a more robust investigation than just obtaining a copy of the crime report in order to determine whether there were any links. Contact should have been made with the investigating officer, and checks should have been made as to whether any fingerprints or other forensic evidence had been obtained (for example, from a chisel which was reported to have been left on the floor of the office), in order to verify that a proper investigation had taken place. The Panel has seen no evidence that any of these steps were taken.

898. There is much evidence in the papers available to the Panel of investigative activity across a very wide range of lines of enquiry. Some of this work was well done. However, no decision log or other document containing pro-active, coherent lines of enquiry has been found. For example, there is no material to state that all Daniel Morgan’s recent cases as a private investigator were examined. The Panel considers that full records should have been obtained for all Daniel Morgan’s recent cases, matrimonial and otherwise, and the papers should have been seized and examined with a view to identifying further investigative opportunities.

1519 Witness statement of a witness who had been drinking at the Dolphin public house, MPS010843001, p2, 18 November 1987.

1520 Message M19 from John Peacock, MPS012078001, 11 March 1987.

1521 Burglary report [...] on 02/02/1987, MPS011081001, 03 February 1987.

1522 Action A317 to research break in at Southern Investigations, MPS013380001, allocated 19 March 1987.

1523 Burglary report [...] on 02/02/1987, MPS011081001, 03 February 1987.

899. In addition to the lines of enquiry examined above, various people were investigated during the course of the Morgan One Investigation. In total, at least 11 people were not eliminated, although on some occasions they were stated to be eliminated.¹⁵²⁴

9 Further concerns about police officers' conduct during and in relation to the Daniel Morgan murder investigation

9.1 Concerns about DC Duncan Hanrahan

900. As D/Supt Douglas Campbell became aware of the extent to which Jonathan Rees socialised with police officers, during the first week of the investigation, he became more suspicious of Jonathan Rees and his association with certain officers.¹⁵²⁵ This was compounded by the news about the leak to the media of information about the arrests on 02 April 1987, the day before the arrests on 03 April 1987 (see Section 5.3.1 above).

901. D/Supt Douglas Campbell arranged for 43 police officers, *'who were serving or had served on Catford Police Division, to be interviewed regarding their meetings with REES or MORGAN over the preceding 2/3 years'*.¹⁵²⁶ He reported subsequently that 17 officers had met Jonathan Rees, some fairly frequently, both at Catford Police Station and various public houses in the area, having been introduced by DS Sidney Fillery. However, none of these officers said that they had ever met Daniel Morgan. None of the remaining 26 officers interviewed said that they had met Jonathan Rees or Daniel Morgan.¹⁵²⁷

902. One officer who made a statement on 17 March 1987 about his knowledge of Jonathan Rees and Daniel Morgan, in response to D/Supt Campbell's request for information from police officers who knew Daniel Morgan, was DC Duncan Hanrahan, who was based in the Norbury Division. He said that he had met Daniel Morgan through Jonathan Rees, whom he had met through Michael Goodridge, a solicitor, *'about 18 months ago'*. He said that Daniel Morgan and he had met socially on many occasions, mostly in the Victory public house in Thornton Heath, when Daniel Morgan would join Jonathan Rees and him. He said that he had also met Daniel Morgan alone.¹⁵²⁸ DC Hanrahan had been one of the original officers who investigated the robbery of Jonathan Rees which occurred in 1986 and which led to the Belmont Car Auctions issue (see paragraph 496 above).

1524 Action A417, MPS013480001, 29 March 1987. Witness statement, MPS010512001, pp2-3, 01 April 1987. Action A1210, MPS014273001, 29 September 1987. Witness statement, MPS010881001, 13 January 1987. Action A870, MPS013933001, 12 June 1987. Witness statement, MPS010293001, pp1-2, 14 April 1987. Action A879, MPS013942001, 16 June 1987. Witness statement, MPS010706001, pp6-8, 16 June 1987. Action A119, MPS013182001, 12 March 1987. Witness statement, MPS010335001, 15 March 1987. Action A220, MPS013283001, 17 March 1987. Witness statement, 15 June 1987. Action A206, MPS013269001, 16 March 1987. Witness statement, MPS010399001, pp2-5, 17 March 1987. Action A207, MPS013270001, 16 March 1987. Witness statement, MPS010401001, 17 March 1987. Action A49, MPS013111001, 11 March 1987. Witness statement, MPS010151001, 11 March 1987. Action A586, MPS013649001, 10 April 1987. Witness statement, MPS010728001, 12 August 1987. Action A292, MPS013355001, 19 March 1987. Witness statement, MPS010509001, 01 April 1987.

1525 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS015359001 pp7-14, 22 January 1988.

1526 Report by D/Supt Douglas Campbell: Murder of Daniel Morgan, MPS015359001, p12, 22 January 1988.

1527 Report by D/Supt Douglas Campbell: Murder of Daniel Morgan, MPS015359001, p12, 22 January 1988.

1528 Witness statement of DC Duncan Hanrahan, MPS010350001, pp1-2, 17 March 1987.

903. D/Supt Douglas Campbell had also received information that DC Duncan Hanrahan had met and drunk with Jonathan Rees at the Victory public house, Thornton Heath, in the company of DS Alec Leighton.¹⁵²⁹ D/Supt Campbell and DI Allan Jones interviewed DC Hanrahan about his involvement in the Belmont Car Auctions robbery investigation and his relationship with Jonathan Rees, and a further statement was taken from him on 05 June 1987.¹⁵³⁰

904. In this statement, DC Duncan Hanrahan said that he had been the night duty Criminal Investigation Department (CID) officer on 18 March 1986, when Jonathan Rees was allegedly robbed of £18,280.62 on his way home from Belmont Car Auctions, and had conducted some of the early investigation into the robbery. DC Hanrahan recorded in June 1987 that he felt that *'either Jonathan REES was involved or he had been set up by someone knowing his movements'*.¹⁵³¹ Despite this view, DC Hanrahan repeatedly met Jonathan Rees on a social basis between the Belmont Car Auctions robbery in March 1986 and the murder of Daniel Morgan in March 1987.¹⁵³² This relationship continued after the murder.

905. DC Duncan Hanrahan stated in June 1987 that he had spoken to Jonathan Rees on the telephone after the murder but did not think he had met him again until 19 March 1987 in the Southern Investigations offices. He next saw him on 21 May 1987 when he was with DS Alec Leighton. According to DC Hanrahan's statement:

*'He told me that he had been arrested and held for thirty hours. He was unhappy at his treatment. He intimated that he would not co-operate with the enquiry any more, and at one stage he stated that he didn't give a fuck who killed MORGAN. There were things that he could tell the investigation that would point the team in a direction other than in his direction, but he was not going to co-operate.'*¹⁵³³

906. On 05 June 1987, D/Supt Douglas Campbell told DC Duncan Hanrahan that he was not to meet Jonathan Rees at any time.¹⁵³⁴ DC Hanrahan, however, continued to meet Jonathan Rees, and this was brought to D/Supt Campbell's attention.¹⁵³⁵

907. D/Supt Douglas Campbell decided to use DC Duncan Hanrahan to gather information from and about Jonathan Rees, instead of repeating his direction that DC Hanrahan should not see Jonathan Rees, or dealing with DC Hanrahan's failure to comply with the lawful instructions he had been given by D/Supt Campbell on 05 June 1987. DI Allan Jones stated in 1991 that it had been decided that *'HANRAHAN would now attempt to glean information from and about REES and this information was reported by HANRAHAN to Mr CAMPBELL without the knowledge of REES'*.¹⁵³⁶ At the Inquest into Daniel Morgan's death, DC Hanrahan's role was described by the Coroner as that of a *'double agent'*.¹⁵³⁷

1529 Action A371, 'Obtain statements from police officers who were drinking with REES in Anchor PH on Thursday 19th March', MPS013434001, 20 March 1987.

1530 Witness statement of DC Duncan Hanrahan, MPS010354001, 05 June 1987.

1531 Witness statement of DC Duncan Hanrahan, MPS010354001, pp2-3, 5 June 1987.

1532 Witness statement of DC Duncan Hanrahan, MPS010354001, pp3-4, 5 June 1987.

1533 Witness statement of DC Duncan Hanrahan, MPS010354001, p6, 05 June 1987.

1534 Message M288, Message relating to Jonathan Rees calling DC Duncan Hanrahan's home address, MPS012348001.

1535 Witness statement of Allan Jones, MPS038135001, p4, 31 January 1991.

1536 Witness statement of Allan Jones, MPS038135001, pp4-5, 31 January 1991.

1537 Witness D/Supt Douglas Campbell cross-examined by Mr J. Nutter; transcript of the Inquest into the death of Daniel Morgan: Inquest Day Four, INT000004001, p65, 14 April 1988.

908. DC Duncan Hanrahan made a statement on 11 September 1987 reporting his meetings with Jonathan Rees. He reported that Jonathan Rees was always friendly towards him, called him *'Paddy or Comrade'*, and always criticised D/Supt Douglas Campbell and DI Allan Jones. DC Hanrahan said that he had gone along with him on these views.¹⁵³⁸ He said that Jonathan Rees:

- i. had met him on 08 June 1987 *'in a wine bar in Norbury between about 6.15pm and 7.pm'*.
- ii. had wanted to know about his meeting on 05 June 1987 with D/Supt Campbell and DI Jones. He had told Jonathan Rees that he had made a statement about the Belmont Car Auctions robbery.
- iii. had wanted to know whether or not he was still suspected of killing Daniel Morgan. DC Hanrahan had told him that he had been told nothing except to keep away from him or he would be in serious trouble.
- iv. had told him that D/Supt Campbell had been to what he described as a *'Management Meeting'* that morning and that *'bottles could be heard clinking in his case when he went there [...] Mr CAMPBELL was very hung over if not still drunk.'*
- v. had told him that *'he had a friend on the staff of the Daily Mail who had shown an interest in the "Morgan" enquiry and that he (Rees) was going to get him to publish an article which would be critical of the Police conduct of the enquiry. The basis of the article would be that the Police were looking at Rees and Police Officers instead of the murderer, and that Mr Campbell and Mr Jones spent their time drinking and were drunk daily.'*
- vi. had told him that *'MORGAN might have arranged to meet "crumpet"¹⁵³⁹ [at the] Golden Lion, and that the woman may have been followed there by a husband or boyfriend who kill [sic] MORGAN.'*
- vii. no longer cared who killed Daniel Morgan and would not assist the enquiry any more.
- viii. had been watching to see whether police had placed surveillance on him, and was convinced that he was not being followed, although he thought that his telephones might be *'tapped'*.
- ix. had told him that if he (DC Hanrahan) was sacked or suspended for meeting him he would give him a job.
- x. had met DC Hanrahan again on 26 June 1987, between 6.00 pm and 6.50 pm in The Albert public house.
- xi. had told DC Hanrahan that *'during the first two weeks of the murder enquiry, D/Supt CAMPBELL had asked for certain people to be placed under surveillance, but had only been allowed two days surveillance by the [Intelligence Support Unit] and that a contact in [Criminal Intelligence Bureau] had told him that there was no [Criminal Intelligence Bureau] surveillance on officers in relation to the MORGAN enquiry'*.

1538 Witness statement of DC Duncan Hanrahan, MPS010355001, p8, 11 September 1987.

1539 People, especially women, regarded as objects of sexual desire (informal noun, Oxford English Dictionary).

- xii. had said that if DC Hanrahan was under any pressure from D/Supt Campbell or DI Jones he (Jonathan Rees) would arrange a meeting with DS Sidney Fillery and the other officers who were arrested with him, and that they would give him “*the dirt*” on *Mr CAMPBELL and Mr JONES*. This would enable DC Hanrahan ‘*to protect*’ himself from D/Supt Campbell and DI Jones.
- xiii. said that DI Jones had ‘*corruptly “squared up” a Drink Driving Offence for a man called JURY or DRURY who he said was an armed robber*’.
- xiv. had met DC Hanrahan again on 24 August 1987 in The Albert public house.
- xv. had told DC Hanrahan that police were going to arrest him (Jonathan Rees), DS Alec Leighton and DC Hanrahan later that week, and that he would ring him the following day with more details.
- xvi. had told DC Hanrahan that D/Supt Campbell had given ‘*the okay*’ for all officers to meet him. He had ‘*taped*’ this conversation with D/Supt Campbell, in his (Jonathan Rees’s) office earlier that week or the previous week.
- xvii. would arrange a meeting with DS Fillery for later that week.
- xviii. expressed a great desire to cause harm to D/Supt Campbell and DI Jones and spoke of DI Jones being ‘*fitted up*’ with something in his car, but not necessarily in the near future.
- xix. said that his accountant had been interviewed for five hours the previous Friday and had refused to see DI Jones that day.
- xx. telephoned DC Hanrahan at work on either 25 or 26 August and said that permission had been refused for D/Supt Campbell to arrest him (Jonathan Rees) and DS Alec Leighton. He said he had spoken to DS Fillery, who had declined to have a meeting with DC Hanrahan until things had ‘*died down*’.
- xxi. telephoned him at home on either Wednesday or Thursday of the previous week, when he was on sick leave, and told him that he had been arrested the previous Sunday and charged with failing to take a breath test. He believed that D/Supt Campbell and/or DI Jones were behind the arrest and said he had told the custody officer this.¹⁵⁴⁰

909. DC Duncan Hanrahan met Jonathan Rees again on 04 February 1988 in The Albert public house and Jonathan Rees had told him that ‘*senior police officers with Masonic connections were paying REES’ legal fees to sue the Police force and make complaints*’.¹⁵⁴¹

910. During the Inquest into Daniel Morgan’s death, DC Duncan Hanrahan was questioned by the Coroner about the fact that he had ‘*an understanding*’ with D/Supt Douglas Campbell. DC Hanrahan described that understanding as follows: ‘*The understanding we had was if I was going to meet Mr REES I would inform [D/Supt Campbell] prior to meeting [Jonathan Rees] and I would tell him anything that occurred during the meeting.*’ DC Hanrahan described how Jonathan Rees intended to discredit D/Supt Campbell and DI Allan Jones.¹⁵⁴²

1540 Witness statement of DC Duncan Hanrahan, MPS010355001, 11 September 1987.

1541 Message M721 from DC Duncan Hanrahan, MPS012781001, 05 February 1988.

1542 Witness DC Duncan Hanrahan, examined by the Coroner, Transcript of the Inquest into the death of Daniel Morgan: notes of proceedings for the fourth day, INT000004001, pp57-58, 14 April 1988.

911. Jonathan Rees, when questioned by the Coroner, said that DC Duncan Hanrahan had told him that he had been instructed to report back conversations with Jonathan Rees to D/Supt Douglas Campbell and DI Allan Jones, and denied that he intended to damage either officer.¹⁵⁴³ Jonathan Rees stated that:

*'Officer Hanihan [sic] came out with quite a few suggestions himself sir. I suggest that those comments were his, his suggestion [...] Some of those suggestions about Mr. Campbell having a drink problem and himself possibly in the near future facing drink driving offences [...] Mr. Hanihan [sic] seems to know him a lot better than I do and said he seems to be a bit amazed, from his comments, sir, that Mr. Campbell already had not got into trouble for drink driving offences.'*¹⁵⁴⁴

912. Former D/Supt Douglas Campbell was asked by the Panel about his use of DC Duncan Hanrahan. He responded that he *'did not remember any of his dealings with DC Hanrahan'* and that he *'did not recall if DC Hanrahan gave any information, useful or otherwise'*.¹⁵⁴⁵

913. Former DC Duncan Hanrahan was subsequently convicted on separate matters and sentenced to over eight years in prison for offences including theft, robbery, conspiracy to supply Class A drugs and perverting the course of justice.¹⁵⁴⁶

914. D/Supt Douglas Campbell knew about DC Duncan Hanrahan's relationship with Jonathan Rees when he first asked him to gather intelligence on Jonathan Rees. DC Hanrahan had been told by D/Supt Campbell not to see Jonathan Rees but had continued to do so. In those circumstances, it could not have been clear to D/Supt Campbell whether DC Hanrahan's first loyalty was to the murder investigation or to Jonathan Rees, who was a suspect for the murder of Daniel Morgan. There was a risk that DC Hanrahan would disclose information from the murder investigation to Jonathan Rees.

915. Most of the information provided by DC Duncan Hanrahan was of no value to the Morgan One Investigation, although the implied threats to provide *'the dirt'* on D/Supt Douglas Campbell and DI Allan Jones would have been a cause for concern. Notwithstanding this, the reality was that DC Hanrahan's encounters with Jonathan Rees largely took the form of Jonathan Rees trying to find out about the investigation. It was inappropriate for D/Supt Campbell to allow DC Hanrahan to be involved in the investigation in this way, because DC Hanrahan had previously disobeyed D/Supt Campbell, and D/Supt Campbell did not know where DC Hanrahan's true loyalties lay.

¹⁵⁴³ Witness Jonathan Rees, cross-examined by June Tweedie, Transcript of the Inquest into the death of Daniel Morgan: notes of proceedings for the eighth day, INT000008001, p96, 25 April 1988.

¹⁵⁴⁴ Witness Jonathan Rees, cross-examined by June Tweedie, Transcript of the Inquest into the death of Daniel Morgan: notes of proceedings for the eighth day, INT000008001, p105, 25 April 1988.

¹⁵⁴⁵ Email to the Panel from former D/Supt Douglas Campbell, 04 April 2017.

¹⁵⁴⁶ PNC printout: summary of convictions/ reprimands/ warnings/ cautions/ last period in custody for Duncan Hanrahan, MPS007951001, p4, 22 January 2009.

9.2 Other officers

916. A number of other officers, who were part of the Morgan One Investigation, also spent time drinking in public houses with Jonathan Rees. D/Supt Douglas Campbell was concerned that the investigation could have been compromised by the regular association between police officers and Jonathan Rees.¹⁵⁴⁷

917. On 25 May 1987, D/Supt Douglas Campbell made a formal request for surveillance of Jonathan Rees by another police force '[t]o ascertain REES' contacts both with Police Officers and criminals'.¹⁵⁴⁸ His request was declined by the Metropolitan Police on 28 May 1987 'after discussions with Commander FRY'.¹⁵⁴⁹ D/Supt Campbell was not given any reason why this request was declined.

918. Information which emerged subsequently provided grounds for a renewal of the request, but D/Supt Douglas Campbell did not do this.

919. D/Supt Douglas Campbell had good reason to make the request, which was refused, for surveillance to be carried out on Jonathan Rees by another police force. Despite interviewing D/Supt Campbell's senior managers, the Panel has been unable to identify any explanation for the refusal.

920. During the investigation, a number of officers reported back to the murder investigation on their dealings with Jonathan Rees. Reports were received as follows.

9.2.1 PC Derek Haslam

921. On 10 April 1987, PC Derek Haslam, who knew Jonathan Rees and Daniel Morgan well, described meeting Jonathan Rees socially in various public houses both before and after Daniel Morgan's murder.¹⁵⁵⁰ He also said that he had spoken to DC Michael Crofts about 'other matters that may be of interest to the Murder Squad, but are of a sensitive nature'.¹⁵⁵¹

922. Information which PC Haslam had received, suggesting that Jonathan Rees had been the intended victim of the murder, was provided to the investigation team and was dealt with proportionately.

923. PC Derek Haslam was not asked to provide further information for over seven months. On 16 November 1987, when he was providing information to the Morgan One Investigation, he explained that he had driven Jonathan Rees home from a Christmas party in Jonathan Rees's car on 17 December 1986 and had then driven home in the car, thus demonstrating that in December 1986 he had been close to Jonathan Rees.¹⁵⁵²

¹⁵⁴⁷ Report of D/Supt Douglas Campbell, MPS015359001, p34, para 144, 22 January 1988.

¹⁵⁴⁸ Morgan One Policy File – Decision 11, MPS004821001, p12, 28 May 1987.

¹⁵⁴⁹ Morgan One Policy File – Decision 11, MPS004821001, p12, 28 May 1987.

¹⁵⁵⁰ Witness statement of PC Derek Haslam, MPS01635001MPS016943001, pp7-8, 16 November 1987.

¹⁵⁵¹ Witness statement of PC Derek Haslam, MPS010635001MPS016943001, pp7-8, 16 November 1987.

¹⁵⁵² Witness statement of PC Derek Haslam, MPS010635001MPS016943001, pp7-8, 16 November 1987.

9.2.2 DC Kinley Davies

924. On 12 May 1987, DC Kinley Davies reported talking to Jonathan Rees in the Victory public house. When the pub closed for the afternoon, DC Davies reported that he and others were invited back to Southern Investigations for coffee. He said that Jonathan Rees made *'half-hearted attempts to find out the state of the enquiry'* and told *'stories of Police officers he knows'*.¹⁵⁵³

925. On 13 May 1987, DC Kinley Davies again visited the Victory public house but Jonathan Rees was not present, so he then went to Southern Investigations' offices, which were *'in darkness'*, as were Jonathan Rees's and Margaret Harrison's home addresses. He reported that Jonathan Rees's car was not present at either address.¹⁵⁵⁴ There is no clear explanation as to why DC Davies carried out these tasks.

9.2.3 Police Officer A27

926. On 22 May 1987, Police Officer A27 and DS Christopher Horne attended the Victory public house, but there is no record they went inside. They reported that Jonathan Rees left with two males who left in separate cars. One of the men was subsequently identified as DS Alec Leighton.¹⁵⁵⁵

927. On 24 June 1987, Police Officer A27 reported that he and DS Christopher Horne visited The Harp public house, where they spent just under an hour and a half with Jonathan Rees. Glenn Vian was also present. Jonathan Rees gave them information about a woman whose photograph had been shown on *Crimewatch*, and they discussed a case of police corruption in which two officers were reportedly facing three years in prison.¹⁵⁵⁶ Police Officer A27 also recorded that *'[a]t 9.10pm REES's "bleep" went off he said it was time for him to go home and that was his wife. He stated the "bleep" covered the London area & Surrey and he'd had it for some time.'*^{1557,1558}

928. The information that Jonathan Rees had a *'bleep'* (a pager) was entered into the investigation records, but nothing was done to recover the pager and investigate whether there might have been any material on it of relevance to the investigation.

1553 Message M226 from DC Kinley Davies regarding a visit to the Victory public house, MPS012286001, 12 May 1987.

1554 Message M230 from DC Kinley Davies regarding visits to various premises, MPS012290001, 14 May 1987.

1555 Message M252, Police Officer A27 observing Jonathan Rees and two males leaving the Victory public house, MPS012312001, 22 May 1987.

1556 Message M341, Police Officer A27 observing Jonathan Rees, Glenn Vian and a male in The Harp public house, MPS012401001, 25 June 1987.

1557 A bleep was an electronic device for passing messages. When a message was received the device 'bleeped'.

1558 Message M341, Police Officer A27 observing Jonathan Rees, Glenn Vian and a male in The Harp public house, MPS012401001, p5-6, 25 June 1987.

9.2.4 DC Richard Davis

929. On 06 October 1987, DC Richard Davis, Police Officer A27 and DC Paul Lombard spent three hours in the Victory public house with Jonathan Rees. Among other things, DC Davis subsequently reported that Jonathan Rees:

- i. disliked D/Supt Douglas Campbell and DI Allan Jones and believed they were not investigating the murder properly: '*All they were doing was looking at him as a suspect*';
- ii. believed that D/Supt. Douglas Campbell and DI Allan Jones were ignoring other lines of enquiry and that it would be better if D/Supt Campbell and DI Jones were no longer in charge;
- iii. said that he had been advised to make a formal complaint against them but was reluctant to do so;
- iv. Asked how the enquiry was going and whether the investigation was being '*completed properly*';
- v. asked who was currently working on it, and where '*DCs DAVIS [believed by the Panel to refer to DC Kinley Davies] and CROFTS*' were;
- vi. said he was unhappy that he could not speak to other police officers without them reporting to D/Supt Douglas Campbell;
- vii. said he was willing to help the murder squad in any way he could but would not deal with D/Supt Douglas Campbell and DI Allan Jones;
- viii. said he had not seen DS Sidney Fillery lately and that DS Fillery was more of a friend than a police contact. He believed that DS Fillery may be '*working his ticket*'¹⁵⁵⁹ and that when he leaves the police he would either work with him or go into the hotel/pub business;¹⁵⁶⁰

This information corroborated some of the information which had been provided by Kevin Lennon about the fact that DS Sidney Fillery intended to take early retirement and might work with Jonathan Rees.

- ix. '*[w]ent to great lengths*' explaining the Belmont Car Auctions robbery and said that it had nothing whatsoever to do with Daniel Morgan's death;
- x. asked how long Police Officer A27 had served and his experience of dealing with murder enquiries;

¹⁵⁵⁹ Expression used in police circles to refer to someone attempting to achieve a release from their service, i.e. early retirement, perhaps dishonestly; or simply working their final months of service before retirement.

¹⁵⁶⁰ Message M506 from DC Richard Davis observing and talking with Jonathan Rees and two other males drinking in the Victory Public House, MPS012566001, 07 October 1987.

The Report of the Daniel Morgan Independent Panel

- xi. said, when asked who he thought was responsible for Daniel Morgan's death, that he thought it was either Daniel Morgan's wife, Iris, or as a result of Daniel Morgan having an affair with someone;
- xii. referred to Daniel Morgan as *'the little welsh cripple'*;
- xiii. discussed the finances of the company and the dispute with Iris Morgan – he said that the company had been making £200,000 a year and because of Daniel Morgan's death *'they had lost out on half of this'*.¹⁵⁶¹

9.2.5 DC Paul Lombard

930. On 13 October 1987, DC Paul Lombard reported that he had seen Jonathan Rees at the bar of the Victory public house with an unknown male. DC Lombard spoke to Jonathan Rees and said that no mention was made of the murder investigation.¹⁵⁶²

9.2.6 Police Officer N21

931. On 20 November 1987, Police Officer N21 made a statement describing his interactions with Jonathan Rees, saying that during his time on the Crime Squad he must have met Jonathan Rees *'on at least twenty occasions'*, always in the company of DS Sidney Fillery and *'invariably in public houses'*. Police Officer N21 said: *'I liked a drink and so did Sergeant Fillery and John Rees and it was obvious that these two men were good friends. The main topics of conversation was [sic] either our recent work or what John Rees had been doing.'*¹⁵⁶³ He went on to say that, since the murder, he had not socialised with Jonathan Rees, although he had met DS Sidney Fillery, who he described as a *'personal friend of mine'*, and said: *'Although I have discussed the murder with D/S Fillery he has not told me anything that would assist in this investigation.'*¹⁵⁶⁴

1561 Message 376 from DC Richard Davis observing and talking with Jonathan Rees and two other males drinking in the Victory Public House, MPS012566001, 07 October 1987.

1562 Message M513 from DC Paul Lombard visiting the Victory public house where he saw and spoke with Jonathan Rees and an unknown male, MPS012573001, p1, 13 October 1987.

1563 Witness statement of Police Officer N21, MPS010849001, p5, 20 November 1987.

1564 Witness statement of Police Officer N21, MPS010849001, p8, 20 November 1987.

Meetings held in public houses

932. The Morgan One Investigation appears to have accepted a process by which officers working on the enquiry would visit public houses known to be frequented by Jonathan Rees and DS Sidney Fillery, both of whom had been arrested for the murder and continued to be suspects, and would spend time with one or both of them on a seemingly social basis. They would then report back to the enquiry team.

Officers meeting Jonathan Rees and DS Sidney Fillery in these public houses would in all probability be drinking alcoholic drinks, and there was a significant risk of information leaking from officers in these circumstances. This is demonstrated in officers' reports which state both the intelligence that Jonathan Rees had accumulated about the ongoing investigation and the way in which he would probe them for information.

It is unclear whether intelligence gained from these meetings was dealt with appropriately. There is no record that the intelligence that Jonathan Rees had a pager was followed up by the investigation team, although this was a potentially important piece of information. Similarly, intelligence received that DS Sidney Fillery was *'working his ticket'* and seeking medical retirement, in order, possibly, to go and work with Jonathan Rees several months before he did so, does not seem to have been acted upon. It would have been possible to investigate further whether DS Fillery's alleged sickness was genuine and what he was doing during his period of sick leave at this stage.

933. This close association between police officers and one of the main suspects posed serious risks to the investigation. As a strategy, which it appears to have been, it was entirely inappropriate. This should not have been allowed to happen.

10 The second arrest of Jonathan Rees

934. On 03 March 1988, Jonathan Rees was arrested on *'suspicion of murder'*¹⁵⁶⁵ having presented himself, at the request of the police, at Croydon Police Station.¹⁵⁶⁶ He was accompanied by his solicitor, Michael Goodridge. An entry on his custody record at 3.46 pm reads: *'28 hours 50 minutes previous relevant time [...]*'.¹⁵⁶⁷

935. The Custody Officer who made this entry used the wrong terminology but seems to be referring to the time Jonathan Rees spent in custody in April 1987. A second entry, apparently made by a Police Superintendent at 4.00 pm, is not very legible in places but appears to read:

'Mr REES presented himself at Croydon Police Station for further enquiries into an allegation of a serious arrestable offence, i.e. murder. The officer in the case, Det Supt CAMPBELL requested that he be allowed to commence interview and for his detention

¹⁵⁶⁵ Custody record for Jonathan Rees, MPS014838001, 03 March 1987.

¹⁵⁶⁶ Message to Jonathan Rees, MPS012825001, 03 March 1988.

¹⁵⁶⁷ Custody record for Jonathan Rees, MPS014838001, 03 March 1987.

*passed the hours to be re-confirmed. The original authority was given by Supt KYDD at Catford Police Station at 7.50am on the 4th April 1987. I introduced myself to Mr REES in the presence of his solicitor Mr Michael GOODRIDGE and explained the reasons for his further detention, neither Mr REES, nor his legal advisor made any objection to the proposed course of action or his continued detention [...]*¹⁵⁶⁸

936. The custody record entries at 3.46 pm and 4.00 pm on 03 March 1988 would only have been correct if Jonathan Rees was answering bail. He was not on bail, as he had been released without charge on 04 April 1987.

937. The custody record of 03 March 1988 demonstrates a lack of knowledge of the Police and Criminal Evidence Act 1984 by the Custody Sergeant, a Superintendent, and apparently a solicitor and Jonathan Rees. (Jonathan Rees had acted on behalf of his solicitor Michael Goodridge in attending interviews with suspects.)

938. Jonathan Rees was questioned about evidence gathered during the course of the investigation from a range of police and other witnesses during his interview.

939. He was interviewed between 4.02 pm and 4.27 pm by D/Supt Douglas Campbell and DI Allan Jones. It appears from the papers that the Panel has seen that Jonathan Rees made no comment during the interview.¹⁵⁶⁹ Following the interview, Jonathan Rees was '*released pending further enquiries*'.¹⁵⁷⁰

940. On 07 March 1988, police asked Jonathan Rees to bring his BMW car in for further forensic examination. Jonathan Rees asked that a police officer and Scenes of Crime officer attend at his office.¹⁵⁷¹ On 10 March 1988, fibre samples were collected from the seats, front and rear floor mats and boot mat. A number of tapings and control samples retrieved from the car were submitted for comparison with the fibres found on the axe.¹⁵⁷² No matching fibres were found.¹⁵⁷³

941. Jonathan Rees's car had not been fully forensically examined before this point, a year after the murder. The consequence of this failure was that, even if evidence had been found which linked the car to the murder of Daniel Morgan, there would have been scope for arguments that there was no continuity to any such evidence secured, and that there was a possibility of contamination of such evidence in the year between the date of the murder and the search of the car.

1568 Custody record for Jonathan Rees, MPS014838001, 03 March 1987.

1569 Interview of Jonathan Rees, MPS011591001, 03 March 1988.

1570 Custody record for Jonathan Rees, MPS014838001, p6, 03 March 1987.

1571 Action A1623, MPS014686001, 07 March 1988.

1572 Report to submit various articles belonging to Daniel Morgan to the forensic laboratory, MPS025486001, 15 March 1988.

1573 Letter to D/Supt Campbell from Philip Toates regarding his findings as a result of his forensic examination of the fibres found on the axe against fibres from Jonathan Rees' BMW, MPS071211001, 25 March 1988.

11 D/Supt Douglas Campbell's three investigation reports

942. In his report of 22 January 1988, D/Supt Douglas Campbell drew together all his lines of enquiry and concluded that he had identified motive and unanswered questions but not evidence. He said that the case of Daniel Morgan's murder revolved around who had known that Daniel Morgan would have been at the Golden Lion public house on 10 March 1987, that the manner of his death indicated a personal hatred held by his attacker and that the murder was premeditated.¹⁵⁷⁴ D/Supt Campbell's conclusion was that Jonathan Rees was complicit in the murder of Daniel Morgan. He considered it possible that Jonathan Rees was concerned that Daniel Morgan would dissolve their business partnership,¹⁵⁷⁵ thought it apparent that Jonathan Rees's dislike for Daniel Morgan had turned to hatred, and suggested this could have been further fuelled by the association both men had with Margaret Harrison.¹⁵⁷⁶ D/Supt Campbell also raised concerns over Jonathan Rees's '*over-riding loyalty*' to police officers, especially those connected to Belmont Car Auctions, and referred to evidence that Daniel Morgan had threatened to expose police corruption.¹⁵⁷⁷

943. These matters, D/Supt Douglas Campbell believed, offered '*strong motives for murder*'.¹⁵⁷⁸ He stated that '[n]ot one piece of evidence was found that would lead the investigation team away from REES as the prime suspect',¹⁵⁷⁹ and '*I am therefore of the view that REES killed MORGAN*'.¹⁵⁸⁰

12 The frequency and nature of liaison between the Morgan One Investigation and the Crown Prosecution Service and the Director of Public Prosecutions

944. As the investigation proceeded there was, as was normal, communication between the Morgan One Investigation and the Crown Prosecution Service and Director of Public Prosecutions. The Panel examined the material available to determine whether proper liaison took place to enable consideration of all issues arising in the Morgan One Investigation into Daniel Morgan's murder.

945. The Crown Prosecution Service was created by the Prosecution of Offences Act 1985 which came into force in 1986.¹⁵⁸¹ The newly established Crown Prosecution Service took over the conduct of all prosecutions initiated by the police and decided whether or not such proceedings should be continued.¹⁵⁸²

946. The information available can be divided into what took place before the Inquest into the death of Daniel Morgan, and what took place afterwards.

1574 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS016002001, p3, 22 January 1988.

1575 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS016002001, p46, 22 January 1988.

1576 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS016002001, p47, 22 January 1988.

1577 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS016002001, p47, 22 January 1988.

1578 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS016002001, p47, 22 January 1988.

1579 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS016002001, p27, 22 January 1988.

1580 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS016002001, p23, 22 January 1988.

1581 Prosecution of Offences Act 1985 (Commencement No. 1) Order 1985/1849; Prosecution of Offences Act 1985 (Commencement No. 2) Order 1986/1029; Prosecution of Offences Act 1985 (Commencement No. 3) Order 1986/1334.

1582 Prosecution of Offences Act 1985, s. 3(2)(a).

12.1 Pre-Inquest

947. On 22 January 1988, D/Supt Douglas Campbell reported to DCS Douglas Shrubsole stating that he had considered bringing charges against Jonathan Rees himself, before referring the decision to the Crown Prosecution Service:

*'I must confess that I have seriously considered charging REES, but it may well be that I am too personally involved for a number of obvious reasons in my attitude towards REES. I would welcome Solicitors Department comments on whether or not these papers should be considered by the Crown Prosecution Service.'*¹⁵⁸³

948. In the same report, D/Supt Douglas Campbell stated that there were strong motives for the murder: Jonathan Rees's 'dislike for MORGAN turned to hatred' and 'REES' over-riding loyalty to Police Officers especially those connected with Belmont Car Auctions'. D/Supt Campbell asked, '[d]id MORGAN threaten to expose the officers? There is no doubt that an underlying current throughout this investigation is of MORGAN's apparent dislike of Police and his threats to go to the newspapers with a story of Police corruption.'¹⁵⁸⁴

949. Over the next few months, there was correspondence between D/Supt Douglas Campbell and the Crown Prosecution Service, as D/Supt Campbell sought a decision from the Crown Prosecution Service on whether to charge Jonathan Rees.

950. On 22 February 1988, the Crown Prosecution Service explained that they intended to send the papers to Counsel for advice, but did not expect a decision on charge for about three weeks.¹⁵⁸⁵ DS Malcolm Davidson then notified the Coroner that the Crown Prosecution Service would not come to a decision on whether to charge Jonathan Rees for at least three weeks.¹⁵⁸⁶

951. On 07 March 1988, D/Supt Douglas Campbell produced an annex to his report of 22 January 1988, in which he stated that, on the instructions of the Solicitors Department, copies of his report had been served on Sir Montague Levine, the Coroner, and the Crown Prosecution Service, which was seeking Counsel's advice as to whether or not a prosecution against Jonathan Rees for murder would succeed.¹⁵⁸⁷

952. On 22 March 1988, a meeting took place between: D/Supt Douglas Campbell; Julian Bevan, Treasury Counsel; Mrs M. Phillips, the Head of the Crown Prosecution Service; Allan Green, Director of Public Prosecutions; and two other lawyers from the Crown Prosecution Service.¹⁵⁸⁸ The following day, DI Allan Jones telephoned the Metropolitan Police Solicitors Department to confirm that the decision to charge had been deferred until after the Inquest.¹⁵⁸⁹

953. The Coroner's Inquest took place between 11 and 25 April 1988 (see Chapter 2, The Inquest).

1583 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS016002001, p47, 22 January 1988.

1584 Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS016002001, p47, 22 January 1988.

1585 Message M741, Telephone call from D/Supt Douglas Campbell to Mr David Hamilton, Met Police Solicitors, MPS012801001, 22 February 1988.

1586 Telephone call from D/S Malcolm Davidson to Coroner's Office, MPS012802001, 22 February 1988.

1587 Report by D/Supt Douglas Campbell: Murder of Daniel Morgan, MPS016003001, p2, 07 March 1988.

1588 Report by D/Supt Douglas Campbell: Murder of Daniel Morgan, MPS016005001, p1, 12 May 1988.

1589 Message M801, Telephone call from DI Allan Jones to MPS Solicitor David Hamilton, MPS012861001, p1, 23 March 1988.

12.2 Post-Inquest

954. On 27 April 1988, DI Allan Jones telephoned the Crown Prosecution Service to ask whether, following the conclusion of the Inquest, a decision had been taken on whether to charge. The Crown Prosecution Service advised that they were waiting for the Inquest transcript before making this decision.¹⁵⁹⁰ Following repeated requests by the Morgan One Investigation, the Inquest transcript was not received until July 1988.¹⁵⁹¹

955. On 12 May 1988, D/Supt Douglas Campbell produced a second annex to his earlier report, covering the issues raised at the Inquest, which was forwarded to the Director of Public Prosecutions.¹⁵⁹² In it, D/Supt Campbell stated the following:

'It is my view that REES has certainly been "tried by the Press" and the chances of finding an unbiased jury would be extremely difficult. In any event we are no further forward evidentially than as discussed at Conference on 22nd March 1988.

'It is my intention to close the investigation in the Murder of Daniel John MORGAN on 30th May 1988, when the papers will be put away pending any further developments.

*'However, in view of The Director of Public Prosecutions decision to review this case after the Inquest, I ask that this report be forwarded to The Crown Prosecution Service, for the attention of [CPS1] and that I be notified in writing of any decision made.'*¹⁵⁹³

956. At the Inquest there had been evidence from important witnesses (including Kevin Lennon, who confirmed his statement from the witness box that Jonathan Rees and others had planned the murder), but the view taken was that no significant evidence had emerged from the hearing of the Inquest. There was at that stage the opportunity to review the investigation thus far and identify lines of enquiry, which was not taken.

957. Following communication between D/Supt Douglas Campbell and the Crown Prosecution Service on 27 May 1988, and 06 June 1988, Isobel Hülsmann, Daniel Morgan's mother, telephoned DI Allan Jones on 22 June 1988, asking whether the Director of Public Prosecutions had decided to charge Jonathan Rees. She also informed DI Jones that she had corresponded with Alex Carlile QC MP, who was interested in the case, and that he would be raising the matter with the Director of Public Prosecutions for a reply in the House of Commons.¹⁵⁹⁴ DI Jones informed the Crown Prosecution Service of Isobel Hülsmann's telephone call the same morning.¹⁵⁹⁵

958. After further attempts to move the matter forward, D/Supt Douglas Campbell met Allan Green, Director of Public Prosecutions, Jeremy Gompertz QC and Julian Bevan QC (both Treasury Counsel), and two other lawyers from the Crown Prosecution Service on 22 July

¹⁵⁹⁰ Message M865, Telephone call from DI Allan Jones to [...] CPS, MPS012925001, p1, 27 April 1988.

¹⁵⁹¹ Witness statement of D/Supt Douglas Campbell, MPS015272001, pp45-46, 05 February 1991 (unsigned).

¹⁵⁹² Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS016005001, 12 May 1988.

¹⁵⁹³ Report by D/Supt Douglas Campbell: Murder of Daniel John Morgan, MPS016005001, pp3-4, 12 May 1988.

¹⁵⁹⁴ Message M890, Telephone call from Isobel Hülsmann to DI Allan Jones, MPS012950001, 22 June 1988.

¹⁵⁹⁵ Message M891, Telephone call from DI Allan Jones to [...] CPS, MPS012951001, 22 June 1988.

1988. It was agreed that, as no fresh evidence had emerged, including during the Inquest, the likelihood of securing a conviction against Jonathan Rees for murder was '*extremely remote*', and therefore no prosecution would occur.¹⁵⁹⁶

959. On 26 July 1988, DS Malcolm Davidson telephoned Alastair Morgan to advise him of the outcome of the meeting on 22 July 1988.¹⁵⁹⁷

960. On the same date, Isobel Hülsmann telephoned DS Malcolm Davidson to notify him that Alastair Morgan had informed her of the Director of Public Prosecutions' decision not to prosecute. She also said that, having spoken to her solicitor, she and Alastair Morgan were considering a private prosecution.¹⁵⁹⁸

961. The Panel asked the Crown Prosecution Service for any written advice about the decision not to prosecute. No written advice has been identified. As was common practice at the time, there was no formal letter from the Crown Prosecution Service to any member of the family of Daniel Morgan in relation to this decision.

962. On 29 July 1988, D/Supt Douglas Campbell told David Hamilton at the Metropolitan Police Solicitors Department that the Director of Public Prosecutions had decided not to institute proceedings against Jonathan Rees. David Hamilton replied: '*Thankyou for telling me. I am not surprised.*'¹⁵⁹⁹

963. On 12 August 1988, the Crown Prosecution Service wrote to D/Supt Douglas Campbell, confirming that the Director of Public Prosecutions was '*of the opinion that as matters now stand there is insufficient evidence to justify criminal proceedings in respect of the death of the late Daniel John Morgan*'.¹⁶⁰⁰

964. Given the time that it had taken to make a decision, and the continuing interest in the case expressed by the family of Daniel Morgan, the Panel would have expected there to have been a document articulating the reasoning for this decision. It was to be expected that there would be ongoing concern and, although such a document would probably not have been released to the family, its existence would have enabled the Metropolitan Police and others to have clarity as to the reasons for the decision. No trace has been found of any such document.

965. The Inquest concluded on 25 April 1988, but transcripts were not available to the Crown Prosecution Service until the second week of July. This delay undoubtedly caused frustration within the Morgan One Investigation team and exacerbated the anxiety felt by the family of Daniel Morgan and by those under investigation at this time.

1596 Witness statement of D/Supt Douglas Campbell, MPS015272001, p46, 05 February 1991 (unsigned).

1597 Message M913, Telephone call from DS Malcolm Davidson to Alastair Morgan, MPS012973001, 26 July 1988.

1598 Message M914, Telephone call from Isobel Hülsmann to DS Malcolm Davidson, MPS012974001, 26 July 1988.

1599 Message M931, Telephone call from D/Supt Douglas Campbell to Mr D Hamilton, MPS012991001, 29 July 1988.

1600 Letter from the Crown Prosecution Service to D/Supt Douglas Campbell, MPS016341001, 12 August 1988.

13 Failures in the handling of exhibits and other material seized during the Morgan One Investigation

966. It is apparent to anyone reviewing the papers of the Morgan One Investigation that there were failings from the beginning of the investigation in the way in which exhibits (which can be defined as evidential material secured for the purposes of an investigation) were collected and managed. In 1987, as is the case today, exhibits were required to be collected and managed to protect against contamination, or any break in the evidence of the continuity of the handling of each exhibit. Exhibits which might need to be forensically examined had to be handled promptly, and in accordance with the standard procedures.¹⁶⁰¹ Those procedures dictated that gloves should be worn to handle exhibits, which should then be placed into bags, which should be sealed, numbered and labelled, and placed in a secure identifiable place.

967. The Exhibits Officer, in this case DC Clive Blake, was responsible for the recording, handling and management of all exhibits. He had had little training and had never previously held the role of Exhibits Officer. DC Blake was managed in his role by DS Malcolm Davidson.

968. At this time, there was a requirement that an exhibits book should be opened which should contain all the necessary identifiers for each exhibit together with details of any movement of any exhibit. In some cases, a very significant number of items might be recorded using only one exhibit number, as is common practice in the early stages of an investigation, until each item could be examined and identified as an individual exhibit, as required. The exhibits book should have recorded the final disposal of the property: whether it was returned to its owner or retained for any future investigation.

969. An exhibits book was started at some stage for the Morgan One Investigation, and some exhibits seized were recorded. The original, contemporaneous document apparently no longer exists but there is a photocopy which the Panel has seen.^{1602,1603,1604,1605,1606,1607,1608} The photocopy which does exist is incomplete in that the location of items cannot always be ascertained. Exhibits are, on occasion, not listed in date order, which suggests that exhibits which had previously been seized were not immediately placed into storage and their content accurately described, so as to ensure the continuity of each exhibit.

970. Failures were identified in the management of exhibits during the Morgan One Investigation and in the years which followed. The identification of documents for the purposes of managing them, and of enabling verification of the continuity of handling, is of vital importance for any prosecution. The Panel has noted the following:

- i. In some cases, one reference number was appended to two different exhibits. In others, each exhibit item was not individually identified.¹⁶⁰⁹
- ii. In some cases, the number was either incomplete or incompletely recorded.¹⁶¹⁰

1601 Section 22 Metropolitan Police General Orders, MPS107540001, pp132-133, paras 165-166, 1982.

1602 Exhibits Book (Exhibits 1-21, re Body of Daniel Morgan), MPS005795001, undated.

1603 Exhibits Book (Exhibits 22-33, re Southern Investigations), MPS005796001, undated.

1604 Exhibits Book (Exhibits 34-60, re Daniel Morgan's Car), MPS005797001, undated.

1605 Exhibits Book (Exhibits 61-72, re [...]), MPS005798001, undated.

1606 Exhibits Book (Exhibits 73-81, re David Bray), MPS005799001, undated.

1607 Exhibits Book (Exhibits 82-144, re [...]), MPS005102001, undated (although the cover states 82 to 114 the book actually runs to 144).

1608 Exhibits Book (Exhibits 145-210, re Miscellaneous Venues), MPS005801001, undated.

1609 Exhibits Book (Exhibits 1-21, re Body of Daniel Morgan), MPS005795001, pp3-16, undated.

1610 Exhibits Book (Exhibits 34-60, re Daniel Morgan's Car), MPS005797001, undated. See, eg, items 46, 47 and 48 which are given reference numbers 21, 22 and 23. They appear to be items seized by the Exhibits Officer, DC Blake.

The Report of the Daniel Morgan Independent Panel

- iii. In some cases, items were referred to by reference to a witness with no number attached.¹⁶¹¹
- iv. Exhibits were held in at least nine locations during the years following the murder of Daniel Morgan. Some of those locations were not secure.
- v. In 2016, the Panel became aware that a Parker pen, which was recorded as having been taken from Daniel Morgan's car in March 1987, had been found. It had previously been thought that no pen had been found. It was in a police evidence bag with several other items. There was no explanation of what had happened between 1987 and 2014, when it had been brought to the attention of DS Gary Dalby.
- vi. Some of the original documents which had been seized were returned to Southern Investigations.¹⁶¹² However, there is no conclusive evidence as to which of the files and other documents which had been seized were copied, and which were returned without copying. There is reference in the documentation to some files being photocopied. The Panel has seen a limited number of copies of diary entries, such as some diary pages with entries which were photocopied by the Morgan One.
- vii. Exhibits were seized and returned without evidence that they had been examined. There is also, on occasion, contradictory evidence as to when they were returned.

971. DC Clive Blake's discharge of his duties as Exhibits Officer was very poor. He was responsible for the handling, labelling, management and, where appropriate, the return of exhibits to their original owner. There is no evidence of a reliable, corroborated audit trail of the seizure, retention, consideration or return of evidence.

972. DC Clive Blake was not asked to prepare a statement in relation to his exhibit handling until some 15 months after the murder, when he was no longer a member of the Morgan One Investigation, and when he and DS Malcolm Davidson were under investigation by DCS David Lamper for not dealing properly with exhibits. It was recommended by DCS Lamper that both officers should be disciplined for their failings (see paragraphs 1004-1006 below).

973. It is not possible to be definitive about exactly which documents were held by the police during the Morgan One Investigation, since not all exhibits were individually identified, and exhibits were not correctly managed. In many cases the identification of the places from which, or persons from whom, exhibits were seized was totally inadequate. The consequential loss of accountability for exhibits described is inexcusable. There was very often no evidence that any attempt was made to secure evidence from exhibits seized. Evidence which may have been available might have been missed. Attempts to use exhibits in the course of any prosecution may well have been compromised by the consequential inability of the Metropolitan Police to verify the integrity of the evidence which it sought to use. The immediate responsibility for this was that of DC Clive Blake and DS Malcolm Davidson. Ultimately these very significant failings were the responsibility of D/Supt Douglas Campbell.

1611 Exhibits Book (Exhibits 145-210, re Miscellaneous Venues), MPS005801001, undated. See items 186-194.

1612 Statement of DC Clive Blake, MPS038431001, 07 June 1988.

14 Enquiries emanating from the Morgan One Investigation

974. In the course of the Morgan One Investigation, issues arose which required officers outside the Morgan One Investigation to deal with them. There were five such issues:

- i. A request by D/Supt Douglas Campbell for a review of the Morgan One Investigation, which was subsequently carried out by DCS Douglas Shrubsole.
- ii. A disciplinary investigation of the allegations against three officers in relation to Belmont Car Auctions, which led to a report by D/Supt Alec Button.
- iii. An investigation into complaints made by Jonathan Rees conducted by DCS David Lamper (the 1987 Complaint Investigation).
- iv. The loss by the Exhibits Officer, DC Clive Blake, of a briefcase containing investigation material. This was dealt with by DCS David Lamper.
- v. An allegation that D/Supt Douglas Campbell was drunk on arrival at the crime scene on 10 March 1987.

14.1 Review of the Morgan One Investigation by DCS Douglas Shrubsole

975. On 08 October 1987, D/Supt Douglas Campbell made a decision to ask for another officer to look at the papers to '*ensure no possible leads are over-looked*'. The policy file stated that it had been agreed with Commander Alan Fry that DCS Douglas Shrubsole was '*to read papers*'.¹⁶¹³

976. DCS Douglas Shrubsole was D/Supt Douglas Campbell's line manager, and the senior detective serving on the police area where the murder of Daniel Morgan occurred. He recorded the findings of his review in a statement dated 15 June 1988, saying that in his review, which took place '*on various days*' between the 12 October 1987 and 04 December 1987, he '*examined every action, message and statement, and was satisfied that all reasonable lines of enquiry had been identified, and that the investigation was completely thorough and professional*'.¹⁶¹⁴

977. Other than DCS Douglas Shrubsole's statement of 15 June 1988, the Panel has found no other record of his work on the review in the material provided to the Panel.

978. DCS Douglas Shrubsole was interviewed by the Panel and confirmed his statement but had nothing to add to it.¹⁶¹⁵ He was unaware of any notes or papers relating to his review.

979. The only documentation surviving from the review was DCS Douglas Shrubsole's very brief statement. There were errors and omissions in the Morgan One Investigation relating, for example, to matters such as crime scene management and forensics, and which had occurred before 04 December 1987, which should have been apparent to DCS Shrubsole even at such a relatively early point after the investigation. This review was not thorough and did not reflect the evidence available to him.

¹⁶¹³ Decision 17 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p18, 8 October 1987.

¹⁶¹⁴ Witness statement of DCS Douglas Shrubsole, MPS003406001, 15 June 1988.

¹⁶¹⁵ Panel interview of DCS Douglas Shrubsole, p2, 6 May 2016.

14.2 Investigation by D/Supt Alec Button

980. A disciplinary investigation into the conduct of DS Sidney Fillery, DC Alan Purvis and DC Peter Foley was established as a result of a report dated 13 April 1987 by D/Supt Douglas Campbell, concerning possible disciplinary offences committed in connection with their involvement with Belmont Car Auctions.¹⁶¹⁶ The Investigating Officer was initially DCI Roy Sutherland. He was replaced by DCI Ernest Anderson in September 1987, and he was replaced by D/Supt Alec Button on 27 June 1988.¹⁶¹⁷ The report of the disciplinary investigation, dated 07 October 1988, was signed by D/Supt Button.¹⁶¹⁸

981. The brief particulars of the matters under investigation were described in D/Supt Button's report as including:

- i. allegations of the taking of paid employment at Belmont Car Auctions without authorisation;
- ii. failing to notify involvement in civil proceedings;
- iii. supplying confidential information to an unauthorised person;
- iv. dishonest application to purchase a car; and
- v. various counts of failing to account properly for entry into licensed premises, absence from duty and a false duty entry on 11 March 1987.¹⁶¹⁹

982. The three police officers each admitted to being present at Belmont Car Auctions on auction nights, but denied they were there on behalf of Southern Investigations, and denied being paid.^{1620,1621,1622} None of the officers had been suspended from duty after their interviews in April 1987. D/Supt Alec Button found that there was no evidence that any officer had been paid for attending Belmont Car Auctions.¹⁶²³

983. The investigation by D/Supt Alec Button also reviewed allegations that DS Sidney Fillery '*did during the course of an investigation of a murder fail to deal correctly with property handed to [him] by Mr NEWBY of Southern Investigations*'.¹⁶²⁴ This refers to the alleged disappearance of a Southern Investigations file relating to the civil action being brought by Belmont Car Auctions against Southern Investigations.

984. D/Supt Alec Button reported that DCI Ernest Anderson had attempted to interview Jonathan Rees as part of his enquiry. However, on the advice of his solicitor, Jonathan Rees had refused to be interviewed and had instructed his staff at Southern Investigations not to assist the enquiries.¹⁶²⁵

1616 Report by D/Supt Douglas Campbell, MPS015847001, 13 April 1987.

1617 Report by D/Supt Alec Button; Complaint against police, MPS015801001, 07 October 1988.

1618 Report by D/Supt Alec Button; Complaint against police, MPS015801001, 07 October 1988.

1619 Report by D/Supt Alec Button; Complaint against police, MPS015801001, p3, 07 October 1988.

1620 Interview of DC Alan Purvis, MPS020644001, p54, 03 April 1987.

1621 Interview of DC Peter Foley, MPS024257001, p17, 03 April 1987.

1622 Interview of Sidney Fillery, MPS000706001, p13, 03 April 1987.

1623 Report by D/Supt Alec Button; Complaint against police, MPS015801001, p34, 07 October 1988.

1624 Metropolitan Police notice of report, allegation or complaint in respect of Sidney Fillery, MPS015767001, 05 May 1987.

1625 Report by D/Supt Alec Button; Complaint against police, MPS015801001, p14, 07 October 1988.

985. D/Supt Alec Button examined the statements made by Peter Newby on 30 March 1987¹⁶²⁶ and 20 August 1988¹⁶²⁷ which indicated that DS Sidney Fillery removed files, and the statement by PC Stephen Thorogood on 19 May 1987,¹⁶²⁸ stating that DS Fillery did not remove files.

986. D/Supt Alec Button recorded that when interviewed following his arrest on 03 April 1987, DS Sidney Fillery denied that on 11 March 1987 he had taken possession of a file from Southern Investigations which related to Belmont Car Auctions.¹⁶²⁹

987. The misconduct investigation against DS Sidney Fillery was discontinued when he was granted medical retirement from the Metropolitan Police on 20 March 1988. No findings were therefore made in respect of the allegations against former DS Fillery, including those in relation to his handling of material from Peter Newby. D/Supt Alec Button stated at the time of writing his report that, *'[i]t is understood that he [former DS Fillery] is currently employed by REES at Southern Investigations'*.¹⁶³⁰ D/Supt Button also stated that former DS Fillery *'has agreed that they [Jonathan Rees and Sidney Fillery] have been close personal friends for five years'*.¹⁶³¹

988. D/Supt Alec Button did not make a formal finding in relation to the other allegations against DS Sidney Fillery, DC Alan Purvis and DC Peter Foley. However, D/Supt Button noted that there would be sufficient evidence to support disciplinary proceedings in relation to specified allegations against DC Purvis and DC Foley, if that was considered to be the correct course of action.¹⁶³² Those allegations did not relate to the murder of Daniel Morgan or its investigation, but were matters relating to the Belmont Car Auctions which had been identified as a possible motive for the murder.

989. D/Supt Alec Button considered that DC Alan Purvis and DC Peter Foley had suffered *'considerable personal and family trauma'* as a result of their arrests on murder charges. D/Supt Button concluded that DC Purvis and DC Foley *'should receive strong words of advice from their Chief Superintendent as to their conduct throughout this matter and their future behaviour'*. He determined that formal discipline would not be appropriate. He also recommended that before any final decision was to be made about these officers, any recommendations which might be made by DCS Alan Wheeler, who was conducting the Hampshire/Police Complaints Authority Investigation when D/Supt Button reported, should be considered.¹⁶³³

1626 Witness statement of Peter Newby, MPS010345001, 30 March 1987.

1627 Witness statement of Peter Newby, MPS015790001, 20 August 1988.

1628 Witness statement of PC Stephen Thorogood, MPS015791001, 19 May 1987.

1629 Report by D/Supt Alec Button; Complaint against police, MPS015801001, p20, 07 October 1988.

1630 Report by D/Supt Alec Button; Complaint against police, MPS015801001, p4, 07 October 1988.

1631 Report by D/Supt Alec Button; Complaint against police, MPS015801001, pp4-5, 07 October 1988.

1632 Report by D/Supt Alec Button; Complaint against police, MPS015801001, p41, 07 October 1988.

1633 Report by D/Supt Alec Button; Complaint against police, MPS015801001, p42, 07 October 1988.

990. D/Supt Alec Button did not articulate his analysis of the evidence available with regard to the missing Southern Investigations Belmont Car Auctions file. D/Supt Button's investigation does not provide any evidence confirming Peter Newby's assertion that DS Sidney Fillery had possession of the Belmont Car Auctions file or that he disposed of it. He makes no finding about what it was that DS Fillery had done, yet he said that, had he still been a serving officer, his conduct '*would have merited serious consideration for formal discipline*'.¹⁶³⁴ The consequence is that it is not possible to establish precisely what elements of DS Fillery's conduct would have merited serious consideration for disciplinary action.

14.3 The 1987 investigation into complaints made by Jonathan Rees

991. A formal complaint was made by Jonathan Rees on 08 December 1987 by way of letter from his solicitors to DCS Douglas Shrubsole.¹⁶³⁵ By agreement with Jonathan Rees, no initial action was taken until the conclusion of the Inquest.¹⁶³⁶ DCS David Lamper of the Complaints Investigation Bureau (CIB) then investigated and reported his findings on 17 November 1988. The formal complaint made in December 1987 referred to a previous letter sent on 30 April 1987 by solicitors acting for Jonathan Rees to D/Supt Douglas Campbell.¹⁶³⁷ According to the 1988 Complaint Investigation Report, the solicitors queried '*the necessity for and methods used to obtain search warrants*', and condemned '*the fact that he had been arrested and his alleged treatment*'. The 1988 Complaint Investigation Report suggested that the main reason for the letter was to seek the return of certain documents allegedly seized from Jonathan Rees's business premises.¹⁶³⁸

992. Jonathan Rees's statement of complaint was completed on 31 May 1988.¹⁶³⁹ He complained about the way the murder of Daniel Morgan was investigated and about the manner in which he had been treated by D/Supt Douglas Campbell and DI Allan Jones. Jonathan Rees had previously complained about police and at the Inquest.¹⁶⁴⁰

993. On 25 July 1988, Jonathan Rees made further allegations against D/Supt Douglas Campbell and DI Allan Jones of conspiracy to pervert the course of justice and perjury, by way of withholding information from the Coroner.¹⁶⁴¹

994. In the introductory statements to his 1988 Complaint Investigation Report, DCS David Lamper mentioned that Jonathan Rees had many friends in the Metropolitan Police and was in very close contact with former DS Sidney Fillery.¹⁶⁴² DCS Lamper remarked that as a consequence of this, Jonathan Rees would have heard of various matters both in relation to the murder enquiry and the investigation of the complaint, and:

1634 Report by D/Supt Alec Button; Complaint against police, MPS015801001, p42, 07 October 1988

1635 Letter from Rowe Radcliffe Wilkinson Re formal complaint made by William Jonathan Rees in relation to the treatment received at the hands of officers following the murder of Daniel Morgan, MPS037129001, 08 December 1987.

1636 Report by DCS David Lamper; Complaint against police, MPS020556001, p7, 17 November 1988.

1637 Letter re Rees from Rowe Radcliffe & Co to D/Supt Douglas Campbell, MPS011233001, pp2-4, 30 April 1987.

1638 Report by DCS David Lamper; Complaint against police, MPS020556001 p7, 17 November 1988.

1639 Witness statement of Jonathan Rees, MPS001761001, 31 May 1988.

1640 Report by DCS David Lamper; Complaint against police, MPS020556001, pp7-8, 17 November 1988.

1641 Report by DCS David Lamper; Complaint against police, MPS020556001, p8, 17 November 1988.

1642 Report by DCS David Lamper; Complaint against police, MPS020556001, p8, 17 November 1988.

*'He [Jonathan Rees] has contacted both myself (Detective Chief Superintendent LAMPER) and my assistant Detective Sergeant [...] with information he has received to assist us in our enquiries but has declined to name his sources. As a result there are some aspects which can not be totally dealt with in a satisfactory manner.'*¹⁶⁴³

995. Jonathan Rees's individual complaints involved criminal allegations, allegations of breach of police discipline and ancillary matters. The complaints contained allegations against several other police officers, including WDS Christine Fowles, DC Clive Blake, DC Donald Leslie, DC David Hall, DC Kinley Davies, DS Malcolm Davidson, DCI Ernest Anderson and WDC Julie Benfield.¹⁶⁴⁴ In all, ten officers were the subject of complaint by Jonathan Rees.

996. DCS David Lamper considered particular matters in his investigation. These included:

- i. forensic examination of the crime scene;¹⁶⁴⁵
- ii. media coverage of the murder of Daniel Morgan and the circumstances surrounding his death;¹⁶⁴⁶
- iii. Southern Investigations;¹⁶⁴⁷
- iv. the involvement of police officers with Belmont Car Auctions;¹⁶⁴⁸
- v. what happened when Jonathan Rees attended at Catford Police Station on the evening of 10 March 1987;¹⁶⁴⁹
- vi. the arrest of Jonathan Rees on 03 April 1987;¹⁶⁵⁰
- vii. the Malta line of enquiry;¹⁶⁵¹ and
- viii. the Coroner's Inquest into the death of Daniel Morgan.¹⁶⁵²

997. All but one of the allegations made by Jonathan Rees were either withdrawn or found to be unsubstantiated. The only complaint substantiated related to the handling of evidence by DC Clive Blake, and the supervision and handling of property by DS Malcolm Davidson, his line manager.

998. DCS David Lamper examined the handling of property and identified the following failures to deal with property correctly:

- (a) *'failure to account for all property coming into police possession in the property register or other recognised property documents*
- (b) *failing to safeguard such property*

1643 Report by DCS David Lamper; Complaint against police, MPS020556001, p8, 17 November 1988.

1644 Report by DCS David Lamper; Complaint against police, MPS020556001, pp3-4, 17 November 1988.

1645 Report by DCS David Lamper; Complaint against police, MPS020556001, p38, 17 November 1988.

1646 Report by DCS David Lamper; Complaint against police, MPS020556001, pp9-10, 17 November 1988.

1647 Report by DCS David Lamper; Complaint against police, MPS020556001, p10, 17 November 1988.

1648 Report by DCS David Lamper; Complaint against police, MPS020556001, pp13-14, 17 November 1988.

1649 Report by DCS David Lamper; Complaint against police, MPS020556001, pp30-33, 17 November 1988.

1650 Report by DCS David Lamper; Complaint against police, MPS020556001, p28, 17 November 1988.

1651 Report by DCS David Lamper; Complaint against police, MPS020556001, p20, 17 November 1988.

1652 Report by DCS David Lamper; Complaint against police, MPS020556001, p7, 17 November 1988.

- (c) *failing to ensure proper, unambiguous receipts for property*
- (d) *Altering property receipts by adding additional items after the recipient had signed for the property*
- (e) *failing to restore property expeditiously as decreed in the Police and Criminal Evidence Act.*¹⁶⁵³

999. DCS David Lamper stated that DC Clive Blake *'was wrongly advised on how to deal with documents comin [sic] into his possession'* and that decisions about how property should be dealt with were made by DS Malcolm Davidson.¹⁶⁵⁴ As an example, DCS Lamper described two entries in the property register, showing *'twenty three and thirty one files respectively'*,¹⁶⁵⁵ which were received from Southern Investigations on 30 and 16 March 1987, respectively.¹⁶⁵⁶ They were shown as having been returned to Southern Investigations on 23 December 1987.¹⁶⁵⁷ DCS Lamper stated:

*'It is impossible to identify an individual file from these fifty-four, let alone be reasonably sure that those returned were in fact the original ones seized. From consulting other documents one can say that a certain file has been in police possession but it is impossible to say who produced it, when it was received or when it was returned.'*¹⁶⁵⁸

1000. DCS David Lamper stated that *'[t]he safety of the documents was pointed out to D.S. DAVIDSON who said that anyone wishing to see another document would have to consult him or an indexer. The office was locked at all times when unattended.'*¹⁶⁵⁹ DCS Lamper recorded that DC Clive Blake admitted *'that property was held for far too long [...] He was not prepared to return items unless directed to do so by the office manager'*, and that DS Malcolm Davidson *'admits that he was at fault in this respect'*.¹⁶⁶⁰

1001. DCS David Lamper stated that *'[h]ad a successful prosecution of this case relied upon documentary exhibits, then failure would have been the inevitable result. There are so many errors in the records relating to property that one can have no confidence in the record as a whole.'*¹⁶⁶¹

1002. DCS David Lamper reported that, on the surface, the actions of DC Clive Blake called for disciplinary action. He also stated that the manner in which he had acted was *'difficult to defend'*.¹⁶⁶²

1003. DCS David Lamper stated that in reaching his recommendation he considered the following points:

- (a) *'He is young in service and this is the first time he has undertaken this role in a major enquiry.'*
- (b) *He was wrongly advised and poorly supervised.*

1653 Report by DCS David Lamper; Complaint against police, MPS005459001, p69, 17 November 1988.

1654 Report by DCS David Lamper; Complaint against police, MPS005459001, p69, 17 November 1988.

1655 Report by DCS David Lamper; Complaint against police, MPS005459001, p70, 17 November 1988.

1656 Exhibits Book for 'Operation Morgan' (Morgan One Investigation): [...]; items 122-123, MPS005800001, p34, undated.

1657 Exhibits Book for 'Operation Morgan' (Morgan One Investigation): [...]; items 122-123, MPS005800001, pp34-35, undated.

1658 Report by DCS David Lamper; Complaint against police, MPS005459001, p70, 17 November 1988.

1659 Report by DCS David Lamper; Complaint against police, MPS005459001, p70, 17 November 1988.

1660 Report by DCS David Lamper; Complaint against police, MPS005459001, p71, 17 November 1988.

1661 Report by DCS David Lamper; Complaint against police, MPS005459001, p71, 17 November 1988.

1662 Report by DCS David Lamper; Complaint against police, MPS005459001, p72, 17 November.

- (c) *He is slow of thought, still totally confused as how to handle property in a major investigation and seems completely incapable of understanding the seriousness of the situation he allowed to develop.*
- (d) *I believe, though unable to prove completely, that all property in the case was restored to its rightful owners. As previously stated I have no reason whatsoever to doubt his honesty.*¹⁶⁶³

1004. DCS David Lamper recommended that ‘D.C. BLAKE’s training needs are examined and he receives strong words of advice’.¹⁶⁶⁴

1005. While finding that he did not doubt the honesty of DS Malcolm Davidson and DC Clive Blake, DCS David Lamper recommended that DS Davidson ‘be given words of advice concerning the supervision and handling of property’. DCS Lamper stated that DS Davidson ‘gave the wrong advice concerning how documents should be handled; he should have realised the dangers of “bulk entries” in a property book and he most certainly should have ensured that property was expeditiously returned to its owner’. DCS Lamper went on to say, ‘[t]he aforementioned discrepancies in receipts would not have come to light without a very detailed look at the property records. As he [DS Davidson] had no reason to believe such an examination was necessary, I find no fault in this respect.’¹⁶⁶⁵

1006. Despite the issues that DCS Lamper identified, he said that he was ‘satisfied totally’ that DS Davidson and DC Blake ‘dealt with property in a completely honest, if novel way’.¹⁶⁶⁶

1007. DCS David Lamper’s conclusion that he was ‘satisfied totally’ that DS Malcolm Davidson and DC Clive Blake ‘dealt with property in a completely honest, if novel way’ was unsupported by the evidence available, as there is nothing to prove either honest or dishonest dealing with the exhibits. DCS Lamper was correct in saying that ‘[h]ad a successful prosecution of this case relied upon documentary exhibits, then failure would have been the inevitable result. There are so many errors in the records relating to property that one can have no confidence in the record as a whole.’ This accurately describes the fact that the process of exhibit handling and management was gravely flawed and that this would have been catastrophic in the event of an attempt to use the evidence in a trial.

1008. DCS David Lamper acknowledged that, in reviewing the Morgan One Investigation, DCS Douglas Shrubsole ‘was satisfied that all reasonable lines of enquiry had been identified and that the investigation was completely thorough and professional’.¹⁶⁶⁷

1009. No reference was made by DCS Lamper to the fact that at best DCS Douglas Shrubsole’s review covered only the period from 10 March 1987 to 04 December 1987.

¹⁶⁶³ Report by DCS David Lamper; Complaint against police, MPS005459001, p72, 17 November 1988.

¹⁶⁶⁴ Report by DCS David Lamper; Complaint against police, MPS005459001, p72, 17 November 1988.

¹⁶⁶⁵ Report by DCS David Lamper; Complaint against police, MPS005459001, pp71-72, 17 November 1988.

¹⁶⁶⁶ Report by DCS David Lamper; Complaint against police, MPS005459001, p71, 17 November 1988.

¹⁶⁶⁷ Report by DCS David Lamper; Complaint against police, MPS005459001, p17, 17 November 1988.

1010. DCS David Lamper reached his conclusions about the review conducted by DCS Douglas Shrubsole on the basis of looking at a ‘*random sample of messages and “actions”*’¹⁶⁶⁸ and examining ‘*the specific allegations made to illustrate the overall complaint in detail*’.¹⁶⁶⁹ DCS Lamper found that ‘*the general complaint of lack of proper investigation [should] be recorded as unsubstantiated*’.¹⁶⁷⁰

1011. The Panel disagrees with DCS David Lamper’s finding in this matter.

1012. It was not appropriate for DCS Lamper to endorse DCS Douglas Shrubsole’s review in the way that he did, as DCS Shrubsole’s review was completed on 04 December 1987 while the Morgan One Investigation had not yet finished. Moreover, DCS Lamper had not examined all areas of the investigation which was conducted by D/Supt Douglas Campbell and reviewed by DCS Shrubsole. He was not in a position, therefore, to comment on the whole conduct of the investigation. In addition, DCS Lamper’s judgement that a prosecution of the case based upon documentary exhibits would have failed, runs contrary to DCS Shrubsole’s view that the Morgan One Investigation was ‘*completely thorough and professional*’.

15 Investigation into the loss by the Exhibits Officer DC Clive Blake of a briefcase containing investigation material

1013. On 31 July 1988, a member of the public contacted the Metropolitan Police reporting that while clearing out his garage, he had found a briefcase containing police property which had not been there when he moved into the premises in August 1987.¹⁶⁷¹ A police officer from Croydon¹⁶⁷² attended and collected the briefcase which contained:

‘One (1) black Samsonite Case

Fifteen (15) Met Photographs in folder taken 11.3.87

One (1) “Appeal for assistance” Poster re murder of Daniel MORGAN

One (1) CID report book name of C blake [sic]

One (1) Photo at rear of report book

One (1) Folder containing Actions by D.C.Blake

¹⁶⁶⁸ Report by DCS David Lamper; Complaint against police, MPS005459001, p57, 17 November 1988.

¹⁶⁶⁹ Report by DCS David Lamper; Complaint against police, MPS005459001, p57, 17 November 1988.

¹⁶⁷⁰ Report by DCS David Lamper; Complaint against police, MPS005459001, p57, 17 November 1988.

¹⁶⁷¹ Incident printout detailing the finding of a briefcase containing a police officer’s property, MPS017082001, 31 July 1988.

¹⁶⁷² Action A1703, ‘*Arrange via Detective Ch Inspector at ZD that briefcase of D/C BLAKE which has been retained there is examined for fingerprints*’, MPS014765001, 01 August 1988.

Unused Met police memo pads

One (1) Blue Folder Court Papers and one (1) Pen

Eight (8) Pens

One (1) Enlistment Questionnaire

Quantity of corres [correspondence]

One (1) empty memo book

One (1) Rolex information book

*ONE (1) Chancery club membership form.*¹⁶⁷³

1014. It was established that the Samsonite briefcase belonged to DC Clive Blake, and that it had been reported by him as being stolen from his car on 21 October 1987. He had not reported the full missing contents.¹⁶⁷⁴

1015. Fifteen Metropolitan Police photographs of Daniel Morgan's body, taken at the scene of his murder,¹⁶⁷⁵ were recovered in the briefcase from the garage. The available evidence, from the officers who attended the scene of Daniel Morgan's murder and the photographs disclosed to the Panel, records that only five official photographs were taken. The material disclosed to the Panel does not reveal whether the additional ten photographs were copies, or if they were unique. At the bottom of the report by a Detective Inspector to the Chief Superintendent at Croydon about the finding of the briefcase, a note handwritten by D/Supt Alec Button stated the following: '*[c]learly a lot of questions are raised by this find, which is passed to you for action appropriate. No other action is being taken at ZD [Croydon].*'¹⁶⁷⁶

1016. On 01 August 1988, D/Supt Douglas Campbell was notified by D/Supt Alec Button about the recovered briefcase and confirmed that DC Clive Blake had been serving on the Morgan One Investigation,¹⁶⁷⁷ and said that he, DI Allan Jones and DS Malcolm Davidson had not been informed about the loss of the investigation material by DC Blake.¹⁶⁷⁸

1017. DS Malcolm Davidson established that DC Clive Blake had reported the theft of the briefcase, but not its contents, on 22 October 1987, while DC Blake was serving as Exhibits Officer to the Morgan One Investigation.¹⁶⁷⁹ D/Supt Douglas Campbell advised that DCS David Lamper of the Complaints Investigation Bureau (CIB) should deal with it, as he was investigating complaints by Jonathan Rees about the loss of documents (among other allegations).¹⁶⁸⁰ However, DCS Lamper and Commander Kenneth Merton referred the matter for local investigation.¹⁶⁸¹

1673 Book entry relating to police documents found in garage [...], MPS017081001, p1, 31 July 1988.

1674 Report by Supt Jack Cooper to DCS 3 Area through D/Supt Douglas Campbell, MPS017078001, pp1-3, 10 August 1988.

1675 Book entry relating to police documents found in garage [...], MPS017080001, p1, 31 July 1988.

1676 Report by a Detective Inspector, Police documents found in a garage in Croydon, MPS017080001, p1, 31 July 1988.

1677 Message M938 from D/Supt Alec Button to D/Supt Douglas Campbell, MPS012998001, 01 August 1988.

1678 Message M941 from D/Supt Douglas Campbell to D/Supt Alec Button CIB (Complaints Investigation Bureau), MPS013001001, p1, 01 August 1988.

1679 Message M940 from DS Malcolm Davidson to ZD [Croydon] Motor Vehicle Crime Desk, MPS013000001, 01 August 1988.

1680 Message 941 from D/Supt Douglas Campbell to D/Supt Alec Button CIB (Complaints Investigation Bureau), MPS013001001, p1, 01 August 1988

1681 Message 943 from D/Supt Alec Button to D/Supt Douglas Campbell, MPS013003001, 01 August 1988.

1018. On 08 August 1988, Supt Jack Cooper of Croydon Police Station showed the briefcase and contents to DC Clive Blake, who identified the briefcase as his property. There are no records indicating that DC Blake was formally interviewed as part of the '*limited investigation*' described by Supt Cooper.¹⁶⁸² There is no evidence that DC Blake was served with a notice under the Police (Discipline) Regulations 1985 which were in force at the time. The Regulations define an offence of damage to police property:

'... offence is committed where a member of a police force –

- (a) wilfully or through lack of due care causes any waste, loss or damage to any police property, or*
- (b) fails to report as soon as is reasonably practicable any loss of or damage to any such property issued to, or used by him, or entrusted to his care.'*¹⁶⁸³

1019. DC Clive Blake stated that the theft of the contents of the briefcase was not reported because he was not sure what documents were missing.¹⁶⁸⁴ Supt Jack Cooper concluded that '*[f]rom my limited investigation I do not feel that there is anything sinister or corrupt in this matter*' and that '*D.C. BLAKE decided to keep quiet and hope that the matter would never come to light*'.¹⁶⁸⁵

1020. The original crime report stated that the theft of a briefcase occurred on 21 October 1987 between 2.00 pm and 3.30 pm and that the theft was reported on the following day at 11.49 am. It listed the missing property as an umbrella, a briefcase, and '*corres*' [correspondence] (presumably contained in the briefcase).¹⁶⁸⁶ The theft or loss of official police documents was not reported, and no further details about the contents of the briefcase were provided.

1021. Supt Jack Cooper submitted his report to '*Detective Chief Superintendent, 3 Area (through Detective Superintendent CAMPBELL)*' for '*any further action you consider necessary*'. There is no evidence that any further action was taken. DC Clive Blake had been transferred to another posting on 04 July 1988.¹⁶⁸⁷

1682 Report by Supt Jack Cooper to DCS 3 Area through D/Supt Douglas Campbell MPS017078001, pp3-5, 10 August 1988.

1683 Regulation 4(1), Schedule 1, The Discipline Code, The Police (Discipline) Regulations 1985, paragraph 12(a), (b); available at www.legislation.gov.uk/ukxi/1985/518/pdfs/ukxi_19850518_en.pdf; accessed 07 June 2017.

1684 Report by Supt Jack Cooper to DCS 3 Area through D/Supt Douglas Campbell, MPS017078001, p3, 10 August 1988.

1685 Report by Supt Jack Cooper to DCS 3 Area through D/Supt Douglas Campbell, MPS017078001, p5, 10 August 1988.

1686 Crime Report No 3845, MPS017084001, p1, 22 October 1987.

1687 Report by Supt Jack Cooper to DCS 3 Area through D/Supt Douglas Campbell, MPS017078001, p1-5, 10 August 1988.

1022. There is no evidence of a full investigation, and therefore no material upon which to reach the conclusion that there appeared to be *'anything sinister or corrupt in this matter'*. In any event, the issue is not simply whether there was *'anything sinister or corrupt'*.

There is no detailed explanation of the content of the papers found in the briefcase, particularly the blue file of court papers, or the *'correspondence'*. Supt Jack Cooper was not involved in the investigation of Daniel Morgan's murder and would not necessarily have known the significance of the documents found in the briefcase, other than the photographs. The Panel cannot, therefore, accept the assertion made that the lost documents were *'of minor importance'*. The Panel is aware that DC Clive Blake was involved in, among other things, handling forensics reports, investigating the plaster on the axe, the Malta enquiry, allegations of corruption, matters relating to DC Duncan Hanrahan, and analysis of telephone calls relating to Jonathan Rees. Any access by the public to information regarding any of these matters could have seriously compromised the investigation.

The Panel is concerned that senior officers who did have an awareness of the Morgan case, such as D/Supt Campbell, did not appear to recognise or assess the potential importance of the documents lost.

1023. Supt Jack Cooper did not make any reference to the risk that the member of the public who found the briefcase had seen or might have seen distressing and highly sensitive photographs taken at the scene of Daniel Morgan's murder, and other potentially highly sensitive material; nor that they might have read the documentation contained in the briefcase or shared the information within.

1024. DC Clive Blake knew that there were papers and other material from the Morgan One Investigation in the briefcase, and he must have known that he had a duty to report their loss to the Motor Vehicle Crime Desk and to D/Supt Douglas Campbell.

1025. It is clear that the Police (Discipline) Regulations 1985 were not applied in this case.

1026. This matter was not dealt with appropriately by the Metropolitan Police. The failure to report a loss of property relating to a criminal investigation should have led to disciplinary action being taken.

16 The allegation that D/Supt Douglas Campbell was drunk on arrival at the crime scene on 10 March 1987

1027. It has been alleged that D/Supt Douglas Campbell was drunk when he arrived at the Golden Lion public house on the night of Daniel Morgan's murder, and that, while he was there, he demanded a bottle of whisky from the bar.

1028. This allegation was first articulated at the Inquest into Daniel Morgan's death, on 15 April 1988. Alastair Morgan told the Coroner that on the day following Daniel Morgan's murder, he met Jonathan Rees with Iris Morgan's brother-in-law, and that Jonathan Rees had made an allegation that D/Supt Douglas Campbell was 'a drunk'.¹⁶⁸⁸ June Tweedie, who represented members of Daniel Morgan's family, cross-examined Jonathan Rees at the Inquest and asked him whether he had alleged that D/Supt Campbell was drunk. Jonathan Rees replied that he 'certainly did not'. Jonathan Rees also denied meeting Alastair Morgan and Iris Morgan's brother-in-law on the day following Daniel Morgan's murder.¹⁶⁸⁹

1029. During the Morgan One Investigation, DC Duncan Hanrahan had been tasked by D/Supt Douglas Campbell to report on any conversations he had with Jonathan Rees.¹⁶⁹⁰ On 10 June 1987, following a meeting he had with Jonathan Rees, DC Hanrahan said that Jonathan Rees had told him that there would be a story in 'the Mail' and that it would be:

*'that the senior Officers i.e. Mr CAMPBELL and Mr JONES were spending their time drinking and were drunk daily. He said he had been told that Mr CAMPBELL had bottles "clinking" in his [illegible] when he went to the meeting this morning and was very "hung over" if not still drunk.'*¹⁶⁹¹

No such report appeared.

1030. The Panel finds that the only specific allegation that D/Supt Douglas Campbell was drunk at the scene of Daniel Morgan's murder came from DC Noel Cosgrave some 15 years later, in a statement made to the Morgan Two Investigation in 2002. He stated that:

*'Detective Superintendent Dougie Campbell then arrived at the scene and immediately entered the bar area and ordered a bottle of scotch. I then approached him at the bar and noticed that he was already inebriated. I suggested that he hand the case over to another senior officer. He didn't take kindly to my words and told me to leave.'*¹⁶⁹²

¹⁶⁸⁸ Witness Alastair Morgan, examined by the Coroner, Transcripts of the Inquest into Daniel Morgan's death, Inquest Day Five, INT000005001, p11, 15 April 1988.

¹⁶⁸⁹ Witness Jonathan Rees, cross-examined by June Tweedie, Transcripts of the inquest into Daniel Morgan's death, INT000008001, p92, Inquest Day Eight, 25 April 1988.

¹⁶⁹⁰ Witness DS Duncan Hanrahan examined by the coroner; Transcript of the Inquest into the death of Daniel Morgan, INT000004001, p57, Inquest Day Four, 14 April 1988.

¹⁶⁹¹ Document 2727 by DC Duncan Hanrahan regarding a meeting with Jonathan Rees, MPS007071001, p3, 10 June 1987.

¹⁶⁹² Witness statement of Noel Cosgrave, MPS000158001, p1, 06 August 2002.

1031. He stated: *'I then left the scene in company with PC HART.'*¹⁶⁹³ It is not known at what time DC Noel Cosgrave left the murder scene.

1032. DC Noel Cosgrave did not make the allegation that D/Supt Douglas Campbell was drunk on the night of Daniel Morgan's murder in any of his earlier statements.

1033. The allegation of drunkenness was repeated by the Defence in a pre-trial hearing in the case of R v Rees and others at the Central Criminal Court in September 2009.¹⁶⁹⁴

1034. To the extent that it was able to do so, the Panel has enquired into this serious allegation. In November 2014, the Panel interviewed former DS Malcolm Davidson and asked him about it. He stated categorically that D/Supt Douglas Campbell was not drunk at the scene.¹⁶⁹⁵

1035. In interview with the Panel, former D/Supt Douglas Campbell denied the allegations and referred to the effect online articles published during the Autumn of 2014 relating to this allegation had had on him and his family.¹⁶⁹⁶ In 2020, former D/Supt Campbell stated to the Panel that he refutes entirely any suggestion that he was intoxicated on the night of the murder.

1036. The source of the general allegation of D/Supt Douglas Campbell's drinking habits appears to be Jonathan Rees, who was not at the murder scene when D/Supt Campbell arrived. D/Supt Campbell also interviewed Jonathan Rees at the police station for a period during the early hours of 11 March, and Jonathan Rees made no allegation of D/Supt Campbell showing evidence of being under the influence of alcohol during their exchange.

1037. Other than DC Noel Cosgrave's statement, there is no information to support the allegation that D/Supt Douglas Campbell was drunk at the scene of the murder.

17 The closing down of the Morgan One Investigation

1038. As stated above, the staffing levels on the Morgan One Investigation were recorded by D/Supt Douglas Campbell as *'having been reduced and increased according to workload'*.¹⁶⁹⁷ In particular, the Panel has noted the following:

- i. On 16 March 1987, DS Sidney Fillery and Catford Crime Squad officers were returned to normal duties.
- ii. On 16 April 1987, DC Donald Leslie was returned to normal duties.
- iii. On 27 April 1987, D/Supt Campbell returned all officers *'to early and late duties'* (thereby limiting the hours which they could work) *'until further notice'*. The reason given was *'[m]onetary budget'*.¹⁶⁹⁸

¹⁶⁹³ Witness statement of Noel Cosgrove, MPS000158001, p1, 06 August 2002.

¹⁶⁹⁴ Defence Argument in Support of an Application to Stay for Abuse of Process, R -v- Glenn VIAN and Others, Central Criminal Court, CLA000028001, p9, 18 September 2009.

¹⁶⁹⁵ Panel interview with former DS Malcolm Davidson, p2, 10 November 2014.

¹⁶⁹⁶ Panel interview with former D/Supt Douglas Campbell, p1, 11 February 2015.

¹⁶⁹⁷ Decisions 13, 14, 20, 22, 25, 26 and 30 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, pp14, 15, 21, 23, 26, 27 and 31, 04 August, 15 September 1987 and 25 January, 22 February, 13 May and 31 August 1988.

¹⁶⁹⁸ Decision 9 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p10, 27 April 1987.

The Report of the Daniel Morgan Independent Panel

- iv. On 10 August 1987, four officers were scheduled to return to normal duties because there was '*[i]nsufficient information coming into Incident Room to keep [...] officers fully employed*'.¹⁶⁹⁹
- v. On 21 September 1987, two officers joined the Morgan One Investigation.¹⁷⁰⁰
- vi. On 04 January 1988, one officer was returned to normal duties.¹⁷⁰¹
- vii. On 25 January 1988, two further officers were returned to normal duties because of '*[r]eduction in workload. Officers also required for major incident at Erith*'.¹⁷⁰²
- viii. On 22 February 1988, two further officers were returned to normal duties because of the reduction in workload.¹⁷⁰³
- ix. On 25 April 1988, one officer left because they were required '*on MD*¹⁷⁰⁴ *incident*'.¹⁷⁰⁵
- x. On 13 May 1988, a decision was made that '*unless any other information comes to notice enquiry will be terminated [...] D.S. Davidson to arrange closure of incident room*'.¹⁷⁰⁶
- xi. On 16 May 1988, one officer returned to normal duties.¹⁷⁰⁷
- xii. On 30 May 1988, two officers, including the Exhibits Officer, returned to normal duties.¹⁷⁰⁸

1039. At this point the Morgan One Investigation was still an open investigation. On 01 September 1988, DI Allan Jones returned to normal duty.¹⁷⁰⁹ On 20 January 1989, after the Hampshire/Police Complaints Authority Investigation had requested copies of certain documentary exhibits seized when Jonathan Rees was arrested on 03 April 1987, it was realised that they had not been examined, and a final investigative decision to examine them was recorded.¹⁷¹⁰ Nothing in the material provided to the Panel suggests that any such examination occurred.

1040. On 03 February 1989, D/Supt Douglas Campbell recorded that '*[o]n Wednesday 1st February 1989 I was informed by the Daily Mirror through [...] 3 Area Press Office, that 3 persons were in custody [...] in relation to this murder*'. (This referred to the arrests of Jonathan Rees, Paul Goodridge and Jean Wisden on 31 January 1989 by the Hampshire/Police Complaints Authority Investigation; see Chapter 3). D/Supt Campbell had been unaware of the arrests.¹⁷¹¹

1699 Decision 13 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p14, 04 August 1987.

1700 Decision 14 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p15, 15 September 1987.

1701 Decision 20 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p21, 25 January 1988.

1702 Decision 20 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p21, 25 January 1988.

1703 Decision 22 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p23, 22 February 1988.

1704 MD refers to the Southwark borough of the Metropolitan Police area.

1705 Decision 24 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p25, 25 April 1988.

1706 Decision 26 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p27, 13 May 1988.

1707 Decision 25 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p26, 13 May 1988.

1708 Decision 26 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p27, 13 May 1988.

1709 Decision 30 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p31, 31 August 1988.

1710 Decision 32 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p33, 20 January 1989.

1711 Decision 33 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p34, 03 February 1989.

1041. D/Supt Douglas Campbell also recorded on 03 February 1989 that he had been informed that it had previously been decided that D/Supt Alan Lewis of the Metropolitan Police would assist DCS Alan Wheeler, and that it had been agreed between the Police Complaints Authority (Roland Moyle) and the Metropolitan Police that Hampshire Constabulary '*would now deal with the murder investigation*'.¹⁷¹²

1042. The final entry in D/Supt Douglas Campbell's Policy File was made on 07 February 1989, when a decision was made to hand all documents to Hampshire Constabulary.

¹⁷¹² Decision 33 of Policy File for the Case of Daniel Morgan (Morgan One Investigation), MPS004821001, p34, 03 February 1989.

Chapter 2: The Inquest

Contents

- 1 Introduction
- 2 The importance of inquests
- 3 Inquest hearing

1 Introduction

1. D/Supt Douglas Campbell, the Senior Investigating Officer of the Morgan One Investigation, submitted his report to the Crown Prosecution Service for charging advice on 22 January 1988 (see Chapter One, The Morgan One Investigation). On 22 March 1988 the Crown Prosecution Service advised that there was no reasonable prospect of prosecuting the six suspects arrested by the Morgan One Investigation in connection with the murder of Daniel Morgan. Sir Montague Levine, the Coroner for Inner South London, proceeded to schedule the Inquest. The Inquest into the murder of Daniel Morgan was held at Southwark Coroner's Court and lasted eight days between 11 and 25 April 1988, when the jury delivered its verdict.

2. In structuring the Inquest, the Coroner relied on the motives for murder hypothesised in D/Supt Douglas Campbell's report of 22 January 1988. Thirty-four witnesses were identified to be called to give evidence, two of whom were subsequently excused on medical grounds from attending. During the first day of the Inquest, one witness gave evidence which proved extremely upsetting for the family of Daniel Morgan. The family had not been forewarned and heard the allegations for the first time in the Coroner's Court.

1.1 Chronology of key events relating to the Inquest

- **13 March 1987** The Inquest was opened and immediately adjourned.
- **03 April 1987** Six suspects were arrested in connection with the murder of Daniel Morgan.
- **22 March 1988** Advice was received from the Crown Prosecution Service that there was no reasonable prospect of conviction of those who had been arrested in connection with the murder of Daniel Morgan.
- **11 April to 25 April 1988** Evidence was heard over the course of eight days with a jury and presided over by the Coroner, Sir Montague Levine.
- **25 April 1988** The jury delivered its verdict that Daniel Morgan had been unlawfully killed.

2 The importance of inquests

3. Inquests into violent or unnatural deaths are an important means of fulfilling the state's obligation in relation to protection of the right to life under common law in England and Wales and under international law, and specifically the obligation to mount an effective investigation. The United Kingdom's ratification of the European Convention on Human Rights obliges it to 'secure to everyone within their jurisdiction the rights and freedoms defined in [the] Convention' and to protect the 'right to life'.¹ The UK's legal obligations under the Convention existed from 1953 when the treaty entered into force,² and therefore applied at the Inquest into Daniel Morgan's death. The jurisprudence in this regard has since developed to include the duty to carry out an effective investigation,³ but this duty had not yet been articulated at the time of Daniel Morgan's death.

2.1 The roles of the Coroner and of the jury

4. A Coroner's inquest is an inquisitorial process, as opposed to that of a criminal trial which is adversarial by nature; in other words, an inquest is a fact-finding exercise and not a method of apportioning guilt.⁴ In 1987, the role of the Coroner included, as it does today, a duty to register the death⁵ and to convene an inquest as a public hearing⁶ with a view to establishing:

- a. who the deceased was;
- b. how, when and where they died; and
- c. the particulars required by the Registration Act to be registered concerning the death.⁷

Neither the Coroner nor the jury were permitted to express opinion on any other matter.⁸

5. Although in England and Wales all inquests were originally conducted with a jury,⁹ the Coroners (Amendment) Act 1926 gave the Coroner the option to proceed without one unless, as in this case, there was reason to suspect certain factors regarding the death(s).¹⁰ Since the Inquest into the death of Daniel Morgan, the law on the use of juries has changed. Following the introduction of the Coroners and Justice Act 2009, inquests are now required to be held without a jury except in certain circumstances.¹¹

6. The role of the jury is to hear the evidence and deliver a verdict as to how the deceased died. Since 1977, juries have been specifically prohibited from finding any person guilty of murder or manslaughter.¹² In 1988, there was not yet the possibility for the jury to deliver a narrative verdict, which would have allowed more opportunity for explanatory comment about the jury's determination. Narrative verdicts were one of the significant changes to the inquest system introduced in 2004, as a result of a judgment of the House of Lords. In a case calling for

1 In accordance with articles 1 and 2 respectively of the European Convention on Human Rights 1950.

2 The Convention entered into force on 03 September 1953 and the legal obligations under the Convention were incorporated into domestic law on the introduction of the Human Rights Act 1998 in 2000.

3 *McCann and others v. the United Kingdom (Application no. 18984/91)*, 27 September 1995, paragraph 161.

4 *R V South London Coroner, ex parte Thompson* [1982] 126 SJ 625.

5 See The Coroners Rules 1984, Rule 29.

6 See The Coroners Rules 1984, Rule 17, although an exception applies where there is an issue of national security.

7 See The Coroners Rules 1984, Rule 36(1).

8 See The Coroners Rules 1984, Rule 36(2).

9 See Coroners Act 1887, s.3(1).

10 See Coroners (Amendment) Act 1926, s.13.

11 See the Coroners and Justice Act 2009, s.7.

12 See Criminal Law Act 1977, s.56(1).

a narrative verdict, the duty of the Coroner to establish how the deceased came by his death¹³ was to be interpreted in a broader sense, ‘*as meaning not simply “by what means” but “by what means and in what circumstances”*’.¹⁴ The jury at the Inquest into the death of Daniel Morgan could have returned an open verdict (where there is insufficient evidence for any other verdict) or a verdict of unlawful killing. On 25 April 1988, the jury returned a verdict that Daniel Morgan had been ‘*unlawfully killed*’.¹⁵

7. The Coroner’s court is subject to its own rules and procedures.¹⁶ The Coroner’s role was, and still is, to preside over the inquest, with broad discretion concerning many aspects of the proceedings, including:

- who should appear as a witness;
- who should be considered an interested person;
- which statements by absent witnesses should be allowed to be read into the record;
- what the order of proceedings should be; and
- when the jury should retire during submissions or discussions involving the Coroner and representatives of interested persons.

2.2 The Coroner’s Officer and other support

8. The Coroner is assisted by a Coroner’s Officer, whose role includes supplying information, documentation and exhibits, organising the attendance of witnesses, and other operational matters. At the time of Daniel Morgan’s Inquest, it was standard practice for a police officer to fulfil the role of Coroner’s Officer, and a Police Constable carried out this task.

9. In homicide cases, the Coroner also relies in practice on the Senior Investigating Officer in charge of the police investigation, who often briefs the Coroner on the investigation. The Senior Investigating Officer provides reports indicating lines of enquiry and the primary direction of the police investigation, including lists of witnesses and statements. For the Inquest into the death of Daniel Morgan, D/Supt Douglas Campbell, the Senior Investigating Officer in charge of the Morgan One Investigation, carried out this role. D/Supt Campbell provided his report to Sir Montague Levine, and to the Metropolitan Police Solicitors Department, on 22 January 1988.

10. At times, Sir Montague Levine tried to find answers himself: for example, by attending the crime scene to take photographs and by attempting to travel and time the journey which was allegedly taken by Daniel Morgan’s business partner, Jonathan Rees, on the night of Daniel Morgan’s death. The Coroner also asked for further information from the ongoing Morgan One Investigation, which he was entitled to do.

11. In 1988, even when there were suspicions of police involvement in the murder and/or of police obstruction in the murder investigation, it was usual practice for the police to provide information to support a Coroner. No alternative arrangements, independent of the police, were routinely available to the Coroner at the time. The difficulty faced by the Coroner at the Inquest into the death of Daniel Morgan was that the police force which was providing information to him to help inform his decision, the Metropolitan Police, also contained members and/or former

¹³ See The Coroners Rules 1984, Rule 36 (1)(b).

¹⁴ R v. HM Coroner for West Somerset and others ex parte Middleton [2004] UKHL 10.

¹⁵ Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the eighth day, INT000008001, p137.

¹⁶ See The Coroners Rules 1984.

members suspected of involvement in the death he was considering. This difficulty has since been resolved, as now the Independent Office for Police Conduct (IOPC) provides a report and evidence to the Coroner for consideration at any inquest in which there are allegations of police involvement in the death.

12. In 1987 members of the police acted as Coroners' Officers, even in circumstances in which police corruption had been alleged, as it had been during the investigation of Daniel Morgan's murder. The Panel notes that in 1985 the Home Office had suggested that police civilian staff rather than police officers be appointed as Coroners' Officers¹⁷ and that by 1986 there was already a '*trend towards civilianisation of Coroners' officers*'.¹⁸ This option was not available to the Coroner in the Inquest into the death of Daniel Morgan. However, there is no criticism of the Coroner's Officer involved in this Inquest.

2.3 The Coroner

13. As Coroner at Southwark Coroner's Court, Sir Montague Levine was responsible for the Inquest into Daniel Morgan's death. Sir Montague Levine was a medical doctor. He was not a qualified lawyer.¹⁹ He had worked as Assistant and Deputy Coroner before becoming Coroner for the Inner London South district in 1987.²⁰ The Inquest into Daniel Morgan's death was, therefore, one of his early cases in the more senior post of Coroner.

3 Inquest hearing

14. The Inquest was opened on 13 March 1987, three days after Daniel Morgan's death and, in line with common practice, was adjourned immediately in order to allow the police investigation to proceed.

15. Thirteen months after Daniel Morgan's death, an eight-day hearing was held at Southwark Coroner's Court between 11 April 1988 and 25 April 1988. It is not uncommon for inquests to be delayed for long periods to allow sufficient time for the police investigation and any criminal proceedings to take place. The hearing was scheduled after advice had been received from the Crown Prosecution Service on 22 March 1988 (see Chapter 1, The Morgan One Investigation) that there was no reasonable prospect of conviction of the six suspects who had been arrested on 03 April 1987 in connection with the death of Daniel Morgan.^{21,22}

16. Members of Daniel Morgan's family were keen for the Inquest to proceed. Daniel Morgan's mother, Isobel Hülsmann, communicated to the Coroner her hope that, as a consequence of the Inquest, more information would become available.²³

17 Home Office Circular No. 93, 1985.

18 Matthews, P., and Foreman, J.C., 1986, *Jervis on the Office and Duties of Coroners*, 10th edition, p40, para 4.41.

19 In 1987, the great majority of Coroners came from a legal background. Coroners could, however, be lawyers, doctors or both (Matthews, P., and Foreman, J.C., 1986, *Jervis on the Office and Duties of Coroners*, 10th edition, p17, para. 2.28). In 1986 only 25 out of 153 Coroners (16.3%) were medical practitioners, but some of those 25 Coroners were also legally qualified. Under legislation now in force, all Coroners must be legally qualified. See Coroners and Justice Act 2009, Schedule 3, Part 2.

20 *The Telegraph*, Obituary 9878394, 18 February 2013.

21 The advice was discussed at a conference attended on 22 March 1988 by D/Supt Douglas Campbell and the Director of Public Prosecutions, Treasury Counsel and lawyers from the Crown Prosecution Service, and subsequently recorded by D/Supt Douglas Campbell in his report of 12 May 1988.

22 Report by D/Supt Douglas Campbell, MPS016005001, pp1-4, 12 May 1988.

23 Letter from Isobel Hülsmann to the Editor of the London *Evening Standard*, copying in the Coroner Sir Montague Levine, MPS011613001, pp3-4, 13 March 1988.

17. D/Supt Douglas Campbell's report in January 1988 for the Coroner referred to various possible working hypotheses. Exploration of the evidence relating to these hypotheses took up a major portion of the hearing.

18. Thirty-four people were identified to be called as witnesses during the Inquest. These included three expert witnesses, four people who had been at the Golden Lion public house on the night of the murder, relatives and business associates of Daniel Morgan, police officers, employees of Belmont Car Auctions (a firm that featured among the Morgan One Investigation's lines of enquiry), associates and relations of Jonathan Rees and employees of Southern Investigations, the private investigation firm jointly operated by Jonathan Rees and Daniel Morgan before his death. Several of the witnesses were recalled to give evidence, as the Coroner attempted to focus the hearing on the events surrounding the murder in chronological order. Jonathan Rees's wife, Sharon Rees, and Paul Goodridge, who worked occasionally for Southern Investigations, were summoned to give evidence, but did not appear. As was standard practice, witnesses '*whose conduct may be called in[to] question*' were called to give evidence last.²⁴

19. Following discussion on the first day of the Inquest, the Coroner decided that Jonathan Rees²⁵ and former DS Sidney Fillery (both of whom were among the suspects who had been arrested on 03 April 1987 in connection with Daniel Morgan's death) would be called at the end,²⁶ as their conduct had already been called into question. The Coroner also said that, although he could not put DC Alan Purvis and DC Peter Foley (also two of the six suspects arrested on 03 April 1987) in the same category as Jonathan Rees and former DS Fillery, their evidence would be heard later.²⁷ By April 1988, neither DC Foley nor DC Purvis was suspected of involvement in the murder, whereas former DS Fillery and Jonathan Rees continued to be seen by the police as suspects.

20. At the beginning of the hearing, June Tweedie, Counsel for Daniel Morgan's family, asked the Coroner to exclude certain witnesses from the court.²⁸ The Coroner confirmed with June Tweedie that she was not asking for all witnesses to be excluded.²⁹ The Coroner read from *Jervis on Coroners*, the authority on inquests:

*'Unless there is likely to be a conflict of evidence, or there is some other objection, it is usual for witnesses at an inquest to sit in court until they are called to give evidence.[...] A formal, professional or scientific witness is never excluded before giving evidence, and neither should be any person whose conduct may be called in[to] question.'*³⁰

The Coroner then stated: '*My ruling in this particular case is that all witnesses should be in court.*'³¹

24 Matthews, P., and Foreman, J.C., 1986, *Jervis on the Office and Duties of Coroners*, 10th edition, p175, para 15.15.

25 Jonathan Rees first gave evidence to the court on Day Three, but he was called simply to answer questions in relation to the non-appearance of his wife, Sharon Rees. His evidence, as pertinent to the death of Daniel Morgan, began on Day Eight.

26 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the first day, INT000001001, pp58-59.

27 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the first day, INT000001001, p59.

28 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the first day, INT000001001, p6.

29 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the first day, INT000001001, p6.

30 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the first day, INT000001001, p6. The Coroner read from Matthews, P., and Foreman, J.C., 1986, *Jervis on the Office and Duties of Coroners*, 10th edition, p175, para 15.15.

31 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the first day, INT000001001, p6.

21. The function of an inquest is distinct from any criminal investigation and the Coroner was entitled to exercise his discretion and allow all witnesses to be present in court.

3.1 First testimonies: establishing who, where and when

22. The identity of the deceased was established by the first witness called at the Inquest, DI Allan Jones, who testified to having attended the mortuary on 11 March 1987 in the presence of DS Sidney Fillery, when Jonathan Rees identified the body of Daniel Morgan.³² The Panel's consideration of the fact that it was Jonathan Rees who identified Daniel Morgan's body is set out in Chapter 1 on the Morgan One Investigation and Chapter 12 on Treatment of the Family.

23. The second witness called, the Senior Investigating Officer D/Supt Douglas Campbell, testified to having gone to the car park of the Golden Lion public house to view the body of Daniel Morgan at around 11.15 pm on 10 March 1987.³³ Daniel Morgan's body had been found in the car park at around 9.40 pm.^{34,35} D/Supt Campbell confirmed that he had instructed a police photographer to take the photographs of the scene, which were then admitted in evidence, and that he had commissioned plans to be drawn up showing the car park, the Golden Lion public house and the surroundings.³⁶ The Panel notes it is not clear to which plans D/Supt Campbell was referring in his testimony: of the various plans drawn up (including one that showed the body in the wrong location), it is not known which one was shown to the jury.

24. All five of the photographs taken by the police photographer who attended the scene of the murder were placed in evidence at the Inquest. The Panel has commented on the paucity of photographs of the crime scene (see Chapter 1, The Morgan One Investigation). The Coroner did not challenge the limited number and scope of the photographs taken by the police photographer at the crime scene. However, he had supplemented them with photographs he had taken with his own camera when he visited the crime scene a year after the murder with two police officers from the Morgan One Investigation team. These were produced in evidence on the first day of the Inquest.³⁷ The Panel notes these photographs have not been found among the Coroner's papers or the other papers available to the Panel.

3.2 The time of death

25. The approximate time when Daniel Morgan died was ascertained through a series of sometimes conflicting statements, provided by a number of witnesses concerning the movements of Daniel Morgan on the evening of 10 March 1987. A customer testified to having arrived at the car park of the Golden Lion public house at around 9.40 pm, when the customer found the body of Daniel Morgan.³⁸ Iris Morgan, Daniel Morgan's widow, stated that her last contact with her husband was when he telephoned her at around 7.30 pm on 10 March 1987 and told her that he had a meeting and expected to be home by about 8.15 pm.³⁹

32 Witness DI Allan Jones, examined by the Coroner, Inquest Day One, INT000001001, p7, 11 April 1988.

33 Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day One, INT000010001, pp7-8, 11 April 1988.

34 Statement of the witness who discovered the body of Daniel Morgan, MPS010133001, p1, 10 March 1987.

35 Witness who discovered the body of Daniel Morgan, examined by the Coroner, Inquest Day Three, INT000003001, p15, 13 April 1988

36 Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day One, INT000010001, p8, 11 April 1988.

37 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the first day, INT000001001, p9.

38 Witness who discovered the body of Daniel Morgan, examined by the Coroner, Inquest Day Three, INT000003001, p1, 12 April 1988.

39 Witness Iris Morgan, examined by the Coroner, Inquest Day One, INT000001001, p48, 11 April 1988.

26. Jonathan Rees told the Inquest that he and Daniel Morgan met inside the Golden Lion public house on the evening of 10 March 1987. Jonathan Rees claimed to have arrived between 7.30 pm and 7.45 pm and said that Daniel Morgan arrived between 7.45 pm and 8.15 pm, within half an hour of him.⁴⁰ Jonathan Rees said Daniel Morgan entered through the front door of the public house and could not offer an explanation as to why Daniel Morgan would have taken that route from the rear car park as opposed to having entered through the back door via the beer garden, given he had parked at the rear.⁴¹

27. The Inquest did not hear evidence enabling it to identify a consistent account of Daniel Morgan's actions immediately before his death; there were some apparent inconsistencies as to when Daniel Morgan left the Golden Lion public house. On day three of the Inquest, Peter Newby, Office Manager at Southern Investigations, gave evidence during which he was questioned about his statement⁴² that he had asked Jonathan Rees whether he (Jonathan Rees) and Daniel Morgan had gone into the car park together. Peter Newby had stated that Jonathan Rees replied that they had left through separate doors, as Jonathan Rees's car was parked at the front of the Golden Lion, whereas Daniel Morgan's car was in the car park at the rear.⁴³ Jonathan Rees later testified, on day eight, that he had left Daniel Morgan in the Golden Lion 'scribbling on a piece of paper' at about 9.00 pm.⁴⁴ He confirmed that this was the last time he saw Daniel Morgan alive.⁴⁵

28. The Panel notes that Jonathan Rees's evidence on day eight contradicts his alleged account to Peter Newby that he and Daniel Morgan had left through different doors: to know this Jonathan Rees would have had to have left at the same time, whereas Jonathan Rees stated that he left Daniel Morgan writing inside the Golden Lion public house. This inconsistency in Jonathan Rees's evidence was not explored or resolved during the Inquest.

3.3 The cause of death: the forensic evidence

29. Evidence concerning the cause of death was provided by the forensic pathologist Dr Michael Heath. D/Supt Douglas Campbell and a fingerprint expert gave testimony relating to other forensic evidence.

30. Dr Heath gave evidence on the fourth day of the Inquest. His evidence encompassed the injuries sustained by Daniel Morgan, the cause of death, the extent of potential spraying of blood, and the amount of alcohol present in Daniel Morgan's bloodstream.⁴⁶

31. The post mortem report by Dr Michael Heath had recorded that Daniel Morgan had four wounds to the head caused by the axe found in one of the wounds. A contusion incorporating a superficial laceration was associated with one of the head wounds. He also had a laceration to the head, with surrounding abrasion, caused by a blow from or against a heavy blunt surface, such as the ground.⁴⁷

40 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, p26 & p28, 25 April 1988.

41 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, p29, 25 April 1988.

42 Witness statement of Peter Newby, MPS015752001, 30 March 1987.

43 Witness Peter Newby, examined by the Coroner, Inquest Day Three, INT000003001, p39, 13 April 1988.

44 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, pp33-34, 25 April 1988.

45 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, p34, 25 April 1988.

46 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the fourth day, INT000004001, pp30-46.

47 Post mortem report by Dr Michael Heath, MPS005920001, p6, 11 March 1987.

32. The Coroner was careful, for the sake of the family of Daniel Morgan, to ensure that, during his examination of Dr Michael Heath, the forensic pathologist was able to confirm that Daniel Morgan *'would have been rendered unconscious virtually instantaneously'*.⁴⁸

33. The Inquest heard that the nature of the wounds was such that the perpetrator would not necessarily have been contaminated with blood,^{49,50} although according to Dr Michael Heath's pathologist report, *'[i]f a person was in close proximity during the terminal respiratory efforts, contamination with blood might have occurred'*.⁵¹ The photographs taken by the police at the scene showed blood spatter on Daniel Morgan's shirt and other upper-body clothing, as well as on the axe.

34. In response to the Coroner's questions, D/Supt Douglas Campbell testified that some forensic tests had been carried out on Daniel Morgan's clothing but nothing of evidential value had been found.⁵² Fibres found on the clothing had not been examined or removed, as there had been no instruction to carry out any such examination. The jacket and the fibres attached to it had been secured for potential future analysis⁵³ (see Chapter 1, The Morgan One Investigation).

35. The Coroner pointed out to Dr Michael Heath the tear in Daniel Morgan's trousers, describing it as follows: *'[I]t is not a rip or a cut, but it has actually given way at the seam of the side of the trouser'*.⁵⁴ The Coroner noted that the damage was on the right-hand side: *'It would suggest that it [the right-hand side of the trousers] has been pulled, either by the assailant or by Mr. MORGAN.'*⁵⁵ Dr Heath confirmed that either was possible. He indicated that the clothing and the splitting of the seam would be an issue for the forensic scientist.⁵⁶ The forensic scientist was not called to give evidence, and it subsequently emerged from D/Supt Douglas Campbell's testimony that the forensic scientist's report did not provide any more information on the tear.⁵⁷ In the absence of any instructions from D/Supt Campbell to do so, the forensic laboratory did not comment on the tear. It would have been open to the Coroner, before the Inquest hearings when he was considering the evidence made available to him by the police, to ask for further forensic examination of the trousers and for forensic expert comment on the tear. The Coroner did not do this.

36. The Coroner should have requested a further forensic examination of the trousers and forensic expert comment on the tear.

37. Later on day four, Counsel for the family, June Tweedie, asked that the trousers worn by Daniel Morgan at the time of his death should be produced at the Inquest, due to the lack of detail about the rip in the evidence of Dr Michael Heath.⁵⁸ After a number of questions from

48 Witness Dr Michael Heath, examined by the Coroner, Inquest Day Four, INT000004001, p32, 14 April 1988.

49 Forensic Pathologist Report, Dr Michael Heath, MPS005257001, p2, 24 February 1988.

50 Witness Dr Michael Heath, examined by the Coroner, Inquest Day Four, INT000004001, p33, 14 April 1988.

51 Forensic Pathologist Report, Dr Michael Heath, MPS005257001, p2, 24 February 1988.

52 Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day Four, INT000004001, p78, 14 April 1988.

53 Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day Four, INT000004001, p78, 14 April 1988.

54 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the fourth day, INT000004001, p35.

55 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the fourth day, INT000004001, p35.

56 Witness Dr Michael Heath, cross-examined by Julian Nutter, Inquest Day Four, INT000004001, p40, 14 April 1988.

57 Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day Four, INT000004001, p50, 14 April 1988.

58 Witness D/Supt Douglas Campbell, cross-examined by June Tweedie, Inquest Day Four, INT000004001, p89, 14 April 1988.

the Coroner about what would be achieved by producing the trousers in court, June Tweedie stated that it might help to understand the level of force necessary to cause the tear and to establish whether the tear could be attributed to *'the act of moving the body at some point'*.⁵⁹ This suggestion was dismissed by the Coroner, and as a result the trousers were not produced as evidence during the Inquest. The Coroner commented that *'the only thing we can say is that we do not know how that tear happened'*.⁶⁰ No conclusion was reached at the Inquest as to whether or not the body had been moved.

3.3.1 The axe

38. There was discussion relating to the axe on the first day of the Inquest. The Coroner said that the axe handle was taped with adhesive plasters and explained two potential reasons for this: *'to get a greater grip on the axe itself'* and because *'it is virtually impossible [...] to take fingerprints from that material'*.⁶¹ The Inquest heard testimony from D/Supt Douglas Campbell that the axe was submitted for fingerprint testing following the post mortem, but that no fingerprints were found.⁶²

39. The Coroner did not raise the possibility of DNA testing on the axe handle. However, DNA testing was in its early stages and its use by the police in 1987-88 was extremely limited.

3.3.2 Jonathan Rees's clothing

40. The Inquest exposed an important gap in the investigation: Jonathan Rees, the last person known to have seen Daniel Morgan before his death, had been taken to Catford Police Station on the night of the murder, and while his clothing had been visually examined and no blood had been seen, it had not been subjected to further testing.⁶³ When the legal representative for Jonathan Rees, Julian Nutter, asked why the clothing had not been *'sent off for a detailed forensic examination to spot invisible traces'*,⁶⁴ D/Supt Douglas Campbell testified that he had not considered Jonathan Rees to be a suspect at that time, and also said that *'[i]t is my experience that if you cannot see it with the naked eye it is very unlikely that the Metropolitan Police are going to find it in their laboratory'*.⁶⁵ When Julian Nutter pursued this, the Coroner intervened in defence of D/Supt Campbell, saying:

*'I think the superintendent with all the goodwill in the world has been honest about it. He said that he did not do it because he did not suspect him. You could say that everybody in the public house should have their shirt taken off them and their coats[...]. It is a little unfair to put it that way.'*⁶⁶

41. Jonathan Rees's legal representative, Julian Nutter, argued that the failure to test his client's clothing further than a visual examination was a missed opportunity to eliminate him as a suspect.⁶⁷

59 Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day Four, INT000004001, p91, 14 April 1988.

60 Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day Four, INT000004001, p91, 14 April 1988.

61 Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day One, INT000001001, p10, 11 April 1988.

62 Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day One, INT000001001, p10, 11 April 1988.

63 Witness D/Supt Douglas Campbell, cross-examined by Julian Nutter, Inquest Day Four, INT000004001, pp83-86, 14 April 1988.

64 Witness D/Supt Douglas Campbell, cross-examined by Julian Nutter, Inquest Day Four, INT000004001, p84, 14 April 1988.

65 Witness D/Supt Douglas Campbell, cross-examined by Julian Nutter, Inquest Day Four, INT000004001, p84, 14 April 1988.

66 Witness D/Supt Douglas Campbell, cross-examined by Julian Nutter, Inquest Day Four, INT000004001, p85, 14 April 1988.

67 Witness D/Supt Douglas Campbell, cross-examined by Julian Nutter, Inquest Day Four, INT000004001, p85, 14 April 1988.

42. The Coroner should have understood that a visual examination of Jonathan Rees's clothing was insufficient to rule out blood contamination. A more detailed forensic examination should have been undertaken.

43. Had Jonathan Rees's clothing been tested and no blood found, this might have been used in his defence. However, it would not have eliminated him as a suspect, since Dr Michael Heath testified that the perpetrator would not necessarily have been contaminated with blood. Had further tests revealed blood matching Daniel Morgan's on Jonathan Rees's clothing, that would have been potentially important evidence.

3.4 The circumstances surrounding the death of Daniel Morgan

44. D/Supt Douglas Campbell stressed in his report to the Coroner in January 1988 his working theory that the murder was premeditated, that it was linked to the presence of Daniel Morgan in the Golden Lion public house on 09 March 1987, and that identification of those involved hinged upon who knew that Daniel Morgan would be in the premises on the evening of 10 March 1987.⁶⁸

45. At the beginning of the Inquest, the Coroner had explained that the question as to how Daniel Morgan came to die was much wider than the medical cause of death.⁶⁹ A major portion of the Inquest was devoted to exploring that broader question by examining the circumstances surrounding the death, including the following matters:

- i. Daniel Morgan's movements on the night before his death, 09 March 1987;
- ii. Daniel Morgan's movements on the day of his death;
- iii. who was inside the Golden Lion public house on both evenings and whether witnesses could place Daniel Morgan there on the night of his death or give evidence as to the activities inside the premises;
- iv. who was parked in the car park of the Golden Lion and the conditions in the car park on the evening of his death;
- v. Daniel Morgan's close relationships, his business colleagues, persons affected by his work and matters relating to Belmont Car Auctions.

⁶⁸ Report by D/Supt Douglas Campbell, MPS022269001, p3, 22 January 1988.

⁶⁹ Coroner's opening address to the jury, Inquest Day One, INT000001001, p5, 11 April 1988.

3.4.1 Daniel Morgan's movements on the night before his death

46. The Inquest heard that, on the evening of 09 March 1987, Daniel Morgan arrived in the Golden Lion public house with DS Sidney Fillery and Jonathan Rees, according to the testimony of a Police Constable who was also present.⁷⁰ The gathering included several other police officers^{71,72} (see Chapter 1, The Morgan One Investigation).

47. In his statement of 11 March 1987, Jonathan Rees had said that he and Daniel Morgan had been at the Golden Lion public house for two and a half hours, from 7.30 pm until 10.00 pm on 09 March 1987. As explained in Chapter 1 on the Morgan One Investigation, that statement had been taken by then DS Sidney Fillery, who had been with Jonathan Rees that evening at the Golden Lion. Former DS Fillery reiterated at the Inquest what he had said in his statement, testifying that at about 9.30 pm he went across the road to the Dolphin public house, where he found Jonathan Rees and Daniel Morgan; they followed him from there to the Golden Lion.⁷³ According to former DS Fillery, therefore, Daniel Morgan and Jonathan Rees were present in the Golden Lion for considerably less than the two and a half hours asserted by Jonathan Rees.

48. The discrepancy in evidence was important because Jonathan Rees's statement was taken by DS Sidney Fillery, and what Jonathan Rees said in that statement conflicted with former DS Fillery's own evidence of finding Jonathan Rees and Daniel Morgan in the Dolphin public house at 9.30 pm and bringing them to the Golden Lion public house.

49. When asked by the Coroner about taking the statement from Jonathan Rees on 11 March 1987, former DS Sidney Fillery testified that he could not recall specifically what he had asked Jonathan Rees about.⁷⁴

50. The Coroner was aware of the following matters relating to DS Sidney Fillery from D/Supt Douglas Campbell's report and the appended statements:⁷⁵

- a. DS Fillery had been a member of the original investigation team but had ceased to be involved after five days, because of his close relationship with Jonathan Rees.
- b. DS Fillery had gone to the offices of Southern Investigations the day after the murder with DC Stephen Thorogood and removed various documents in a black rubbish bag, which had been left unattended at Catford Police Station before being removed to the Incident Room at Sydenham Police Station.
- c. The Southern Investigations' file on Belmont Car Auctions was not in the possession of the police investigation team, and D/Supt Campbell suspected that the Belmont Car Auctions file may have been withheld from the police investigation.⁷⁶

51. Furthermore, the Coroner was in possession of the first statement taken by DS Sidney Fillery from Jonathan Rees, in which Jonathan Rees gave an apparently inaccurate account of when he and Daniel Morgan had arrived at the Golden Lion public house on the evening before the murder. The Coroner knew that DS Fillery was well placed to know that this account was inconsistent with his (DS Fillery's) own knowledge. In his report of 22 January 1988 to the

70 Witness, Police Constable, examined by the Coroner, Inquest Day One, INT000001001, p69, 11 April 1988.

71 Witness, Police Constable, examined by the Coroner, Inquest Day One, INT000001001, p69, 11 April 1988.

72 Witness, former DS Sidney Fillery, examined by the Coroner, Inquest Day Six, INT000006001, pp83-84, 23 April 1988.

73 Witness, former DS Sidney Fillery, examined by the Coroner, Inquest Day Six, INT000006001, p81, 23 April 1988.

74 Witness, former DS Sidney Fillery, examined by the Coroner, Inquest Day Six, INT000006001, p91, 23 April 1988.

75 Report by D/Supt Douglas Campbell, MPS022269001, 22 January 1988.

76 Report by D/Supt Douglas Campbell, MPS022269001, p24, 22 January 1988.

Coroner, D/Supt Douglas Campbell had pointed out that DS Fillery allowed Jonathan Rees to give ‘a false statement’ about the timing of the meeting on 09 March 1987.⁷⁷ The Coroner also had the statements of other police officers who attended the Golden Lion on 09 March 1987, which contradicted the account provided by Jonathan Rees.

52. The Coroner questioned D/Supt Douglas Campbell about the presence of DS Sidney Fillery on the investigation. D/Supt Campbell responded that on 11 March 1987, the day the investigation was formed, ‘Sergeant Davidson [DS Malcolm Davidson, Major Incident Room Manager] told me that Sergeant Fillery had told him that he was a friend of Mr. Rees. As I have said, it was very early days in the enquiry and I considered [...] Detective Sergeant Fillery as a suitable officer to take a detailed statement from Mr Rees regarding Daniel Morgan.’ The Coroner responded: ‘That makes sense.’⁷⁸

53. Neither the Coroner nor any of the Counsel cross-examining former DS Sidney Fillery queried the version of events on the night of 09 March 1987 given in Jonathan Rees’s statement, which former DS Fillery must have known contradicted his own understanding of events.

Former DS Fillery was not asked why he had not immediately gone to D/Supt Douglas Campbell to inform him that:

- i. he had been drinking with Daniel Morgan and Jonathan Rees in the same location the night before the murder;
- ii. Jonathan Rees’s account of the night before was in direct contradiction to his own; and
- iii. he should therefore no longer be involved in the investigation.

This issue could, and arguably should, have been raised with former DS Fillery at the Inquest, as questions had been raised about his possible involvement in the murder.

3.4.2 The evening of Daniel Morgan’s death

54. Margaret Harrison, who worked in a local estate agent’s office, gave evidence at the Inquest that she met Daniel Morgan on the day of his death at her office at about 6.00 pm and went to Regan’s Wine Bar with him, arriving at about 6.20 pm.⁷⁹ According to her testimony, Daniel Morgan was due to meet Jonathan Rees at about 7.30 pm; she and Daniel Morgan left the wine bar together at about 7.15 pm, and she went home.⁸⁰

⁷⁷ Report by D/Supt Douglas Campbell, MPS022269001, p25, 22 January 1988.

⁷⁸ Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day Four, INT000004001, p74, 14 April 1988.

⁷⁹ Witness Margaret Harrison, examined by the Coroner, Inquest Day Two, INT000020001, pp6-8, 12 April 1988.

⁸⁰ Witness Margaret Harrison, examined by the Coroner, Inquest Day Two, INT000020001, p9, 12 April 1988.

55. Why Jonathan Rees and Daniel Morgan returned to the Golden Lion public house on the evening on 10 March 1987 was explored during the Coroner's examination of Jonathan Rees. The Coroner referred him to his previous testimony that, apart from the evening of 09 March 1987 when he went to the Golden Lion with DS Sidney Fillery and others, Daniel Morgan *'did not frequent [the Golden Lion] very often'*.⁸¹

56. Jonathan Rees attributed the choice of the Golden Lion public house on 10 March 1987 to Daniel Morgan and said that Daniel Morgan had *'taken a shine'* to the barmaid when they had visited there on the evening of 09 March 1987.⁸² Jonathan Rees said that Daniel Morgan wanted to see the barmaid again, had enjoyed the previous evening there and had arranged with Jonathan Rees to meet a business associate, Paul Goodridge, there during the evening of 10 March 1987.⁸³ Paul Goodridge's statement indicated that he could recall no such meeting having been arranged.⁸⁴ Paul Goodridge failed to appear as a witness at the Inquest for health reasons, so the contradictory accounts could not be explored.

3.4.2.1 *The crime scene: the car park*

57. Several witness accounts at the Inquest gave details about who drove into the car park of the Golden Lion public house on the night of 10 March 1987, as well as accounts of the lighting and the conditions in the car park on that evening. The person who found Daniel Morgan's body testified that *'the area where the body was, that was not lit'*.⁸⁵ He also stated that it *'was quite a bright night'* and *'dry'*.⁸⁶

58. Evidence was heard that Daniel Morgan's car was parked in the dark area of the car park of the Golden Lion public house.^{87,88} The Southern Investigations Office Manager, Peter Newby, noted that it was very unusual for Daniel Morgan to park in such a location, because of his passion for his cars and unwillingness to put them at risk.⁸⁹ This was corroborated by Daniel Morgan's brother, Alastair Morgan.⁹⁰ Jonathan Rees also testified that Daniel Morgan had warned Alastair Morgan of the risk of parking in car parks.⁹¹

59. D/Supt Douglas Campbell told the Inquest that the Golden Lion public house car park *'was sealed and in fact every car in there was examined for fingerprints'* on the day after the murder.⁹² However, the Panel has seen no evidence that the 12 cars which had been parked in the car park when the murder was discovered had been examined for fingerprints. Moreover, the Panel has seen a witness statement from 15 March 1987 which describes how the owner of one car was able to drive their car across and out of the Golden Lion car park at 10.30 pm on the evening of 10 March 1987. By the time their statement was taken, their car had been washed (see Chapter 1, The Morgan One Investigation). D/Supt Campbell also told the Inquest that there had been a hard frost during the night of 10-11 March 1987, which had made it impossible to take fingerprints from the damp external surfaces of the cars in the car park.⁹³

81 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, p19, 25 April 1988.

82 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, p21, 25 April 1988.

83 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, p21, 25 April 1988.

84 Witness statement of Paul Goodridge, presented by the Coroner, Inquest Day Three, INT000003001, p12, 13 April 1988.

85 Witness who discovered the body of Daniel Morgan, examined by the Coroner, Inquest Day Three, INT000003001, p16, 13 April 1988.

86 Witness who discovered the body of Daniel Morgan, examined by the Coroner, Inquest Day Three, INT000003001, p17, 13 April 1988.

87 Witness who saw Daniel Morgan's car in the car park, examined by the Coroner, Inquest Day Two, INT000002001, pp73-74, 12 April 1988.

88 Witness who discovered the body of Daniel Morgan, examined by the Coroner, Inquest Day Three, INT000003001, p16, 13 April 1988.

89 Witness Peter Newby, cross-examined by June Tweedie, Inquest Day Three, INT000003001, p64, 13 April 1988.

90 Witness Alastair Morgan, cross-examined by June Tweedie, Inquest Day Five, INT000005001, pp13-14, 15 April 1988.

91 Witness Jonathan Rees, cross-examined by June Tweedie, Inquest Day Eight, INT000008001, p79, 25 April 1988.

92 Witness D/Supt Douglas Campbell, cross-examined by Julian Nutter, Inquest Day Four, INT000004001, p80, 14 April 1988.

93 Witness D/Supt Douglas Campbell, cross-examined by Julian Nutter, Inquest Day Four, INT000004001, p81, 14 April 1988.

60. A Metropolitan Police fingerprint officer, whose experience was sufficient for him to be deemed an expert, was called to give evidence on day five of the Inquest.⁹⁴ He stated that, had a vehicle been left overnight and subjected to frost and condensation, fingerprints would '*more than likely*' have been destroyed.⁹⁵ He explained that it was very difficult to examine a vehicle when conditions were wet or frosty and that normal procedure would be to take the vehicle to a police station and put it under cover to dry before it was examined.⁹⁶

61. The account of a car having been driven out of the car park on the night of Daniel Morgan's death contradicts D/Supt Douglas Campbell's evidence that all cars were examined for fingerprints the following day. Moreover, the Panel has only seen evidence that two cars were examined. It is impossible to know whether the Coroner was aware of this or not.

D/Supt Campbell was not asked why normal procedure relating to the removal of cars as described by the Metropolitan Police fingerprint officer was not followed: this highlights a potentially worrying failing of the original police investigation.

Cars parked in close proximity should have been examined for fingerprints, and consideration should have been given as to which other cars were suitable for fingerprinting. Although D/Supt Campbell had said that the crime scene was '*sealed*', in fact when the police left the scene in the early hours of the morning after the murder it was not protected in any way

3.4.2.2 *The crime scene: the Golden Lion public house*

62. Jonathan Rees identified Daniel Morgan as having been inside the Golden Lion public house on the evening of 10 March 1987.⁹⁷ Various other witnesses stated that they had seen someone who might have fitted Daniel Morgan's general description (a distinguishing feature being his beard).

63. In his January 1988 report for the Coroner, D/Supt Douglas Campbell said that a customer gave clear evidence that he had seen Jonathan Rees and Daniel Morgan in the Golden Lion public house on the evening of 10 March 1987.⁹⁸ D/Supt Campbell referred to the customer's recollection that he had sat next to men fitting their description at about 8.45 pm.⁹⁹ This information was provided in a statement the customer, Person T4, had made on 12 March 1987.¹⁰⁰

64. At the Inquest, Person T4 testified that he saw a man with a beard seated at a table in a raised area of the bar and that the man had been accompanied by another wearing a white raincoat.¹⁰¹ Questioned by June Tweedie, Counsel for the Morgan family, Person T4 agreed that, in his second statement of 24 August 1987, he had said that he had been shown a photograph

94 Witness, a Metropolitan Police fingerprint officer, examined by the Coroner, Inquest Day Five, INT000005001, p53, 15 April 1988.

95 Witness, a Metropolitan Police fingerprint officer, examined by the Coroner, Inquest Day Five, INT000005001, p53, 15 April 1988.

96 Witness, a Metropolitan Police fingerprint officer, examined by the Coroner, Inquest Day Five, INT000005001, p55, 15 April 1988.

97 Witness Jonathan Rees, cross-examined by June Tweedie, Inquest Day Eight, INT000008001, p28, 25 April 1988.

98 Report by D/Supt Douglas Campbell, MPS022269001, p16, 22 January 1988.

99 Report by D/Supt Douglas Campbell, MPS022269001, p16, 22 January 1988.

100 Witness statement of Person T4, MPS000141001, p2, 12 March 1988.

101 Witness Person T4, examined by the Coroner, Inquest Day Two, INT000002001, pp91-92, 12 April 1988.

of Daniel Morgan and had not recognised the man sitting near to him in the raised area as Daniel Morgan.¹⁰² Person T4 said that WDS Christine Fowles had told him that he had been sitting opposite Daniel Morgan, despite the fact that he had said he could not remember him from the photograph.¹⁰³ Person T4 had then made a third statement on 15 October 1987, witnessed by WDS Fowles, in which he said *'I have also been shown the photograph of Daniel MORGAN again, although I cannot definitely say that this was the man who was sitting near to me [...]. I do recall that when a photograph of the man that was murdered was shown in the newspapers following the murder, I remember thinking that that was the same man that was sitting near us that night.'*¹⁰⁴ The Coroner enquired whether WDS Fowles was present at the Inquest and was told that she was in Australia.¹⁰⁵

65. No account of the actions of WDS Christine Fowles was submitted by the Metropolitan Police to the Coroner. Had Counsel for the family of Daniel Morgan not raised the issue, the Coroner would not have had a full account of what happened in this context.

3.4.3 The barmaid's statements and testimony

66. A barmaid from the Golden Lion public house was questioned at the Inquest as part of the attempt to reconstruct Daniel Morgan's movements on the evenings of 09 and 10 March 1987. The Panel understands that the Coroner was attempting to gain information as to why Daniel Morgan had returned to the Golden Lion on 10 March 1987. One reason given by Jonathan Rees in his interview dated 03 April 1987¹⁰⁶ and repeated at the Inquest¹⁰⁷ was that Daniel Morgan was interested in seeing the barmaid again.

67. The barmaid had made three separate statements: one on the night of the murder, one on 16 April 1987 and one on 07 December 1987. She confirmed at the Inquest that she had worked in the saloon bar on both evenings, 09 and 10 March 1987.¹⁰⁸ As she did not know Daniel Morgan, her evidence concerned the movements of a bearded man fitting Daniel Morgan's description.

68. The Coroner read from the barmaid's first statement to the police,¹⁰⁹ in which she recalled that, on the evening of 10 March 1987, she had served a bearded man wearing a suit who had been sitting *'on the settee opposite the bar [...] opposite the bar door entrance'* with another man in a suit.¹¹⁰ The bearded man had bought drinks and two packets of ready salted crisps and did not have any other conversation with her except to make the order.¹¹¹ Later, answering questions from June Tweedie, Counsel for the family of Daniel Morgan, she said there was only

102 Witness Person T4, cross-examined by June Tweedie, Inquest Day Two, INT000002001, p95, 12 April 1988.

103 Witness Person T4, cross-examined by June Tweedie, Inquest Day Two, INT000002001, p98, 12 April 1988.

104 Witness statement of Person T4, MPS015675001, p2, 15 October 1987.

105 Witness Person T4, cross-examined by June Tweedie, Inquest Day Two, INT000002001, p98, 12 April 1988.

106 Interview of Jonathan Rees by D/Supt Douglas Campbell, MPS016120001, pp51-52, 03 April 1987.

107 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, p21, 25 April 1988.

108 Witness, the barmaid, examined by the Coroner, Inquest Day Two, INT000002001, pp79-80, 12 April 1988.

109 Witness statement of the barmaid, MPS015676001, pp1-4, 10 March 1987.

110 Witness, the barmaid, examined by the Coroner, Inquest Day Two, INT000002001, p79, 12 April 1988.

111 Witness, the barmaid, examined by the Coroner, Inquest Day Two, INT000002001, p80, 12 April 1988.

one man who had purchased two packets of ready salted crisps from her that evening.¹¹² The Inquest heard that, when Daniel Morgan's body was discovered, two packets of ready salted crisps were found on the ground nearby.¹¹³

69. The barmaid's second statement to the police¹¹⁴ was also read at the Inquest. In this statement, the barmaid said that when she arrived at work at 7.00 pm on 09 March 1987, the day before the murder, there had been two men in suits at the bar, one of whom had a beard.¹¹⁵ Asked by the Coroner whether this was the same man with a beard she had seen the following evening, she responded: *'I did not recognise him on the second night as being the same man.'*¹¹⁶

70. The second statement described how, a little while after 8.00 pm on 09 March 1987, two more men in suits, one of whom wore round-rimmed glasses, came into the bar and joined the two men in suits that were already there.¹¹⁷ While she was serving the men, two of them started making remarks to her: *'I think it was the one that wore glasses and the one with the beard. I think most of the remarks were made by the one with the glasses.'*¹¹⁸ The Panel notes that the evidence provided by police officers who had been present indicates that Daniel Morgan did not arrive at the Golden Lion public house until 9.30 pm on 09 March 1987, suggesting it could not have been Daniel Morgan who made the remarks around 8:00 pm.

71. What is reported as having followed this question is difficult to understand:

'Q. Do you know who that man was who was making remarks to you? Were they both making the same sort of remarks or was one making more remarks than the other?'

A. After seeing the photos of Daniel Morgan, one of them in fact made a very coarse remark.

Q. To you?

A. Yes but I cannot remember exactly what it was. It was very coarse.

Q. He made a very coarse remark to you. Who did you believe that to be?

*A. Daniel Morgan.'*¹¹⁹

72. There is no explanation of the barmaid's sudden reference to the photographs of Daniel Morgan. The police had shown the barmaid a photograph of Daniel Morgan when she made her second statement (see Chapter 1, The Morgan One Investigation). The Coroner read from the barmaid's second statement, in which she said: *'I have seen a photograph of Daniel Morgan and I can't say whether it was the same man I had served on Monday, although it was definitely the same man I served on Tuesday as I remember the crisps.'*¹²⁰

73. The Panel sought to examine the shorthand notes made during the Inquest which were used to create the transcript,¹²¹ but it proved impossible to locate them.

112 Witness, the barmaid, cross-examined by June Tweedie, Inquest Day Two, INT000002001, p85, 12 April 1988.

113 Witness who discovered the body of Daniel Morgan, examined by the Coroner, Inquest Day Three, INT000003001, p2, 13 April 1988.

114 Witness statement of the barmaid, MPS015677001, pp1-4, 16 April 1987.

115 Witness, the barmaid, examined by the Coroner, Inquest Day Two, INT000002001, p80, 12 April 1988.

116 Witness, the barmaid, examined by the Coroner, Inquest Day Two, INT000002001, p80, 12 April 1988.

117 Witness, the barmaid, examined by the Coroner, Inquest Day Two, INT000002001, p81, 12 April 1988.

118 Witness, the barmaid, examined by the Coroner, Inquest Day Two, INT000002001, p81, 12 April 1988.

119 Witness, the barmaid, examined by the Coroner, Inquest Day Two, INT000002001, p81, 12 April 1988.

120 Witness, the barmaid, examined by the Coroner, Inquest Day Two, INT000002001, p82, 12 April 1988.

121 The transcripts are annotated as *'transcript of shorthand notes of Marten Walsh Cherer Ltd.'*

74. The barmaid's third statement to the police,¹²² in which she was prompted for further recollections of people in the bar on 10 March 1987, was read out by the Coroner.¹²³ The Coroner then put it to her that he did not think she was sure who was who on either of the two nights. She agreed.¹²⁴

75. The Coroner in his summing up said that '*no captivating evidence*' had been heard that Daniel Morgan had made any overtures to the barmaid on 10 March 1987.¹²⁵

76. The Panel questions whether the Inquest transcript is accurate as it does not make sense, for example in the questions and answers quoted above. The Panel recognises that in the transcript the barmaid appears to confirm that Daniel Morgan had made a coarse remark to her. There is, however, other evidence which indicates clearly that the barmaid did not identify this man as Daniel Morgan. The Panel interprets the barmaid's evidence to indicate that neither of the two individuals who made the coarse comments was Daniel Morgan. This is on the basis that the barmaid did not recognise the man with a beard who had made coarse remarks the day before as being the same man to whom she had sold two packets of crisps on the evening of the murder. The Panel's analysis of the evidence concerning 09 March 1987 also suggests that Daniel Morgan had not been in the Golden Lion public house at the time at which the coarse remarks referred to were made.

77. The Panel is satisfied that the barmaid recognised Daniel Morgan as the man who had bought two packets of crisps from her on 10 March 1987 and did not recognise Daniel Morgan as the man who had made coarse remarks to her on 09 March 1987.

78. Answering questions from June Tweedie, the barmaid said that, when she made her statement on 10 March 1987, she had no doubt that the man to whom she had sold two packets of crisps had been sitting opposite the bar on the settee.¹²⁶ She explained that the police had later told her in December 1987 that Daniel Morgan had been sitting in the raised area of the bar and '*they said that I had obviously got the wrong person*'.¹²⁷

79. There is also no account of WDS Christine Fowles' interactions with the barmaid, although the Panel notes that WDS Fowles took each of the barmaid's three statements. WDS Fowles could not be called to attend the Inquest as she was in Australia. Both the barmaid and Person T4 said at the Inquest that they had had their recollections corrected or clarified by police officers.

122 Witness statement of the barmaid, MPS015678001, pp1-3, 07 December 1987.

123 Witness, the barmaid, examined by the Coroner, Inquest Day Two, INT000002001, pp82-83, 12 April 1988.

124 Witness, the barmaid, examined by the Coroner, Inquest Day Two, INT000002001, p83, 12 April 1988.

125 Coroner's summing up, Inquest Day Eight, INT000008001, p120.

126 Witness, the barmaid, cross-examined by June Tweedie, Inquest Day Two, INT000002001, pp84-85, 12 April 1988.

127 Witness, the barmaid, cross-examined by June Tweedie, Inquest Day Two, INT000002001, p84, 12 April 1988.

80. It is improper procedure for police officers to correct or clarify witnesses' recollections.

81. The barmaid explained that, in December 1987, D/Supt Douglas Campbell carried out a mini-reconstruction of the night of the murder, by wearing a cream/beige raincoat and walking around the raised area of the saloon bar, in an attempt to jog her memory of events.¹²⁸ The barmaid agreed that D/Supt Campbell had told her that the raincoat was like the one worn by the man who had been with Daniel Morgan.¹²⁹ This evidence by the barmaid at the Inquest is the only time this reconstruction is mentioned in any material seen by the Panel.¹³⁰ It is not recorded in the Morgan One Investigation papers, and D/Supt Campbell was not asked about it at the Inquest.

82. In his January 1988 report to the Coroner and the Metropolitan Police Solicitors Department, D/Supt Douglas Campbell accepted the evidence of Person T4 and described the barmaid as being '*totally confused*'.¹³¹

83. In the light of the barmaid's clear initial statements made soon after the murder, and the Panel's knowledge of the likely timing of events, the Panel rejects the characterisation of her as '*totally confused*'.

84. Neither Person T4 nor the barmaid definitively confirmed that Daniel Morgan was sitting where D/Supt Douglas Campbell said he was in his report to the Coroner.

85. While the Panel is satisfied that Daniel Morgan was in the Golden Lion public house on the night of 10 March 1987, it has proved impossible to state definitively where he was sitting that night.

3.5 Lines of enquiry

86. The Inquest focused on the issues raised in D/Supt Douglas Campbell's report of 22 January 1988, which explored possible motives for the murder in various combinations.¹³²

87. However, D/Supt Douglas Campbell's report did not refer to a full range of lines of investigation, such as the detail of Daniel Morgan's recent work in Malta, the fact that Daniel Morgan had been due to give evidence in court the week after he was murdered about work which he had done with Jonathan Rees in relation to an alleged brothel, and a possible case of mistaken identity.

128 Witness, the barmaid, cross-examined by June Tweedie, Inquest Day Two, INT000002001, p86, 12 April 1988.

129 Witness, the barmaid, cross-examined by June Tweedie, Inquest Day Two, INT000002001, p86, 12 April 1988.

130 Witness, the barmaid, cross-examined by June Tweedie, Inquest Day Two, INT000002001, p86, 12 April 1988.

131 Report by D/Supt Douglas Campbell, MPS022269001, pp16-17, 22 January 1988.

132 Report by D/Supt Douglas Campbell, MPS022269001, 22 January 1988.

88. The Coroner placed a great deal of reliance on the hypotheses articulated within D/Supt Douglas Campbell's report of 22 January 1988. As a consequence, detailed evidence on other lines of enquiry was not heard by the Inquest. This included:

- i. theories relating to other personal or business relations of Daniel Morgan;
- ii. the possibility that the murder was motivated by revenge;
- iii. the possible link to repossession of a vehicle from Malta, and police connections to this and to organised crime; and
- iv. the wider financial position of Southern Investigations.

Given that these were not significant lines of enquiry pursued by the police, and the scope of the Inquest was limited, it was not necessary to draw them all to the attention of the Coroner.

Nevertheless, having examined the papers available to D/Supt Campbell at the time, the Panel is of the view that the Coroner should have been made aware that Daniel Morgan was murdered the night before he was due to provide a statement to West Yorkshire Police who were engaged in a major fraud enquiry, and that this matter had been the subject of extensive investigation by D/Supt Campbell and may have provided a possible motive or part of a motive for the murder.

3.5.1 Lines of enquiry: Belmont Car Auctions and robbery

89. An important element of possible motives in D/Supt Douglas Campbell's January 1988 report concerned what he referred to as '*the Belmont Car Auctions problem*', involving Southern Investigations having provided security guards for the auctions and the alleged robbery of the auction's takings from Jonathan Rees on 18 March 1986.¹³³

90. Evidence was heard on the first day of the Inquest about Southern Investigations having provided security guards for Belmont Car Auctions, including allegations that three off-duty, serving police officers had been working there;¹³⁴ about the alleged robbery resulting in Jonathan Rees being injured and receiving hospital treatment;¹³⁵ about a civil action brought by Belmont Car Auctions against Southern Investigations for failure to deposit the takings or secure the money;¹³⁶ and about a court order on 05 March 1987 requiring Jonathan Rees and Daniel Morgan to lodge £10,000 with the Court.¹³⁷

¹³³ Report by D/Supt Douglas Campbell: MPS022269001, pp9-11, 22 January 1988.

¹³⁴ Witness Michael Thorne, examined by the Coroner, Inquest Day One, INT000001001, p52, 11 April 1988.

¹³⁵ Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day One, INT000001001, p15, 11 April 1988.

¹³⁶ Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day One, INT000001001, p15, 11 April 1988.

¹³⁷ Witness Iris Morgan, examined by the Coroner, Inquest Day One, INT000001001, p44, 11 April 1988.

91. On day three of the Inquest, Southern Investigations' Office Manager, Peter Newby, testified that he had handed to Daniel Morgan cash in excess of £1,100 on 10 March 1987.¹³⁸ The Forensic Intelligence Officer, DS Graham Frost, provided a statement that a quantity of cash totalling £1,076.47 was found on Daniel Morgan's body at the crime scene¹³⁹ and this led to the conclusion, as recorded on the National Crime Pattern Analysis database, that robbery was not a motive for the murder.¹⁴⁰

3.5.2 Lines of enquiry involving Jonathan Rees

92. D/Supt Douglas Campbell's report contained concluding observations on '*REES' complicity in the murder*'.¹⁴¹ These observations presented the hypotheses that:

- Jonathan Rees had killed Daniel Morgan as he was '*seriously concerned that his partner [Daniel Morgan] would dissolve the partnership*';¹⁴²
- Jonathan Rees's '*dislike of MORGAN turned to hatred*';¹⁴³
- '*the association between MORGAN, Margaret Harrison and REES*' increased Jonathan Rees's hatred;¹⁴⁴
- Jonathan Rees had an '*over-riding loyalty to Police Officers, particularly those involved with Belmont Car Auctions*';¹⁴⁵ and
- Daniel Morgan might '*go to the newspapers with a story of Police corruption*'.¹⁴⁶

3.5.2.1 Kevin Lennon's statements and testimony regarding Jonathan Rees

93. Kevin Lennon, former bookkeeper at Southern Investigations before Daniel Morgan's death, was the third witness called on the first day of the Inquest. He appeared after D/Supt Douglas Campbell and DI Allan Jones, both of whom had attended the crime scene on the evening of the murder. This is indicative of the importance which D/Supt Campbell had attached to Kevin Lennon's evidence in his January 1988 report to the Coroner. Kevin Lennon had previously given three statements to the police, on 02 April 1987, 02 September 1987 and 15 September 1987 (see Chapter 1, The Morgan One Investigation). He confirmed to the Coroner his statements that there had been a souring of the relationship between Jonathan Rees and Daniel Morgan to the point that Jonathan Rees's dislike of Daniel Morgan had turned to hatred.¹⁴⁷

94. Kevin Lennon was questioned by the Coroner about his claim that Jonathan Rees had asked him if he knew anyone who could kill Daniel Morgan.¹⁴⁸ Kevin Lennon confirmed these conversations had occurred on '*six or so*' separate occasions and stated: '*I pleaded with John [Jonathan Rees] on each of those occasions to reconsider his course of action.*'¹⁴⁹

138 Witness Peter Newby, examined by the Coroner, Inquest Day Three, INT000003001, p21, 13 April 1988.

139 Witness statement of DS Graham Frost, MPS015685001, p2, 23 July 1987.

140 National Crime Pattern Analysis Database Memo Response: Murder of Daniel Morgan, MPS011160001, 16 March 1987.

141 Report by D/Supt Douglas Campbell, MPS022269001, p46, para 203, 22 January 1988.

142 Report by D/Supt Douglas Campbell, MPS022269001, p46, para 204, 22 January 1988.

143 Report by D/Supt Douglas Campbell, MPS022269001, p47, para 205, 22 January 1988.

144 Report by D/Supt Douglas Campbell, MPS022269001, p47, para 205, 22 January 1988.

145 Report by D/Supt Douglas Campbell, MPS022269001, p47, para 206, 22 January 1988.

146 Report by D/Supt Douglas Campbell, MPS022269001, p47, para 206, 22 January 1988.

147 Witness Kevin Lennon, examined by the Coroner, Inquest Day One, INT000001001, pp16-17, 11 April 1988.

148 Witness Kevin Lennon, examined by the Coroner, Inquest Day One, INT000001001, pp19-20, 11 April 1988.

149 Witness Kevin Lennon, examined by the Coroner, Inquest Day One, INT000001001, p20, 11 April 1988.

95. In his statement dated 15 September 1987, Kevin Lennon had said: *'I formed the opinion that John [sic] Rees was determined to either kill Daniel MORGAN or have him killed.'*¹⁵⁰ The Coroner asked Kevin Lennon if he was sure that this had not been a figure of speech, to which he replied: *'It was more than that.'*¹⁵¹ Kevin Lennon added:

*'John [sic] had decided at this stage that he could no longer work with Daniel in the partnership. He had in his own mind found a replacement for Daniel. It was his objective to get rid of Daniel in order to replace him with this new prospective partner who would be, in John's opinion, a much greater asset to the business.'*¹⁵²

96. Kevin Lennon told the court that the new partner Jonathan Rees had had in mind was the then serving police officer DS Sidney Fillery.¹⁵³ Kevin Lennon had alleged in his statement of 15 September 1987 that DS Fillery would seek a medical discharge from the police and join Southern Investigations.¹⁵⁴ In the same statement, Kevin Lennon had also alleged that DS Fillery *'was quite aware of what was going to happen to Daniel MORGAN, that he would be killed'*.¹⁵⁵

97. Answering questions from the Coroner, Kevin Lennon confirmed passages of his statement dated 15 September 1987¹⁵⁶ in which he recalled conversations that took place in August or September 1986. He had stated that during the conversations Jonathan Rees had told him that police officers at Catford Police Station would either murder Daniel Morgan or arrange his murder, and that it would be carried out within the jurisdiction of Catford Police Station.¹⁵⁷

98. Under cross-examination, Kevin Lennon said that he had provided D/Supt Douglas Campbell with the names of two people whom Jonathan Rees had also told of his intention to murder Daniel Morgan.¹⁵⁸ On day six of the Inquest, D/Supt Campbell confirmed the names Kevin Lennon had provided were Sharon Rees, Jonathan Rees's wife, and Jonathan Rees's solicitor, Michael Goodridge.¹⁵⁹ However, Michael Goodridge confirmed on day three of the Inquest his statement of 20 October 1987, stating he had no knowledge of threats to kill Daniel Morgan made by Jonathan Rees or anyone else.¹⁶⁰ Sharon Rees was ultimately excused on medical grounds from attending court (see below, section 3.6.2) and so it was not possible for the Coroner or Counsel to ask her if she had any knowledge of threats to kill Daniel Morgan, as alleged by Kevin Lennon.

99. Kevin Lennon's evidence came as a significant shock to the family of Daniel Morgan, who were listening in court and who had not previously been told of the allegations. Inevitably, it attracted a great deal of interest in the media.

150 Witness statement of Kevin Lennon, MPS015953001, p12, 15 September 1987.

151 Witness Kevin Lennon, examined by the Coroner, Inquest Day One, INT000001001, p20, 11 April 1988.

152 Witness Kevin Lennon, examined by the Coroner, Inquest Day One, INT000001001, p20, 11 April 1988.

153 Witness Kevin Lennon, examined by the Coroner, Inquest Day One, INT000001001, p20, 11 April 1988.

154 Witness statement of Kevin Lennon, MPS015953001, p13, 15 September 1987.

155 Witness statement of Kevin Lennon, MPS015953001, p13, 15 September 1987.

156 Witness statement of Kevin Lennon, MPS015953001, pp14-15, 15 September 1987.

157 Witness Kevin Lennon, cross-examined by June Tweedie, Inquest Day One, INT00000101, p24, 11 April 1988.

158 Witness Kevin Lennon, cross-examined by June Tweedie, Inquest Day One, INT000001001, pp41-42, 11 April 1988.

159 Witness D/Supt Douglas Campbell, cross-examined by June Tweedie, Inquest Day Six, INT000006001, p29, 18 April 1988.

160 Witness Michael Goodridge, examined by the Coroner, Inquest Day Three, INT000003001, p76, 13 April 1988.

100. The truth of Kevin Lennon's evidence was challenged at the Inquest by Jonathan Rees, who said that the statements about him were '*absolutely not true*',¹⁶¹ that there were no plans for former DS Sidney Fillery to join Southern Investigations¹⁶² and that he '*certainly did not*' tell Kevin Lennon that he was planning to kill Daniel Morgan.¹⁶³ The Coroner later noted in his summing up '*a very big conflict of evidence*' between the testimony of Kevin Lennon and that of Jonathan Rees.¹⁶⁴ The credibility of Kevin Lennon's evidence was later to be tested by the Hampshire/Police Complaints Authority Investigation (see Chapter 3, The Hampshire/Police Complaints Authority Investigation) and much later by the Abelard Two investigation (see Chapter 8, The Abelard Two Investigation).

101. At the Inquest, former DS Sidney Fillery gave evidence that he had been notified that he was to retire on medical grounds from the Metropolitan Police on 20 February 1988.¹⁶⁵ He could not explain how Kevin Lennon could have included this information in a statement dated September 1987, because at that stage he had had no intention to leave the police force.¹⁶⁶ Former DS Fillery gave evidence that he had carried out one unpaid job for Southern Investigations on the Friday before the Inquest had started.¹⁶⁷ Former DS Fillery was not asked about whether he was aware of Jonathan Rees's intention to kill Daniel Morgan or about the murder being planned to take place in the jurisdiction of Catford Police Station, as Kevin Lennon had alleged in his evidence.

3.5.2.2 Telephone calls to and from Jonathan Rees's car phone on the evening of the murder

102. The Coroner sought information from Jonathan Rees, as the person who had spent the evening of 10 March 1987 with Daniel Morgan in the Golden Lion public house, regarding his movements that night, and the series of telephone calls logged on Jonathan Rees's car phone after 9.00 pm, which are detailed in the table below:

161 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, p16, 25 April 1988.

162 Witness Jonathan Rees, cross-examined by June Tweedie, Inquest Day Eight, INT000008001, p94, 25 April 1988.

163 Witness Jonathan Rees, cross-examined by June Tweedie, Inquest Day Eight, INT000008001, p97, 25 April 1988.

164 Coroner's summing up, Inquest Day Eight, INT000008001, p131, 25 April 1988.

165 Witness Sidney Fillery, cross-examined by Jeremy Gompertz, Inquest Day Seven, INT000007001, p10, 19 April 1988.

166 Witness Sidney Fillery, cross-examined by Jeremy Gompertz, Inquest Day Seven, INT000007001, p15, 19 April 1988.

167 Witness Sidney Fillery, cross-examined by Jeremy Gompertz, Inquest Day Seven, INT000007001, p16, 19 April 1988.

Calls to/from Jonathan Rees's Car Phone, evening of 10 March 1987 ¹⁶⁸						
Date	Start Time	End Time (at latest)	Call From	Call To	Units	Maximum Duration (seconds)
10/03/1987	9:04:33*	9:16:33	Unattributed ¹⁶⁹	Jonathan Rees car phone	24	720
10/03/1987	9:17:23	9:18:53	Jonathan Rees car phone	Paul Goodridge home landline	3	90
10/03/1987	9:19:54	9:20:54	Jonathan Rees car phone	Jonathan Rees home landline	2	60
10/03/1987	9:21:17*	9:23:17	Unattributed ¹⁷⁰	Jonathan Rees car phone	4	120
10/03/1987	9:23:44	9:25:14	Jonathan Rees car phone	Paul Goodridge car phone	3	90
10/03/1987	11:15:00	11:16:00	Jonathan Rees car phone	Jonathan Rees home landline	2	60

*The telephone records do not include information about where the calls at 9:04:33 pm and 9:21:17 pm originated from. The Panel compiled this table based on the telephone records, which showed when Jonathan Rees's car phone made calls out and the numbers called. They also showed the timing of incoming calls but not the telephone numbers from which these calls came (because those were not billed to the car phone); these are the unattributed calls.

103. In his statement of 20 March 1987, Jonathan Rees had stated that the 12-minute call at 9.04 pm came from his wife when he had been travelling to his home address.¹⁷¹ However, the Coroner pointed out that his wife, Sharon Rees, had made no reference to that call in her statements to the police (on 17 and 20 March 1987). Jonathan Rees responded that he could not answer to that, but that it was *'usual'* for his wife at that time of night to talk to him about what he was doing and about not drinking too much or getting drunk.¹⁷²

104. The Coroner then questioned Jonathan Rees about the 9.17 pm call from his car phone to Paul Goodridge's home. Jonathan Rees testified that he remembered that, during that call, Paul Goodridge had told him that Jean Wisden had had *'quite a serious accident at work'*.¹⁷³ In his statement of 12 March 1987, Paul Goodridge had stated that Jean Wisden had taken the call in question and that he had not spoken to the caller, but from the conversation had recognised it to be Jonathan Rees.¹⁷⁴ This apparent inconsistency was not resolved at the Inquest. In Jonathan Rees's statement of 20 March 1987, he said that during the 9.17 pm call he spoke to both Jean Wisden and then Paul Goodridge in order to *'enquire about the loan he was arranging'*.¹⁷⁵

168 D286 Result of telephone checks Rees car phone.

169 Witness statement of Jonathan Rees, MPS015613001, 20 March 1987, p2; alleged to be Sharon Rees.

170 Witness statement of Jonathan Rees, MPS015613001, 20 March 1987, p3; alleged to be Paul Goodridge.

171 Witness statement of Jonathan Rees, MPS015613001, p2, 20 March 1987.

172 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, p35, 25 April 1988.

173 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, p35, 25 April 1988.

174 Witness statement of Paul Goodridge, MPS001914001, p3, 12 March 1987.

175 Witness statement of Jonathan Rees, MPS015613001, p2, 20 March 1987.

105. When the Coroner asked Jonathan Rees at the Inquest about the subsequent 9.19 pm call from his car phone to his home, Jonathan Rees said that he could not recall it.¹⁷⁶ However, in his statement of 20 March 1987, he had said that the 9.19 pm call was to inform his wife that he was going to meet Paul Goodridge in the Beulah Spa public house.¹⁷⁷ Jonathan Rees had stated on 20 March 1987 that, between the 9.17 pm call to Paul Goodridge and the 9.19 pm call to his (Jonathan Rees's) wife, he had changed his route from travelling towards his home address to travelling towards the Beulah Spa public house.¹⁷⁸

106. Jonathan Rees stated at the Inquest that he could not recall the reason for the 9.21 pm incoming call from Paul Goodridge, although in his statement of 20 March 1987, he had said this call was to confirm the meeting at the Beulah Spa public house.¹⁷⁹ Paul Goodridge had made no mention of this call in his statement of 12 March 1987.¹⁸⁰

107. In his statement of 20 March 1987, Jonathan Rees had also said that at 9.23 pm he had telephoned Paul Goodridge again to cancel the meeting, but '*he was on his way so [Jonathan Rees] continued on to the Beulah Spa*', arriving there between 9.25 pm and 9.30 pm and staying until 10.50 pm when he left to go home.¹⁸¹ Paul Goodridge had said in his statement of 12 March 1987 that he had arrived at the Beulah Spa public house at 9.45 pm and met Jonathan Rees there.¹⁸²

108. The Coroner made no further enquiries about the calls logged between 9.04 pm and 9.23 pm. It was not until the Hampshire/Police Complaints Authority Investigation initiated a detailed examination of the calls during the evening of 10 March 1987 that the full extent of the contradictory accounts of calls made and received emerged (see Chapter 3, The Hampshire/Police Complaints Authority Investigation).

109. The Panel notes that, had Jonathan Rees driven home while taking the 12-minute call, he would have been home or almost home, according to the timings of the route, by the time the call concluded.

110. The Coroner remained concerned by this 12-minute call, which he felt Jonathan Rees had not explained satisfactorily. The Coroner was not able to ask Sharon Rees for her version of events regarding this call (to which she had made no reference in her statement of 20 March 1987), as he had excused her from giving evidence at the Inquest before her husband was examined later the same day. During Jonathan Rees's examination, when the question of the first phone call, starting at 9.04 pm and lasting 12 minutes, was introduced by the Coroner, Jonathan Rees had indicated, through his legal representative, that he would like to '*claim privilege*'.¹⁸³

111. The Coroner sought to verify what Jonathan Rees had been doing during a period of '*approximately half an hour*' after he said that he left the Golden Lion public house at 9.00 pm on 10 March 1987. In his statement of 20 March 1987, Jonathan Rees had stated that he had left the Golden Lion public house and '*was mobile*' travelling to his home address when he received the call logged at 9.04 pm.¹⁸⁴ In this context, the Coroner informed the Inquest that the journey

176 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, p36, 25 April 1988.

177 Witness statement of Jonathan Rees, MPS015613001, p2, 20 March 1987.

178 Witness statement of Jonathan Rees, MPS015613001, p2, 20 March 1987.

179 Witness statement of Jonathan Rees, MPS015613001, p2-3, 20 March 1987.

180 Witness statement of Paul Goodridge, MPS001914001, 12 March 1987.

181 Witness statement of Jonathan Rees, MPS015613001, p3, 20 March 1987.

182 Witness statement of Paul Goodridge, MPS001914001, p3, 12 March 1987.

183 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, p33, 25 April 1988.

184 Witness statement of Jonathan Rees, MPS015613001, p2, 20 March 1987.

between Jonathan Rees's home address and the Golden Lion public house had been tested and timed by various people including himself, DI Allan Jones and a police traffic officer tasked by the Morgan One Investigation, and it had been assessed as taking between nine and eleven minutes.¹⁸⁵ Had Jonathan Rees been travelling to his home address via his usual route without pulling over, he would have arrived by 9.15 pm. However, it is not clear what route Jonathan Rees had taken on leaving the Golden Lion public house.

112. The Coroner concluded that *'we cannot be sure in detail exactly what transpired in that strange 40 minutes between 9 o'clock and the time of [Daniel Morgan's] death at 9.40'*.¹⁸⁶

113. The Coroner was right to emphasise that more information was needed about what Jonathan Rees was doing during this crucial period, because Jonathan Rees was unable to provide:

- any corroboration that the 12-minute telephone call made to his car phone was from his wife (Sharon Rees did not confirm making that call);
- corroboration of a second call allegedly made by Paul Goodridge, but which Paul Goodridge did not mention in his statement of 12 March 1987; and
- an account of his own movements during the period other than to say that he was in transit between the Golden Lion public house and the Beulah Spa public house.

114. The time of 9.40 pm was when Daniel Morgan's body was found in the car park and not the time of his death. The Coroner was concerned to establish what happened during the approximately 40-minute period after about 9.00 pm when Jonathan Rees, by his own account, left the company of Daniel Morgan, and before 9.40 pm when Daniel Morgan's body was found.

115. The Panel accepts that Jonathan Rees, by his own account, did not make the journey which the Coroner, DI Allan Jones and the traffic officer had made (from the Golden Lion public house to Jonathan Rees's home). Jonathan Rees said that he had left to go to his car at the Golden Lion public house around 9.00 pm and arrived at the Beulah Spa public house around 9.30 pm. The Coroner was unable to verify Jonathan Rees's movements after he left the Golden Lion.

¹⁸⁵ Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day Five, INT000005001, p44, 15 April 1988.

¹⁸⁶ Coroner's summing up, Inquest Day Eight, INT000008001, p124, 25 April 1988.

3.6 Notable witnesses either not called by the Coroner to the Inquest or who did not attend

3.6.1 Paul Goodridge

116. Paul Goodridge was excused from giving evidence at the Inquest on medical grounds. This excusal was on the basis of a medical report in respect of Paul Goodridge which provided detail of his '*psychiatric condition*',¹⁸⁷ and the Coroner's '*power to admit documentary evidence (such as a written statement) [...] where the Coroner is of the opinion that the maker of the document is unable to give oral evidence*'.^{188,189} At the start of day three of the Inquest, the Coroner stated that there was agreement that, exceptionally, Paul Goodridge's three statements could therefore be read out and provided in writing to Counsel.¹⁹⁰ The reading of the three statements then took place.¹⁹¹

117. The Coroner decided to require Jean Wisden (the partner of Paul Goodridge), who was not listed in D/Supt Douglas Campbell's report of 22 January 1988, to attend the Inquest hearing. Jean Wisden appeared at the Inquest on the second day and confirmed her statement that she had taken a telephone call at about 9.15 pm or 9.20 pm from Jonathan Rees on the evening of Daniel Morgan's murder.¹⁹²

118. The accounts given by Jonathan Rees, Paul Goodridge (written only) and Jean Wisden at the Inquest regarding Jonathan Rees telephoning between 9.15 pm and 9.20 pm contained inconsistencies and contradictions about what happened.^{193,194,195}

119. Jean Wisden was potentially an important witness and the Coroner was wise to obtain testimony from her.

120. In his examination of D/Supt Douglas Campbell on day five, the Coroner referred to Daniel Morgan and Jonathan Rees going to the Golden Lion public house to meet Paul Goodridge on 10 March 1987. Having recalled that Paul Goodridge was unable to attend the Inquest owing to illness, the Coroner said: '*Mr Paul GOODRIDGE denies they had a meeting there.*' D/Supt Campbell agreed, answering: '*In his statement he does.*'¹⁹⁶

187 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the third day, INT000003001 p3, 13 April 1988

188 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the third day, INT000003001, p3, 13 April 1988.

189 Matthews, P., and Foreman, J.C., 1986, *Jervis on the Office and Duties of Coroners*, 10th edition, p173, para 15.9.

190 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the third day, INT000003001 pp3 and 10, 13 April 1988.

191 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the third day, INT000003001, pp11-15, 13 April 1988.

192 Witness Jean Wisden, examined by the Coroner, Inquest Day Two, INT000021001, pp49-50, 12 April 1988.

193 Witness Jonathan Rees, examined by the Coroner, Inquest Day Eight, INT000008001, pp35-36, 25 April 1988.

194 Witness statements of Paul Goodridge, 12 March 1987, 25 March 1987 and 22 December 1987, read into the transcript by the Coroner, Inquest Day Three, INT000003001, pp11-15, 13 April 1988.

195 Witness Jean Wisden, examined by the Coroner, Inquest Day Two, INT000021001, pp49-50, 12 April 1988.

196 Witness D/Supt Douglas Campbell, examined by the Coroner, Inquest Day Five, INT000005001, p40, 15 April 1988.

121. Had he not been excused, Paul Goodridge's testimony at the Inquest might have called into question Jonathan Rees's evidence on his arrangements and his movements on the night of Daniel Morgan's murder. In his statement Paul Goodridge said: *'I do not recall any previous conversation to meet him [Jonathan Rees] or Daniel MORGAN at the Golden Lion earlier that evening.'*¹⁹⁷ Had Paul Goodridge appeared at the Inquest and confirmed his statement, his evidence would have contradicted part of Jonathan Rees's reasoning for attending the Golden Lion public house on 10 March 1987. The accounts of Jean Wisden and Paul Goodridge became the focus of further attention in the Hampshire/Police Complaints Authority Investigation.

3.6.2 Sharon Rees

122. Sharon Rees, the wife of Jonathan Rees, was excused by the Coroner from attending the Inquest, following enquiries into her whereabouts and her medical condition.¹⁹⁸

123. DI Allan Jones had testified that, when he arrived at the home of Jonathan Rees and Sharon Rees around midnight on 10 March 1987, he had entered the living room where Sharon Rees was watching television and had informed Jonathan Rees that Daniel Morgan had been killed. During the conversation Sharon Rees had also been informed.¹⁹⁹ DI Jones had described her behaviour in continuing to watch the television as *'not a reaction [he] would have expected'*.²⁰⁰

124. At the Inquest Jonathan Rees was asked about his wife's behaviour when the police arrived at their house in the early hours of 11 March 1987. He testified that she *'was not informed'* by the police about Daniel Morgan's death and that DI Allan Jones had suggested that the police and Jonathan Rees go into the kitchen, whereas Sharon Rees remained *'two rooms away'*. He also testified that when he left with the police to go to the police station, he told his wife that Daniel Morgan had had an accident.²⁰¹ This testimony differed markedly from DI Jones's testimony.

125. Sharon Rees's testimony was of potentially profound importance in terms of her knowledge of her husband's actions, including his telephone calls on the night of the murder, her knowledge of any intention by her husband to arrange the murder of Daniel Morgan as alleged by Kevin Lennon and her conduct when police attended their home to inform Jonathan Rees of the murder of Daniel Morgan (see Chapter 1, The Morgan One Investigation).

126. Sharon Rees had close family ties to three of the six suspects who had been arrested: her husband Jonathan Rees, and her brothers, Glenn Vian and Garry Vian. Furthermore, she had stated on 17 March 1987,²⁰² and confirmed in her statement of 20 March 1987, that she had only one telephone call from Jonathan Rees lasting about five minutes on the evening of 10 March 1987 at about 9.30 pm.²⁰³ This was a contradiction of his account that she made a 12-minute telephone call to him at 9.04 pm on the night of the murder.

197 Witness statement of Paul Goodridge, MPS015296001, p8, 25 March 1987.

198 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the eighth day, INT000008001, pp9-10, 25 April 1988.

199 Witness DI Allan Jones, examined by the Coroner, Inquest Day Five, INT000005001, p34, 15 April 1988.

200 Witness DI Allan Jones, examined by the Coroner, Inquest Day Five, INT000005001, p34, 15 April 1988.

201 Witness Jonathan Rees, cross-examined by June Tweedie, Inquest Day Eight, INT000008001, p38, 25 April 1988.

202 Witness statement of Sharon Rees, MPS010339001, 17 March 1987.

203 Witness statement of Sharon Rees, MPS010340001, 20 March 1987.

127. On day three of the Inquest, Jonathan Rees was asked by the Coroner to account for his wife's absence.²⁰⁴ Jonathan Rees stated that after the first day of the Inquest his wife had been '*persistently pestered by members of the media*',²⁰⁵ and so had left her home and would not disclose her whereabouts. On day four of the Inquest, Counsel for Jonathan Rees explained the absence of Sharon Rees further, stating that '*as a result of what she [Sharon Rees] has read in the newspapers about alleged goings on between Mr REES and other ladies she is not at all willing to come to the enquiry to help Mr REES in any way*'.²⁰⁶

128. The police appear to have searched without success for Sharon Rees, making enquiries at her home address and the home of her mother.²⁰⁷ D/Supt Douglas Campbell testified that '*she is not at either. The children are not at home*'.²⁰⁸ Jonathan Rees testified that the children were attending school and that family members were caring for the children at the Rees' family home.²⁰⁹ DI Allan Jones provided more information regarding the police efforts to locate Sharon Rees, which included observations at known addresses, contacting relatives in South London and making enquiries in Yorkshire.²¹⁰ Shortly after the Inquest had concluded, Sharon Rees was sighted in public by a journalist, her disappearance and re-appearance after the Inquest, not surprisingly, attracting comment in the media.^{211,212}

129. The Inquest was formally adjourned from 19 April to 25 April 1988, in order to secure medical evidence regarding Sharon Rees's fitness to testify.²¹³ Jonathan Rees had confirmed to the Coroner that his wife was seeing a doctor.²¹⁴ Later he gave evidence that she had been receiving treatment for five months.²¹⁵

130. Evidence was given by Dr Mary Watton on day eight of the Inquest. Dr Watton was not Sharon Rees's current general practitioner at that point. She explained that she had seen Sharon Rees on the previous Thursday, but had not had access to her medical notes, and had not seen her professionally for the previous three years.²¹⁶ Dr Watton also stated that, to the best of her knowledge, Sharon Rees was not receiving treatment from any other doctor.²¹⁷

131. When asked by the Coroner whether she believed that Sharon Rees was not fit to give evidence at the Inquest, Dr Mary Watton stated that she was '*almost sure*' that if Sharon Rees attended the Inquest, '*she is in such a state that she would find it very difficult to listen to questions and to take in questions and to formulate any reasonable reply*'.²¹⁸

204 Witness Jonathan Rees, examined by the Coroner, Inquest Day Three, INT000003001, p55, 13 April 1988.

205 Witness Jonathan Rees, examined by the Coroner, Inquest Day Three, INT000003001, p55, 13 April 1988.

206 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the fourth day, INT000004001, p92.

207 Witness D/Supt Douglas Campbell, cross-examined by Julian Nutter, Inquest Day Three, INT000030001, p57, 13 April 1988.

208 Witness D/Supt Douglas Campbell, cross-examined by Julian Nutter, Inquest Day Three, INT000030001, p57, 13 April 1988.

209 Witness Jonathan Rees, examined by the Coroner, Inquest Day Three, INT000031001, p58, 13 April 1988.

210 Witness DI Allan Jones, examined by the Coroner, Inquest Day Seven, INT000007001, p26, 19 April 1988.

211 *Home with Clue to Murder* (author unknown), *Today* newspaper, MPS014827001, p123, 06 May 1988.

212 *Return of Missing Witness*, by Sylvia Jones, *Daily Mirror* newspaper, MPS014827001, p124, 06 May 1988.

213 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the seventh day, INT000007001, p32.

214 Witness Jonathan Rees, examined by the Coroner, Inquest Day Three, INT000003001, p55, 13 April 1988.

215 Witness Jonathan Rees, examined by the Coroner, Inquest Day Seven, INT000007001, p28, 19 April 1988.

216 Dr Mary Watton, cross-examined by June Tweedie, Inquest Day Eight, INT000008001, pp2 and 4, 25 April 1988.

217 Dr Mary Watton, cross-examined by June Tweedie, Inquest Day Eight, INT000008001, p5, 25 April 1988.

218 Dr Mary Watton, examined by the Coroner, Inquest Day Eight, INT000008001, p8, 25 April 1988.

132. The Coroner ruled that Sharon Rees should not be called as a witness²¹⁹ and, using his discretion, chose not to impose on her a fine of up to £400²²⁰ or to commit her for contempt of court²²¹ as a result of her failure to attend the Inquest. Although the Coroner chose not to exercise either of these powers available to him, he made it clear to the Court that the police investigation would continue beyond the Inquest, and that points surrounding Sharon Rees's evidence would be '*gone into*' as part of that investigation.²²² Sharon Rees's two witness statements were then read out to the Court as evidence.²²³

133. Had the police been able to establish that Sharon Rees was staying within the boroughs of Southwark, Lambeth, Lewisham and Greenwich, the jurisdiction of Southwark Coroner's Court, the Coroner could have decided to visit her at her current location and take her evidence where she was.²²⁴ The Coroner should have adjourned the Inquest and directed the Metropolitan Police to make further efforts to find out where she was.

134. In 2000, the Murder Review Report concluded that Sharon Rees '*undoubtedly holds vital information regarding the movements of her husband on the night of 10 March 1987*'²²⁵ (see Chapter 5, The 2000 Murder Review).

135. Two significant witnesses, Paul Goodridge and Sharon Rees, did not attend the Inquest. Their evidence could have been critical to understanding what happened on the evening of Daniel Morgan's death.

3.6.3 Person O24

136. On day four of the Inquest, June Tweedie, Counsel for Daniel Morgan's family, asked that Person O24 be called as a witness, as he might add further information to the statement which he had given to the Morgan One Investigation.²²⁶ In his statement dated 13 April 1987, Person O24 had described the fact that he had visited Daniel Morgan's home at around 5.15 pm on 10 March 1987 and, finding him away from home, had spoken to Daniel Morgan by telephone, hoping to arrange a meeting with him that evening. Daniel Morgan had told him that this was impossible as he had a very important business conference and would be late.²²⁷ The Panel notes that Person O24 was one of the last people to talk to Daniel Morgan.

219 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the eighth day, INT000008001, pp9-10, 25 April 1988.

220 See the Coroners Act 1887, section 19(3).

221 Matthews, P., and Foreman, J.C., 1986, *Jervis on the Office and Duties of Coroners*, 10th edition, p170, para 15.3.

222 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the eighth day, INT000008001, p10, 25 April 1988.

223 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the eighth day, INT000008001, pp10-12, 25 April 1988.

224 Matthews, P., and Foreman, J.C., 1986, *Jervis on the Office and Duties of Coroners*, 10th edition, pp172-173, para 15.8.

225 2000 Murder Review Report (para 6.6.16), MPS020525001, p22, 06 October 2000.

226 Transcript of Inquest into the death of Daniel Morgan: notes of proceedings for the fourth day, INT000004001, pp46-49, 14 April 1988.

227 Witness statement of Person O24, MPS029473001, pp5-6, 13 April 1987

137. The Coroner recalled D/Supt Douglas Campbell for further examination, saying: *'I think we had gone through the statements initially when we chose the people who we thought were relevant.'*²²⁸ D/Supt Campbell testified that Person O24 had been contacted a second time *'to see if he could add anything and he could not'*.²²⁹ The documentation confirms that the Morgan One Investigation had arranged on 24 November 1987 for an officer to telephone Person O24, who confirmed the information in his statement but could not recall anything more.²³⁰

138. Person O24's statement also referred to threats to Daniel Morgan. He stated that on one occasion, in September or October 1986, Daniel Morgan had arrived at his place of work, looking pale and distressed, and had spoken of a telephoned threat *'to split him in two[...]*. *This was the only occasion I have ever seen Daniel frightened.'*²³¹ D/Supt Douglas Campbell confirmed at the Inquest that the information provided by Person O24 about a threat to Daniel Morgan was corroborated by other witness statements obtained by the Morgan One Investigation. While other witnesses²³² had given accounts of threats to Daniel Morgan, none of these reported threats was to *'split him in two'*, which, given that Daniel Morgan was killed by means of an axe, could have been relevant.

139. Person O24 was not listed by the police to appear at the Inquest. The Panel found among the Coroner's papers a typed list of witnesses for the Inquest, with five names in handwriting added at the bottom.²³³ One of the five additional names was that of Person O24. The other four were called as witnesses but Person O24 was not. The Panel has been unable to discover who wrote the additional names and why he was the only one of the five who did not appear.

140. The Coroner was aware of the content of Person O24's statement made to police. He decided to reject the request for this witness to be called and the statement of Person O24 was not read out at the Inquest, with the Coroner saying during the discussion: *'I cannot quite see how many people have to corroborate the same thing.'*²³⁴

141. While other witnesses giving testimony had referred to Daniel Morgan mentioning threats he had received, the testimony of Person O24 might have provided the Inquest with information of added value, as it referred to a more specific threat to *'split him in two'*. Given the wide discretion of the Coroner and the fact that Person O24 had spoken to Daniel Morgan within hours of his murder, Person O24 should have been called by the Coroner as a witness at the Inquest.

3.6.4 The Vian brothers

142. Jonathan Rees, his two brothers-in-law (Glenn Vian and Garry Vian), and three police officers (DS Sidney Fillery, DC Alan Purvis and DC Peter Foley) had been arrested on suspicion of being involved in the murder of Daniel Morgan on 03 April 1987.²³⁵ When D/Supt Douglas Campbell gave an account of the arrests in his report sent to the Coroner, he only described

228 Witness, Person O24, examined by the Coroner, Inquest Day Four, INT000004001, p46, 14 April 1988.

229 Witness, Person O24, examined by the Coroner, Inquest Day Four, INT000004001, p47, 14 April 1988.

230 Action A1452, MPS014515001, pp1-2, 24 November 1987.

231 Statement of Person O24, MPS029473001, pp3-4, 13 April 1987.

232 Peter Newby, David Bray and Jonathan Rees.

233 List of witnesses in respect of full inquest into the death of Daniel Morgan by Dr Sir Montague Levine, SLC000038001, 11 April 1988.

234 Witness D/Supt Douglas Campbell, further examined by the Coroner, Inquest Day Four, INT000004001, p49, 14 April 1987.

235 Witness D/Supt Douglas Campbell, further examined by the Coroner, Inquest Day Four, INT000004001, p72, 14 April 1987.

Glenn Vian and Garry Vian as allegedly being ‘with [Jonathan] REES prior to the alleged robbery on him of Belmont’s cash’.²³⁶ D/Supt Campbell testified that ‘Jonathan Rees and police officers were arrested on 3 April’²³⁷ but omitted to mention the arrests of Glenn Vian and Garry Vian. Neither of them was called as witnesses at the Inquest.

3.7 The Coroner’s summing up and the verdict of the jury

143. In summing up on the eighth and final day of the Inquest,²³⁸ the Coroner reminded the jury of the matters defined by Rule 36(1)(a) of 1984 Coroners’ Rules that the Inquest had sought to ascertain:

- who the deceased was;
- how, when and where the deceased came by his death; and
- the cause of death to be determined so as to be registered.

144. The Coroner reiterated that, in relation to how Daniel Morgan died, the question was much wider than the medical cause of death. He stated, ‘*there were indeed many other matters and events which may have been related*’ and ‘*in the interests of a fuller investigation they all had to be examined [by the Inquest]*’.²³⁹

145. These matters, which the Coroner outlined, related to Belmont Car Auctions, the Golden Lion public house and various aspects of the evening of 10 March 1987. They included the telephone calls made and received by Jonathan Rees after 9.00 pm and forensic evidence, namely the damage found to Daniel Morgan’s trousers and the pattern of blood found around the body shown in the photographs.²⁴⁰

146. The Coroner addressed a number of theories about what might have happened to Daniel Morgan.²⁴¹ These were that:

- it was a contract killing committed by somebody unknown to Daniel Morgan;
- Daniel Morgan disturbed someone, who was armed with an axe, breaking into his car;
- it was a drug-related killing;
- Daniel Morgan was killed by a ‘*mad axe-man*’;
- it was a gang-related killing; or
- the murderer was an enemy of Daniel Morgan (either related to his job or his relationships with women).

147. The Coroner stated specifically that he was going to use the word ‘*exonerated*’ regarding DC Peter Foley and DC Alan Purvis, on the basis that there was nothing to connect them to the murder.²⁴² Furthermore, the Coroner said that the murder had nothing to do with their

236 Report by D/Supt Douglas Campbell, MPS022269001, p25, 22 January 1988.

237 Witness D/Supt Douglas Campbell, further examined by the Coroner, Inquest Day Four, INT000004001, p3, 14 April 1987.

238 Coroner’s summing up, Inquest Day Eight, INT000008001, pp117-136, 25 April 1988.

239 Coroner’s summing up, Inquest Day Eight, INT000008001, p118, 25 April 1988.

240 Coroner’s summing up, Inquest Day Eight, INT000008001, pp118-226, 25 April 1988.

241 Coroner’s summing up, Inquest Day Eight, INT000008001, pp126-130, 25 April 1988.

242 Coroner’s summing up, Inquest Day Eight, INT000008001, p130, 25 April 1988.

involvement with Belmont Car Auctions, which was a separate matter and for another agency to investigate.²⁴³ The Coroner did not exonerate Jonathan Rees, former DS Sidney Fillery, Glenn Vian or Garry Vian, who had been arrested at the same time.

148. The Coroner was acting within his discretion in pointing out that, as a matter of fact, no evidence had been presented to connect DC Peter Foley and DC Alan Purvis to the murder of Daniel Morgan and that possible involvement with the Belmont Car Auctions was a separate matter and lay outside the Inquest's remit. However, as the jury was precluded from appearing to determine criminal liability of any named individual,²⁴⁴ the Coroner should have refrained in his summing up from exonerating named individuals.

149. The Coroner stated that the Inquest had heard no forensic evidence to link anyone with the murder of Daniel Morgan, and that he hoped this fact would be taken up by the press.²⁴⁵

150. The Coroner stated that, during the time of his involvement, the police had '*steadfastly kept up a constant investigation*' and that they had produced '*stacks and stacks of statements*'.²⁴⁶ He said of the police investigation: '*No stone has been left unturned*' and '*I have been intimately aware of the zeal and extent of the investigation*'.²⁴⁷ He also referenced a review by DCS Douglas Shrubsole, who had '*spent three weeks looking at all aspects of the investigation*' and had found no fault with the investigation.²⁴⁸

151. Although the Coroner clearly noted that a lot of work had been undertaken by the police, his statement that '*no stone had been left unturned*' was not an accurate characterisation of the Morgan One Investigation.

152. The Panel's analysis of DCS Douglas Shrubsole's review has demonstrated that there is no evidence of what DCS Shrubsole looked at and that it only covered a limited period, and therefore should not have been described as '*looking at all aspects of the investigation*' (see Chapter 1, The Morgan One Investigation).

243 Coroner's summing up, Inquest Day Eight, INT000008001, p130, 25 April 1988.

244 Matthews, P., and Foreman, J.C., 1986, *Jervis on the Office and Duties of Coroners*, 10th edition, p195, para 16.18.

245 Coroner's summing up, Inquest Day Eight, INT000008001, p130, 25 April 1988.

246 Coroner's summing up, Inquest Day Eight, INT000008001, p132, 25 April 1988.

247 Coroner's summing up, Inquest Day Eight, INT000008001, p132, 25 April 1988.

248 Coroner's summing up, Inquest Day Eight, INT000008001, p133, 25 April 1988.

153. Referring to former DS Sidney Fillery's removal from the investigation, the Coroner pointed out, *'in fairness to Campbell and Fillery'*, that *'it was almost a unanimous thing between the two of them'* that DS Fillery should come off the case.²⁴⁹ He added that DS Fillery worked on the case for *'only four days in a period of one year and two months before the inquest began'*.²⁵⁰

154. In referring to the crucial first days of the investigation, the Coroner considered only the length of time during which DS Sidney Fillery was involved in the Investigation. What was actually at issue here was the fact that any officer who had such close connections to the deceased, and to a very significant witness such as Jonathan Rees, should not have been involved in the process of evidence-gathering at any time, but most particularly during the very critical early days of the murder investigation.

155. The Coroner stated: *'I have to say here and now that there has been no evidence whatsoever in this inquest to point to any police involvement in this killing; nothing that we have heard during this inquest.'*²⁵¹

156. The Coroner's remarks that there was *'no evidence whatsoever [...] to point to any police involvement in this killing'* was not accurate and overstated the evidential position. Kevin Lennon confirmed in his testimony at the Inquest what he had said in his statements to the police: he alleged that Jonathan Rees had told him that his *'mates at Catford'* would help him to kill Daniel Morgan. This was hearsay evidence pointing to police involvement. It was not corroborated by other evidence at the Inquest. The Coroner's remarks were later repeated by the Metropolitan Police and others to support the position that there was no police involvement in the murder.

157. The Coroner told the court, *'one verdict and one verdict only comes to mind'*.²⁵² The Coroner explained to the jury that they could return an open verdict, but said that, if the jury agreed that Daniel Morgan had died in the car park by *'an axe wielded by human hand'*, then only one verdict could possibly be returned: that he had been unlawfully killed.²⁵³

158. The jury retired to consider their verdict. Nine minutes later they returned to the court and communicated their verdict that Daniel Morgan had been unlawfully killed.²⁵⁴

249 Coroner's summing up, Inquest Day Eight, INT000008001, p133, 25 April 1988.

250 Coroner's summing up, Inquest Day Eight, INT000008001, p134, 25 April 1988.

251 Coroner's summing up, Inquest Day Eight, INT000008001, p134, 25 April 1988.

252 Coroner's summing up, Inquest Day Eight, INT000008001, p135, 25 April 1988.

253 Coroner's summing up, Inquest Day Eight, INT000008001, p136, 25 April 1988.

254 Coroner's summing up, Inquest Day Eight, INT000008001, pp136-137, 25 April 1988.

Chapter 3: The Hampshire/Police Complaints Authority Investigation

Contents

- 1 Introduction
- 2 Events leading to the commissioning of the Hampshire Investigation and the involvement of the Police Complaints Authority
- 3 Operation Drake: the establishment of a Major Incident Room and investigation team
- 4 Jonathan Rees: the prime suspect
- 5 Interview with DC Duncan Hanrahan
- 6 Information from Michael Goodridge, solicitor
- 7 Matters relating to 1987 diaries recovered from Southern Investigations
- 8 Claim that Daniel Morgan was about to sell information concerning alleged police corruption to the press
- 9 The culmination of the murder investigation: the arrests of Jonathan Rees, Paul Goodridge and Jean Wisden
- 10 Operation Plymouth
- 11 The conclusion of the Hampshire/Police Complaints Authority Investigation and submission of DCS Alan Wheeler's final report to the Authority
- 12 The independence of the Hampshire/Police Complaints Authority Investigation
- 13 Conclusions and findings

1 Introduction

1. From May 1988, after the Inquest into the death of Daniel Morgan, members of his family mounted further pressure on both the Metropolitan Police and the Police Complaints Authority to address their complaints about the conduct of the Morgan One Investigation.
2. The family's main concern was the role of DS Sidney Fillery in the initial investigation and their perception of his possible involvement in the murder. The view held by senior officers within the Metropolitan Police was that the family's approach did not constitute a complaint against the police, as defined by the Police and Criminal Evidence Act 1984. Nevertheless, the decision was taken to refer the matter to the Police Complaints Authority.
3. The decision was made for a police force other than the Metropolitan Police to carry out an investigation. The Hampshire/Police Complaints Authority Investigation formally began on 24 June 1988 and was conducted contemporaneously from this date with the ongoing Morgan One Investigation until responsibility was transferred in its entirety on 03 February 1989. Terms of Reference were determined, to investigate '*allegations that police were involved in the murder of Daniel Morgan and any matters arising therefrom*'.¹
4. The investigation's lines of enquiry included the allegations made by Kevin Lennon at the Inquest; the perceived connection to Belmont Car Auctions; the role of DS Sidney Fillery at the beginning of the ongoing Morgan One Investigation; and the scene of the murder. An interim report was submitted to the Police Complaints Authority.
5. In February 1989, a decision was made to arrest and charge Jonathan Rees, Paul Goodridge and Jean Wisden. The subsequent criminal proceedings and the events leading up to the decision by the Director of Public Prosecutions to discontinue the prosecution are detailed in the pages that follow.
6. After the decision to discontinue proceedings against Jonathan Rees and his co-defendants, the investigation continued but with a focus on possible police involvement in the murder.
7. The Hampshire/Police Complaints Authority Investigation came to an abrupt end before all investigative actions had been completed in July 1989 and the final report to the Police Complaints Authority was submitted on 08 September 1989.¹
8. There was very limited further review of Daniel Morgan's murder until 1999 when the Metropolitan Police initiated Operation Two Bridges, an intelligence-gathering operation focusing on the suspected criminal activities associated with Southern Investigations (see Chapter 4, Operation Nigeria/Two Bridges).

1.1 Chronology of key events relating to the investigation

- **24 June 1988** Detective Chief Superintendent Alan Wheeler was appointed as Senior Investigating Officer.
- **28 July 1988** Detective Chief Superintendent Alan Wheeler and Detective Chief Inspector Paul Blaker met with Kevin Lennon, with a view to assessing his credibility.
- **14 November 1988** A policy decision was recorded that the investigation would focus on the alibis of Jonathan Rees and Paul Goodridge.

¹ Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, 04 September 1989.

- **08 December 1988** Detective Chief Superintendent Alan Wheeler submitted his interim report to the Police Complaints Authority explaining his focus on Paul Goodridge and Jonathan Rees.
- **31 January 1989** Jonathan Rees, Paul Goodridge and Jean Wisden were arrested.
- **02 February 1989** Jonathan Rees and Paul Goodridge were charged with the murder of Daniel Morgan, and Jean Wisden was charged with attempting to pervert the course of justice.
- **23 February 1989** Detective Chief Superintendent Alan Wheeler submitted a report to the Director of Public Prosecutions setting out his case against the three accused.
- **11 May 1989** Proceedings against Jonathan Rees, Paul Goodridge and Jean Wisden were discontinued.
- **26 May 1989** Start of Operation Plymouth.
- **04 September 1989** Detective Chief Superintendent Alan Wheeler's final report to Police Complaints Authority.

1.1.1 Preliminary remarks from the Panel

9. Two key personalities involved in the Hampshire/Police Complaints Authority Investigation were DCS Alan Wheeler of the Hampshire Constabulary and Roland Moyle, the Deputy Chair of the Police Complaints Authority. At the outset of the Panel's work, both men were still living but sadly, during the course of the Panel's work, both died.

10. On the establishment of the Panel in 2013, former DCS Alan Wheeler took the initiative and wrote to the then Chair of the Panel, stating his willingness to assist. A preliminary meeting was held with him early in 2015. The intention was to hold a more structured interview with him later, once the Panel had completed its research of the Hampshire/Police Complaints Authority papers and there was more clarity of the issues that needed to be discussed with him. The Panel had started to receive documents only in January 2015. However, his health deteriorated and, while several telephone conversations took place subsequently in relation to specific matters, no further meeting was possible before the death of former DCS Wheeler.

11. The Panel wrote to Roland Moyle in 2016 seeking a meeting with him, but unfortunately his state of health meant this was not possible and he died the next year.

Persons and officers of significance to the Hampshire/Police Complaints Authority Investigation:

- Roland Moyle – Deputy Chair of the Police Complaints Authority
- Detective Chief Superintendent Alan Wheeler – Senior Investigating Officer
- Detective Chief Inspector Paul Blaker – Deputy Senior Investigating Officer, promoted to Superintendent on 01 April 1990
- Detective Chief Inspector Terence Farley – Head of the Scenes of Crime Department
- Police Sergeant John Riddell – HOLMES specialist

2 Events leading to the commissioning of the Hampshire Investigation and the involvement of the Police Complaints Authority

12. The 15 months following Daniel Morgan's murder had seen an increasing amount of public concern about the murder and the conduct of the ongoing Metropolitan Police investigation. The arrests of three police officers in April 1987 had generated substantial publicity, and the later public airing during the Inquest in April 1988 of allegations of police involvement in the murder, and of police officers allegedly 'moonlighting', had generated ongoing disquiet. Furthermore, members of Daniel Morgan's family had for some time been expressing their concern and frustration. Alastair Morgan, Daniel Morgan's brother, had informed the Metropolitan Police that he and his mother, Isobel Hülsmann, were not satisfied that enough was being done to find the perpetrators, and both Alastair Morgan and his mother had separately written several letters to the Home Secretary expressing their unhappiness at the way they were being treated and at the lack of progress.^{2,3,4,5}

2.1 Complaints by and pressure from members of the family of Daniel Morgan

13. From January 1988, members of the family had contact with Roger Gale MP (in his capacity as a Member of the House of Commons Home Affairs Select Committee) and Michael Mates MP.^{6,7} Michael Mates was Alastair Morgan's Member of Parliament, and on 23 February he wrote to the Metropolitan Police Commissioner suggesting that concerns set out in a letter from Alastair Morgan to Roger Gale MP at the end of January, which had been copied to him,

2 Telephone call from Alastair Morgan to DI Allan Jones, MPS012776001, 03 February 1988.

3 Letter from Alastair Morgan, MPS016376001, p1, 14 January 1988.

4 Letter from Isobel Hülsmann, MPS016375001, 15 January 1988.

5 Letter from Isobel Hülsmann MPS016372001, 09 February 1988.

6 Letter from Alastair Morgan to Roger Gale MP, MPS026459001, 23 January 1988.

7 Contact between Isobel Hülsmann and Roger Gale MP, MPS026459001, p1, 23 January 1988.

expressing the general dissatisfaction that Daniel Morgan's family was experiencing with how the Morgan One Investigation was being handled, '*constitutes a complaint for investigation*'.⁸ His letter was forwarded to the Metropolitan Police Complaints Investigation Bureau (CIB).

14. There were two issues raised in Alastair Morgan's letter that may have constituted complaints: DS Sidney Fillery's conduct during the murder investigation; and his alleged involvement with Belmont Car Auctions. Alastair Morgan asserted that by taking part in the initial murder investigation, DS Fillery was '*in grave breach of police protocol*' and that, on 11 March 1987:

*'Fillery entered my brother's offices in his capacity as an investigating officer and took possession [sic] of a number of documents, leaving no inventory. He was also one of the two officers who took [Jonathan] Rees in for questioning during the night following Daniel's death.'*⁹

15. In addition, Alastair Morgan stated that DS Sidney Fillery had '*failed to notify the Commissioner*' of the fact that he had been summoned as a witness to a court hearing concerning the Belmont Car Auctions robbery. He went on to claim:

*'It is illegal for police officers to take payment for any other employment. Fillery's brother, however, had at this time received payments from Southern Investigations. This, I believe was a method of laundering his gains.'*¹⁰

16. Alastair Morgan stated the reasons for writing his letter as being constantly to hold the case to public scrutiny and to procure the '*help and expertise*' of the Member of Parliament to whom it was addressed. Alastair Morgan also accepted, although '*not 100%*', that '*Fillery's inclusion in the squad appears to have been no more than a highly regrettable but totally unforeseen faux pas*', because he had '*as yet no reason to suppose that it was anything other than an unforeseeable error*'.¹¹

17. On 23 February 1988, the date the letter was forwarded to Metropolitan Police Commissioner Peter Imbert, Sidney Fillery was still a Detective Sergeant in the Metropolitan Police but, at that time, was on sick leave.¹²

18. On 29 February 1988, following receipt of Alastair Morgan's letter, an internal Metropolitan Police memorandum noted that the letter '*has NOT been classified as a Section 84 complaint against police at this stage*' [emphasis in the original].^{13,14} A complaint was defined in section 84 of the Police and Criminal Evidence Act 1984 as '*any complaint about the conduct of a police officer which is submitted by a member of the public or on behalf of a member of the public and with his/her written consent*'.¹⁵

8 Letter from Michael Mates MP, MPS039331001, 23 February 1988.

9 Letter from Alastair Morgan to Roger Gale MP, MP2026459001, p2, 23 January 1988. DS Fillery was not in fact one of the officers who dealt with Jonathan Rees on the night of Daniel Morgan's murder.

10 Letter from Alastair Morgan to Roger Gale MP, MPS026459001, p2, 23 January 1988.

11 Letter from Alastair Morgan to Roger Gale MP, MPS026459001, p3, 23 January 1988.

12 Sickness records former DS Sidney Fillery, MPS005107001, p5, 10 November 1988.

13 Memo from Principal MS14 to Supt (Complaints), MPS026457001, 29 February 1988.

14 Under the Police and Criminal Evidence Act 1984, the police retained considerable discretion over the handling of complaints and it was for the chief officer of the force to decide whether or not to record a complaint.

15 Section 84(4), the Police and Criminal Evidence Act 1984 (as originally enacted).

19. On 07 March 1988, another internal memorandum stated, '*the letter from Mr Morgan does not specify any actual complaint*'.¹⁶ The memo also referred to the fact that there were already parallel investigations ongoing: D/Supt Douglas Campbell's murder investigation, a disciplinary investigation relating to Belmont Car Auctions,¹⁷ and the possibility of a complaint being made against D/Supt Douglas Campbell by Jonathan Rees.¹⁸

20. At this time, John Smith was the Assistant Commissioner in charge of strategic planning, management services and public relations for the Metropolitan Police. AC Smith was also the line manager of DAC Peter Winship, who had responsibility for the Complaints Investigation Bureau,¹⁹ which dealt with complaints from the public and internal disciplinary investigations. On 07 April 1988, a memorandum from AC Smith's personal secretary to DAC Winship stated, '*we should tell Mr Mates that these allegations are already subject to the complaints process*'.²⁰ A letter to this effect was sent from DAC Winship to Michael Mates MP on 18 April 1988.²¹

21. In a later internal memorandum, Commander Kenneth Merton, of the Complaints Investigation Bureau, wrote:

*'[Alastair] Morgan's allegations are largely hearsay and contain a number of false suppositions. It is difficult to see how he had first-hand experience of any of the matters he raised nor would he be able to provide an adequate witness statement. It was therefore decided that Morgan should be advised through his MP that the matters he raised did not constitute a complaint under Section 84 of the P.A.C.E Act 1984.'*²²

22. The letter dated 23 February 1988 from Michael Mates MP to the Commissioner, Peter Imbert, suggesting that Alastair Morgan's letter stating his concerns was a complaint, did not constitute a substantive complaint as defined by the Police and Criminal Evidence Act 1984. The Metropolitan Police made a decision to investigate the matter but not as a complaint investigation. Therefore, the Metropolitan Police dealt with Alastair Morgan's letter of 23 January 1988 in accordance with the legislation at the time. Some of the concerns set out in the letter were already the subject of an internal disciplinary investigation.

23. Nevertheless, DCI Ernest Anderson of CIB was asked to examine disciplinary issues arising in the context of the officers' presence at Belmont Car Auctions. In a memorandum, he later described some of Alastair Morgan's points as '*irrelevant*' and based on '*misplaced assumptions*'.²³ However, he met with Alastair Morgan on 05 May 1988 and took a written statement setting out his concerns. As already indicated, these largely centred on the conduct of DS Sidney Fillery, who by that time had left the Metropolitan Police as he had retired on the grounds of ill-health. In the statement, Alastair Morgan said that he accepted that DC Peter Foley and DC Alan Purvis (both of whom had been arrested in connection with the murder in April 1987) were not involved in the murder and he had no complaint against either of them;

16 Memorandum from Supt Roy Sutherland to Commander M. J. Gough, MPS026456001, 07 March 1988.

17 This became the Report of D/Supt Alec Button, MPS015801001, 07 October 1988.

18 This became the Report of DCS David Lamper, MPS005459001, 17 November 1988.

19 DAC Peter Winship had overall responsibility for complaints investigation, he was the Director of the Complaints Investigation Bureau.

20 Memorandum from AC John Smith's Personal Secretary to Director CIB, MPS039327001, p1, 07 April 1988.

21 Letter from DAC Peter Winship to Michael Mates MP, MPS039326001, 18 April 1988.

22 Notification of possible complaint against police, MPS030002001, p2, 25 May 1988.

23 Memo from DCI Ernest Anderson to Commander, Complaints Investigation Bureau, MPS026449001, undated.

however, he believed that DS Fillery ‘*was implicated or may even have been responsible for the death of Daniel*’ and that PC Stephen Thorogood’s collection of documents from Southern Investigations ‘*may not have been carried out with proper integrity*’.²⁴

24. Alastair Morgan’s concerns about former DS Sidney Fillery were described by DCI Ernest Anderson as ‘*aspersions*’. DCI Anderson also stated that the comments about PC Stephen Thorogood did ‘*not constitute a formal complaint*’.²⁵ At the time of DCI Anderson’s report, the alleged misconduct of PC Thorogood was not the subject of either disciplinary or criminal proceedings. Alastair Morgan initially stated that ‘*I do not wish to make any complaints against either*’ DC Alan Purvis or DC Peter Foley, but began his next sentence ‘*However*’, going on to state his concerns about former DS Fillery and PC Thorogood.²⁶ This would appear to indicate that a complaint was being made about the conduct of former DS Fillery and PC Thorogood.

25. DCI Ernest Anderson decided that, as DS Sidney Fillery had now left the police but was still under criminal investigation, no further action in relation to the disciplinary aspects of this issue was necessary by the Metropolitan Police. This was the correct decision. On the grounds that Alastair Morgan had no complaint against the two Detective Constables, combined with the fact that former DS Fillery by that time was no longer a police officer, and in any case was still under criminal investigation by the Morgan One Investigation team, DCI Anderson recommended that the complaint should be ‘*classified as withdrawn*’.²⁷

26. D/Supt Campbell was at the time still conducting a murder investigation in which former DS Fillery remained a suspect.

27. DCI Ernest Anderson was wrong not to treat Alastair Morgan’s concerns about the conduct of PC Stephen Thorogood as a complaint. The concerns raised met the statutory definition of a complaint under section 84 of the Police and Criminal Evidence Act 1984 and should have been dealt with as such. A formal complaint against PC Thorogood, who, unlike former DS Fillery, was still a serving officer, should have been recorded and investigated.

28. The use of the disparaging description of Alastair Morgan’s serious concerns as ‘*aspersions*’ was dismissive and indicative of a defensive attitude on the part of DCI Ernest Anderson.

2.2 The Police Complaints Authority

29. On 12 May 1988, solicitors acting on behalf of Isobel Hülsmann and Alastair Morgan wrote to the Police Complaints Authority making a formal complaint against the Metropolitan Police and requesting that an outside force carry out an investigation.²⁸

²⁴ Witness statement of Alastair Morgan, MPS026450001, 05 May 1988.

²⁵ Memorandum from DCI Ernest Anderson, MPS026449001, undated.

²⁶ Witness statement of Alastair Morgan, MPS026450001, 05 May 1988.

²⁷ Witness statement of Alastair Morgan, MPS026450001, 05 May 1988.

²⁸ Letter from Gabb & Co Solicitors, MPS030019001, 12 May 1988.

30. The Police Complaints Authority had been established by the Police and Criminal Evidence Act 1984, and replaced the Police Complaints Board.^{29,30} The Police Complaints Authority had the power to direct that disciplinary charges be brought against police officers who were the subject of complaint, although it had no powers of its own to investigate and relied entirely on police forces to conduct enquiries.³¹ Under the legislation in force at the time, police forces could refer any matter to the Police Complaints Authority that appeared to indicate that an officer may have committed a criminal offence, or an offence against discipline, even though that matter was not the subject of a complaint but where it appeared that it ought nevertheless to be referred, due to either its gravity or exceptional circumstances.³²

31. On 12 May 1988, Isobel Hülsmann's and Alastair Morgan's solicitors wrote to the senior officer with responsibility for the Complaints Investigation Bureau, DAC Peter Winship, requesting that he personally carry out an investigation into the way in which the Morgan One investigation had been conducted, and especially into the involvement of former DS Sidney Fillery.³³ This was followed on 17 May 1988 by a letter in a similar vein addressed to the Commissioner.³⁴ On 25 May 1988, Isobel Hülsmann wrote to the Commissioner accusing former DS Fillery of being part of a conspiracy to murder her son.³⁵

32. On 18 May 1988, Roland Moyle, the Deputy Chair of the Police Complaints Authority, forwarded Isobel Hülsmann's and Alastair Morgan's solicitors' letter of 12 May 1988 to DAC Peter Winship and, noting the considerable amount of publicity the previous month's Inquest had received, wrote:

*'I am passing the letter on to you in order that you may consider whether or not to register the contents as a complaint. The responsibility is entirely yours, but my own view would be that it would be wise to do so. Should you do so, I would wish to call it in for supervision by myself on behalf of the independent Police Complaints Authority.'*³⁶

33. Noting the request for an outside force to be appointed, Roland Moyle continued:

*'I would not go along with this request, provided the Investigating Officer proposed was sufficiently distanced from the police officers involved in the investigation of the death of Daniel Morgan and the other matters relating thereto.'*³⁷

34. On 25 May 1988, Commander Kenneth Merton sent a memorandum to DAC Peter Winship dealing with both the letter from the Police Complaints Authority and with Alastair Morgan's letter of 23 January, which had been passed on by Michael Mates MP. Commander Merton set out four options, summarised below:

- i. To maintain a stance that the matters were not appropriate to be recorded as complaints;

29 Section 83(1) Police and Criminal Evidence Act 1984, as originally enacted.

30 Section 83(3) Police and Criminal Evidence Act 1984, as originally enacted.

31 Part IX, Police and Criminal Evidence Act 1984, as originally enacted.

32 Section 88, Police and Criminal Evidence Act 1988, as originally enacted.

33 Letter from Gabb & Co Solicitors, MPS026431001, 12 May 1988.

34 Letter from Gabb & Co Solicitors, MPS026435001, 17 May 1988.

35 Letter to Peter Imbert QPM, MPS039317001, 25 May 1988.

36 Letter from the Roland Moyle, Police Complaints Authority Deputy Chair (Investigations), to DAC Peter Winship, MPS030018001, 18 May 1988.

37 Letter from Roland Moyle, Police Complaints Authority Deputy Chair (Investigations), to DAC Peter Winship, MPS030018001, 18 May 1988.

- ii. Given that the solicitors' letter to the Police Complaints Authority was 'vague' as to what the matters subject to complaint were, to seek further information before deciding how to proceed;
- iii. To 'exceptionally' treat the matter as a complaint, 'although this would be in the face of normal practice'; or
- iv. To decide that there was not a complaint but that the matters arising out of the case were sufficiently serious as to warrant referral to the Police Complaints Authority.

35. Commander Merton stated that he was '*reluctantly [...] forming the view that the circumstances surrounding Morgan's murder will always be regarded with a suspicion that police officers may have been involved [and so] in our long-term interests it may be advisable to adopt option [iv]*'.³⁸

36. DAC Peter Winship sent Commander Kenneth Merton's note to AC John Smith, with the comment that, in view of the '*“mauling” the Force sustained at the hands of the [p]ress when reporting the related inquest*' and the possibility of '*increased Parliamentary pressure*', it was necessary to '*get the balance right*'.³⁹ On 30 May 1988, AC Smith directed that the case should be referred to the Police Complaints Authority.⁴⁰

37. There was an initial reluctance from senior officers of the Metropolitan Police to refer this matter to the Police Complaints Authority, and pressure from the family effectively forced their hand.

The decision to refer the matter was correct. Ultimately, whether the referral was voluntary or mandatory had no practical effect on the Police Complaints Authority's supervision of the Hampshire/Police Complaints Authority Investigation. In any case, it was clear that the seriousness of the allegations against officers in the Metropolitan Police warranted investigation.

2.3 Appointment of DCS Alan Wheeler to investigate

38. There then followed several weeks of activity and discussions between the Metropolitan Police and the Police Complaints Authority, including at least one meeting between Commander Kenneth Merton and Roland Moyle, which culminated in the appointment of DCS Alan Wheeler of Hampshire Constabulary as the Senior Investigating Officer.^{41,42} The details of the process, including the factors which resulted in Roland Moyle changing his initial opinion about the involvement of an outside police force to conduct the investigation and how Hampshire Constabulary came to be the force selected, are unclear. The Metropolitan Police, Hampshire Constabulary and Police Complaints Authority records are incomplete.⁴³ The Panel asked former Commander Merton about this issue, and while he acknowledged that he met with Roland

38 Notification of possible complaint against police, MPS030002001, pp 2-3, 25 May 1988.

39 Notification of possible complaint against police, MPS030002001, p 4, 27 May 1988.

40 Notification of possible complaint against police, MPS030002001, p 4, 30 May 1988.

41 Letter from Cdr Kenneth Merton, CIB, to Roland Moyle, MPS026469001, 24 June 1988.

42 Witness statement of former Cdr Kenneth Merton, MPS006112001, 14 August 1990, unsigned.

43 These are now in the custody of the Police Complaints Authority's successor organisation, the Independent Office for Police Conduct [IOPC] and those that still exist have been disclosed to the Panel.

Moyle and that most of the documents concerning the matter were signed by him or were in his name, his recollection was that the matter had been dealt with largely by DAC Peter Winship.⁴⁴ DAC Winship told the Panel that although he recalled the broad outline of the case and believed that he would have met with the Police Complaints Authority and negotiated DCS Wheeler's services with the Chief Constable of Hampshire, he had '*absolutely no recollection of the details and personalities involved*'.⁴⁵ The Panel was unable to meet with Roland Moyle to ascertain his recollection of events due to his ill-health.⁴⁶

39. On 24 June 1988, DCS Alan Wheeler was appointed as the Senior Investigating Officer, with the Terms of Reference that he was '[t]o investigate allegations that police were involved in the murder of Daniel Morgan and any matters arising therefrom'.⁴⁷ The same day, a letter was sent to the Police Complaints Authority notifying them of the appointment and stating that the Commissioner had requested that the investigation be supervised.⁴⁸ On 01 July 1988, Roland Moyle replied, accepting the voluntary referral and approving DCS Wheeler's appointment.⁴⁹ At the time, DCS Wheeler was the Head of Hampshire Constabulary's Criminal Investigation Department (CID) and, prior to assuming that role in April 1986, he had been Head of the Discipline and Complaints Department.⁵⁰

40. The decision to ask an outside force to conduct the investigation was correct, given the seriousness of the concerns about the possible involvement of police officers in Daniel Morgan's murder and the consequent requirement for an independent enquiry. However, the way the investigation was conducted did not demonstrate the level of independence expected.

41. Roland Moyle wrote to DCS Alan Wheeler on 01 July 1988, setting out the expectations of the Police Complaints Authority. These included a requirement to submit regular written reports, on at least a four-weekly basis, outlining progress in the investigation and including copies of statements and other relevant documents.⁵¹

42. On 14 July 1988, Roland Moyle wrote to Alastair Morgan to inform him that he would be the member of the Police Complaints Authority to supervise the investigation.⁵² He explained the Police Complaints Authority's supervisory role, and stated that at the end of the investigation the Police Complaints Authority would issue a statement indicating whether or not it had been conducted to their satisfaction, a copy of which would be sent to Alastair Morgan.⁵³

43. On 27 July 1988, a letter was sent on behalf of DAC Peter Winship to the solicitors representing Alastair Morgan and Isobel Hülsmann. This letter gave an overview of the key people involved in the Hampshire/Police Complaints Authority Investigation and stated DCS

44 Interview of former Cdr Kenneth Merton with members of the Panel on 31 May 2016.

45 Letter dated 28 March 2017 from Sir Peter Winship to the Panel.

46 The Panel wrote to Roland Moyle in July 2016, but he was too ill to assist, and he died in July 2017.

47 Memo from Cdr Kenneth Merton to DCS Alan Wheeler, Hampshire Constabulary, MPS020664001, 24 June 1988.

48 Letter from Cdr Kenneth Merton to Roland Moyle, MPS026469001, 24 June 1988.

49 Letter from Roland Moyle to Cdr Kenneth Merton, MPS030032001, 01 July 1988.

50 The Panel was able to meet briefly with former DCS Alan Wheeler and had several telephone conversations with him, prior to his death in April 2017.

51 Letter from Roland Moyle to DCS Alan Wheeler, MPS026465001, 01 July 1988.

52 Letter from Roland Moyle to Alastair Morgan, PNL000117001, 14 July 1988.

53 Letter from Roland Moyle to Alastair Morgan, PNL000117001, 14 July 1988

Alan Wheeler's intent to interview Alastair Morgan and Isobel Hülsmann.⁵⁴ In an officer's report, DCI Paul Blaker, the Deputy Senior Investigating Officer for the Hampshire/Police Complaints Authority Investigation, stated that when he and DCS Wheeler interviewed Alastair Morgan on 03 August 1988, almost six weeks after the appointment of DCS Wheeler, '*it was explained to Mr. Morgan the reason for the Hampshire Constabulary enquiry*'.⁵⁵

44. On 26 August 1988, some two months after he had been appointed, DCS Alan Wheeler met with Isobel Hülsmann and a solicitor. During the course of the meeting, according to DCS Wheeler, they '*discussed the Daniel Morgan murder and I explained my enquiry*'. DCS Wheeler also stated that '*I explained to both of them that I could not tell them my lines of enquiry or the finer points of our investigation*'.⁵⁶ When asked whether Isobel Hülsmann or her solicitor would be informed of the outcome of the investigation, DCS Wheeler explained that he '*would not be in a position to do so. But it may be that he [Isobel Hülsmann's solicitor] will be told by the Police Complaints Authority*'.

45. The fact and general intention of, and arrangements for, the Hampshire/Police Complaints Authority Investigation were explained to the family of Daniel Morgan, and in particular to his mother and brother. However, this could have been done sooner.

46. From the papers disclosed to the Panel, there does not appear to have been any suggestion by the Police Complaints Authority, Metropolitan Police or DCS Alan Wheeler that the family of Daniel Morgan could have access to the reports arising from the investigation. This later became a contentious issue between the family and the Metropolitan Police (see Chapter 12, The Treatment of the Family).

2.4 DCS Alan Wheeler's approach to his Terms of Reference

47. DCS Alan Wheeler's Terms of Reference suggested that he was expected to investigate the actions of police officers only and implied that the murder investigation being carried out by the Metropolitan Police was to continue. However, there was a great deal of ambiguity within the Terms of Reference in the term '*matters arising*', and it is not clear to the Panel (and, as will be shown, was possibly not entirely always clear to DCS Wheeler or the Police Complaints Authority) whether the term encompassed criminal matters uncovered during the investigation that were not linked to the murder; and whether it also extended to the manner in which the original Metropolitan Police investigation had been conducted. As will also be shown, this lack of clarity appears to have contributed to a loss of focus on possible police corruption and other misconduct.

48. The Hampshire/Police Complaints Authority Investigation's Terms of Reference, which were '*[t]o investigate allegations that police were involved in the murder of Daniel Morgan and any matters arising therefrom*', were not specific enough about what the investigation should cover.

⁵⁴ Letter to Gabb & Co sent on behalf of DAC Peter Winship, MPS020659001, 27 July 1988.

⁵⁵ Report of DCI Paul Blaker, MPS018863001, p1, 11 August 1988.

⁵⁶ Report of DCS Alan Wheeler, MPS022885001, p1, 31 August 1988.

49. The Terms of Reference should have encompassed not just potential police involvement in the murder, but also, specifically, allegations that police officers undermined the investigation.

50. Years later, in an email from a former member of the Hampshire team, sent to the Home Office in November 2004, responding to questions posed during the preparation of a briefing about the case for a Minister, it was stated that the investigation was a criminal investigation and that, *'[t]he Hampshire terms of reference did not include pursuing disciplinary matters. Any that arose were to be passed back to the met [sic].'*⁵⁷

51. It may be that this was the tacit understanding at the time, as the Panel has seen no documentary or other evidence that this was the policy; nor has it seen any evidence that any of the several disciplinary issues brought to the notice of DCS Alan Wheeler, and discussed in this chapter, were ever referred to the Metropolitan Police.

52. That the Morgan One investigation was to continue was certainly the understanding of D/Supt Douglas Campbell, the Senior Investigating Officer. In a statement made in connection with civil proceedings in 1991, D/Supt Campbell said that at a meeting in June or July 1988 DCS Alan Wheeler had told him that:

*'I was in charge of the murder investigation and that if in the course of his enquiries he found any additional evidence he would give it to me as part of my on-going investigation[...]. My murder investigation was running alongside the PCA [Police Complaints Authority] enquiry, although very little further information was being obtained.'*⁵⁸

53. Some years later, in April 1996, DCI Thomas Smith of the Metropolitan Police, who was reviewing the aspect of the investigation relating to former Police Officer Z31 (see paragraphs 422-449 below), met the Hampshire/Police Complaints Authority Investigation's Office Manager, a Police Sergeant, and asked why certain actions had not been taken during the Hampshire Investigation. The Police Sergeant had replied that *'they had nothing to go on but that they were not running a murder enquiry anyway'*.⁵⁹ In an interview with the Panel, former DCI (later D/Supt) Smith said that, based on his knowledge of the Hampshire/Police Complaints Authority Investigation, he agreed with the Police Sergeant's statement and that in his opinion the Hampshire team had not conducted a full murder investigation.⁶⁰

54. In 1997, during a meeting with solicitors, Alastair Morgan stated that he was informed that DCS Alan Wheeler had changed his Terms of Reference in the middle of the Hampshire/Police Complaints Authority Investigation. Alastair Morgan became concerned that, rather than examining possible police involvement in the murder, as required by his Terms of Reference, DCS Wheeler had moved to a full murder investigation and had not told the Morgan family about this.⁶¹

57 Email from D/Supt David Kilbride, Hampshire Constabulary, to the Home Office, 04 November 2004.

58 Witness Statement of D/Supt Douglas Campbell, MPS037223001, p14, 05 February 1991, unsigned.

59 Interview of former D/Supt Thomas Smith with members of the Panel, 02 August 2016.

60 Interview of former D/Supt Thomas Smith with members of the Panel, 02 August 2016.

61 *'Untold: The Daniel Morgan Murder Exposed'*, Blink Publishing, by Alastair Morgan & Peter Jukes, p181, 2017.

55. The Panel sought an explanation from former DCS Alan Wheeler as to whether the Terms of Reference had changed during the course of the investigation. Former DCS Wheeler explained that his Terms of Reference encompassed a range of possibilities, from direct responsibility of officers for the actual murder, to a more arm's length commissioning or supporting role, and a variety of motives including police corruption. He told the Panel that he considered that the Terms of Reference given to him by the Metropolitan Police had been '*too restrictive*'.⁶² He therefore decided that, in order to comply with them and establish whether police officers had been involved in the murder, his approach should be to reinvestigate the murder.⁶³ This was a much wider investigation than that indicated by the established Terms of Reference.⁶⁴

56. Former DS David Kilbride, who later became a Detective Superintendent, of the Hampshire/Police Complaints Authority Investigation, told the Panel that '*[t]he discussion within the MIR [Major Incident Room] about the change of approach went on for some time*', almost from the outset. He summarised the change as emerging logically following the posing of the question that the Hampshire/Police Complaints Authority Investigation had to answer: '*Were the police involved in the murder of Daniel MORGAN?*' That could not be answered without knowing who had murdered Daniel Morgan, he explained, which would necessitate a murder investigation rather than a misconduct investigation.⁶⁵

57. DS David Kilbride's statement is supported by the minute of a meeting that took place on 15 July 1988 between DCS Alan Wheeler and Roland Moyle of the Police Complaints Authority. Roland Moyle recorded DCS Wheeler as saying that:

*'he feels he will have to look at the whole murder enquiry including FILLERY's involvement, which appears to include picking up documentation from the PI's [private investigator's] office, which subsequently disappeared.'*⁶⁶

58. It is clear that at that stage, the Police Complaints Authority did not feel that for DCS Wheeler to '*look at the whole murder enquiry*' involved him straying outside his Terms of Reference. However, by September the position had changed. On 02 September 1988, following a meeting between the two men, Roland Moyle noted, '*I told WHEELER he was in effect pursuing a second murder enquiry but if he found the murderer he was to tell me before taking further action, as in view of PII [Public Interest Immunity], presentation was of prime importance*'.⁶⁷

59. Examination of DCS Alan Wheeler's policy file suggests that he formally changed his approach to his Terms of Reference some time prior to mid-November 1988 (although he had not yet obtained approval to do so). Decision 19, dated 14 November 1988, reads:

'THE INVESTIGATION IS TO CONCENTRATE ON THE ALIBI OF PAUL GOODRIDGE, AND JOHN [sic] REES FOR THE NIGHT OF 100387[.] THIS IS TO BE TREATED WITH THE UTMOST SECRECY DATED 141188' (emphasis in original)⁶⁸

62 Telephone conversation between members of the Panel and former DCS Alan Wheeler, 04 April 2016.

63 Telephone conversation between members of the Panel and former DCS Alan Wheeler, 04 April 2016.

64 Terms of Reference for the Hampshire/Police Complaints Authority Investigation, MPS020664001, 24 June 1988.

65 Panel interview of former D/Supt David Kilbride, PNL000269001, 28 June 2016.

66 Minute of meeting, HOM000376001, p4, 15 July 1988.

67 Minute of meeting, HOM000376001, p4, 02 September 1988. It is not clear to the Panel what connection Public Interest Immunity had to this issue.

68 SIO Policy Document Operation Drake decision number 19, MPS035201001, p3, 14 November 1988.

60. This is the first recording of a decision to focus directly on non-police subjects, rather than on police officers. On 02 November 1988, DCS Alan Wheeler had caused a reconstruction to be carried out at the scene of the murder, which was not obviously directly relevant to the involvement of police officers.⁶⁹ In an interim report to the Police Complaints Authority, dated 08 December 1988, he wrote that '*[t]he main thrust of [my] investigation has been to re-investigate the murder of MORGAN with emphasis on whether there was police involvement*',⁷⁰ and that the main purpose of the report was '*to highlight the diminishing alibis of Paul GOODRIDGE and John [sic] REES*'.⁷¹ It should therefore have been clear to the Police Complaints Authority that, by 08 December 1988, DCS Wheeler was investigating matters relating to non-police personnel.

61. The Panel accepts that DCS Alan Wheeler needed to reinvestigate the murder in order to fulfil his Terms of Reference but considers that the decision to reinvestigate should not have entailed losing focus on possible police involvement.

62. On 19 December 1988, Roland Moyle discussed the investigation with the Chair of the Police Complaints Authority, Sir Cecil Clothier, who agreed that '*it would be in order and an integral part of the complaints investigation for WHEELER to arrest and charge REES/GOODRIDGE/Jean WISDEN*'.⁷²

63. On 20 December 1988, a number of telephone conversations took place between DCS Alan Wheeler, Chief Constable John Hoddinott of Hampshire Constabulary, Roland Moyle and AC John Smith of the Metropolitan Police, in which DCS Wheeler sought and was granted permission to seek the advice of the Director of Public Prosecutions concerning the strength of the evidence that had been gathered to date against Jonathan Rees, Paul Goodridge and Jean Wisden.⁷³ Subsequently, DCS Wheeler met with AC Smith and it was agreed that his investigation '*should continue, but in the furtherance of prosecuting the suspects*'.⁷⁴

64. An entry in DCS Wheeler's policy file, dated 13 January 1989, recorded that it had been decided that he was to '*remain the SIO and to investigate the murder of Daniel Morgan*'.⁷⁵ Despite this policy decision, no change was made to the written Terms of Reference, and D/Supt Campbell was not informed of the decision.

65. In a record of a meeting that took place on 05 April 1995, between lawyers representing the Metropolitan Police and lawyers representing Hampshire Constabulary in a civil action, commenced by Jonathan Rees, it was noted:

69 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p14, para 56, 04 September 1989.

70 Interim Report of DCS Alan Wheeler to the Police Complaints Authority, MPS022468001, p3, para 9, 08 December 1988.

71 Interim Report of DCS Alan Wheeler to the Police Complaints Authority, MPS022468001, p3, para 10, 08 December 1988.

72 Minute of meeting, HOM000376001, p4, 19 December 1988.

73 Telephone call from DCS Alan Wheeler to Roland Moyle, MPS028830001, 20 December 1988.

Telephone call from Roland Moyle to DCS Alan Wheeler, MPS028827001, 20 December 1988.

Telephone call from Chief Constable John Hoddinott to DCS Alan Wheeler, MPS028826001, 20 December 1988.

Notes of telephone conversations, HOM000376001, p5, 20 December 1988.

Witness statement of former Superintendent Paul Blaker, MPS000880001, p19, paras 81-82, 25 July 1996.

74 Witness statement of former DCS Alan Wheeler, HAM000315001, p34, paras 53-55, 24 July 1996.

75 SIO Policy Document Operation Drake decision 23, MPS035201001, p4, 13 January 1989.

*'There was reference to the situation when DCS Wheeler approached [AC John Smith]. [... A] decision was made for Hampshire to prosecute, as if the prosecution failed in the Met's hands, there would have been even more criticism.'*⁷⁶

66. This meeting of the lawyers took place some six years after the decision to transfer the responsibility for investigating Daniel Morgan's murder from the Morgan One Investigation to the Hampshire/Police Complaints Authority Investigation, and no one involved in that decision was present. However, it must be presumed that the lawyers based their statement on some authority, either contemporaneous or a later written record that the Panel has not seen, or from conversation with those involved. This strongly suggests that the motive for the decision was at least partly to protect the reputation of the Metropolitan Police, as much as it was to allow DCS Alan Wheeler to comply effectively with his Terms of Reference.

67. In a later report to the Metropolitan Police Authority in January 2006 (see Chapter 7, The 2006 Report from the Metropolitan Police Service to the Metropolitan Police Authority), DAC John Yates said:

*'There is no indication or evidence that can be found that, once initially agreed, the Terms of Reference were ever changed. Officers from Hampshire were interviewed during the 2002 investigation and when this was suggested it was denied in the strongest possible terms.'*⁷⁷

68. DAC John Yates accepted, however, that a change of strategy had occurred and said that it was *'a natural approach to adopt, for although it was specifically tasked to look at "Police involvement" it would have been criticised if it had not consider [sic] the potential involvement of other parties'*.⁷⁸

69. Although at the beginning of 1989 D/Supt Douglas Campbell was working with reduced numbers of staff, he was continuing to pursue his investigation. However, he later recorded that he did not become aware of the fact that DCS Alan Wheeler was also investigating the murder until the day after the arrests of 31 January 1989 (see paragraph 367 below), when he was told about them by the Metropolitan Police Press Office, after it had been contacted by the *Daily Mirror* newspaper.⁷⁹ Then, on 03 February 1989, he was informed that AC John Smith had taken the decision that DCS Wheeler now had full responsibility for investigating Daniel Morgan's murder and that the Police Complaints Authority had agreed to this.⁸⁰

76 Metropolitan Police Solicitor's Department Attendance Note, MPS038840001, p2, 05 April 1995.

77 Report of DAC John Yates to the Metropolitan Police Authority, MPS105740001, p36, para 215, 31 January 2006.

78 Report of DAC John Yates to the Metropolitan Police Authority, MPS105740001, p37, para 217, 31 January 2006.

79 Policy File of D/Supt Douglas Campbell, decision 33, MPS004821001, p34, 03 February 1989.

80 Policy File of D/Supt Douglas Campbell, decision 33, MPS004821001, p34, 03 February 1989.

70. In a witness statement dated 24 July 1996, DCS Alan Wheeler stated that shortly before Christmas 1988 his investigation '*indicated MORGAN had been murdered by REES and/or GOODRIDGE*'. He then '*offered to undertake the prosecution [sic] into MORGAN'S murder*'.⁸¹ He said:

'I saw no conflict in investigating the allegations of Police involvement and later investigating or reinvestigating the murder of MORGAN.

'In the back of my mind was the fact that allegations of Police involvement would only be completely proved or disproved if the culprits responsible for MORGAN'S murder were brought to book and it was found that they were assisted or not assisted by the Police.

*'I felt the murder of MORGAN had to be reinvestigated because that was the only way I could ascertain whether there was police involvement or not.'*⁸²

71. DCS Alan Wheeler went on to say:

*'I was not totally happy with this intended course of action. I did not want to keep Detective Superintendent CAMPBELL out of this, but I had to if my investigation was to keep its integrity. I had to be independent. Because of REES' conduct with policemen, I felt I had to keep the original Metropolitan Investigation Team at arms [sic] length. I did not want this, but I felt I had no choice.'*⁸³

72. DCS Alan Wheeler was investigating non-police involvement in the murder at least two months before obtaining formal approval to do so from the Metropolitan Police and the Police Complaints Authority.

The Terms of Reference should have been revised in December 1988, once the decision had been taken to approve the investigation of the murder as a whole, rather than matters relating to police officers. D/Supt Douglas Campbell should have been informed, and the Morgan One Investigation should have been closed. The Hampshire/Police Complaints Authority Investigation's task would have been clarified had the Terms of Reference been revised.

73. It is clear that the change of approach to the Terms of Reference and the change in role, from investigating police officers to investigating a murder allegedly committed by other individuals who were not police officers, caused the Police Complaints Authority some concern. On 01 February 1989, after Jonathan Rees, Paul Goodridge and Jean Wisden had been arrested, a memorandum was issued to all Police Complaints Authority staff and was also published as a press release. It stated that the Police Complaints Authority was '*resolutely determined*' that the fact that evidence gathered during a Police Complaints Authority-supervised investigation could also be used for the purpose of arresting and possibly charging people with a crime '*should not happen as a general Authority policy*'. The memorandum went on to state:

81 Witness statement of former DCS Alan Wheeler, HAM000315001, p34, paras 53-54, 24 July 1996.

82 Witness statement of former DCS Alan Wheeler, HAM000315001, pp8-9, paras 29-31, 24 July 1996.

83 Witness statement of former DCS Alan Wheeler, HAM000315001, p34, para 56, 24 July 1996.

*'The reply to such allegations is that the arrests are an integral part of the complaints investigation[...]. [DCS Wheeler] has been reviewing the original murder investigation. Clearly, the best way of demonstrating the inadequacy of the original investigation is to find out who the murderer actually is. To this end it has been necessary to arrest three people to assist the Hampshire Police with their enquiries.'*⁸⁴

74. A decision was taken by the Director of Public Prosecutions in May 1989 to discontinue criminal proceedings against Jonathan Rees and his two co-defendants. DCS Wheeler's focus then returned to the matter of '*police involvement*'. In a minute of a meeting held on 16 May 1989, Roland Moyle noted, '*DCS WHEELER now intends to resume the main enquiry*',⁸⁵ which has been interpreted to be a reference to the original purpose of the investigation. However, a week earlier, on 10 May, Roland Moyle had sent a memorandum to the Police Complaints Authority Press Officer in which he said, '*[t]he investigation into the way in which the Metropolitan Police investigated the murder of Daniel MORGAN in 1987 and complaints relating thereto [...] will continue*'.⁸⁶ It is not clear exactly what the phrase '*the way in which the Metropolitan Police investigated the murder*' encompassed: for example, whether it included the efficacy of the manner in which D/Supt Douglas Campbell had carried out his investigation, or whether it was restricted to allegations that corruption had played a part in thwarting the investigation, or otherwise.

75. It was not clear whether there was a requirement for the Hampshire/Police Complaints Authority Investigation to investigate the manner in which the original murder investigation had been conducted. Although the Police Complaints Authority memorandum of 10 May 1989 from Roland Moyle stated that DCS Alan Wheeler would do just this, there was no explicit instruction to do so, nor any evidence that DCS Wheeler did so in any coordinated and focused manner.

There was a risk of duplication of effort, and of either or both the Hampshire/Police Complaints Authority and Morgan One Investigation being compromised by the lack of coordination and clear division of responsibility between them. There is no evidence that any steps were taken to ameliorate the consequences of two parallel investigations taking place into the same murder. The decision to allow both investigations to run at the same time was wrong.

84 Memo from Police Complaints Authority to all Authority members and press release, HOM000376001, p5, 01 February 1989.

85 Minute of meeting, HOM000376001, p 7, 16 May 1989.

86 Memorandum from Roland Moyle to Police Complaints Authority, HOM000376001, p7, 10 May 1989.

3 Operation Drake: the establishment of a Major Incident Room and investigation team

3.1 Initial steps: liaison with the Metropolitan Police and staffing levels of the Hampshire team

76. DCS Alan Wheeler's first task in June 1988 was to familiarise himself and his team with the detail of the Morgan One Investigation and with the operation of the Major Incident Room. To that end, he was briefed by senior Metropolitan Police officers. He also met with D/Supt Douglas Campbell on several occasions, and with the Coroner, Sir Montague Levine. He informed the Panel that he was satisfied with the cooperation he received from both men.⁸⁷

77. He also took possession of copies of the Metropolitan Police's papers, including a copy of the MICA database, which was then transferred onto Hampshire's HOLMES⁸⁸ system.⁸⁹ However, the incompatibility of the two systems and the relatively unsophisticated computer technology of the day meant that this was a lengthy exercise, and it was not completed until 12 September 1988.^{90,91}

78. Towards the end of July 1988, as part of this process, specialist officers from the Hampshire Constabulary/Police Complaints Authority Investigation spent some time in the Metropolitan Police's Major Incident Room speaking with key staff about the operation of the room and the administration of the investigation. The Morgan One Investigation's Office Manager, DS Malcolm Davidson, when asked by the Panel, recalled that they were there for about two weeks.⁹² Their findings were set out by one of the officers in a report, which was severely critical of what they discovered (see paragraphs 86-95).⁹³

79. The Metropolitan Police offered DCS Alan Wheeler accommodation for his Major Incident Room at Feltham Police Station, but he declined and instead occupied facilities at Fareham Police Station in Hampshire.^{94,95} The Panel has been informed by one of DCS Wheeler's officers that throughout the investigation he was insistent that a clear distance should be kept between the Hampshire Constabulary team and the Metropolitan Police and that, largely for security reasons, no Metropolitan Police facilities were to be used.⁹⁶ Initially his team comprised 15 staff, although the numbers fluctuated above and below that during the next 14 months.⁹⁷

80. A Detective Sergeant from the Metropolitan Police was appointed as liaison officer between the Hampshire/Police Complaints Authority Investigation and the Metropolitan Police Complaints Investigation Bureau.⁹⁸ It is not clear if a liaison officer was appointed between the Hampshire/Police Complaints Authority Investigation and the Morgan One Investigation, which continued to operate until February 1989, at which time entire responsibility for the murder

87 Interview of former DCS Alan Wheeler by members of the Panel, 24 March 2015.

88 HOLMES is the Home Office Large Major Enquiry System. The HOLMES computer was introduced to manage major crime investigations in England, Wales and Scotland in the 1980's. HOLMES databases record documentation generated during an investigation and contain indices of the information within that documentation.

89 Interview of a Police Constable, Hampshire Constabulary HOLMES team, by members of the Panel, 24 February 2016.

90 Report of PS John Riddell, Hampshire Constabulary HOLMES team, MPS022903001, 12 September 1988.

91 Report of DCS Alan Wheeler to the Police Complaints Authority, MPS020651001, p4, para 10, 04 September 1989.

92 Interview of former DS Malcolm Davidson by members of the Panel, 20 October 2015.

93 Report of PS John Riddell, Hampshire Constabulary HOLMES team, MPS022906001, 28 July 1988.

94 Interview of former DCS Alan Wheeler by members of the Panel, 24 March 2015.

95 Memorandum from DCS Alan Wheeler to staff at Fareham and Portsmouth Police Stations, MPS026981001, 28 July 1988.

96 Panel interview of former D/Supt David Kilbride, PNL000269001, 28 June 2016.

97 Memorandum from DCS Alan Wheeler to staff at Fareham and Portsmouth Police Stations, MPS026981001, p2, 28 July 1988.

98 Letter from DCS Alan Wheeler to Cdr Kenneth Merton, MPS025520001, p2, 13 September 1988.

investigation was transferred to the Hampshire/Police Complaints Authority.⁹⁹ However, former DS Malcolm Davidson, the Morgan One Investigation's Office Manager told the Panel that, after the initial contact and transfer of papers, they heard nothing more from the Hampshire team until about the time arrests were made some months later.¹⁰⁰

81. After responsibility for the murder investigation was transferred from the Morgan One Investigation, a more senior officer, D/Supt Alan Lewis, was appointed as liaison officer between the Metropolitan Police Complaints Investigation Bureau and the Hampshire/Police Complaints Authority Investigation, something which the Police Complaints Authority was informed of on 18 January 1989.¹⁰¹ D/Supt Lewis worked with the Hampshire/Police Complaints Authority Investigation full-time in the lead up to the arrests of Jonathan Rees, Paul Goodridge and Jean Wisden and until charges were subsequently laid, and he shared the office at Fareham Police Station occupied by DCS Alan Wheeler and DCI Paul Blaker.¹⁰²

82. The Panel was unable to question former DCS Alan Wheeler about the staffing numbers (15 members of staff initially), which seems to the Panel to be very few in number for a complex murder investigation. However, former DCI Paul Blaker told the Panel that, in his view, *'the staffing level was the minimum but [...] that if additional staff had been required then Mr Wheeler would have been able to organise it'*. He was unaware of any constraints placed on the investigation by Hampshire Constabulary.¹⁰³

83. Former D/Supt Douglas Campbell told the Panel that he had never been given any information about the work of the Hampshire officers but that when DCS Alan Wheeler *'started criticising [his] investigation'* he assumed that they must have had more resources at their disposal than he had been given.¹⁰⁴ On the point of resources, he subsequently informed the Panel that DCS Wheeler had told him that, if the investigation had been in Hampshire and he had had to interview a large number of persons who had been in a public house, he would simply have summoned as many officers as there were witnesses and allocated an officer to each witness and would have had a statement from each by the next day.¹⁰⁵ However, the Panel is unclear as to the wider nature of any criticisms to which former D/Supt Campbell was referring and in what form they were conveyed.

84. The Hampshire/Police Complaints Authority team was initially comprised entirely of supervisory and managerial ranks and no Detective Constables were deployed until the end of January 1989, when seven additional officers were attached to the investigation to assist with the arrests of Jonathan Rees, Paul Goodridge and Jean Wisden on 31 January 1989, *'and the subsequent urgent enquiries'*.¹⁰⁶ A member of the Hampshire/Police Complaints Authority Investigation told the Panel that the investigation was poorly resourced compared with more typical murder investigations carried out in Hampshire, where it was not unusual for 50 or more detectives to be deployed.¹⁰⁷ However, he also said that the Hampshire/Police Complaints Authority Investigation *'was not seen as being in the initial response stage so it did not attract the 50-100 strong team of detectives that a brand new murder would have. That was why there*

99 Policy file of D/Supt Douglas Campbell decision 33, MPS004821001, p 34, 03 February 1989.

100 Interview of former DS Malcolm Davidson by members of the Panel, 20 October 2015.

101 Telephone conversation between Roland Moyle and DCS Alan Wheeler, MPS028787001, 18 January 1989.

102 Witness statement of former Supt Paul Blaker, HAM000880001, p20, para 84, 25 July 1996.

103 Letter from former DCI Paul Blaker to the Panel, 24 January 2017.

104 Interview of former D/Supt Douglas Campbell by members of the Panel, 11 February 2015.

105 Email from former D/Supt Douglas Campbell to the Panel, 04 April 2017.

106 Report from DCS Alan Wheeler to Roland Moyle, MPS020651001, p37, para 145, 04 September 1989 and *'Operational order – Drake arrests'*, MPS025706001, p2, 31 January 1989.

107 Panel interview of former Supt David Kilbride, PNL000269001, 28 June 2016.

were two teams of two conducting the enquiries in London.’ Former DCI Paul Blaker later said ‘[i]t was directed that all witnesses who had been interviewed by Metropolitan Police Officers would be revisited and re-interviewed by Hampshire Investigating Officers’ and ‘[a]ll Police Officers who had been involved in the Metropolitan murder investigation would be visited by Hampshire investigating Officers and interviewed in respect of their involvement’.¹⁰⁸ This would have been a major task involving interviewing several hundred people. No such decision was ever recorded.

85. The Panel has been unable to ascertain whether the staffing level was the result of a deliberate policy, designed to keep what was a sensitive investigation secure, or whether it had more to do with a reluctance or inability on the part of Hampshire Constabulary to provide the necessary resources for an investigation in another police force area. The Panel notes and accepts to a limited degree the assertion that because the investigation was not dealing with the initial stages of a murder enquiry, it did not require the large numbers of staff usually deployed in the first days. Nevertheless, many of the tasks directed to be undertaken, such as the re-interviewing of all witnesses and police officers involved in the Morgan One Investigation, and the surveillance carried out on Jonathan Rees and Margaret Harrison (see paragraphs 271-283 below), demanded far more personnel than were deployed if they were to be carried out effectively and in a timely manner.

The low staffing levels and the structure of the Hampshire/Police Complaints Authority Investigation (until January 1989 consisting entirely of a handful of officers of supervisory and managerial rank) remained throughout more suited to a misconduct enquiry than to a murder investigation, and this had an adverse effect on the effectiveness of the investigation.

3.2 Analysis of the administration of the Morgan One Investigation

86. In the initial stages of the establishment of the Hampshire/Police Complaints Authority Investigation, PS John Riddell, a HOLMES specialist with Hampshire Constabulary, was tasked by DCS Alan Wheeler to conduct an analysis of the administration of the Morgan One Investigation’s Major Incident Room. This was not with a view to assessing the integrity or effectiveness of the enquiry but rather in order to assist with the transfer of data and the launch of the Hampshire Investigation. However, in the event, PS Riddell produced a ten-page, typewritten report, which, as well as dealing with the technical issues surrounding the transfer of data, was highly critical of the operation of the Metropolitan Police investigation and of the running of the Major Incident Room in particular. It was produced on 28 July 1988 and fed into the Hampshire HOLMES system by PS Riddell himself.^{109,110}

87. Among other issues, the report criticised the fact that the Senior Investigating Officer, D/Supt Douglas Campbell, had not maintained a policy file¹¹¹ and the excessive number of roles within the incident room undertaken by the ‘Office Manager’, DS Malcolm Davidson, contrary

¹⁰⁸ Witness statement of former Supt Paul Blaker, HAM000339001, pp12-13, paras 48 and 49, 25 July 1996.

¹⁰⁹ Report of PS John Riddell, Hampshire Constabulary HOLMES team, MPS022906001, 28 July 1988.

¹¹⁰ Interview of former PS John Riddell by members of the Panel, PNL000215001, 13 January 2016.

¹¹¹ Report of PS John Riddell, Hampshire Constabulary HOLMES team, MPS022906001, p2, 28 July 1988.

to the practices laid down in the national procedures. There was no personal criticism of DS Davidson in this regard, as the situation was perceived to be largely the result of the manner in which the Metropolitan Police conducted murder enquiries at the time.¹¹²

88. In the report, PS John Riddell described the failure to allocate and operate roles in the normal way, so as to ensure quality assurance in the investigation, as *'a recipe for disaster'*.¹¹³ He also commented that *'better organisation within the incident room was required'* and reported that examination of the filed papers revealed serious shortcomings in the procedures for handling documents. For example, a random check on a Morgan One Investigation document containing the names and addresses of people who had been *'at the scene'* of the murder, revealed two individuals who had not been entered onto the Metropolitan Police database and thus had not been interviewed. PS Riddell concluded that the shortcomings he had identified *'would undoubtedly affect the successful conclusion of an enquiry'* and this was *'a serious cause for concern'*.¹¹⁴

89. PS John Riddell searched for copies of the *'marked up and /or indexed copies'* of statements taken during the investigation. These are copies of statements that have been read by the Statement Reader and would have indicated on them the significant details within them which were to be *'indexed'* on the database. He was unable to find them and so asked DS Malcolm Davidson where they were. DS Davidson replied that he had destroyed them as the investigation had begun to be run down because he no longer considered them of any use. This response led PS Riddell to conclude: either that material *'had been removed before [his] visit, as close knowledgeable inspection would disclose incident room failings and/or other incriminating evidence'*; or that DS Davidson was so inexperienced in major incident procedures that he did not realise the importance of dealing with the files properly; or that the material had never existed in the first place.¹¹⁵ He thought that the explanation given was *'totally unacceptable'* and concluded that there was *'little doubt that important lines of enquiry appear to have been missed'*.¹¹⁶ In October 2020, former DS Davidson informed the Panel that he did not recall this conversation with PS Riddell, and that he had not withheld or destroyed any documents to the detriment of the Morgan One Investigation and nor had anyone else, as far as he was aware.

90. The Panel also raised the issue of the number of roles held by DS Malcolm Davidson with former DS Davidson himself in an interview in November 2014. He readily acknowledged that he had carried out several roles but said that he had shared the *'Statement Reader'* role with D/Supt Douglas Campbell. He also pointed out that he had never received any training in running a Major Incident Room in accordance with the procedures introduced in 1982¹¹⁷ and that this was one of the first investigations in which he had used Major Incident Room Standard Administrative Procedures stationery.¹¹⁸

91. None of the police officers deployed to carry out word processing and indexing in the Morgan One Investigation was a trained typist. PS John Riddell considered that this is likely to have led to inaccuracies in typing. Proofreading, which was best practice in every investigation so as to ensure the accuracy of typed documents compared with handwritten originals, had not been carried out.¹¹⁹

112 Report of PS John Riddell, Hampshire Constabulary HOLMES team, MPS022906001, 28 July 1988.

113 Report of PS John Riddell, Hampshire Constabulary HOLMES team, MPS022906001, p2, 28 July 1988.

114 Report of PS John Riddell, Hampshire Constabulary HOLMES team, MPS022906001, pp4-5, 28 July 1988.

115 Report of PS John Riddell, Hampshire Constabulary HOLMES team, MPS022906001, pp3-4, 28 July 1988.

116 Report of PS John Riddell, Hampshire Constabulary HOLMES team, MPS022906001, pp7-8, 28 July 1988.

117 The Association of Chief Police Officers (ACPO) published the first edition of MIRSAP in 1982.

118 Panel interview of former DS Malcolm Davidson, PNL000196001, 20 October 2015.

119 Report of PS John Riddell, MPS022906001, p4, 28 July 1988.

92. PS John Riddell later submitted a further report after he had reviewed the files relating to the house-to-house enquiries carried out by the Morgan One Investigation in the vicinity of the Golden Lion public house. In it, he made the following observations:

‘As a general comment the house-to-house questionnairing [sic] was poorly undertaken & not fully completed. There is no marking-up of this documentation which would tend to indicate that once more there was no proper “reading” or follow-up of the information on the documents. There is in my opinion grounds to undertake further enquiries & interviews of some of the individuals seen by the Metropolitan Police.’¹²⁰

93. The Panel met former PS John Riddell in January 2016. He explained that initially he received no feedback about his first report, but that some months after he had submitted it, he had ‘bumped into’ DCS Alan Wheeler at a social function. DCS Wheeler made reference to the report and said that it had caused him ‘quite a few problems’ but he did not elaborate.¹²¹

94. On 16 November 1988, the Deputy Chair of the Police Complaints Authority, Roland Moyle, telephoned DCS Alan Wheeler, who recorded the exchange somewhat succinctly:

‘Roland Moyle: “I have read the statement [sic] of Sgt Riddell. I am concerned about his comments and have you dealt with them and considered them – regarding the incident room at St Mary Cray?”

‘DCS Wheeler: “Yes”.’¹²²

95. This is clearly a reference to the report of PS John Riddell on the administration of the Morgan One Investigation and is perhaps the source of the ‘problems’ about which DCS Alan Wheeler spoke with PS Riddell. The report by PS Riddell was not referred to in DCS Wheeler’s final report to the Police Complaints Authority. DCS Wheeler should have dealt with the issues raised by PS Riddell in his final report to the Police Complaints Authority. As both men are now deceased, the Panel has been unable to discuss this issue with either Roland Moyle or former DCS Wheeler.

3.3 Analysis of Morgan One forensic-related matters: report by DCI Terence Farley

96. In addition to PS John Riddell’s analysis (see paragraphs 86-95 above), DCI Terence Farley, Head of the Scenes of Crime Department of Hampshire Constabulary, was tasked by DCS Alan Wheeler with reviewing the forensic aspects of the Morgan One Investigation. As with PS John Riddell, it appears that the original aim of DCI Farley’s task was to assist with the launching of the Hampshire Investigation, but his report also serves to inform a wider analysis of the integrity and effectiveness of elements of the Morgan One Investigation and the manner in which it was scrutinised and reported on by the Hampshire/Police Complaints Authority Investigation.

97. DCI Terence Farley carried out his review between 06 September and 27 October 1988 and interviewed in depth all the personnel involved in the forensic aspect of the Metropolitan Police investigation, in addition to reviewing the papers relating to forensic and scene examination.

¹²⁰ Report of PS John Riddell, MPS022904001, 23 August 1988.

¹²¹ Panel interview of former PS John Riddell, PNL000215001, 13 January 2016.

¹²² Message from Roland Moyle to DCS Alan Wheeler, MPS030461001, 16 November 1988.

He noted that the Senior Investigating Officer, D/Supt Douglas Campbell, had not personally consulted with or visited the Forensic Science Laboratory in connection with the case until 07 July 1988, some 16 months after Daniel Morgan's murder.¹²³

98. He produced a detailed report, which he submitted to DCS Alan Wheeler, and while he found no corruption in the forensic aspects of the investigation, he concluded that:

*'forensically the case was not handled at all professionally and there was obvious neglect probably through either ignorance or incompetence and fragmented involvement. There was an obvious lack of direction, co-ordination, management and supervision. The initial effort must be described as pathetic.'*¹²⁴

99. DCI Terence Farley also gave details of an informal discussion which he had had with D/Supt Douglas Campbell on 26 October 1988. During the conversation, D/Supt Campbell disclosed his personal views of the investigation, his frustration at the lack of progress and his concerns regarding some of the officers working on his team.

100. DCI Farley went on to say:

'If required, I can elaborate on my opinion of:

- a. Detective Superintendent Campbell who I have known personally for a number of years;*
- b. the known and suspected criminal involvement by police officers;*
- c. the robbery enquiry which featured in this case;*
- d. a double agent;*
- e. the suicide of a detective officer; and*
- f. unwise criminal and domestic associations by Metropolitan police officers revealed during the course of the original enquiry.'*¹²⁵

101. There is no evidence that DCI Terence Farley was ever asked to elaborate on his offer by DCS Alan Wheeler. When asked by the Panel about the report, former DCS Wheeler said that he remembered it well but thought that it was *'over critical and too cynical'* and that if he had been aware of its contents before it was submitted *'it would not have read the way it did. Nevertheless, it's his report and should stand on its own merit.'* However, somewhat incongruously, later in the conversation with the Panel, DCS Wheeler acknowledged that DCI Farley's conclusions were *'probably correct'*.¹²⁶

102. Former DCS Alan Wheeler told the Panel that, while he remembered a reference to the death by suicide of a police officer, he could not remember any of the other points, but he did observe that he thought it could not be right that DCI Terence Farley had known D/Supt Douglas Campbell for a number of years, as DCI Farley had never served in the Metropolitan Police.¹²⁷

123 Report of DCI Terence Farley, MPS005270001, p17, 19 January 1989.

124 Report of DCI Terence Farley, entitled *'Operation Drake – Enquiries into the Forensic Aspect of the Original Investigation of the Murder of Daniel Morgan at Sydenham, London SE26, on the 10th March 1987'*, MPS005270001, p23, 19 January 1989.

125 Report of DCI Terence Farley, MPS005270001, pp19-20, 19 January 1989.

126 Telephone conversation between former DCS Alan Wheeler and a member of the Panel, 08 April 2015.

127 Telephone conversation between former DCS Alan Wheeler and a member of the Panel, 08 April 2015.

The Report of the Daniel Morgan Independent Panel

In January 2010 former DCI Farley was questioned about this by defence solicitors acting for Jonathan Rees, and he told them that he had previously been on a course with D/Supt Campbell. However, in relation to the other matters he had listed in his report he stated that he could recall nothing.¹²⁸ The Panel sought an interview with former DCI Farley, but he did not respond to the invitation.

103. DCI Terence Farley interviewed his last witness on 27 October 1988. His report was submitted on 19 January 1989. However, it was not registered on the Hampshire/Police Complaints Authority Investigation HOLMES database until much later, on 08 March 1989. Perhaps significantly, it was not registered as an 'Officer's Report', as it should have been in accordance with the Major Incident Room Standard Administrative Procedures, but as an 'Other Document', and not typed onto HOLMES.^{129,130} This would have made accessing its contents or identifying its importance impossible via the computer. It could only be read if the original document was located.¹³¹

104. There is no evidence that either of the two staff who were Statement Readers in the Hampshire/Police Complaints Authority Investigation saw the report. Former DS David Kilbride, one of the Statement Readers, who would have normally read it, had it been handled properly in accordance with Major Incident Room Standard Administrative Procedures, told the Panel that he had no recollection of ever having seen it. He explained that he would have had a particular interest in any document concerning the forensic matters surrounding Daniel Morgan's death, as he had a special interest in forensic issues and had spent a lot of time considering them in the context of the Daniel Morgan investigation.¹³²

105. Apart from a brief reference to Jonathan Rees, there is no evidence that any of DCI Terence Farley's conclusions, whether concerning forensic issues or the matters raised with him by D/Supt Douglas Campbell, were taken any further by DCS Alan Wheeler, or even discussed with DCI Farley. Nor is there any evidence that DCS Wheeler reported the matters to the Metropolitan Police or to the Police Complaints Authority.

106. Former DCS Alan Wheeler's remarks to the Panel, about the report by DCI Terence Farley, combined with his reported remarks concerning PS John Riddell's report,¹³³ are indicative of the fact that the way in which both reports were dealt with may have been a conscious act, rather than an inadvertent one. It suggests that DCS Wheeler was anxious that criticism of the Metropolitan Police Service investigation was at the very least kept to a minimum, if not entirely suppressed.

128 Account of telephone call to Cousins Tyrer Solicitors by former DCI Terence Farley, CLA000057001, 08 January 2010.

129 In accordance with MIRSAP.

130 Operation Drake Document D443, MPS005270001, 19 January 1989.

131 Amongst the series of filed original copies of Operation Drake Other Documents in respect of document D443, which was the Farley report, there is only a plain sheet of A4 paper. There is no form MIR/15 appended to the front as with other Other Documents. Handwritten on the paper is: 'D443 in basket to [sic] large. D/C//s [sic] FARLEY's Report.' The report itself is missing, MPS025792001 (undated).

132 Panel interview of former D/Supt David Kilbride, 28 June 2016.

133 PS Riddell told the Panel that he entered his report onto the HOLMES database from his office at Hampshire Constabulary headquarters.

3.4 DCS Alan Wheeler's policy relating to investigative actions

107. In his first recorded policy decision, taken on or about 25 July 1988, DCS Alan Wheeler instructed that investigative actions should be directed and authorised only by him or by his deputy, DCI Paul Blaker.¹³⁴ This was not consistent with normal policy as provided for in the Major Incident Room Standard Administrative Procedures and has not been explained. Normally when a Statement Reader,¹³⁵ having read a document submitted during an investigation, considered that further action was required arising out of its contents, this would be indicated on the document and would be considered an explicit instruction.¹³⁶ However, during the Hampshire/Police Complaints Authority Investigation, the Statement Reader's directions were only regarded as advisory and were subject to ratification by DCS Wheeler or DCI Blaker. The Panel questioned the Statement Reader about this and he confirmed that this was not the usual practice in Hampshire murder enquiries, where Major Incident Room Standard Administrative Procedures rules were always followed.¹³⁷ It was not possible for the Panel to ask former DCS Wheeler this question, but former DCI (later Supt) Blaker was asked by the Panel and was of the view that the reason was '*an attempt to keep the lines of enquiry tight and focussed*'.¹³⁸ The Panel has seen a number of examples of sensible and potentially fruitful investigative actions indicated by the Statement Reader that were not accepted by DCI Blaker and were not therefore carried out, to the undoubted detriment of the investigation. Some specific instances will be discussed throughout this chapter.¹³⁹

108. The decision by DCS Alan Wheeler that investigative actions could only be directed by him or by DCI Paul Blaker, rather than allowing the normal procedures to take effect, had an adverse effect on the conduct of the investigation. The suggestion by former DCI Blaker that this was an attempt to keep tight lines of enquiry and focus is not convincing as, when operated correctly, the procedures set out in Major Incident Room Standard Administrative Procedures enable exactly this. Both DCS Wheeler and DCI Blaker were detectives of immense experience who had operated at senior levels within major investigations many times and would have been aware of this. The Major Incident Room Standard Administrative Procedures should have been followed.

3.5 Witness evidence: Kevin Lennon

109. Within three days of establishing the investigation, DCS Alan Wheeler and DCI Paul Blaker interviewed Kevin Lennon, who had made the allegation (initially to former DCI Laurence Bucknole) that Jonathan Rees had engaged police officers stationed at Catford Police Station either to kill Daniel Morgan themselves or to arrange for him to be killed.

¹³⁴ SIO Policy document Operation Drake, decision 1, MPS035201001, p2, 25 July 1988.

¹³⁵ The statement reader was an experienced investigator who had responsibility for reading in detail all documentation coming into the MIR, indicating the content to be indexed and raising actions to be raised, MIRSAP 1982, Section 4.8.

¹³⁶ Major Incident Room Standardised Administrative Procedures (MIRSAP) 1982, p19, section 4.8.

¹³⁷ Panel interview of former D/Supt David Kilbride, 28 June 2016.

¹³⁸ Letter from former Supt Paul Blaker to the Panel, 24 January 2017.

¹³⁹ The Panel makes the assumption that in all these cases DCI Blaker was acting fully in accordance with the policy set out by DCS Wheeler. In a statement made in 1996 in connection with the civil action by Paul Goodridge against Hampshire Constabulary, former Supt Blaker said, '*In my position as the Deputy to Detective Chief Superintendent WHEELER I was made aware of all matters. I saw all documentation which was generated by the investigation team and directed lines of enquiry to be pursued. Mr WHEELER and I operated out of one office which we shared and it was our normal practice to discuss together the evidence, further lines of enquiry and ensure that between us there was an open free flowing exchange of information, intelligence, ideas and concerns. I never at any time felt that I was kept in ignorance of any matter.*' Witness statement of former Supt Paul Blaker, HAM000880001, p10, para 39, 25 July 1996.

110. In two detailed statements taken in September 1987, Kevin Lennon had:

- i. described the increasingly acrimonious relationship between Daniel Morgan and Jonathan Rees, and said that over a period of time Jonathan Rees '*grew to despise and hate MORGAN*', because of his alleged '*sloppiness*' and the '*annoying aspects*' of his personality, as well as disdain for his physical disability;
- ii. alleged that Jonathan Rees had made a number of attempts to have Daniel Morgan breathalysed or arrested by the police for drink-driving, in order to get rid of Daniel Morgan from their partnership;
- iii. alleged that Jonathan Rees had stated on several occasions that he wanted Daniel Morgan killed;
- iv. claimed that Jonathan Rees had asked him if he knew anyone who would be able to kill Daniel Morgan and then asked him to find someone to carry out the murder;
- v. alleged that Jonathan Rees had later told him that he had arranged for his '*mates at Catford Nick*' to carry out the murder, that they were either going to kill Daniel Morgan themselves or arrange for others to do so, within the area covered by Catford Police Station, so that they could be sure of being involved in the subsequent investigation;
- vi. said that Jonathan Rees had told him that he would have to pay the police £1,000 for this;
- vii. stated that Jonathan Rees had told him that once Daniel Morgan was dead, DS Sidney Fillery, who was aware of the plans for the murder, would receive a medical discharge from the police and replace him as Jonathan Rees's partner at Southern Investigations.^{140,141}

111. DCS Alan Wheeler and DCI Paul Blaker met Kevin Lennon on 28 July 1988 with a view to assessing his credibility. DCS Wheeler later reported that:

'[i]t is difficult to assess Lennon's credibility or truthfulness in such a short time. He was sober, well-dressed, in good control of himself and didn't vary from his previous statements'.

However, he continued:

*'[o]n balance it is difficult to believe [him]. None of the important parts of his statement is substantiated or corroborated. [He] says Rees was going to arrange for Morgan to be breathalysed – this was never done. Lennon had a strong motive for assisting the murder investigation. [He] was assisted at the Crown Court because of his help and he received a suspended sentence.'*¹⁴²

112. DCS Alan Wheeler decided to review the situation in one month, when he would have been better able to assess the information that had been provided.¹⁴³

140 Witness statement of Kevin Lennon, MPS010520001, 04 September 1987.

141 Witness statement of Kevin Lennon, MPS010528001, 15 September 1987.

142 Report of DCS Alan Wheeler, MPS022887001, p2, 02 August 1988.

143 Report of DCS Alan Wheeler, MPS022887001, p2, 02 August 1988.

113. The allegations made by Kevin Lennon were specific and indicated police involvement in the murder. This was a logical and proper point from which to start the Hampshire/Police Complaints Authority Investigation.

114. DCS Alan Wheeler sought information from the Inland Revenue in relation to the tax fraud for which Kevin Lennon was later convicted (See Chapter 1, Morgan One Investigation).^{144,145,146} On 04 August 1988, a report was received containing the bare facts of the case and giving some detail of the Inland Revenue's dealings with the Morgan One Investigation. This report stated that Kevin Lennon's girlfriend had stood surety for him when he was granted bail and reported speculation that Jonathan Rees had provided some of the money paid to the Court to guarantee the bail.¹⁴⁷

115. DCS Alan Wheeler sought details of Kevin Lennon's visitors and correspondence while he was on remand in Wormwood Scrubs Prison in connection with the tax-related fraud for which he was later convicted.¹⁴⁸ On 11 August 1988, a report was submitted listing his visitors, who included his girlfriend. Furthermore, the response to DCS Wheeler's request for information identified that Kevin Lennon's girlfriend did not appear to have been interviewed at any stage and that she may have had useful information. However, '*no further action*' was directed on this matter by DCI Paul Blaker, on 11 October 1988. No reason was stated.^{149,150}

116. An interview could have been sought to corroborate the allegations that Jonathan Rees had asked Kevin Lennon to find someone to kill Daniel Morgan, and the other conversations which Kevin Lennon claimed to have had with Jonathan Rees. It is not clear why the elementary task of interviewing Kevin Lennon's girlfriend was not authorised. This was a missed opportunity to gain evidence from a potentially important witness. DCI Blaker should have followed this line of enquiry.

117. The circumstances surrounding the way in which Kevin Lennon's evidence was originally provided were examined by the Hampshire/Police Complaints Authority Investigation. DCI Paul Blaker listened to the tape-recordings of the conversation between Kevin Lennon and former DCI Laurence Bucknole, and obtained the tape-recordings of the conversations between Kevin Lennon and Jonathan Rees. He also interviewed former DCI Bucknole. Nothing of significance was discovered from any of these actions.^{151,152,153,154,155}

144 Message from DCS Wheeler regarding Inland Revenue, MPS030681001, 01 August 1988.

145 Report of DCS Alan Wheeler, MPS020462001 p1, 02 August 1988.

146 Report of DI Rex Carpenter, MPS022459001, 04 August 1988.

147 Report of DI Rex Carpenter, MPS022459001, 04 August 1988.

148 Action A21, MPS031053001, 04 August 1988.

149 Action A21, '*Obtain details of LENNON's visitors / correspondence whilst he was on remand at HMP Wormwood Scrubs*', MPS031053001, 04 August 1988.

150 Report of a Prison Liaison Officer, Hampshire Constabulary, MPS022286001, 11 August 1988.

151 Action A23, '*Obtain copy of tape of conversation between Laurence BUCKNOLE and Kevin LENNON*', MPS031060001, 10 August 1988.

152 Report of DCI Paul Blaker, MPS022323001, 22 September 1988.

153 Action A24, '*Obt copy tape of conversation – LENNON & REES*' MPS031062001, 10 August 1988.

154 Action A40, '*Int Laurence BUCKNOLE re his knowledge of LENNON*', MPS031089001, 25 August 1988.

155 Report of DCI Paul Blaker, MPS023016001, 25 August 1988.

118. On 01 September 1988, DCS Alan Wheeler and DCI Paul Blaker again met Kevin Lennon, who was reported to be *'less confident and less prepared'* than on their previous visit. DCS Wheeler's report indicates that the two detectives openly expressed to him their doubt that he was telling the truth. They asked him to tell them anything which would *'verify, confirm or substantiate what was in his statements'*.¹⁵⁶

119. Kevin Lennon prevaricated at first, but then said that he would tell them something that he had not told anyone else. He stated that, when Jonathan Rees asked him to find someone to murder Daniel Morgan, he had contacted an unnamed known criminal, who had recently been acquitted of importing 40kg of cannabis into the country. The two men had discussed a price of between £5,000 and £7,000 and approached a third man, whose identity Kevin Lennon claimed not to know, but whose first name he thought was *'John'*. He told Jonathan Rees about this, and a meeting was arranged at a public house during which Jonathan Rees was supposed to pay *'John'* and the other man £3,000 in advance, but Jonathan Rees failed to keep the appointment. Kevin Lennon said that when he challenged Jonathan Rees about his non-attendance at the meeting, he allegedly told him that he had already made alternative arrangements with police officers at Catford Police Station, specifically with DS Sidney Fillery.¹⁵⁷

120. DCS Alan Wheeler asked Kevin Lennon why he had not informed D/Supt Douglas Campbell of all this. Kevin Lennon said he thought that he had given sufficient information for Jonathan Rees to be arrested. DCS Wheeler pressed him for the identity of the man he claimed to have approached initially. Kevin Lennon provided some more background information about the man, but did not disclose his name, and said that he no longer had the man's telephone number, as his telephone and address book had been stolen in a burglary.¹⁵⁸

121. Questioned further, Kevin Lennon said that it had not actually been his plan to carry out the murder. The intention was to take the money from Jonathan Rees, since he was unlikely to make a complaint of theft to the police. DCS Alan Wheeler wrote in his report:

*'Detective Chief Inspector Blaker and I are both of the opinion that the credibility of Lennon is deminishing [sic]. The way in which he recounted this latest story of hatching a plot with Man No. 1 and John [sic] does not come across with much degree of truthfulness.'*¹⁵⁹

156 Report of DCS Alan Wheeler, MPS022884001, p 1, 01 September 1988.

157 Report of DCS Alan Wheeler, MPS022884001, p2, 01 September 1988.

158 Report of DCS Alan Wheeler, MPS022884001, p4, 01 September 1988.

159 Report of DCS Alan Wheeler, MPS022884001, p4, 01 September 1988.

122. It is understandable that DCS Alan Wheeler was somewhat sceptical about what Kevin Lennon had to say and about his motives for saying it since, having provided information to the Morgan One Investigation about Jonathan Rees, the sentence he received on conviction for fraud, of 18 months' imprisonment suspended for two years, was significantly less than would have otherwise been imposed. This could have been regarded as a powerful incentive for him to have told the police what he thought they wanted to hear and to have embellished his account to make it even more appealing.

However, Kevin Lennon's evidence was not initially volunteered to the police but was obtained, lawfully and properly, through a secretly tape-recorded conversation which he had with former DCI Laurence Bucknole (see paragraph 109). He could, in many ways, be described as a reluctant witness and this was a significant aspect of his evidence and added to his credibility.

123. Five investigative actions were suggested by the statement reader in relation to the information available from and in relation to Kevin Lennon, including a suggestion that his girlfriend should be interviewed. DCI Paul Blaker declined to do this on 10 October 1988. No reasons for this decision were stated.¹⁶⁰

124. On 06 September 1988, Metropolitan Police intelligence officers were asked to identify the man recently acquitted of drug trafficking, based on the information provided by Kevin Lennon. A report of 16 September 1988 listed four possible persons, together with their addresses, telephone numbers where known, and brief summaries of their criminal histories. Records were created for all four men on the Hampshire/Police Complaints Authority Investigation's HOLMES database. No further investigation of this matter was carried out and it is not clear that they were eliminated from the enquiry.^{161,162} No attempt was made to identify the man called 'John', although the Panel accepts that the information given about him was much vaguer.¹⁶³

125. On 28 September 1988, an action was raised to establish whether the burglary, in which Kevin Lennon claimed his telephone and address book had been stolen, had been reported to the police.¹⁶⁴ However, this matter was not in fact investigated. It was recorded that the action was referred (i.e. held in abeyance) on 11 October 1988 and that DCS Alan Wheeler subsequently directed '*no further action*' on 03 October 1989, with no reason being given for the decisions either to refer the action or to carry it out.¹⁶⁵

¹⁶⁰ Report of a Detective Constable, MPS022976001, p3, 10 October 1988.

¹⁶¹ Action A63, '*DS MOSLEY to research to ID male with precons for GBH*', MPS031128001, 06 September 1988.

¹⁶² Report of DS John Mosley, MPS023215001, 16 September 1988.

¹⁶³ The statement reader, DS David Kilbride, marked up DCS Wheeler's report for an Action to be raised to, '*Identify 3rd man Christian name of John.*' DCI Blaker endorsed the report, '*LENNON to be further interviewed by DCI BLAKER to obtain identity or further details*', but this was not done, MPS022884001, p2 and p7, 28 September 1988.

¹⁶⁴ Action A182, '*Identify whether LENNON reported a burglary / robbery*', MPS031459001, 28 September 1988.

¹⁶⁵ Action A182, '*Identify whether LENNON reported a burglary / robbery*', MPS031459001, 28 September 1988.

126. No explanation has been found for the failure to check the crime register of the local police station to see whether the burglary described by Kevin Lennon had been reported to police and what had been recorded as stolen. A simple action such as this would have been useful, helping either to support Kevin Lennon's account or to cast doubt on it.

127. On 11 October 1988, an action was raised to interview a known criminal who knew Kevin Lennon. This was not done until May 1989 when a brief report was submitted to the effect that, although the man did not know either Daniel Morgan or Jonathan Rees, he thought that Kevin Lennon had been telling the truth. This added little of value to the investigation and nothing further was done about the matter.^{166,167}

128. Although former DS Sidney Fillery had not yet formally replaced Daniel Morgan as Jonathan Rees's partner at Southern Investigations, he had received a medical discharge from the Metropolitan Police and had worked in Southern Investigations in some capacity after the arrest of Jonathan Rees in January 1989, possibly on a temporary basis. DCS Alan Wheeler stated in his report to the Police Complaints Authority:

*'It has not been possible to establish whether Detective Sergeant FILLERY did gain employment with Southern Investigations following his discharge from the Police Service. From the time this enquiry commenced he has been a frequent visitor to the offices but at irregular times and whether or not it could be concluded that he was in employment is a matter of speculation[...]. He has during 1989 been employed in the company but this was as a direct result of this investigation's arrest of REES[...]. This was not the case when we interviewed Detective Sergeant FILLERY, when he categorically stated that he was not and did not intend working for REES.'*¹⁶⁸

129. DS Sidney Fillery retired from the police on medical grounds on 20 March 1988, and later became Jonathan Rees's business partner, as Kevin Lennon had said would happen.¹⁶⁹

130. Kevin Lennon had also alleged that Jonathan Rees had made attempts to have Daniel Morgan breathalysed.¹⁷⁰ This allegation was later supported by Person M12 interviewed by the Panel, who had been a friend of Daniel Morgan's and used to work for him, part-time, as a process server. He told the Panel that Daniel Morgan did drink and drive and was stopped on a number of occasions by the police. Person M12 said that:

*'[i]t got to the stage that Danny thought that someone was trying to fit him up for drink-driving, so there would be times when [he] would ring [me] late at night to ask [me] to come to the pub to drive him home. [... I] distinctly remember Danny telling [me] before his murder that he was worried about being fitted up for drink-driving.'*¹⁷¹

166 Action A249, 'Int DYSON (not on lists) N1133 re him telling DC [sic] HASLAM about murder,' MPS031703001, 11 October 1988.

167 Report of DS Dennis Stephens, MPS022332001, 12 May 1989.

168 Final report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, pp28-29, paras 110 – 112, 04 September 1989.

169 Report by D/Supt Alec Button, MPS015801001, p4, 07 October 1988.

170 Witness statement of Kevin Lennon, MPS010528001, p10, 15 September 1987.

171 Panel interview of Person M12, 11 August 2016.

131. Person M12 had provided a statement to the Morgan One Investigation in August 1987, which made no mention of the drink-drive allegation, although it is not clear whether more comprehensive information had been given orally, but not recorded in writing by the officer taking the statement.¹⁷² Person M12 was also seen by the Hampshire/Police Complaints Authority Investigation in October 1988, when it was reported that he was '*unable to contribute anything further to the enquiry*'.¹⁷³

132. Daniel Morgan had never been convicted of driving with excess alcohol, and it is not known whether he was ever breathalysed. However, DCS Alan Wheeler could have searched the Police National Computer to see whether a vehicle and person check had been conducted on him. This would have revealed the identity of any police officer who had made such a check. In addition to this, a search could have been made for a report on the administration of a breath test, even a negative one. A negative result to such enquiries would not have been conclusive, but a positive result could have lent support to what Kevin Lennon had claimed. There is no record of such apparently simple steps having been taken.

133. However, in his report to the Police Complaints Authority, DCS Alan Wheeler said:

*'Alleged attempts to have MORGAN breathalysed have received my Investigation Squad's attention but it has failed to produce any grain of truth. Once again [,] I am left with LENNON's own testimony.'*¹⁷⁴

134. Despite DCS Alan Wheeler's claim that the allegation that Jonathan Rees sought to have Daniel Morgan arrested for drink-driving had been investigated, there is no evidence that this matter was ever pursued: no actions were raised in relation to it and the assertion in DCS Wheeler's report is the only mention of it in the Hampshire/Police Complaints Authority case papers. However, the Panel was itself able to obtain relevant corroborative information, simply by interviewing Person M12.

135. On 11 January 1989, DCS Wheeler compiled a report prior to a meeting with AC John Smith entitled '*John [sic] Rees – Salient Points.*' It comprised five typewritten pages and listed 19 key elements of the case against Jonathan Rees. There was no reference in this report to Kevin Lennon or his allegations.¹⁷⁵

172 Witness statement of Person M12, MPS015635001, 25 August 1987.

173 Action A174, MPS031443001, 27 September 1988.

174 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p28, para 108, 04 September 1989.

175 Report of DCS Alan Wheeler, MPS022842001, 11 January 1989.

136. DCS Wheeler subsequently set out his conclusions concerning Kevin Lennon's allegations in his final report to the Police Complaints Authority. He said:

*'The allegation that REES was saying that he wanted MORGAN murdered and that Police would be involved is totally dependent upon LENNON and I have been unable to gain a shred of evidence or intelligence that corroborates his statement.'*¹⁷⁶

*'The allegation of Police involvement as introduced by Kevin Anthony LENNON is incapable of being corroborated.'*¹⁷⁷

*'It was timely when LENNON approached the murder squad and provided information hitherto unknown and thus added to the credibility of the arrest of the Police Officers. LENNON has benefitted from his information in that he received a minimal sentence for what was a serious crime.'*¹⁷⁸

*'Whilst I consider LENNON has discredited his own testimony, his evidence cannot be ignored but my investigation has failed to corroborate his account of "Police involvement in the murder of Daniel MORGAN".'*¹⁷⁹

137. In 1996, however, DCS Alan Wheeler made a statement in connection with the civil action taken against Hampshire Constabulary by Jonathan Rees and others. Dealing with Kevin Lennon's evidence, he said:

'LENNON gave evidence at the Coroner's Court and was cross examined on the issues raised in his statements. He remained firm about the allegations. I was impressed by LENNON's evidence. He had given it under oath and had stood up to cross examination. My enquiries had found nothing to show LENNON was not telling the truth. LENNON's evidence indicated REES to be responsible for the murder of MORGAN.'

'I knew that LENNON had been convicted of serious fraud offences and these offences, were hanging over him at the time he was making his statements to the Metropolitan Police regarding the MORGAN murder. We felt that everything LENNON said should be tested. We found nothing that LENNON told the Metropolitan Police to be other than truthful. We considered him to be a very important witness in the case against REES. Because he had these charges against him and had a vested interest in helping the Police, what he had earlier said to the Metropolitan Police and what he had said to us, we treated with reservation and examined thoroughly. We found nothing to disprove in what he had told us.'

*'I examined at length the evidence LENNON gave on oath at the inquest into MORGAN's death. I bore in mind that he had serious criminal charges pending against him and would welcome favourable comments from the Metropolitan Police to lessen his sentence. Having considered all this, I could not find anything wrong with LENNON's evidence. It stood up as the truth.'*¹⁸⁰

176 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p28, para 107, 04 September 1989.

177 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, pp79-80, para 344 (d), 04 September 1989.

178 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p80, para 344 (e), 04 September 1989.

179 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p82, para 344 (p), 04 September 1989.

180 Witness statement of former DCS Alan Wheeler, HAM000315001, pp6-7, paras 16-18, 24 July 1996.

138. While some difficulties with Kevin Lennon's evidence are acknowledged, given the inevitable doubts about his motives for giving it, it was not '*examined thoroughly*' as DCS Alan Wheeler asserted in 1996, as the Hampshire/Police Complaints Authority Investigation did not investigate simple lines of enquiry, such as the alleged burglary of Kevin Lennon's home in which his telephone and address book were stolen.

139. In February 2010, officers from a later investigation, Abelard Two (see Chapter 8, The Abelard Two Investigation) met former DCS Alan Wheeler and former DCI Paul Blaker to discuss Kevin Lennon's evidence. Former DCS Wheeler again said in respect of his investigation that '*in their view Kevin LENNON was telling the truth about REES and REES' requests to find someone to murder MORGAN[...]. They said that their concerns for his credibility centred around the fact that he was charged with Fraud.*'¹⁸¹

140. It is unclear why DCS Alan Wheeler was not more positive about Kevin Lennon's evidence at the time that he was carrying out his investigation and reporting to the Crown Prosecution Service and Police Complaints Authority. His views at this time contrast with the far more positive remarks expressed later, in 1996, in connection with the civil action taken against Hampshire Constabulary and in his 2010 account given during the Abelard Two Investigation. This was not the only issue on which he presented one point of view at the time, only to apparently revise his thinking and to adopt a different tone subsequently.

141. Kevin Lennon's credibility is enhanced by his having provided some accurate, corroborated information, including his assertion that DS Sidney Fillery would replace Daniel Morgan as Jonathan Rees's partner at Southern Investigations after retiring on medical grounds from the police. Furthermore, his assertion that Jonathan Rees had made attempts to have Daniel Morgan breathalysed was later supported by another witness (Person M12, see paragraph 130-131 above), who was available to the Hampshire/Police Complaints Authority team and may have provided the evidence had he been questioned thoroughly. Other lines of enquiry were not completed. Given the importance of Kevin Lennon's testimony, more systematic and sustained efforts should have been made to test the reliability of his account. Elements of it were capable of being corroborated or dismissed, had elementary steps such as those discussed in the preceding paragraphs been taken. It was a failure of the Hampshire/Police Complaints Authority Investigation that those steps were not taken.

¹⁸¹ Abelard Two message M1661, MPS001498001, 04 February 2010.

3.6 Enquiries related to the possible involvement of former DS Sidney Fillery in the murder of Daniel Morgan

142. A key element of the Hampshire/Police Complaints Authority Investigation was the possible involvement of newly ‘former’ DS Sidney Fillery, and other officers, in the murder of Daniel Morgan.

143. Former DS Sidney Fillery was categorised as a suspect on 25 July 1988.¹⁸² In an early investigative action raised in the investigation, it was decided to ‘[e]xamine documentation relating to Fillery [...]. Submit assessment together with proposals for further enquiry.’¹⁸³ On 10 April 1989 it was endorsed, ‘Above action covered during course of Operation Drake’ and marked as ‘NFA’ (No Further Action) on the directions of DCI Paul Blaker. No account or summary of the information supposedly collected, nor of any proposed action, was given.¹⁸⁴

144. There is no evidence that documentation relating to former DS Sidney Fillery was examined, and neither an assessment nor any proposal for further enquiry has been identified.

145. Six other early investigative actions were designed to gather background information on former DS Sidney Fillery, through records such as his personal file, duty diary and telephone bills, and through interviewing a senior officer who had previously been his line manager.¹⁸⁵ These actions were completed satisfactorily.

146. The investigation into former DS Fillery concentrated initially on two incidents which occurred on 09 March 1987: the encounter on Sydenham Road in the afternoon, when he claimed to have met Jonathan Rees while he was dealing with a man thought to be in possession of a stolen television set, and the meeting later in the evening when he and other officers met Jonathan Rees and Daniel Morgan in the Golden Lion public house (see Chapter 1, The Morgan One Investigation). Between 09 August 1988 and 28 November 1988, the Hampshire/Police Complaints Authority Investigation team interviewed seven¹⁸⁶

182 Action A4, ‘Raise a suspect file on FILLERY N4’, MPS031036001, 25 July 1988.

183 Action A6, ‘Examine documentation relating to FILLERY N4’, MPS031038001, 25 July 1988.

184 Action A6, MPS031038001, 25 July 1988.

185 Action A112, ‘Obtain and examine personal file of ex DS FILLERY’, MPS031292001, 16 September 1988.

A157, ‘Obtain N4 DS FILLERY’s desk diary’, MPS031383001, 27 September 1988.

A158, ‘Obtain duty sheets for Catford Crime Squad’, MPS031385001, 27 September 1988.

A197, MPS031502001, 03 October 1988.

A209, ‘Ascertain what duty functions FILLERY performed 140387’, MPS031819001, 07 October 1988.

A223, ‘Make enquiries with B Tel – ascertain if FILLERY’s telephone was in use 100387’, MPS031797001, 07 October 1988.

186 Witness statement of Stephen Thorogood, MPS018589001, 09 August 1988.

Witness statement of Peter Newby, MPS010347001, 10 October 1988.

Witness statement, MPS010965001, 27, October 1988.

Witness statement of a Police Sergeant MPS010618001, 31 October 1988.

Witness statement MPS010970001, 01 November 1988.

Action A279, ‘Int a Police Constable re meet of FILLERY / REES / MORGAN 090387’, MPS031589001, 15 November 1988.

Action A278, ‘Int [...] re meet of FILLERY / REES / MORGAN 090387’, MPS031593001, 28 November 1988.

individuals in relation to the incident on Sydenham Road, and six¹⁸⁷ individuals in relation to what happened in the Golden Lion public house. Both these lines of enquiry were dealt with in a satisfactory manner.

147. On 07 October 1988, a decision was made to search the Morgan One Investigation database for tasks that had been allocated to DS Sidney Fillery which related to public houses. Enquiries were undertaken, and it was later reported that *'it would appear only 2 were issued to Fillery, neither connected with public houses'*.^{188,189}

148. This report was incorrect, as seven actions had been allocated to DS Sidney Fillery during his time working on the Morgan One Investigation and one of them was for him to take statements from the licensee and staff of the Golden Lion public house. This failure to identify all the relevant actions suggests a lack of thoroughness on the part of the officer to whom the task was allocated.

In light of the suspicions about DS Sidney Fillery arising within days of the murder of Daniel Morgan, it is concerning that at the outset the search was restricted only to allocated tasks which related to public houses and not widened to all actions that had been allocated to him. This was in fact done subsequently but not until April 1989 (see paragraph 160 below).

149. The allegation that DS Sidney Fillery had removed the Belmont Car Auctions file from the offices of Southern Investigations on 11 March 1987 (see paragraph 14 above) was central to the suspicion that he had behaved corruptly during the initial stages of the Morgan One Investigation.

150. On 09 August 1988, a statement was taken from PC Stephen Thorogood, who had accompanied DS Fillery when he went to Southern Investigations' offices on 11 March 1987. PC Thorogood said: *'In relation to the statement I made about go [sic] to the offices of Southern Investigations at no time did I see or hear anything about Belmont Auctions.'*¹⁹⁰

151. On 20 August 1988, officers from the Lamper Investigation took a statement from Peter Newby, the Office Manager at Southern Investigations, about the missing Belmont Car Auctions file and other issues.^{191,192} He said that on 11 March 1987, DS Sidney Fillery and other officers attended Southern Investigations. Peter Newby stated, *'John REES then went to the filing*

187 Witness statement, MPS018591001, 09 August 1988.

Witness statement of PC Stephen Thorogood, MPS018589001, 09, August 1988.

Witness statement of a Police Constable MPS018588001, 09 August 1988.

Witness statement of PS Philip Barrett, MPS018585001, 10 August 1988.

Witness statement, MPS038605001, 26 September 1988.

Witness statement, MPS010268001, 02 November 1988.

188 It is not clear when, as the endorsement is undated.

189 Action A212, *'Research Met database for actions allocated to FILLERY relative to public houses'*, MPS031813001, 07 October 1988.

190 Witness statement of PC Stephen Thorogood, MPS018589001, p4, 09 August 1988.

191 The Lamper Investigation emanated from a complaint about alleged police action, or inaction, during the investigation into the murder of Daniel Morgan.

192 Witness statement of Peter Newby, MPS015790001, p2, 20 August 1988.

*cabinets which contained a number of files which although in the main were complete were too recent to be considered “dead.” He showed me a file, said something about Belmont Car Auctions and gave it to DS FILLERY.*¹⁹³

152. DCS Alan Wheeler interviewed former DS Sidney Fillery about the missing file on 23 March 1989. The allegation that he had taken it was vehemently denied. DCS Wheeler obtained a witness statement from him, which dealt with aspects of his movements and contacts between 09 March 1987 and 14 March 1987 and in particular with the Belmont Car Auctions file issue.¹⁹⁴ Former DS Fillery denied taking any files from Southern Investigations and said that Jonathan Rees had since told him that there was no Belmont Car Auctions file.

153. The allegation that DS Sidney Fillery had removed a missing file warranted significant attention from DCS Alan Wheeler, especially given the Terms of Reference for the Hampshire/Police Complaints Authority Investigation and that the Belmont Car Auctions matter was interpreted as a possible motive during the Morgan One Investigation. The Belmont Car Auctions file may have contained additional information, such as details of possible payments to police officers had they been made.

154. On 15 February 1989, the Hampshire/Police Complaints Authority Investigation took a statement from DC Michael Crofts, a member of the Morgan One Investigation, who said that he had been accompanied by DS Sidney Fillery when he went to Southern Investigations on Friday 13 March 1987, at about 10.30 am, where they ‘took possession’ of a number of documents from Daniel Morgan’s desk, which were handed to DC Clive Blake, the Exhibits Officer.¹⁹⁵

155. On 08 June 1989, a further written statement was obtained from DC Michael Crofts, who said that he had also been accompanied by DS Sidney Fillery when he went to the offices of Southern Investigations on 12 March 1987 at about 11.00 am.¹⁹⁶ (This is distinct from when DC Crofts visited Southern Investigations also with DS Sidney Fillery on 13 March 1987 at about 10.30 am.) It is not clear whether there were in fact two visits on consecutive days or whether DC Crofts was confused about the date and there had in fact been only one visit. In this later statement, DC Crofts said that he and DS Fillery had, on that occasion, removed a number of files having searched Daniel Morgan’s desk.¹⁹⁷ Significantly, DC Crofts went on to say, ‘[t]he files were placed into a bag and then he took them away in his own private vehicle’.¹⁹⁸ Later in the statement he said, ‘I believe I personally gave these to Det. Con. BLAKE, the Exhibits Officer’.¹⁹⁹

156. No explanation was given as to how or when DS Sidney Fillery transferred the files back into DC Michael Crofts’ possession prior to them allegedly being handed to the Exhibits Officer. It should be stated at this point that in a written submission to the Panel in September 2017, former DS Fillery asserted that if he had wanted to remove documents, a simple telephone call from him to Jonathan Rees would have achieved the objective.²⁰⁰

193 Witness statement of Peter Newby, MPS015790001, p2, 20 August 1988.

194 Witness statement of former DS Sidney Fillery, MPS010359001, p7, 23 March 1989.

195 Witness statement of DC Michael Crofts, MPS039096001, p2, 15 February 1989.

196 Witness statement of DC Michael Crofts, MPS039097001, p1, 08 June 1989.

197 Witness statement of DC Michael Crofts, MPS039097001, p1, 08 June 1989.

198 Former DS Sidney Fillery used his own personal vehicle on enquiries while he was engaged on the Daniel Morgan murder investigation, see MPS015408001, pp2-5 (indicating he was claiming for mileage he incurred).

199 Witness statement of DC Michael Crofts, MPS039097001, p2, 08 June 1989.

200 Written submission of former DS Sidney Fillery to the Panel, 13 September 2017.

157. There is no record of any exhibits – files or otherwise – recovered from the offices of Southern Investigations on either 12 or 13 March 1987 being entered into the Exhibits Book (see Chapter 1, The Morgan One Investigation).

158. DC Michael Crofts' statement of 08 June 1989 referred to the removal of '*a number of files*'.²⁰¹ It is not now possible to establish what material was taken on this occasion, or what its potential value might have been to the investigation of Daniel Morgan's murder. DC Crofts' statement was registered and a summary of it was put onto the HOLMES database, but no actions were raised.

159. Having learned that DS Sidney Fillery had apparently taken files recovered from Daniel Morgan's desk away in his private vehicle, the Hampshire/Police Complaints Authority Investigation should have pursued the matter vigorously. However, former DS Fillery was not questioned on this. The matter was not mentioned in DCS Alan Wheeler's report to the Police Complaints Authority. This was a significant failing, particularly given the Terms of Reference of the Hampshire/Police Complaints Authority Investigation.

160. On 27 April 1989, some ten months after the appointment of DCS Alan Wheeler and a month after former DS Sidney Fillery had been interviewed, it was finally decided that all actions allocated to DS Fillery should be examined to determine whether they had been completed satisfactorily.²⁰² A Detective Sergeant submitted a five-page report the following day, stating that, while most of the actions had been completed properly, DS Fillery had in fact delegated them to junior officers and appeared '*to have contributed little to the investigation*'. He concluded that there was no evidence to suggest that DS Fillery had hindered the investigation '*apart from the very poor statement which he took from REES and which contained what he knew to be a falsehood regarding MORGAN and REES being in the Golden Lion all evening on 090387*'.²⁰³

161. The involvement of DS Sidney Fillery in the Morgan One Investigation should have been examined much earlier, so that DCS Alan Wheeler would have been in possession of all the facts and thus better able to deal with all the issues relating to former DS Fillery.

162. The Hampshire/Police Complaints Authority Investigation attempted to verify DS Sidney Fillery's alibi for the night of 10 March 1987. In February 1989, almost two years after the murder of Daniel Morgan, DCI Paul Blaker obtained a statement from former DS Fillery's wife confirming her husband's alibi.²⁰⁴ On 26 April 1989, a statement was taken from former DS Fillery's then

201 Witness statement of DC Michael Crofts, MPS039097001, p1, 08 June 1989.

202 Action A776, '*Examine all actions allocated to ex DS FILLERY*', MPS032694001, 27 April 1989.

203 Report of a Detective Sergeant, MPS022603001, pp4-5, 27 April 1989.

204 Witness statement, MPS011013001, 09 February 1989.

foster son, and his son's friend was also interviewed. His wife had indicated that the two boys would be able to support her assertion that her husband had been at home all that evening, although in the event they were not able to do so definitively.²⁰⁵

163. DCS Alan Wheeler later criticised D/Supt Douglas Campbell for not having pursued this alibi issue during his investigation, saying:

*'[Former DS Fillery's] alibi appears not [to] have been examined by the Metropolitan Investigation and has thus been somewhat difficult to satisfactorily complete due to the passage of time [...]. Had this particular matter been pursued it would have benefited both the enquiry and the officer suspected of involvement in MORGAN's murder. If he was not available to commit the murder, then this should have been established.'*²⁰⁶

164. The Hampshire/Police Complaints Authority Investigation should not have waited eight months to attempt to verify former DS Sidney Fillery's alibi. The investigation of the alibis of officers who were suspected of involvement in the murder of Daniel Morgan, particularly former DS Sidney Fillery, should have been a priority.

²⁰⁵ Witness statement, MPS002787001, 26 April 1989

Witness statement, MPS011013001, 09 February 1989.

Witness statement, MPS011057001, 26 April 1989.

Action A720, MPS032800001, 12 April 1989.

²⁰⁶ Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, pp53-54, paras 221-225, 04 September 1989.

165. In all, the Hampshire/Police Complaints Authority Investigation raised 34 investigative actions that related directly to former DS Sidney Fillery.²⁰⁷ The Investigation also received information from various sources about him, including important information received on 07 September 1988 from a former acquaintance and business associate of Daniel Morgan and Jonathan Rees. Some of this information had previously been provided to the Morgan One Investigation.

166. The sequence of events was as follows:

- i. A client of Southern Investigations had known Daniel Morgan since about 1982 and had engaged him as an enquiry agent on a number of occasions. He regarded him as *'an excellent enquiry agent [...] totally honest'*.²⁰⁸ For about two years, Daniel Morgan rented office space from the client, who also got to know Jonathan Rees after Jonathan Rees and Daniel Morgan went into partnership together.²⁰⁹ In September 1984, Southern Investigations moved out of the client's premises into new offices in Thornton Heath.²¹⁰

207 Action A6, *'Examine documentation relating to FILLERY N4'*, MPS031038001, 25 July 1988.

Action A52, *'Int client of Southern Investigations re enq. conducted by FILLERY'*, MPS031104001, 31 August 1988.

Action A112, *'Obtain & examine personal file of ex DS FILLERY'*, MPS031292001, 16 September 1988.

Action A138, *'Enquiry – car telephone – N4 Sidney FILLERY'*, MPS031344001, 23 September 1988.

Action A157, *'Obtain N4 DS FILLERY's desk diary'*, MPS031383001, 27 September 1988.

Action A191, *'Establish significance of paper: N4 FILLERY'*, MPS031481001, 30 September 1988.

Action A197, *'Int to be anonymised N1079 – was DCI at Catford with FILLERY'*, MPS031502001, 03 October 1988.

Action A209, *'Ascertain what duty functions FILLERY performed 140387'*, MPS031819001, 07 October 1988.

Action A212, *'Research Met database for actions allocated to FILLERY relative to public houses'*, MPS031813001, 07 October 1988.

Action A223, *'Make enquiries with B Tel – ascertain if FILLERY's telephone was in use 100387'*, MPS031797001, 07 October 1988.

Action A251, MPS031698001, 11 October 1988.

Action A253, *'Int MAGUIRE re meet of FILLERY / REES / MORGAN 090387'*, MPS031689001, 12 October 1988.

Action A254, *'Int a Women Police Constable re meet of FILLERY / REES / MORGAN 090387'*, MPS031685001, 12 October 1988.

Action A278, *'Int WPC [...]re meet of FILLERY / REES / MORGAN 090387'*, MPS031593001, 27 October 1988.

Action A279, *'Int a Police Constable re meet of FILLERY / REES / MORGAN 090387'*, MPS031589001, 27 October 1988.

Action A282, *'Est. from Belmont Car Auct. FILLERY / PURVIS & FOLEY role'*, MPS031585001, 27 October 1988.

Action A346, *'Identify & int "man with tv" in Sydenham Rd 090387'*, MPS032125001, 16 November 1988.

Action A362, *'Interview DC FOLEY re meeting 140387 Crown PH'*, MPS032086001, 16 November 1988.

Action A363, *'Interview ex DS FILLERY re meeting 140387 Crown PH'*, MPS032083001, 16 November 1988.

Action A364, *'Interview J REES re meeting 140387 Crown PH'*, MPS032081001, 16 November 1988.

Action A426, *'Interview ex DS FILLERY'*, MPS031992001, 17 November 1988.

Action A441, *'Int DS FILLERY re meet Golden Lion PH 090387'*, MPS031974001, 17 November 1988.

Action A473, *'Int FILLERY ascertain reason for tele. calls from REES'*, MPS031908001, 07 December 1988.

Action A580, MPS032425001, 01 February 1989.

Action A594, *'Interview and T/ST Sydney [sic] FILLERY re REES S6'*, MPS032405001, 08 February 1989.

Action A598, *'Provide a witness to prove the RO [registered owner] of UMY435X'*, [a vehicle owned by former DS FILLERY], MPS032400001, 08 February 1989.

Action A621, *'T/ST from Mrs FILLERY re husbands movements 100387'*, MPS032371001, 12 February 1989.

Action A635, *'Interview & T/ST ex DS FILLERY'*, MPS032351001, 27 February 1989.

Action A719, MPS032802001, 12 April 1989.

Action A720, MPS032800001, 12 April 1989.

Action A732, *'I/D entry 150186 REES personal diary re FILLERY'*, MPS032780001, 14 April 1989.

Action A733, *'Est connection bet. S. Inv, FILLERY & [...]'*, MPS032779001, 14 April 1989.

Action A776, *'Examine all actions allocated to ex DS FILLERY'*, MPS032694001, 27 April 1989.

Action A795, MPS032655001, 27 April 1989.

208 Witness statement of client of Southern Investigations, MPS010649001, pp4-5, 01 May 1987.

209 Witness statement of the client of Southern Investigations MPS010649001, pp2-3, 01 May 1987.

210 Witness statement of the client of Southern Investigations, MPS010649001, p4, 01 May 1987.

- ii. On 11 March 1987, the client, unaware of the previous night's events, telephoned Southern Investigations to speak to Jonathan Rees about a business matter. Initially he spoke with an employee and was informed of the murder.^{211,212} The client was aware that Daniel Morgan had been having an affair with a married woman, who he believed lived in Sydenham in the vicinity of the Golden Lion public house.²¹³ The client said that Daniel Morgan had previously been employed to regain custody of the woman's children from her estranged husband, and the client speculated to Jonathan Rees that this affair might have provided a motive for the murder. The woman was understood to be named '*Margaret*', although it is far from clear whether this was known to the client, nor whether the information about how Daniel Morgan had come into contact with her was passed on to Jonathan Rees by the client at this time. In this witness statement the client said that the woman concerned lived in the Penge area.²¹⁴
- iii. Jonathan Rees said that he was assisting the police in the investigation, and that they would probably want to interview the client. The client's diary for the following day, 12 March 1987, was later found by the Hampshire/Police Complaints Authority Investigation to contain the entry '*Rees 1030am*'.^{215,216}
- iv. According to the client's statement of 07 September 1988, Jonathan Rees did not arrive at 10.30 am on 12 March but came at about 3.30 pm, accompanied by DS Sidney Fillery.²¹⁷ The client declined to include in his statement information which he provided that both men had been '*much the worse the wear for drink*' and that the stench of stale alcohol was so strong that he opened all his office windows in order to provide some ventilation.²¹⁸ There is no record of this in his earlier statement made in May 1987.²¹⁹ It is not known whether he mentioned the condition of the men to the Morgan One Investigation when he first made a statement in May 1987.
- v. The client stated that DS Sidney Fillery showed some interest when he told him about Daniel Morgan's affair with the married woman, which he wished to draw to the attention of the murder investigation, but that Jonathan Rees appeared to dismiss it and said, '*Oh no, he's thinking of Maggie*'.²²⁰ The two men spent no more than ten minutes with him and then left.²²¹
- vi. At 7.00 pm that day, DS Sidney Fillery visited the Morgan One Investigation from the offices of Southern Investigations and passed on some information concerning '*Margaret*' and her family, although he did not mention the fact that he had received the information from the client of Southern Investigations.²²²
- vii. On 01 May 1987, the Morgan One Investigation obtained a statement from the client. It is noteworthy that they were directed to him not by DS Sidney Fillery but as a result of a statement obtained from a family friend of Daniel and Iris Morgan.

211 Witness statement of the client of Southern Investigations, MPS010649001, p6, 01 May 1987.

212 Witness statement of the client of Southern Investigations, MPS034541001, p1, 07 September 1988.

213 Witness statement of the client of Southern Investigations, MPS010649001, pp5-6, 01 May 1987.

214 Witness statement of the client of Southern Investigations, MPS034541001, 07 September 1988

215 Witness statement of the client of Southern Investigations, MPS034541001, 07 September 1988

216 Report of DI Rex Carpenter, MPS022432001, p1, 12 September 1988.

217 Witness statement of the client of Southern Investigations, MPS034541001, 07 September 1988.

218 Report of DI Rex Carpenter, MPS022432001, p1, 12 September 1988.

219 Report of DI Rex Carpenter, MPS022432001, p1, 12 September 1988.

220 Witness statement of the client of Southern Investigations, MPS034541001, 07 September 1988.

221 Witness statement of the client of Southern Investigations MPS034541001, p2, 07 September 1988.

222 Morgan One message M26 from former DS Sidney Fillery, MPS012085001, 12 March 1987.

The friend related in her account that Daniel had shared office space with the client and so an action was raised for a statement to be obtained from him.^{223,224} While detailed in respect of events prior to Daniel Morgan's murder, it is very light on detail concerning the contact between the client and Jonathan Rees and DS Fillery on 11 and 12 March 1987, dealing with their visit to his office in only three sentences of a statement that ran to five typed pages.²²⁵

167. The alleged set of circumstances described above indicates that two days after the murder of Daniel Morgan, DS Sidney Fillery, who was supposed to be working as a member of the investigation team, had spent at least part of the day drinking with Jonathan Rees. From the description given by the client to the Hampshire officers, by about 3.30 pm in the afternoon both men had drunk to excess. DS Fillery, accompanied by Jonathan Rees, a man who, by that time, was a person of interest in the case, went to see a witness, albeit one who had in fact initially approached Jonathan Rees to indicate that he had information that might be of use to the investigation. The witness gave information pertinent to the enquiry. Nevertheless, DS Fillery did not take a statement, as he should have done on receipt of such information; nor did he arrange for one to be taken later by someone who may have been in a more fit state to carry out police duties. Later that same day he passed on some of the information he had been given by the client to the Major Incident Room but omitted then, and afterwards, to disclose the client's name and the fact that he had visited him with Jonathan Rees.

168. All of this was known by the Hampshire/Police Complaints Authority Investigation by mid-September 1988, four and a half months before they arrested Jonathan Rees and six months before they interviewed former DS Sidney Fillery. Most of this information had also been in the possession of the Morgan One Investigation by the beginning of May 1987, a month after the arrests of Jonathan Rees, DS Sidney Fillery and others. Yet neither investigation did anything with the information.

169. Jonathan Rees was interviewed under caution in the presence of his solicitor several times by DCS Alan Wheeler, DCI Paul Blaker and others while in custody at Fareham Police Station on 31 January and on 01 and 02 February 1989, yet he was not questioned about this matter.

170. DCS Alan Wheeler interviewed and took a statement from former DS Sidney Fillery on 23 March 1989 yet did not ask him about the matter.

171. The matter was not mentioned in any report submitted by DCS Alan Wheeler, including his report to the Police Complaints Authority at the end of his investigation, in which he asserted that '*[a]ny failure, no matter how small, which directly or indirectly indicated Police involvement in the murder or any deliberate Police action following the murder to prevent its detection, was examined*'.²²⁶

223 Witness statement, MPS010565001, p3, 09 April 1987.

224 Action A651, '*Trace identify and take statement from client of Southern Investigations*', MPS013714001, 15 April 1987.

225 Witness statement of client of Southern Investigations, MPS016624001, 01 May 1987.

226 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p11, para 44, 04 September 1989.

172. There were important omissions on the part of both the Hampshire/Police Complaints Authority Investigation and the Morgan One Investigation in relation to the conduct of DS Sidney Fillery as described by this client of Southern Investigations (see Chapter 1, The Morgan One Investigation). The circumstances described by the client amounted to misconduct by DS Fillery and possibly to an attempt to pervert the course of justice. Despite the fact that former DS Fillery was by this time retired on medical grounds, DCS Alan Wheeler should have investigated the matter and should have raised it with him and with Jonathan Rees when he interviewed them, in order to give them the opportunity to respond. He should also have reported on the incident in his final report to the Police Complaints Authority.

The matter reported by the client became important in the Morgan One Investigation because the Morgan One Investigation had been considering whether a possible motive for Daniel Morgan's murder might have been that Daniel Morgan was having an affair with a woman and had been murdered by a jealous husband or partner.

3.7 Information passed by PC Timothy Grattan-Kane

173. Another line of enquiry, concerning alleged corruption by DS Sidney Fillery, not pursued by the Hampshire/Police Complaints Authority Investigation, nor reported to the Metropolitan Police or the Police Complaints Authority, relates to information passed by PC Timothy Grattan-Kane, and recorded on 12 September 1988.²²⁷

174. PC Timothy Grattan-Kane was a former Hampshire Constabulary police officer who had transferred to the Metropolitan Police. At the time of the Hampshire/Police Complaints Authority Investigation he was stationed at Sydenham. He approached the Hampshire/Police Complaints Authority Investigation and told a member of the team, DS Dennis Stephens, that he had been informed by a fellow officer that former DS Sidney Fillery used to ask members of his squad to carry out checks on people and vehicles and show the reason for the checks as '*drugs enquiry*', which was fictitious.²²⁸ He said that former DS Fillery and other officers also booked on duty early, on occasion, to execute County Court bailiffs' warrants, for which they also received payment from Southern Investigations, a serious breach of the Police (Discipline) Regulations and possibly also amounting to criminal conduct.²²⁹ The implication was that the people and vehicle checks were connected to the bailiff-related work. If this was the case, those involved would have been guilty of both criminal and disciplinary offences.²³⁰

175. PC Timothy Grattan-Kane also passed on information which he had received from another officer that former DS Sidney Fillery had on one occasion allegedly seized three sheets of British Gas stamps during the search of a house and that he had not handed in one of the sheets as evidence, the implication being that he had retained it in order to derive some financial or other

227 Report of DS Dennis Stephens, MPS022376001, 12 September 1988.

228 Report of DS Dennis Stephens, MPS022376001, p2, 12 September 1988.

229 Report of DS Dennis Stephens, MPS022376001, p2, 12 September 1988.

230 The allegation of police involvement in the execution of civil process was later supported by a witness the Panel interviewed, the Person M12, who told the Panel that they would on occasion be accompanied by off-duty police officers. The witness had provided a statement to the Morgan One Investigation in August 1987, which did refer to vehicle repossession but made no mention of police involvement; it is not clear whether more comprehensive information had been given orally and not recorded in writing by the officer taking the statement. (Panel interview of Person M12, 11 August 2016.)

benefit.²³¹ This allegation, along with the information set out in the previous paragraph, was the subject of a report by DS Dennis Stephens.²³² When these allegations were put to former DS Fillery, he responded that he did not know PC Grattan-Kane, had never been questioned about the matters and did not think he had ever seen a British Gas stamp.

176. The Statement Reader suggested eight investigative actions arising from DS Dennis Stephens' report.²³³ Two of these were to interview the two officers who had passed the information to PC Timothy Grattan-Kane and another was to interview his Detective Sergeant, whom he had mentioned during the conversation. The two officers (both Police Constables) were subsequently interviewed and provided written statements. However, these did not deal with the matters referred to by PC Grattan-Kane, and there is no evidence that they were asked about the allegations.^{234,235} The Detective Sergeant was never interviewed and the action to see him was later marked as 'NFA' (No Further Action) on the directions of DCS Alan Wheeler, although no reason was recorded for this.²³⁶

177. It was also suggested by the Statement Reader that the police should:

- i. identify the police officers alleged to have been paid for executing County Court civil warrants on behalf of Southern Investigations while on duty;
- ii. identify the incident that resulted in the alleged theft of the British Gas stamps;
- iii. re-interview PC Timothy Grattan-Kane in depth; and
- iv. interview the brother of PC Timothy Grattan-Kane (who was also a serving Metropolitan Police officer).²³⁷

178. DCI Paul Blaker authorised an interview of PC Timothy Grattan-Kane's brother. He was interviewed on 04 October 1988 and provided information about Jonathan Rees and others.²³⁸ However, DCI Blaker did not ensure that any of the three remaining investigative actions were completed.²³⁹

179. The action raised to 'assess' the allegations made by PC Timothy Grattan-Kane was marked '*No further action*' on DCS Alan Wheeler's instructions.²⁴⁰ There is no indication that any enquiries were made into the allegations, nor is there any evidence that the allegations were reported to the Metropolitan Police or to the Police Complaints Authority. The Panel asked former DCI Paul Blaker about this matter, but he stated that he was unable to recollect anything about it.²⁴¹

231 Report of DS Dennis Stephens, MPS022376001, p2, 12 September 1988.

232 Report of DS Dennis Stephens, MPS022376001, 12 September 1988.

233 Report of DS Dennis Stephens, MPS023075001, 12 September 1988.

234 Witness statements of a Police Constable, MPS018202001, 17 October 1988.

235 Witness statement of PC Laurence Hart, MPS018109001, 19 April 1989.

236 Action A487, MPS031884001, 12 December 1988.

237 Report of DS Dennis Stephens, MPS023075001, 12 September 1988.

238 Action A141, MPS031347001, 23 September 1988 and Report of a Detective Sergeant, MPS022364001, 06 October 1988.

239 Action A143, 'Assess allegations contained in officer's report 7C', MPS031349001, 23 September 1988.

240 Action A143, 'Assess allegations contained in officer's report 7C', MPS031349001, 23 September 1988.

241 Panel interview of former Supt Paul Blaker, PNL000240001, 26 July 2016.

180. The failure either to enquire into, or, alternatively, to refer the allegations made by PC Timothy Gratton-Kane to the Metropolitan Police and/or the Police Complaints Authority, was a failing of the Hampshire/Police Complaints Authority Investigation. Although these allegations did not fall within the remit of the Hampshire/Police Complaints Authority Investigation, they were allegations of corrupt activity which should have been reported to the Metropolitan Police.

181. The only substantive criticism that DCS Alan Wheeler eventually made of former DS Sidney Fillery was in respect of the statement he took from Jonathan Rees on 11 March 1987.²⁴² In his report to the Police Complaints Authority, DCS Wheeler discussed whether former DS Fillery should have been tasked with taking the statement in the first place. He said:

*'This decision ultimately rested with the Senior Investigating Officer, who might well be criticised but equally well be defended. Some may say the best person to interview another person is one who knows him well.'*²⁴³

182. DCS Alan Wheeler then noted that the statement had become 'a matter of much speculation' and pointed out that it should have provided the Morgan One Investigation 'with background intelligence and an experienced Detective Sergeant [such as DS Sidney Fillery] should have realised what was required'. He continued, '[t]he statement is noticeable by its brevity and is inadequate for a murder investigation'. Nevertheless, he went on to say, 'I have found nothing in it which detracted from the main thrust of the Metropolitan [Police] Murder Inquiry [...]'.²⁴⁴

183. Given the deficiencies in the account taken from Jonathan Rees by DS Sidney Fillery (see Chapter 1, The Morgan One Investigation), DCS Alan Wheeler's remarks do not reflect the serious nature of the omissions from that statement.

184. DCS Alan Wheeler then went on to discuss the investigative actions that had been allocated to DS Sidney Fillery. DCS Wheeler concluded that in relation to them there was 'no evidence [...] that there was any hindrance, obstruction or concealment of information from the Investigation Squad'.²⁴⁵

185. He concluded the section of his report dealing with former DS Sidney Fillery as follows:

'FILLERY has been interviewed during the course of my enquiry and he has steadfastly denied what is alleged by LENNON. [...] He has expressed his desire to assist with the investigation in any way he can.'

242 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p56, para 233, 04 September 1989.

243 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p56, para 233, 04 September 1989.

244 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p56, paras 234 – 235, 04 September 1989.

245 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p57, para 238, 04 September 1989.

*'There is no doubt that following my interview with him in which the similarity of events on 9th and 10th March 1987 were discussed he has caused himself to reconsider REES in a different light but despite [sic] this has not distanced himself from him.'*²⁴⁶

186. In the summary of his conclusions at the end of his report, DCS Alan Wheeler acknowledged that former DS Sidney Fillery's association with Jonathan Rees 'was too familiar and his friendship and professional Policeman-ship [sic] was compromised' and that '[a] question will always remain in the mind of the investigator as to why FILLERY has continued his association with REES albeit he has provided a very general explanation to cover this'.²⁴⁷ The Panel has not seen this explanation.

187. In September 2013, former DCS Alan Wheeler, of his own volition, wrote a letter to the Panel saying:

*'The way is open for considering charges against Fillery and Rees for conspiring to murder Morgan or conspiring to defeat the course of justice. There is more direct evidence in support of the latter.'*²⁴⁸

188. In March 2015, former DCS Alan Wheeler told the Panel that former DS Sidney Fillery had not been properly managed and that he 'paddled his own canoe', using 'unorthodox' methods to detect crime but that because his methods got results, others seemed happy to let things be.²⁴⁹ He said that corruption survived in the Metropolitan Police because senior officers never asked questions and did not manage people like former DS Fillery properly.²⁵⁰

189. In April 2016, former DCS Alan Wheeler was asked about the assertion in his letter of September 2013. He replied that there was 'stuff' in the original Metropolitan Police enquiry which would have supported a charge of obstructing the course of justice for both former DS Sidney Fillery and Jonathan Rees. Asked why he did not pursue former DS Fillery for that crime, DCS Wheeler stressed that there was no evidence (as opposed to suspicion).²⁵¹

190. Former DCS Alan Wheeler did not provide any detail to the Panel as to why he did not follow up the lines of enquiry available to him, why he did not refer to them in his report to the Police Complaints Authority, or why and on what grounds he thought that he was unable to charge Jonathan Rees and former DS Sidney Fillery with conspiracy to pervert the course of justice.

191. DCS Alan Wheeler did not complete the investigation of the various issues raised in relation to former DS Sidney Fillery and did not report accurately or fully in relation to these matters in his reports to the Police Complaints Authority and Crown Prosecution Service. DCS Wheeler stated in his report, 'there is no evidence to implicate FILLERY in the murder'. This conclusion could only have been reached validly had DCS Wheeler conducted a full investigation of the various issues raised in relation to former DS Fillery. DCS Wheeler had not in fact conducted this full investigation. This was a serious failing.

246 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p58, paras 240 -241.

247 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p81, paras 344 (j) and (l), 04 September 1989.

248 Letter from former DCS Alan Wheeler to the Panel, 24 September 2013.

249 Panel meeting with former DCS Alan Wheeler, PNL000205001, 24 March 2015.

250 Panel meeting with former DCS Alan Wheeler, PNL000205001, 24 March 2015.

251 Telephone conversation between former DCS Alan Wheeler and members of the Panel, 04 April 2016.

3.8 The Belmont Car Auctions line of enquiry

192. At the outset of the Hampshire/Police Complaints Authority Investigation, a decision was made to enquire into the alleged robbery of Belmont Car Auctions' monies from Jonathan Rees in March 1986,²⁵² and to 'examine docs' and 'report assessment together with proposals for further enquiry' in relation to DC Peter Foley²⁵³ and DC Alan Purvis.²⁵⁴ Both officers were designated as 'suspects'.^{255,256}

193. On 25 July 1988, DI Rex Carpenter was allocated the investigative actions relating to DC Peter Foley and DC Alan Purvis. Nothing happened for almost a year. Several other investigative actions were directed in October and November 1988, including an order for enquiries be made with British Telecom to establish if DC Foley's and DC Purvis's home telephones were in use on the evening of 10 March 1987.^{257,258} Nothing was done to complete this action and on 13 June 1989 the matters were transferred to 'Operation Plymouth'. Both officers were subsequently interviewed in July 1989 by DCI Paul Blaker. This will be discussed below, in the context of Operation Plymouth (see paragraphs 456-458 below).

194. Between 25 July 1988 and April 1989, 20 investigative actions in relation to the Belmont Car Auctions matter were raised.²⁵⁹ These were all relevant lines of enquiry designed to establish whether the alleged robbery in March 1986 had in fact occurred, and to secure any information which might assist the murder investigation. DS Dennis Stephens reported in January 1989 that it could not be determined whether the alleged robbery had taken place or not.²⁶⁰ Although further actions were raised after that date, the conclusion did not alter and no new information was obtained.

195. None of the investigative actions related to Glenn Vian or Garry Vian, who had been arrested during the course of the Morgan One Investigation because of their connection to the provision of security by Southern Investigations at Belmont Car Auctions. There is no mention of either brother, relating to this or to any other issue, in the Hampshire/Police Complaints

252 Action A5, 'Enquire into robbery of £18000 from W.J. REES 180386', MPS031037001, 25 July 1988.

253 Action A14, 'Examine documentation relating to FOLEY N8', MPS031046001, 25 July 1988.

254 Action A12, 'Examine docs re DC PURVIS & report assessment', MPS031044001, 25 July 1988.

255 Action A9, MPS031041001, 25 July 1988.

256 Action A11, MPS031043001, 25 July 1988.

257 Action A226, 'Make enquiries with B Tel – ascertain if PURVIS telephone was in use 103087', MPS031794001, 07 October 1988.

258 Action A228, 'Make enquiries with B Tel – ascertain if FOLEY's telephone was in use 100387', MPS031792001, 07 October 1988.

259 Action A5, 'Enquire into robbery of £18000 from WJ REES 180386', MPS031037001, 25 July 1988.

Action A10, 'Enquire into armed robbery Belmont Car Auctions 250286', MPS031042001, 25 July 1988.

Action A107, 'Interview [...] of Barclays Bank re Daniel MORGAN', MPS031261001, 13 September 1988.

Action A108, 'Int Person O24 re contents of S254', MPS031264001, 13 September 1988.

Action A205, 'Int Director of Belmont Car Auctions N552 re REES robbery', MPS031836001, 06 October 1988.

Action A225, 'Interview concerning his knowledge of Belmont Car Auctions', MPS031795001, 07 October 1988.

Action A227, 'Interview concerning his knowledge of Belmont Car Auctions', MPS031793001, 07/10/1988.

Action A282, 'Est from Belmont Car Auct FILLERY / PURVIS & FOLEY role', MPS031585001, 27 October 1988.

Action A284, MPS031582001, 27 October 1988.

Action A323, 'Obt letters BB/1, BB/2 seized from FOLEY by DSU BELLIS', MPS032166001, 11 November 1988.

Action A324, 'Obt officers report from [...] re tape A MORGAN', MPS032165001, 11/11/1988.

Action A633, 'Interview and T/ST Mrs Iris MORGAN', MPS032354001, 27 February 1989.

Action A644, 'T/ST Unident N2140 to prove Hight Court order 050387', MPS032326001, 27 February 1989.

Action A672, MPS032297001, 06 March 1989.

Action A690, MPS032273001, 14 March 1989

Action A717, MPS032805001, 12 March 1989.

Action A724, MPS032794001, 13 March 1989.

Action A734, MPS032778001, 14 April 1989.

Action A755, MPS032736001, 24 April 1989.

Action A770, 'T/ST PURVIS re his presence BCA 190386', MPS032711001, 25 April 1989.

260 Report of a Detective Sergeant, MPS022344001, 16 January 1989.

Authority database. While the Morgan One Investigation had found no evidence against them, it is not clear whether DCS Alan Wheeler considered incorporating them into his investigation. If he did so, he did not record the fact, nor his reasons for excluding them.

196. It appears that from the very outset of his investigation, DCS Alan Wheeler decided that DC Peter Foley and DC Alan Purvis were of low priority. Indeed, they were of such low priority that he decided that, given that their alibis for the night of 10 March 1987 had not been checked by the Morgan One Investigation, there was little point in his investigation now embarking on the task and he reported accordingly in his final report to the Police Complaints Authority.²⁶¹ This view may have been justified but is at odds with their designations as suspects, with his Terms of Reference and with the fact that the previous year they had been arrested on suspicion of murdering Daniel Morgan. DCS Alan Wheeler failed to investigate this matter properly.

3.8.1 An anonymous letter

197. An issue that touched on the Belmont Car Auctions matter arose out of an anonymous letter sent on 12 April 1989 to Fareham Police Station, where the Hampshire/Police Complaints Authority Investigation was based.

198. The handwritten letter, which appeared to have been carefully drafted, stated that the author had been a regular at the Harp public house in Croydon for a number of years and that for two years they had wanted to get something off their chest. The letter said that:

‘[o]n numerous occasions I heard Mr Rees and other police officers openly discussing police business. I’ve also seen Mr Rees, police officers and the Vine brothers²⁶² who are known for there [sic] extremely violent manner, drinking together.

‘Can I bring to your attention that several months before the murder of Mr Morgan there was a disturbance outside the Harp in which the Vine brothers where [sic] known to have used hatchets. I’ve heard the Vine brothers talking of how they collected debts for Mr Rees and others by the use of violence, and boasting of the fact that they have done so. It is also well known that they hated Mr Morgan.

‘One Sunday Mr Morgan came into the pub and got very angry over the fact Mr Rees had been rob, [sic] he insinuated that Mr Rees and police officers who had been working for there [sic] company had staged the whole thing.’

199. The author concluded that they could not give their name because they were: *‘frightened of a violent act towards me’*.²⁶³

200. It is believed that any reference made in the letter to the ‘Vine’ brothers is in relation to Glenn and Garry Vian.

²⁶¹ Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, pp59-60 para 248 & p62 para 262, 04 September 1989.

²⁶² The Panel has seen a great number of documents in the papers disclosed to it in which Garry and Glenn Vian are referred to, almost interchangeably, by the surname ‘VINE’.

²⁶³ Anonymous letter sent to Fareham Police Station, MPS032777001, 12 April 1989.

201. On 14 April 1989, the investigation's Office Manager, in consultation with DCI Paul Blaker, raised an action for the identity of the author to be ascertained and for the database to be researched '*re spelling of VINE*'. He then allocated the action to himself and subsequently endorsed it: '*Sir, unable to identify writer from database or manual search of witness statements.*' The handwritten endorsement is not dated and so it has not been possible to ascertain when the checks were made.²⁶⁴

202. From the papers available to the Panel, it appears that no further steps were taken or even considered by the Hampshire/Police Complaints Authority Investigation in relation to this matter. It was not until 2010, when the Abelard Two Investigation was underway, that belated steps were taken to have the letter tested for fingerprints and for an ESDA test to be performed.²⁶⁵

203. The result of the Abelard Two checks was that no identifiable fingerprints²⁶⁶ were found and that the author had either written the letter out several times or had rested later sheets on earlier ones.²⁶⁷

204. The Abelard Two Investigation also made efforts to interview staff who worked at The Harp public house at the time of Daniel Morgan's murder. Unfortunately, the landlady had died before they were able to speak to her²⁶⁸ and the barmaid stated that she did not send the letter.²⁶⁹

205. The manner in which this matter was dealt with by the Hampshire/Police Complaints Authority Investigation was inappropriate. It appears that the letter was received by the Office Manager, who then endorsed it as '*receiver*', marked it for an action to be raised, raised the action, allocated it to himself, carried out the action, then received it, indexed it and then, reverting to his role as Office Manager, filed it. This was not consistent with the procedures set down in Major Incident Room Standard Administrative Procedures designed to cross-check and provide quality control in a Major Incident Room.

The steps taken by the Abelard Two Investigation were elementary steps that should have been taken by the Hampshire/Police Complaints Authority Investigation. Receipt of the letter should have prompted more intensive enquiries at The Harp public house and a closer examination of the alleged incident prior to Daniel Morgan's murder, involving hatchets. The allegation of police officers openly discussing police matters with Jonathan Rees and the '*VINE*' brothers should have been referred to the Metropolitan Police Complaints Investigation Bureau for action.

264 Action A735, '*I/D writer of anonymous letter postmarked Croydon*', MPS032775001, 14 April 1989.

265 Forensic submission form, MPS079558001, 13 December 2010 and Message M1896, MPS074858001, 10 February 2011. ESDA stands for '*Electrostatic Detection Apparatus*'. It is a specialised piece of equipment used to reveal indentations or impressions in paper that are imperceptible to the naked eye and can be helpful in determining when and by whom a document was written, as well as revealing details of other documents or pages of the same document that may not be in the possession of the police.

266 Email message MPS109496001, p5, 30 November 2011.

267 Witness statement, MPS079186001, 03 February 2011.

268 Abelard Two Message M1898, MPS074860001, 10 February 2011.

269 Abelard Two Message M1912, MPS074875001, 01 March 2011.

3.9 The case of Leonard Beauchamp

206. The Hampshire/Police Complaints Authority Investigation also examined information received from Person U25 by the Morgan One Investigation (see Chapter 1, The Morgan One Investigation) in October and November 1987, that a man called Leonard Beauchamp, also known as Sanderson, was in possession of a tape-recording of a conversation between police officers and others from Catford Police Station planning a murder in Sydenham, before the murder took place.²⁷⁰ Leonard Beauchamp was, as a consequence, made the subject of a ‘special notice’ in the nationally circulated ‘Police Gazette’ seeking his whereabouts. He was never traced.²⁷¹ Person U25 had also allegedly received information on or before 02 April 1987 that three civilians and three police officers, including a sergeant, had been arrested, i.e. had received the information the day before the arrests actually took place.²⁷²

207. On 13 October 1988, DI Rex Carpenter interviewed Person U25 and later submitted a lengthy report. While there had been no additional information gleaned from the interview, DI Carpenter concluded by recommending that police:

- i. speak with the journalists who were the recipients of the ‘leak’ of the planned arrests of the police officers;
- ii. trace Leonard Beauchamp; and
- iii. speak with DI Allan Jones of the Morgan One Investigation in order to ascertain exactly what enquiries had already been made to trace Leonard Beauchamp.²⁷³

208. DCI Paul Blaker instructed only that DI Allan Jones be contacted.²⁷⁴ However, this was never done. Following the Director of Public Prosecution’s decision to discontinue proceedings, nothing was done to trace Leonard Beauchamp or to speak to the journalists.

209. This matter should have been thoroughly investigated. The witness had provided accurate, confidential information concerning the planned arrests of police officers during the investigation of Daniel Morgan’s murder. Although he was not able to provide direct evidence of the existence of a tape-recording, nor of its contents, the alleged contents of the tape-recording went to the core of DCS Alan Wheeler’s mandate from the Metropolitan Police and the Police Complaints Authority. Yet no effort was made to establish its veracity, or to trace Leonard Beauchamp. This was a very serious failing.

²⁷⁰ Witness statement of member of the public, MPS010825001, pp1-5, 30 October 1987.

Witness statement of member of the public, MPS010825001, pp6-10, 04 November 1987.

Registry docket report of D/Supt Douglas Campbell, MPS005461001, pp7-8, paras72-81, undated.

²⁷¹ Police Gazette, MPS011475001, 20 November 1987.

²⁷² Witness statement of Michael Jeacock, MPS010812001, 28 October 1987.

Witness statement of member of the public, MPS010825001, p7, 04 November 1987.

²⁷³ Report of DI Rex Carpenter, MPS022408001, 24 October 1988.

²⁷⁴ Hampshire Police MIR bespoke proforma re report R6AY of DI Rex Carpenter, MPS022777001, 15 November 1988.

3.10 Further witness evidence: a member of the bar staff at the Golden Lion public house

210. A barmaid had been working at the Golden Lion public house on the night that Daniel Morgan was murdered. She had also been working the previous evening when Daniel Morgan, Jonathan Rees, DS Sidney Fillery and members of the Catford Crime Squad had been present and there was a suggestion that Daniel Morgan had had a brief conversation with her at that time. She provided several witness statements to the Morgan One Investigation and also gave evidence at the Inquest about what she had seen (see Chapter 1, The Morgan One Investigation, and Chapter 2, The Inquest). In her statements and evidence, she described seeing a man with a beard, who fitted Daniel Morgan's description, in the bar. She said that she had served the bearded man with crisps and two drinks at around 9.20 pm on 10 March 1987.²⁷⁵ She had identified Daniel Morgan as the man to whom she had sold the crisps when shown a photograph on 16 April 1987.²⁷⁶ Daniel Morgan's body had been found at about 9.40 pm. Jonathan Rees had said that he had left the Golden Lion public house at 9 pm.²⁷⁷ The barmaid also said that he had been sitting with another similarly dressed man – i.e. dressed in a suit – on a settee opposite the bar.²⁷⁸

211. It was important to obtain a detailed account of what the barmaid had seen and heard on both 09 and 10 March 1987, as she may have had relevant evidence concerning the possible reason why Daniel Morgan and Jonathan Rees were in the Golden Lion public house on the evening of 10 March. Furthermore, her recollection of when exactly she served the bearded man with crisps had a potential effect on the time parameters between which the murder could be considered as having taken place and thus whether or not Jonathan Rees was still present in the public house at the time or had already left.

212. Her account was problematic for the Morgan One Investigation, as the timing and location within the bar that she described did not fit in with the investigation's view of events as described by D/Supt Douglas Campbell, who reported in January 1988 that '*[t]he barmaid [...] is totally confused, she does not remember serving MORGAN other than at about 9.20 pm when a man with a beard bought two packets of crisps. It is felt that at this time MORGAN was dead.*'²⁷⁹ There is absolutely no evidence to support D/Supt Campbell's belief that Daniel Morgan was dead at 9.20 pm. Person T4, who had arrived at about 8.30 or 8.45 pm, had told the Morgan One Investigation that he had seen two men, the larger of whom had left after 10 or 15 minutes and had returned a short time later wearing a white raincoat and black gloves, which he had not been wearing previously. He stated that the man in the raincoat then left and that the bearded man left shortly afterwards.²⁸⁰ The barmaid did not recall seeing the second man wearing a raincoat. During the Inquest, her evidence had been the subject of some discussion (see Chapter 2, The Inquest). DCS Alan Wheeler and his team also examined and commented on the matter during the course of the Hampshire/Police Complaints Authority Investigation and were unable to arrive at a consensus about when Daniel Morgan and Jonathan Rees left the Golden Lion public house.

275 Witness statement of the barmaid of the Golden Lion public house, MPS010134001, pp1-3, 10 March 1987.

276 Witness statement of the barmaid of the Golden Lion public house, MPS015677001, p2, 16 April 1987.

277 Witness statement of Jonathan Rees, MPS026848001, 11 March 1987

278 Witness statement of the barmaid of the Golden Lion public house, MPS010134001, p3, 10 March 1987.

279 Report of DS Douglas Campbell, MPS037174001, p16, 22 January 1988.

280 Witness statement of Person T4, MPS000141001. 12 March 1987.

213. On 15 August 1988, DCS Alan Wheeler and DCI Paul Blaker interviewed June Tweedie, the barrister who had represented Isobel Hülsmann and Alastair Morgan at the Inquest.²⁸¹ The object of the meeting was to obtain her thoughts about a number of issues that had arisen during the Inquest. The first matter June Tweedie raised was the evidence of the barmaid. She suggested that insufficient weight had been given to the barmaid's account and that the police had convinced the witness that she was mistaken. DCI Blaker noted in his report of the meeting that this matter and a number of others that June Tweedie raised were worthy of further investigation.²⁸²

214. The barmaid was therefore interviewed a short time later and told the interviewing officer, DS Dennis Stephens, that she was unable to add anything to the statements she had made to the Morgan One Investigation. However, DS Stephens recommended that she be interviewed again at a later date.²⁸³

215. Another Detective Sergeant was then tasked with analysing the statements the barmaid had made to the Morgan One Investigation and the evidence that she had given at the Inquest. On 27 September, he submitted a three-page report in which he went through her account line by line and stated that, in his view, she was an important witness who had provided positive evidence that should not be dismissed lightly. He concluded that her account had in fact been 'unjustly dismissed'.²⁸⁴

216. As a consequence of the Detective Sergeant's report, the next day DCI Paul Blaker instructed that an action be raised for the barmaid's 'credibility' to be assessed, and this was allocated to DI Trevor Witt. The barmaid was subsequently interviewed again and on 06 October DS Dennis Stephens returned the action having endorsed it:

*'[The barmaid] was certain that MORGAN sat opposite the bar and not on the raised area when she first made her statement. She was re-interviewed and felt that police officers were attempting to make her say she may have been mistaken. She has not changed her views and is a very credible witness.'*²⁸⁵

217. DS Dennis Stephens and the other Detective Sergeant, apparently independently of each other, had therefore considered the matter in depth by analysing the barmaid's account and by interviewing her. Both officers concluded that her account was credible and that the doubt that had been cast on it by the Morgan One Investigation and at the Inquest was not justified. It might therefore be reasonable to think that the matter had been settled and indeed, as far as the Panel can ascertain from the papers disclosed to it, no further enquiries were made in relation to the barmaid's evidence by the Hampshire/Police Complaints Authority Investigation and certainly nothing was found that would contradict the verdicts of DS Dennis Stephens or the other Detective Sergeant.

218. DCS Alan Wheeler incorrectly identified Daniel Morgan as the man who had chatted to the barmaid. Therefore, it was not surprising that she did not remember Daniel Morgan as being that individual. In his report to the Director of Public Prosecutions, submitted in February 1989 after Jonathan Rees, Paul Goodridge and Jean Wisden had been charged, he reported as follows:

281 Record of interview of June Tweedie, MPS031782001, 15 August 1988

282 Report of DCI Paul Blaker, MPS023018001, 18 August 1988. June Tweedie repeated this assertion to Roland Moyle in a meeting he had with her and Isobel Hülsman in October 1988: Message from Roland Moyle to DCS Alan Wheeler, MPS028411001, 24 October 1988.

283 Report of a Detective Sergeant, MPS022374001, 15 September 1988.

284 Report of the Detective Sergeant, MPS022625001, 27 September 1988.

285 Action 187, 'Check contents R11D re credibility N44 the barmaid of The Golden Lion public house', MPS031469001, 28 September 1988.

'A barmaid [...] talks of serving a man with a beard who bought two packets of crisps, (two packets of crisps were found alongside the body of MORGAN). [The barmaid] appears to be totally confused. She times the crisps purchase at 2120 hours.

*'There is an incident the previous night (Monday 9th) when MORGAN "chatted up" [the barmaid] and one would think [she] would remember MORGAN. [The barmaid] must be confused.'*²⁸⁶

219. However, there is no material in the papers disclosed to the Panel indicating on what basis DCS Alan Wheeler arrived at this verdict.

220. It is unclear why DCS Alan Wheeler, having caused detailed enquiries to be made of the barmaid's account by two of his team, should have disregarded his officers' conclusions without any evident justification or documented reasoning.

3.11 The investigation at the Golden Lion public house and its car park on 10 March 1987 and allegations made by DI Christopher Horne

221. DCS Alan Wheeler commissioned photographs of the crime scene at the Golden Lion public house, which were taken on 19 October 1988 by a Detective Constable.²⁸⁷

222. Twelve photographs were taken providing various views of the front elevation of the Golden Lion public house, the alleyway to the car park entrance, the car park entrance, the gateway to the rear garden, the rear access, the gateway to the car park, and the patio of a flat above the nearby shops showing the rear garden and car park of the Golden Lion public house.²⁸⁸

223. On 02 November 1988, DCS Alan Wheeler arranged for a reconstruction of the scene in the Golden Lion public house car park, which was informed also by the original crime scene photographs.²⁸⁹

224. DCS Alan Wheeler, DCI Paul Blaker, DCI Terence Farley, DI Trevor Witt, DI Rex Carpenter and other officers of the Hampshire/Police Complaints Authority Investigation attended, as did DS Graham Frost, DC Noel Cosgrave and PC Laurence Hart from the Metropolitan Police. A member of the public, whose blue Morris Marina car was in the car park when the original crime scene photographs were taken, was also present.²⁹⁰

286 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, p30, paras 59-60, 23 February 1989.

287 Photographs taken at the Golden Lion public house, Sydenham Road, Sydenham, by a Detective Constable, MPS081771001, 19 October 1988.

288 Photographs taken at the Golden Lion public house, Sydenham Road, Sydenham, by a Detective Constable, MPS081771001, 19 October 1988.

289 Witness statement of DCS Alan Wheeler, MPS010995001, p1, 08 February 1989.

290 Witness statement of DCS Alan Wheeler, MPS010995001, p1, 08 February 1989.

225. The member of the public parked his car in the position in which it had been parked on 10 March 1987.²⁹¹ A vehicle was parked where Daniel Morgan's car had been at the time his body was found.²⁹² They waited until darkness and then tried to establish if an assailant could hide and approach someone in the position in which Daniel Morgan's body was found without detection. DCS Alan Wheeler concluded that he was:

'of the opinion that it is extremely unlikely that anyone could do this. I am of the opinion that MORGAN was murdered by someone who he allowed to come close to him without suspicion. This opinion is further supported by the absence of any defence wounds or deflected wounds from the axe which killed him. The blow to his head indicated they were accurately struck by someone close to him and at arm's length'.²⁹³

226. On 26 October 1988, DCI Terence Farley and a Detective Sergeant carried out a forensic examination on the bodywork of the member of the public's car.²⁹⁴ Nothing of any significance was found. DCI Farley stated that he had been advised that the car had been kept in a garage since Daniel Morgan's murder; however, it had in fact been in use since the beginning of October 1988 and had been fitted with new tyres, brakes and a new exhaust.²⁹⁵ This meant that any potential evidence which DCI Farley might have otherwise found would have been lost or compromised.

227. In the course of interviewing all the officers involved in the Morgan One Investigation, on 18 May 1989, DCI Paul Blaker and a Detective Sergeant interviewed DI Christopher Horne, who at the time of the Morgan One Investigation was a Detective Sergeant. He made a witness statement to the Hampshire officers concerning his role in the Morgan One Investigation. He then went on to allege that Catford Crime Squad officers, who had been deployed to the Golden Lion public house to make enquiries in the early stages of the investigation, had not been briefed properly, and that when they arrived there, they did not know what was expected of them.^{296,297}

228. DI Christopher Horne acknowledged to DCI Paul Blaker and the Detective Sergeant that he had a personal dislike for both D/Supt Douglas Campbell and DI Allan Jones, and he told DCI Blaker and the Detective Sergeant that he was critical of the fact that Jonathan Rees had not been treated as a suspect from the beginning and of the lack of forensic examination of his clothing. He also commented adversely on the fact that notes had not been made of the initial conversation between Jonathan Rees and D/Supt Campbell and DI Jones, something he said was *'totally unacceptable'*.²⁹⁸

229. DI Christopher Horne also made a number of other criticisms, including that, *'[t]he drugs angle was not fully investigated'*. He summed up his overall view of the investigation by describing it as incompetent.²⁹⁹

230. The Panel sought to interview former DI Christopher Horne, but he did not respond to the request.

291 Witness statement of DCS Alan Wheeler, MPS010995001, pp1-2, 08 February 1989

292 Witness statement of DCS Alan Wheeler, MPS010995001, pp, 08 February 1989

293 Witness statement of DCS Alan Wheeler, MPS010995001, p2, 08 February 1989.

294 Report of DCI Terence Farley, MPS005270001, p 18, 19 January 1989.

295 Report of DCI Terence Farley, MPS005270001, pp 18-19, 19 January 1989.

296 Report of a Detective Sergeant, MPS027957001, 23 May 1989.

297 Witness statement of DI Christopher Horne, MPS026375001, p2, 18 May 1989.

298 Report of a Detective Sergeant, MPS027957001, 23 May 1989.

299 Report of a Detective Sergeant, MPS027957001, 23 May 1989.

231. To the extent that the Panel is able to verify and establish the substance of former DI Christopher Horne's professional views, given that it has not been able to speak with him, it appears that they coincide with those of the Panel (see Chapter 1, The Morgan One Investigation).

3.12 Daniel Morgan's missing Rolex watch

232. The issue of Daniel Morgan's missing Rolex wristwatch was addressed in May 1989.

233. In a witness statement made to the Hampshire/Police Complaints Authority Investigation, Iris Morgan confirmed an earlier statement made on 17 March 1987, a week after her husband's murder, that her husband had purchased the watch in 1986. She said that she knew he had been wearing it on his left wrist on 10 March 1987, as she had seen him look at the time. She also said that two days after her husband's death, she had mentioned to WDC Christine Fowles and DC Richard Davis the fact that he had been wearing it on the day he was murdered. She believed that the police did not know that he was wearing a wristwatch until she had mentioned it.³⁰⁰

234. DCI Terence Farley had referred to the watch during his review of the forensic aspects of the Morgan One Investigation. The Scenes of Crime officer, who had attended the scene of the murder in 1987, told him that he thought Daniel Morgan was wearing a wristwatch, which he thought was a Rolex, possibly gold, when the Scenes of Crime Officer saw the body at the scene.³⁰¹

235. The forensic officer, DS Graham Frost, who had searched Daniel Morgan's body, had told DCI Terence Farley that he did not recall seeing a watch.³⁰² He repeated this in a witness statement made in April 1989.³⁰³

236. On 02 December 1988, the Coroner's Officer, a Police Constable, told the Hampshire/Police Complaints Authority Investigation that he was unable to assist with enquiries about the watch. He said that property was normally removed from the deceased at the mortuary and then registered at the respective police station.³⁰⁴

237. On 19 April 1989, a witness who worked for Rolex, which had supplied the jewellers who sold the watch to Daniel Morgan, stated that the watch was supplied with a stainless-steel oyster bracelet with a single lock clasp, which meant that the bracelet could be removed with a single movement to release the clasp, enabling it to be easily lifted from the wrist and over the hand.³⁰⁵

238. The watch was never found.

300 Witness statement of Iris Morgan, MPS010377001, pp8-9, 02 March 1989.

301 Report of DCI Terence Farley, MPS005270001, p21, 19 January 1989.

302 Report of DCI Terence Farley, MPS005270001, p 6, 19 January 1989.

303 Witness statement of DS Graham Frost, MPS005281001, p1, 26 April 1989.

304 Report of DS Dennis Stephens, MPS022354001, 02 December 1988.

305 Witness statement of person employed by Rolex, MPS010936001A, 19 April 1989.

239. The Panel is satisfied that this matter was dealt with proportionately.

4 Jonathan Rees: the prime suspect

240. Jonathan Rees was classified as a suspect from the outset of the Hampshire/Police Complaints Authority Investigation, and it is clear that he very soon became the main suspect for the murder.³⁰⁶ Officers were instructed to '[e]xamine documentation on [him]. Submit assessment together with proposals for further enquiry.' Responsibility for this was allocated to DI Trevor Witt, and a record dated 10 April 1989 endorsed on the action states: '*Action covered in course of Operation Drake.*'³⁰⁷ However, the records in the Panel's possession do not indicate what precise steps, if any, were taken in respect of this.

241. This action was a sensible and logical first step, which, if carried out effectively, would have enabled a strategic approach to be taken to investigating Jonathan Rees's alleged involvement in Daniel Morgan's murder. However, while a great deal of work was done in respect of Jonathan Rees, there is no evidence that such a strategic approach was adopted.

4.1 Jonathan Rees's alibi and account under questioning

242. On 14 November 1988, DCS Alan Wheeler documented his decision that the investigation would now '*concentrate on the alibi of Paul Goodridge, and John [sic] Rees for the night of 100387*'.³⁰⁸ On 08 December 1988, he submitted an interim report to the Police Complaints Authority, the purpose of which he stated was '*to highlight the diminishing alibis of Paul GOODRIDGE and John [sic] REES*'.³⁰⁹

243. Jonathan Rees's alibi was that he could not have murdered Daniel Morgan because he had left him alive in the Golden Lion public house about 9.00 pm on 10 March 1987 and had immediately driven from that location to the Beulah Spa public house. He claimed that he had arrived there about 9.30 pm and was joined a short time later by Paul Goodridge. En route he had made and received several telephone calls using his in-car mobile telephone and had spoken with his wife, with Paul Goodridge and with Paul Goodridge's girlfriend, Jean Wisden. He and Paul Goodridge had remained in the Beulah Spa public house until about 11.00 pm, after the time at which Daniel Morgan's body had been discovered.^{310,311}

244. In his report to the Police Complaints Authority, DCS Alan Wheeler summarised the accounts of Paul Goodridge's and Jonathan Rees's movements, as provided by both men and Jean Wisden to the Morgan One Investigation. He then stated that the claims made by Paul Goodridge, Jonathan Rees and Jean Wisden could not be true. He based his assertion

306 Action A13, '*Raise suspect file on William Johnathan [sic] REES*', MPS031045001, 25 July 1988.

307 Action A15, '*Examine documentation on William Johnathan [sic] REES*', MPS031047001, 25 July 1988.

308 Operation Drake SIO Policy Document Decision 19, MPS035201001, p3, 14 November 1988.

309 Interim Report of DCS Alan Wheeler to the Police Complaints Authority, MPS022468001, p3, para10, 08 December 1988.

310 Witness statement of Jonathan Rees, MPS026848001, 11 March 1987.

311 Witness statement of Jonathan Rees, MPS026849001, 20 March 1987.

on an analysis of their statements and the statements of other witnesses, compared with an examination of the itemised billing of calls made from Jonathan Rees's mobile telephone on the night of 10 March and of timings obtained from Channel 4 of the broadcast that night of a film, which Paul Goodridge claimed to have been watching at home.³¹²

245. Paul Goodridge had told the Morgan One Investigation in two statements, made on 12 March and on 25 March 1987, that on the morning of Monday 09 March 1987 he had been at the offices of Southern Investigations, when he learned from Jonathan Rees that the business was being sued and needed £10,000 to lodge with the High Court. Jonathan Rees had asked him whether he knew of anyone who would be able to help raise that sum. Paul Goodridge told the police that he replied that, although he knew no one who would lend such an amount of money, he would ask around with friends. The following day, he was again at Southern Investigations and Jonathan Rees asked him if he had had any success and when told that he had not, Jonathan Rees asked him to keep trying. Paul Goodridge claimed that at this point Daniel Morgan arrived with one of Southern Investigations' employees, Anthony Pearce, and that he and Jonathan Rees spoke with them both. He was also asked by the police if a meeting had been arranged for later that day at the Golden Lion public house to discuss the money but stated that he could not remember. Shortly thereafter he had left the premises and later in the day went to pick up his girlfriend, Jean Wisden, from the hospital where she worked as a secretary.^{313,314}

246. Anthony Pearce later provided a statement to the Morgan One Investigation in which he claimed that he could say with certainty that Paul Goodridge was not at the offices of Southern Investigations at any time on Tuesday 10 March 1987.³¹⁵ Another employee of Southern Investigations, Peter Newby, later provided a similar statement to Hampshire officers in which he said, *'Regarding the 10th March 1987 I definitely did not see Paul Goodridge at the offices of Southern Investigations that day. I am certain I would have seen him had he visited and in any case this fact would have been recorded in my earlier statements.'*³¹⁶

247. Paul Goodridge had said that he was delayed returning home by a visit to the hospital, as Jean Wisden had fallen at work that afternoon and was being treated. They did not leave the hospital until sometime between 5.30 pm and 6.15 pm. They drove home, stopping to buy a newspaper and milk on the way and then at about 9.10 pm went out again to a local off-licence to buy some wine and rent a video, returning a short time later when they began to watch a film on Channel 4.³¹⁷

248. Paul Goodridge went on to say that Jonathan Rees then telephoned the house at a particular point in the film, which later became significant when the varying claims about times were analysed. The call was answered by Jean Wisden. Jonathan Rees told Jean Wisden that he wanted Paul Goodridge to meet him at the nearby Beulah Spa public house. Paul Goodridge stated that he left the house about 9.30 pm and arrived at the Beulah Spa some ten minutes later. As he drove into the car park, he received a call from Jonathan Rees on his in-car mobile telephone; he told Jonathan Rees that he was just arriving.

312 Interim Report of DCS Alan Wheeler to the Police Complaints Authority, MPS022468001, pp4-7, paras13-25, 08 December 1988.

313 Witness statement of Paul Goodridge, MPS021952001, 12 March 1987.

314 Witness statement of Paul Goodridge, MPS010058001, 25 March 1987.

315 Witness statement of Anthony Pearce, MPS010455001, 27 March 1987.

316 Witness statement of Peter Newby, MPS010352001, 23 November 1988.

317 Witness statement of Paul Goodridge, MPS021952001, 12 March 1987.

Witness statement of Paul Goodridge, MPS010058001, 25 March 1987.

249. Jonathan Rees was waiting for him inside the premises dressed in a white raincoat. They had a conversation about raising the £10,000 and Paul Goodridge claimed that he told Jonathan Rees that he had been *'flying about'* trying to arrange it but had not been successful. He said that there was no conversation about a missed meeting at the Golden Lion public house, although Jonathan Rees's opening words to him had been *'Where in the fuck have you been?'* Paul Goodridge said that he left at 10.55 pm to return home.³¹⁸

250. Jean Wisden gave a similar account to that of her boyfriend but, as DCS Alan Wheeler pointed out in his interim report to the Police Complaints Authority, Paul Goodridge had claimed to be illiterate and so Jean Wisden had been present while he made his statement and she was thus familiar with his account.³¹⁹ In her statement she described her accident and the fact that Paul Goodridge had picked her up from the casualty department at the hospital and took her home, where they arrived about 6.00 pm. She confirmed that about 9.00 pm they went together to buy wine and rent a video and shortly after returning home she answered the telephone to Jonathan Rees who asked her to tell Paul Goodridge to meet him at *'the Spa'*. She stated that Paul Goodridge left their flat about 9.30 pm. She went on to say that he returned home *'just after eleven (11pm)'*, and she recalled that the film they had been watching together before he had left had by that time finished.³²⁰

251. In the statement of Jonathan Rees taken on 11 March 1987 by DS Sidney Fillery, Jonathan Rees had said that he and Daniel Morgan had intended to meet Paul Goodridge in the Golden Lion public house because they were due to be introduced to someone by him, with a view to securing a loan. However, Paul Goodridge did not turn up due to *'his wife's'* workplace accident and so the two men just had a drink and then Jonathan Rees left the premises about 9.00 pm. He claimed that he then drove to the Beulah Spa public house and en route telephoned Paul Goodridge from his in-car mobile telephone and arranged to meet him there. They stayed until *'last orders'* and then left. Jonathan Rees said that he arrived home shortly after 11.00 pm.³²¹

252. In a later statement³²² made to DI Allan Jones on 20 March 1987, Jonathan Rees gave a more detailed account of his movements and of the telephone calls he made and received during the evening, based on the call billing document^{323,324} the police had obtained, saying the following:

- i. At 9.04 pm he had received a call from his wife while he was driving away from the Golden Lion public house and that this had lasted twelve minutes.^{325,326}
- ii. At 9.17 pm he telephoned Paul Goodridge to enquire about the loan. He was specific that he had spoken both to Jean Wisden and to Paul Goodridge.

318 Witness statement of Paul Goodridge, MPS021952001, p5, 12 March 1987.

319 Interim Report of DCS Alan Wheeler to the Police Complaints Authority, MPS022468001, p5, para 18, 08 December 1988.

320 Witness statement of Jean Wisden, MPS000993001, 25 March 1987.

321 Witness statement of Jonathan Rees, MPS026848001, 11 March 1987.

322 Witness statement of Jonathan Rees, MPS000948001, 20 March 1987.

323 It should be noted that the itemised billing for Jonathan Rees' car telephone only identified numbers which he had dialled, not the identity of callers to his telephone. The duration of calls both made and received was recorded. When a call was received the billing or printout showed the time the call was received, Jonathan Rees's own telephone number of 0860334712, and a zero cost.

324 Printout of car phone for Jonathan Rees 0860334712, MPS000960001, 17 March 1987.

325 Witness statement of Jonathan Rees, MPS000948001, 20 March 1987.

326 The duration of the call that Jonathan Rees said he received from his wife was between 11 minutes and 31 seconds and 12 minutes. (The telephone company charged in 30 second blocks after the first minute of each connection – Witness statement of telephone network administrator, MPS010338001, p4, 29 September 1987.)

The Report of the Daniel Morgan Independent Panel

- iii. At 9.19 pm he telephoned his wife at home to tell her that he was going to the Beulah Spa.
- iv. At 9.21 pm he received a call from Paul Goodridge who said that he was on his way.
- v. At 9.23 pm he telephoned Paul Goodridge again in order, he claimed, to cancel the meeting. However, he also stated that he arrived at the public house about 9.25 pm or 9.30 pm but did not explain his apparent change of mind.
- vi. At around 10.50 pm he left to go home and at 11.15 pm he telephoned his wife while en route to ask if she wanted him to bring her a kebab. He stopped to buy this and arrived home about 11.30 pm.

253. When interviewed in custody by D/Supt Douglas Campbell on 03 April 1987 having been arrested, Jonathan Rees had said that the arrangement to meet Paul Goodridge had been made in the presence of Daniel Morgan and Anthony Pearce.³²⁷ Although Paul Goodridge had denied arranging to meet them, Jonathan Rees had maintained that the meeting had been agreed, although neither he nor Daniel Morgan had expected it to take place, as they did not believe that Paul Goodridge was able to arrange such a loan.³²⁸ Jonathan Rees had confirmed that he left the Golden Lion public house about 9.00 pm and that it had taken him about 25 to 30 minutes to drive to the Beulah Spa public house. It was put to him that the journey at that time on a Tuesday evening would have been much shorter, but he maintained his account.³²⁹

254. He had insisted to D/Supt Douglas Campbell that at 9.04 pm he had had a 12-minute conversation with his wife, and that it had been Paul Goodridge who had suggested meeting at the Beulah Spa, as he wanted to explain why he had been unable to make the meeting at the Golden Lion public house, and about his girlfriend's workplace accident.³³⁰

255. On 01 February 1989, Jonathan Rees was interviewed under caution following his arrest by Hampshire officers. He distanced himself from the accounts he had given previously to the Morgan One Investigation. DCI Paul Blaker referred him to his statement of 20 March 1987 and asked if it had been accurate. Jonathan Rees replied:

*'No it wouldn't have been an accurate statement, you're talking about ten days after the event, aren't you, ten days, that statements [sic] asking me to recall telephone conversations from ten days previously, again that was the most traumatic experience, certainly in my life, so I wouldn't use the word accurate and it is to the best of my knowledge and best of my ability and truthful as I could be.'*³³¹

256. DCI Paul Blaker then asked Jonathan Rees if, when he arrived at the Beulah Spa public house, Paul Goodridge had apologised for having missed the earlier meeting at the Golden Lion public house. Jonathan Rees replied, *'I can't recall that evening'*, although he did say that he remembered that Jean Wisden had been involved in an accident that day and he maintained his previous assertions that the meeting with Paul Goodridge was pre-arranged.³³²

327 Record of interview with Jonathan Rees, MPS000716001, p50, 03 April 1987.

328 Record of interview with Jonathan Rees, MPS000716001, pp61-62, 03 April 1987.

329 Record of interview with Jonathan Rees, MPS000716001, pp65-66, 03 April 1987.

330 Record of interview with Jonathan Rees, MPS000716001, pp66-72, 03 April 1987.

331 Record of interview with Jonathan Rees, MPS026845001, p7, 01 February 1989,

332 Record of interview with William Jonathan Rees, 01 February 1989, MPS026845001, pp 14 and 16-17.

257. He was then asked about the several telephone calls that occurred after 9.17 pm and said that he had telephoned Paul Goodridge simply because he had wanted to have a beer, but that when he then spoke with his wife she had been unhappy about it and so he called Paul Goodridge back to cancel but that Paul Goodridge said he was already on his way. DCI Paul Blaker asked him if it was his alibi that he could not have killed Daniel Morgan because he had left him about 9.00 pm, alive in the Golden Lion public house, and then had had the telephone conversations with Paul Goodridge, Jean Wisden and his wife and the meeting with Paul Goodridge in the Beulah Spa public house. Jonathan Rees replied that it was and shortly afterwards the interview was terminated.³³³

258. The following day DCI Paul Blaker interviewed Jonathan Rees again and at the outset informed him that overnight his wife had been seen by detectives and that she had said that on the evening of 10 March 1987 she had only two telephone conversations with him and that both had been calls to the house from Jonathan Rees. Therefore, the 12-minute incoming call timed at 9.04 pm could not have been from her. He was asked if he would like to comment on this but replied that he was not able to so long afterwards but at the time that he made the original statements he believed that he was accurately recounting events.³³⁴

259. It was pointed out to him that both his wife and Paul Goodridge had contradicted his account of their having made calls to his in-car mobile telephone on the night, to which he replied, *'Well so be it, what can I say? That's their recollection....'*³³⁵ It was then put to him that two witnesses, one of whom was named as Peter Newby, had made statements claiming that Paul Goodridge had not been present on the morning of 10 March 1987 when Jonathan Rees claimed that the meeting in the Golden Lion public house had been arranged. He responded that his recollection was that Paul Goodridge had been there.³³⁶

260. Later that day Jonathan Rees was interviewed again by DCS Alan Wheeler and he was asked to account for his movements on the night. It was put to him once again that the 9.04 pm telephone call was not from his wife, but he continued to maintain that it was. He was asked about the 9.17 pm call to Paul Goodridge's home but stated that he could not remember speaking with Jean Wisden, only with Paul Goodridge. Further questions were put highlighting the discrepancies in his various accounts, but in summary he maintained either that his answers at the time had been made to the best of his recollection or that he no longer remembered after so long.³³⁷

261. DCS Alan Wheeler then said to Jonathan Rees:

Q: '[T]he reason I'm taking you very slowly and carefully through this is because it is absolutely crucial to you.'

*A: 'I think what it does show Mr WHEELER is that I'm in my car and Paul GOODRIDGE is at home or he's mobile or whatever but thing we're not is out murdering Daniel MORGAN.'*³³⁸

³³³ Record of interview with Jonathan Rees, MPS026845001, pp20-24, 01 February 1989.

³³⁴ Record of interview with Jonathan Rees, MPS021812001, pp1-6, 02 February 1989.

³³⁵ Record of interview with Jonathan Rees, MPS021812001, p6, 02 February 1989.

³³⁶ Record of interview with Jonathan Rees, MPS021812001, pp8-11, 02 February 1989.

³³⁷ Record of interview with Jonathan Rees, MPS027005001, pp15-20, 02 February 1989,

³³⁸ Record of interview with Jonathan Rees, MPS027005001, p20, 02 February 1989.

262. During this interview, Jonathan Rees confirmed that when he had left Daniel Morgan in the Golden Lion public house on the night of his murder, Daniel was writing on a piece of paper with a Parker ballpoint pen. DCS Alan Wheeler put it to him that neither the Parker pen nor the paper had been found on Daniel Morgan's body³³⁹ and that it was significant that Jonathan Rees had mentioned that Daniel Morgan was writing with a pen and paper when he left him, and yet within minutes he was murdered but no pen or paper was found on his body (in fact several pieces of paper had been found on the body). Jonathan Rees replied, '*[s]o be it, again I say neither was his wallet or his watch*'. DCS Wheeler stated that his wallet was found, but his watch was missing and that was the only thing that was missing as far as they knew. Jonathan Rees said that he believed that the pen and watch may have been lost in the violent struggle before Daniel Morgan died.³⁴⁰

263. DCS Alan Wheeler explained that he had discounted the suggestion that there was a violent struggle because the attack took place alongside Daniel Morgan's car. He explained that Daniel Morgan would have been wary of someone who was within arm's length if he did not know them and said that he had been hit three times [sic] over the head with an axe and the first blow came from within close range and there were no defence wounds. For the perpetrator to have done this, DCS Wheeler believed he must have been at arm's length.³⁴¹ He went on:

*'He hasn't put his hands up, he hasn't fended any blows off with his arms, he hasn't turned his head, ducked out of the way, because the three blows to his head are on the top of his head and therefore he has been taken completely by surprise. If it was an unknown assailant then I would submit that to get close to him, sufficiently close to him to get to arm's length, then he would have had a second, a fraction of a second, I don't know what time it would have been, but certainly time to have turned, deflected something, but instead of that the wound to the head, the three wounds to the head were straight across the top of the head without any warning to him whatsoever.'*³⁴²

264. Jonathan Rees rejected DCS Alan Wheeler's analysis, stating that, overall, he did not think that Daniel Morgan knew his murderer.³⁴³

265. Paul Goodridge and Jean Wisden were both interviewed under caution while in the custody of the Hampshire team, but both declined to answer any questions.³⁴⁴

339 Record of interview with Jonathan Rees, MPS027005001, p8, 02 February 1989.

340 Record of interview with Jonathan Rees, MPS027005001, pp9-10, 02 February 1989.

341 Record of interview with Jonathan Rees, MPS027005001, pp10-14, 02 February 1989.

342 Record of interview with Jonathan Rees, MPS027005001, p11, 02 February 1989.

343 Record of interview with Jonathan Rees, MPS027005001, pp12-14, 02 February 1989.

344 Record of interview with Paul Goodridge, MPS026835001, 31 January 1989.

Record of interview with Paul Goodridge, MPS026836001, 01 February 1989.

Record of interview with Paul Goodridge, MPS026837001, 02 February 1989.

Record of interview with Paul Goodridge, MPS026838001, 02 February 1989.

Record of interview with Paul Goodridge, MPS026839001, 02 February 1989.

Record of interview with Jean Wisden, MPS026854001, 01 February 1989.

Record of interview with Jean Wisden, MPS026855001, 02 February 1989.

Record of interview with Jean Wisden, MPS026856001, 02 February 1989.

266. It was a justified and reasonable step to arrest Jonathan Rees, Paul Goodridge and Jean Wisden on the basis of their inconsistent accounts. It is acknowledged that DCS Alan Wheeler enquired extensively into the alibis of Jonathan Rees and Paul Goodridge and the supporting account of Jean Wisden. A thorough and comprehensive analysis was carried out based on statements from witnesses who could corroborate or otherwise their movements throughout Tuesday 10 March 1987, and on the examination of itemised billing and telephone records, to the very limited extent that these were available in 1987.

267. On 02 February 1989, DCS Alan Wheeler made the decision to charge Jonathan Rees and Paul Goodridge with the murder of Daniel Morgan and to charge Jean Wisden with attempting to pervert the course of justice on the grounds that she had lied in providing evidence to support the alibis of Jonathan Rees and Paul Goodridge. The basis of his case was, in essence, that Jonathan Rees's and Paul Goodridge's alibis did not stand up. In his report to the Director of Public Prosecutions he explained his reasoning for this conclusion, which can be summarised as follows:

- i. Jonathan Rees had lied about the incoming calls to his mobile telephone at 9.04 pm and 9.21 pm. He claimed that these were from his wife and from Paul Goodridge, but both had denied making them. DCS Alan Wheeler speculated that Jonathan Rees had left the Golden Lion public house about 9.00 pm in order to go to his car, switch on his telephone and then call it from a nearby public telephone kiosk. He returned 12 minutes later to disconnect the call and then telephoned Jean Wisden. This was sufficient time for him to have gone into the car park of the Golden Lion to murder Daniel Morgan and was also consistent with a statement made by one of the customers in the public house that night. The witness was believed to have been sitting near to Daniel Morgan and Jonathan Rees and had described Jonathan Rees leaving his seat and returning a short time later wearing his white raincoat. DCS Wheeler further speculated that this was the moment that Jonathan Rees had gone to switch on the telephone.^{345,346,347}
- ii. Paul Goodridge's claim that Jonathan Rees telephoned his home at a particular point in the film that he and Jean Wisden were watching on television could not be true if Jonathan Rees's claim was accurate that he spoke to Paul Goodridge at 9.23 pm when Paul Goodridge was in his car driving to the Beulah Spa. Enquiries had been made with Channel 4 and the particular scene concerned had been broadcast between 9.28 pm and 13 seconds and 9.30 pm and 49 seconds. Therefore, for Paul Goodridge to have been in his car at 9.23 pm meant that he was in fact driving home rather than driving to the Beulah Spa from his home.³⁴⁸
- iii. Therefore, Jean Wisden was also lying about Paul Goodridge's movements.³⁴⁹

345 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, pp64-65, para 166, 23 February 1989.

346 Witness statement of person at the bar of the Golden Lion public house, MPS010238001, 12 March 1987.

347 The Panel notes here that Jonathan Rees would have had to feed a lot of coins into the telephone box to ensure that the call remained connected for the time it took to murder Daniel Morgan and that he would also have had to rely on no one else coming along to make a call and replacing the handset on finding it 'off the hook'.

348 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, pp47-48, para 112, 23 February 1989.

349 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, pp47-48, para 112, 23 February 1989.

268. Jonathan Rees's account of the telephone conversation with his wife commencing at 9.04 pm, which lasted between 11 minutes and 31 seconds and 12 minutes, is not credible, particularly since she later denied having telephoned him. The theory that Jonathan Rees had, during that period, either murdered Daniel Morgan or been present in the car park of the Golden Lion public house when the murder took place, is plausible but unsupported by evidence. If Jonathan Rees was lying about the call, it does not automatically follow that he murdered Daniel Morgan. Other scenarios that he might have wished to conceal from the police might account for this suspected lie.

269. Jean Wisden had told the Morgan One Investigation that during the call with Jonathan Rees, he had asked her *'how [her] bottom was'* but that this was not a reference to her fall at work but something that he had also said to her in the past.³⁵⁰ DCS Alan Wheeler concluded that the comment was in fact about the workplace accident and speculated as to how Jonathan Rees could have known, the unstated implication being that there had been prior contact with Paul Goodridge and/or Jean Wisden to which none of them would admit.³⁵¹ There is no doubt that there were a number of obvious inconsistencies and inaccuracies in what the three suspects had said. DCS Alan Wheeler said in his interim report to the Police Complaints Authority that *'[t]he accounts/stories/alibis/ given by REES, GOODRIDGE and WISDEN cannot be true. When irrefutable facts are injected into the alibis then the alibis diminish to such a degree that they do not stand up.'*³⁵²

270. After 10 March 1987, contact between Jonathan Rees, Paul Goodridge and Jean Wisden had *'cooled dramatically'*. Prior to the murder Jonathan Rees had telephoned Paul Goodridge's and Jean Wisden's number 24 times, but between 10 March 1987 and February 1989 he had done so only twice.³⁵³ DCS Alan Wheeler did not state over what period before the murder Jonathan Rees had made these calls.

4.2 The relationship between Jonathan Rees and Margaret Harrison

271. The sexual relationships which both Daniel Morgan and Jonathan Rees had with Margaret Harrison formed a major part of DCS Alan Wheeler's enquiries.^{354,355}

272. The Morgan One Investigation had established that Daniel Morgan had been in a sexual relationship with Margaret Harrison (see Chapter 1, The Morgan One Investigation). There was a strong suspicion, but no more, that Jonathan Rees was also in a sexual relationship with her at the time of Daniel Morgan's murder.³⁵⁶ Margaret Harrison and Jonathan Rees had consistently denied being in such a relationship during the Morgan One Investigation and at the Inquest

350 Witness statement of Jean Wisden, MPS021798001, p4, 25 March 1987.

351 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, p56, para 138, 23 February 1989.

352 Interim Report of DCS Alan Wheeler to the Police Complaints Authority, MPS015458001, p8, para 24, 08 December 1988.

353 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, p58, para 145, 23 February 1989.

354 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, pp17-18, paras 28-29, 23 February 1989.

355 Witness statement of former DCS Alan Wheeler, HAM000315001, pp16-18, paras 43(s)-43(w), 24 July 1996.

356 Report of D/Supt Douglas Campbell, MPS037174001, pp26-27, para 116(d) and pp27-28, paras 117-123, 22 January 1988.

into Daniel Morgan's death.^{357,358,359} The Hampshire/Police Complaints Authority Investigation ultimately confirmed that there had been a sexual relationship,³⁶⁰ although there was no conclusive proof that it had been in existence at the time of the murder.

273. Between November 1988 and April 1989, Margaret Harrison was interviewed six times by Hampshire officers.^{361,362,363}

274. On 23 November 1988, during a four-hour interview, she talked about her affair with Daniel Morgan but continued to deny any sexual relationship with Jonathan Rees. She said her relationship with him was platonic and explained the large number of telephone calls to her office from him before the murder – some 60 of them had been recorded³⁶⁴ – by speculating that some of them might have been for a female colleague with whom he was also friendly and that others were business calls. She stated that she had seen Jonathan Rees on 22 November 1988 (the day before her interview) but had not told him that she was due to meet with the detectives. She agreed that it would be unwise to tell him about her meeting. The officers concluded that she was lying to them about the affair.³⁶⁵

275. On 30 November 1988, Margaret Harrison was questioned further about her friendship with Jonathan Rees. She continued to deny any affair but asked the interviewing officers if she was allowed to see him, as she said that she had previously been advised by the Metropolitan Police to stay away from him. She asserted that she had not had any contact with him since the day before her previous interview. The Hampshire officers subsequently reported that they believed this to be untrue, as they had seen her car and Jonathan Rees's car parked in close proximity two days earlier. They did not confront her with this but merely repeated that she should not tell him that she had been talking to them.^{366,367}

276. On 01 December 1988, DI Trevor Witt and DS Dennis Stephens saw Jonathan Rees and Margaret Harrison get into her car, where they talked for about ten minutes, kissed and embraced.³⁶⁸

277. On 04 January 1989, Margaret Harrison was interviewed again.³⁶⁹ She clarified some points from her first witness statement made to the police in 1987. She also said that she had met Jonathan Rees three or four times socially, once being when she was with a friend at a luncheon club meeting after she had last met with Hampshire officers. She had told Jonathan Rees that she had been seen by Hampshire officers. She maintained that her relationship with him was one of friendship.³⁷⁰ Police had suspected that she had been meeting Jonathan Rees after her previous interviews and so following the interview they watched Jonathan Rees's car,

357 Record of interview with Jonathan Rees, MPS000716001, pp73-74, 03 April 1987.

358 Transcript of Inquest into the death of Daniel Morgan, INT000008001, p45, 25 April 1988.

359 Transcript of Inquest into the death of Daniel Morgan, INT000002001, pp17-18, 12 April 1988.

360 Witness statement of Margaret Harrison, MPS010233001, 01 February 1989.

361 Report of DI Rex Carpenter, MPS022402001, 23 November 1988.

362 Report of DI Rex Carpenter, MPS022400001, 30 November 1988.

363 Report of a Detective Sergeant MPS022549001, 04 January 1989.

Witness statement of Margaret Harrison, MPS010233001, 01 February 1989.

Witness statement of Margaret Harrison, MPS010236001, 12 April 1989.

Witness statement of Margaret Harrison, MPS010237001, 17 April 1989.

364 Print out of calls to and from the car telephone of Jonathan Rees, MPS000960001, 17 March 1987.

365 Report of DI Rex Carpenter, MPS022402001, 23 November 1988.

366 Report of DI Rex Carpenter, MPS022401001, 28 November 1988

367 Report of DI Rex Carpenter, MPS022400001, 30 November 1988.

368 Report of a Detective Sergeant, MPS022356001, 02 December 1988.

369 Record of interview of Margaret Harrison at the Hollybush public house, MPS023257001, p1, 09 January 1989.

370 Report of a Detective Sergeant, MPS022542001, 09 January 1989.

which was parked in Thornton Heath, to see if she would encounter him. They saw her drive in her car, backwards and forwards around 15 minutes. She was then seen to make a call from a telephone kiosk, but officers did not see Jonathan Rees.³⁷¹

278. On 31 January 1989, Jonathan Rees was arrested by officers from the Hampshire team on suspicion of the murder of Daniel Morgan³⁷² and was questioned for three days at Fareham Police Station. It was put to him that he had been having an affair with Margaret Harrison, and that his jealousy was a motive for Daniel Morgan's killing. He did not answer the question directly but replied that *'the majority of our murders in this country are domestic for whatever reason'*.³⁷³ He was subsequently questioned by DCI Paul Blaker:

DCI Blaker: *'[A]t the time [of Daniel Morgan's murder], were you having an affair with Margaret HARRISON?'*

Jonathan Rees: *'I have an answer for that question I am not willing to answer at this present time.'*

DCI Blaker: *'Are you having an affair with her now?'*

Jonathan Rees: *'Again, I have an answer for that question I am not willing to answer at the present time.'*³⁷⁴

279. On 01 February 1989, Margaret Harrison was interviewed a fourth time and stated that she had not been in a sexual relationship with Jonathan Rees before Daniel Morgan's murder but that she had been in one since the summer of 1987. She admitted that she had lied about this when she gave evidence on oath at the Inquest in April 1988. She also admitted telling Jonathan Rees about her first meeting with DI Rex Carpenter. From then on, she had told Jonathan Rees about all subsequent meetings beforehand and reported back to him afterwards, despite her previous assertions that she had not done so.³⁷⁵

280. On 02 February 1989, Jonathan Rees was interviewed again. The exchange between DCI Paul Blaker and Jonathan Rees was as follows:

DCI Blaker: *'Margaret HARRISON was interviewed yesterday in the presence of her solicitor. She made a witness statement and in that she significantly differs in relationship to the evidence she gave at the Inquest. Particularly her relationship with you. You have been having a sexual affair with Margaret HARRISON. Is that right[?]'*

Jonathan Rees: *'I have an answer for that question but I am not going to answer at this present time.'*

DCI Blaker: *'According to Margaret HARRISON you last had sex with her in her home shortly before your arrest on Tuesday morning.'*

Jonathan Rees: *'I have an answer for that question which I am not going to answer at this present time.'*

371 Report of a Detective Sergeant, MPS022549001, 09 January 1989.

372 Custody Record in respect of William Jonathan Rees, HAM000307001, p2, 31 January 1989.

373 Record of interview with Jonathan Rees, MPS024932001, p15, 01 February 1989.

374 Record of interview with Jonathan Rees, MPS024932001, p18, 01 February 1989.

375 Witness statement of Margaret Harrison, MPS010233001, 01 February 1989.

- DCI Blaker: *'Are you denying that you have had and are having a sexual relationship?'*
- Jonathan Rees: *'I have answers for those questions which I am not going to answer at the present time.'*
- DCI Blaker: *'Is that on legal advice[?]'*
- Jonathan Rees: *'It is[.]'*
- DCI Blaker: *'On legal advice you sought prior to today[?]'*
- Jonathan Rees: *'Tis, I would to [sic] say to you that I did not murder Daniel MORGAN[.] I was not involved in the murder of Daniel MORGAN[.] I did not know who murdered Daniel MORGAN[.] I certainly did not murder Daniel MORGAN and one of the many motives that people keep producing Margaret[,] Margaret HARRISON being another one is not and would not be a motive for me[.]'*
- DCI Blaker: *'And you told me a few moments ago that if MORGAN was out with Margaret that wouldn't mean anything to you.'*
- Jonathan Rees: *'I'm sorry nothing, nothing at all.'*³⁷⁶

281. Later the same day DCS Alan Wheeler asked Jonathan Rees if he admitted or denied having an affair with Margaret Harrison. He replied, *'I'm not going to at this time discuss it'*. It was put to him that knowing that Daniel Morgan had been having a drink with her on the evening of 10 March 1987 had upset him, to which he replied, *'that is absolute nonsense, absolute nonsense'*. He was asked if he was in love with Margaret Harrison or besotted with her, which he denied, claiming that she was a 44-year-old woman and he had a *'beautiful 30 year old wife indoors'*. It was then put to him that he had been associating with Margaret Harrison until shortly before his arrest to which he replied, *'I still see Margaret HARRISON'* but went on to assert that he hardly knew her before Daniel Morgan's death and that if Daniel Morgan had been in a sexual relationship with her it would not have bothered him at all.³⁷⁷

282. On 16 September 1988 it had been decided to interview members of staff at the estate agents where Margaret Harrison worked, to see whether they knew about her having an affair with either Daniel Morgan or Jonathan Rees.^{378,379} Despite the apparent importance of this line of enquiry, employees were not seen until March and April 1989, after Jonathan Rees had been arrested and charged with murder, and after Margaret Harrison had been interviewed on four occasions.

283. Two of the staff were not able to provide any useful information beyond suspicion and rumour.^{380,381} However, in March 1989 a statement was obtained from the estate agents' former bookkeeper. He said that one evening, over the Christmas/New Year period 1986/87, he went to the company's Norbury office and found the manager's office locked, but he recognised

376 Record of interview with Jonathan Rees, MPS035200001, pp18-19, 02 February 1989.

377 Record of interview with Jonathan Rees, MPS024724001, pp5-7, 02 February 1989.

378 Action A115, *'Obt details of staff employed Furrmston's Est Agents'*, MPS031299001, 16 September 1988.

379 Action A116, *'Est. if staff at Furrmston's knew of HARRISON's affair either with Daniel MORGAN or Jon [sic] REES'*, MPS031300001, 16 September 1988.

380 Witness statement, MPS011046001, 13 March 1989.

381 Witness statement of an estate agent, MPS011047001, 14 March 1989.

Margaret Harrison's fur coat and grey high heel shoes near a desk. He began work in the main office, and after a few minutes Margaret Harrison emerged from the manager's office looking flushed and told him that she had been having a quiet drink with a solicitor. She then put on her shoes and coat and went to unlock the front door, and a man whom he did not recognise came out of the manager's office and left without speaking. Margaret Harrison left a few moments later.³⁸²

284. On 12 April 1989, members of the Hampshire/Police Complaints Authority Investigation interviewed Margaret Harrison for a fifth time, in the presence of her solicitor, and asked about the incident. She admitted that the man had been Jonathan Rees but denied that she had been having sexual intercourse with him and maintained that they had just been having a drink.³⁸³

285. On 02 May 1989, the Hampshire/Police Complaints Authority Investigation took a witness statement from DC Duncan Hanrahan, who knew both Daniel Morgan and Jonathan Rees, had mixed with them socially, and had been the Criminal Investigation Department (CID) officer who had initially dealt with the allegation of robbery that Jonathan Rees had made in connection with the Belmont Car Auctions takings (see Chapter 1, The Morgan One Investigation). In his statement DC Hanrahan said:

*'During my meetings with REES I learned that he was having an affair with Margaret HARRISON. This was definitely before the murder of Daniel MORGAN in March 1987. On one occasion, REES said that MORGAN had been bragging about "shagging" Margaret HARRISON (REES' word) on a particular evening which REES said was impossible because he'd been having sex with her, himself, that evening. Margaret HARRISON came up in conversation quite regularly and REES spoke of her in affectionate terms. I am quite sure in my own mind that REES was having a relationship with her, and that it wasn't a case of him bragging to compete with MORGAN.'*³⁸⁴

286. In his report to the Director of Public Prosecutions, DCS Alan Wheeler stated, in relation to Jonathan Rees's knowledge that Daniel Morgan was in the company of Margaret Harrison early in the evening of 10 March 1987, *'[i]t is submitted REES would not have been happy at the thought of HARRISON being with MORGAN. REES was besotted with HARRISON and would have been extremely jealous and emotionally upset.'*³⁸⁵ DCI Paul Blaker later stated, *'HARRISON was, in my view, and in the view of the investigating team, of prime importance since her sexual favours featured as a motive, amongst others, for the killing'*.³⁸⁶

287. DCS Alan Wheeler also pointed out that Margaret Harrison had consistently denied her relationship with Jonathan Rees, both to the Metropolitan Police and to the Coroner. He explained that she had admitted to the Hampshire/Police Complaints Authority Investigation that she had been in a relationship with Jonathan Rees only since the murder occurred.³⁸⁷ He went on, *'[e]vidence has been obtained that REES was and is, besotted with HARRISON and clearly the boasting by MORGAN of his sexual conquests must have infuriated REES to the point of hatred'*. Nowhere in the report did he mention Margaret Harrison's admission of lying in the Coroner's Court, although her statement of 01 February 1989 was appended to the report.

382 Witness statement, MPS011043001, 08 March 1989.

383 Witness statement of Margaret Harrison, MPS010236001, pp2-3, 12 April 1989.

384 Witness statement of DC Duncan Hanrahan, MPS010357001, 02 May 1989.

385 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, pp27-28, para 53, 23 February 1989.

386 Witness statement of Supt Paul Blaker, HAM000314001, p16, para 68, 25 July 1996.

387 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, pp17-18, paras 28-29, 23 February 1989.

288. The report to the Director of Public Prosecutions, dated 23 February 1989, was submitted before the Hampshire/Police Complaints Authority Investigation had obtained the further admission from Margaret Harrison that Jonathan Rees had been the man discovered in the estate agent manager's office with her at Christmas 1986, and before it had obtained the statement from DC Duncan Hanrahan referred to above. However, DCS Alan Wheeler's final report to the Police Complaints Authority was submitted after both these events.

289. Considerable effort was put into attempts to establish whether there had been an affair between Margaret Harrison and Jonathan Rees, either before or since Daniel Morgan's murder. This was a legitimate and important line of enquiry. Police also properly considered the possibility that Margaret Harrison's husband had murdered Daniel Morgan out of jealousy.

290. Investigative actions relating to Margaret Harrison could have been implemented more effectively. After the first interview with her in November 1988, investigative effort would have been better directed at interviewing her colleagues and DC Duncan Hanrahan and obtaining the evidence that led to her admitting to the affair and to admitting that the man in the office with her at Christmas 1986 had been Jonathan Rees, before proceeding with her interviews and those of Jonathan Rees.

Such an investigative strategy might have resulted in earlier admissions by her. There would then have been evidence to put to Jonathan Rees that he had lied to both the Morgan One Investigation and the Coroner, and that the sexual relationship with Margaret Harrison had started before Daniel Morgan's murder. The questioning of Jonathan Rees when he was in custody was carried out with only part of the evidence that was later available and thus its impact was diminished. By the time the remainder of the evidence relating to the relationship had been gathered, it was too late to do anything with it.

291. It is concerning that Margaret Harrison, knowing that her relationship with Jonathan Rees was considered by the police as an important issue for those investigating the murder of Daniel Morgan, persistently lied to the police over the course of two investigations and, despite being told not to do so, reported her dealings with the Hampshire/Police Complaints Authority Investigation to Jonathan Rees, whom it is not unreasonable to assume she must have known or realised was a suspect in the investigation. In addition, she lied on oath when questioned about the matter in the Coroner's Court. These circumstances could amount to an attempt to pervert the course of justice. Had Margaret Harrison been arrested for this offence, and/or for the perjury she admitted to having committed at the Inquest in April 1988, this might have resulted in her making admissions and could have altered the outcome of the investigation. No action was taken against Margaret Harrison, nor does it seem from the papers available to the Panel that it was contemplated by DCS Alan Wheeler and the Hampshire Constabulary at the time of the investigation.

292. Scarce resources were devoted to repeatedly interviewing Margaret Harrison and to carrying out time-consuming and resource-intensive observations on her.

An obvious consequence of this was that other investigative steps were not completed in a timely fashion, or at all. The outcome of the enquiries, in which significant evidence contradicted her previous claims, was received too late to influence the investigation, given that by the time the apparent facts were known, interviews with Jonathan Rees had taken place some months previously. The momentum of the investigation had been lost and the Director of Public Prosecutions was about to discontinue the proceedings.

293. Neither Margaret Harrison's alleged criminal behaviour, nor Jonathan Rees's evidence to the Coroner, in which he also denied on oath having a sexual relationship with her, were explicitly drawn to the attention of the Coroner, the Metropolitan Police, the Director of Public Prosecutions or the Police Complaints Authority. DCS Alan Wheeler should have referred evidence of alleged perjury by Margaret Harrison and Jonathan Rees for consideration of prosecution. No reason has been found in the papers disclosed to the Panel for DCS Wheeler's failure to deal with this matter.

5 Interview with DC Duncan Hanrahan

294. On 10 August 1988, a decision was made to speak to DC Duncan Hanrahan about his interactions with Jonathan Rees, and about his role during the Morgan One Investigation.³⁸⁸ In January 1989, it was also decided that he should be interviewed about the fact that Jonathan Rees had allegedly tried to contact him after DC Hanrahan was interviewed by D/Supt Campbell in June 1987.³⁸⁹

295. DCI Paul Blaker and DCS Alan Wheeler met DC Duncan Hanrahan on 12 January 1989. There is no explanation as to why there was such a long delay between the decision in August and the meeting in January, although DC Hanrahan had been off work sick. DCI Blaker submitted a report³⁹⁰ which covered a number of issues dealt with in the course of the meeting, including DC Hanrahan's assertion that Jonathan Rees had *'appeared to be up to date with the [Morgan One] enquiry and knew too much generally. [DC Hanrahan] did not know how he acquired so much information but the implications were obvious'*.³⁹¹

296. DC Duncan Hanrahan was some time later sent to prison for serious criminal offences³⁹² and therefore any account given by him must be regarded with caution. However, this does not preclude the possibility that he was telling the truth about Margaret Harrison's affair with Jonathan Rees and about Jonathan Rees's apparent knowledge of matters relating to the Morgan One Investigation. The *'obvious'* implications were that Jonathan Rees used his links to serving police officers to acquire information about the Morgan One Investigation. This should have been a line of enquiry for the Hampshire/Police Complaints Authority Investigation.

6 Information from Michael Goodridge, solicitor

297. On 28 September 1988, an action was raised to interview Michael Goodridge, Jonathan Rees's solicitor at the time of Daniel Morgan's murder, and for whom Southern Investigations and Jonathan Rees used to work from time to time. The intention was to obtain a statement from him about his knowledge of Jonathan Rees's movements on 10 March 1987, and other issues.³⁹³ The following day, the action was endorsed to the effect that the interview should only occur with the approval of DCS Alan Wheeler. Nothing happened until 08 February 1989, more than four months later, when a duplicate action was raised on the instructions of DCI Paul Blaker, directing that Michael Goodridge should be interviewed by DCS Wheeler.³⁹⁴

298. On 03 October 1988, a linked action was raised directing that clarification should be sought about certain issues arising from Michael Goodridge's evidence to the Inquest into Daniel Morgan's death.³⁹⁵

388 Action A30, *'Int DC HANRAHAN re his involvement with REES'*, MPS031068001, 10 August 19.

389 Action A530, *'T/ST DC HANRAHAN re meet with DS LEIGHTON/REES 040687'*, MPS032516001, 09 January 1989.

390 Report of DCI Paul Blaker, MPS022317001, 16 January 1989.

391 Report of DCI Paul Blaker, MPS022317001, p4, 16 January 1989.

392 Metropolitan Police Authority Report, HOM000111001, 19 October 2000.

393 Action A181, *'T/ST Michael GOODRIDGE about REES' actions 100387'*, MPS031458001, 28 September 1988.

394 Action A595, *'Interview Michael GOODRIDGE'*, MPS032403001, 08 February 1989.

395 Action A201, *'Clarify points raised in R12K when int M GOODRIDGE N32'*, MPS031845001, 03 October 1988.

299. A statement was finally taken on 18 April 1989, more than six months later.³⁹⁶

300. During the course of the Morgan One Investigation, Michael Goodridge had made a statement that he had been in a public house with Jonathan Rees on Tuesday 10 March 1987, before 7.00 pm. Michael Goodridge had described the clothing which Jonathan Rees was wearing at that time, including '*a white raincoat that he often wears*'.³⁹⁷ DS Graham Frost also referred to a similar coat and Jonathan Rees himself had admitted that he was wearing it.^{398,399}

301. Following Jonathan Rees's arrest and subsequent release from custody by the Morgan One Investigation, belated efforts had been made to obtain forensic samples from him. On 07 March 1988, fibre samples were obtained from his car, but it was reported that '*REES refused to submit the raincoat he wore on the night of the murder for forensic examination. This coat has been lodged with his solicitor Michael GOODRIDGE.*'⁴⁰⁰

302. On 04 May 1988, Michael Goodridge had told DI Allan Jones that he did not have the raincoat but that he would make enquiries and report back to DI Jones.⁴⁰¹ There is no record in the papers disclosed to the Panel that he did so, nor is there any indication that DI Jones or anyone else pursued the matter later.

303. The record of the exchange between Michael Goodridge and DI Allan Jones was transferred to the Hampshire/Police Complaints Authority Investigation. In October 1988, Hampshire officers obtained a written statement from a member of the Catford Crime Squad, who said:

*'Shortly after Daniel MORGAN's death, close to the time that DS FILLERY took a statement from John [sic] REES about the incident, DS FILLERY made a comment about the investigation of the murder. We were in the Catford Crime Squad office at the time, there were other officers present but I cannot recall whom. DS FILLERY said that the investigation was a farce and that he had told John [sic] REES to retain his clothing because it had still not been examined correctly.'*⁴⁰²

304. Following his arrest on 31 January 1989 for the murder of Daniel Morgan, Jonathan Rees's home was searched by DCS Alan Wheeler's officers and a number of items of clothing were seized. The white raincoat was not found. However, Jonathan Rees was not questioned about the raincoat during his interviews with DCS Wheeler and DCI Paul Blaker while he was in custody.

305. In his statement to Hampshire officers of 18 April 1989, Michael Goodridge repeated his earlier assertion that he had not been handed the raincoat: '*At no time has John [sic] REES ever given me any of his clothing particularly in respect of the clothes he wore on the night Danny MORGAN was murdered.*'⁴⁰³ There is no evidence that Michael Goodridge was or ever had been in possession of the raincoat.

396 Witness statement of Michael Goodridge, MPS010254001, 18 April 1989.

397 Witness statement of Michael Goodridge, MPS010250001, p4, 14 March 1987.

398 Witness statement of DS Graham Frost, MPS010726001B, 19 August 1987.

399 Witness statement of Jonathan Rees, MPS026795001, p10, 11 March 1987.

400 Morgan One Investigation action A1623, '*Arrange for REES to bring his car to a police station for SOCO examination, obtain fibre samples from seats front and rear floor mats and boot mat*', MPS014686001, 28 April 1988.

401 Morgan One Investigation telephone message from Michael Goodridge to DI Allan Jones, MPS012927001, 04 May 1988.

402 Witness statement of a Police Constable, MPS018202001, 17 October 1988.

403 Witness statement of Michael Goodridge, MPS010254001, p3, 18 April 1989.

306. Seizing the clothing worn by a suspect at the time of a murder is a basic task of any criminal investigation and ought to have been carried out in 1987. The Hampshire/Police Complaints Authority Investigation was correct to pursue the matter in its dealings with Michael Goodridge. However, Jonathan Rees should have been questioned about the missing raincoat after his arrest on 31 January 1989.

DCS Alan Wheeler had reason to be cautious in approaching Michael Goodridge, who had represented Jonathan Rees following his arrest by the Morgan One Investigation in April 1987 and therefore had a professional solicitor-client relationship with Jonathan Rees.^{404,405} In addition to this, Jonathan Rees had worked for Michael Goodridge, attending interviews of Michael Goodridge's clients in police stations. Michael Goodridge had also been, at the same time, a close social acquaintance, and had been with Jonathan Rees in the Victory public house on the night of Daniel Morgan's murder and left with Jonathan Rees at 7.00 pm. However, the statement was not obtained until more than two months after Jonathan Rees had been charged by the Hampshire/Police Complaints Authority Investigation. The manner in which these actions were handled and the lengthy delay in completing them were unsatisfactory.

7 Matters relating to 1987 diaries recovered from Southern Investigations

307. Another potentially important line of enquiry during the Hampshire/Police Complaints Authority Investigation concerned an entry made in Jonathan Rees's desk diary for 10 March 1987,⁴⁰⁶ which had been seized by the Morgan One Investigation from his desk following his arrest on 03 April 1987. The document, or at least part of it,⁴⁰⁷ was photocopied and then the original was returned on 18 May 1987. There is no evidence to suggest that it was subject to any examination or scrutiny (see Chapter 1, The Morgan One Investigation).

308. The photocopied diary page for 10 March 1987 contained two entries. The first was towards the top of the page and read:

'office
[Named woman] re divorce
1.30.'

309. The second was at the bottom of the page and read:

*'D/M [or possibly DJM] WJR re £10,000'*⁴⁰⁸

404 Although by January 1989 there was information within the Hampshire/Police Complaints Authority Investigation suggesting that since the murder the solicitor had distanced himself from Jonathan Rees;

405 Report of DCI Paul Blaker, MPS022317001, p3, 16 January 1989.

406 Entry in Jonathan Rees' 1987 Letts desk diary, MPS011657001, p13, 10 March 1987.

407 Sixteen pages of Jonathan Rees's 1987 Letts desk diary, MPS011657001, 10 March 1987.

408 Witness statement of member of staff from Southern Investigations, MPS010448001, pp11-12, 08 February 1989.

310. This second entry is thought by the Panel to have been a reference to Daniel Morgan and the sum of money that the Court had ordered to be deposited in connection with the Belmont Car Auctions legal action. Although it was reasonable to assume that the entry had been made by Jonathan Rees, that fact and the timing of the entry had not been determined.

311. The Hampshire/Police Complaints Authority Investigation was aware that the questions about the entry in Jonathan Rees's diary had not been addressed by the Morgan One Investigation and accordingly began to look into the issue themselves. A total of 26 investigative actions were proposed in respect of the entire document, two of which related to the entry in the diary. The first was to establish what the entry signified and the second was to establish when it had been made.⁴⁰⁹ None of the 26 proposed investigative actions was completed.

312. On 31 January 1989, Southern Investigations' premises were searched again following Jonathan Rees's arrest by the Hampshire team, and a number of items, including several 1987 diaries, were seized. However, the diary referred to above was not found.

313. On 02 February 1989, Jonathan Rees was questioned again about the second entry in the diary, dated 10 March 1987. He was shown the photocopy of the page for 10 March 1987 and asked if he had written the entries. He stated that the entry at the top of the page was his 'scribble', but denied that the entry at the bottom had been made by him and asserted that it was 'too neat' to be his. He claimed that the writing was either Daniel Morgan's or that of a named male employee of Southern Investigations.⁴¹⁰

314. Jonathan Rees was not asked during his interview about the whereabouts of the original diary but he should have been.

315. On 08 February 1989, a statement was taken from a member of staff working at Southern Investigations, who identified the handwriting as belonging to Jonathan Rees and said:

'I am well acquainted with John [sic] REES' handwriting having worked for him for 3 ½ years. I have seen him write practically every working day during that time and I am certain in my own mind that I can recognise his handwriting.'

316. She said that the word 'office' in the upper entry and all of the lower entry appeared to her to be in Jonathan Rees's handwriting. However, she acknowledged that she had been shown a photocopy and might have been more certain had she seen the original.⁴¹¹

409 Operation Drake document D382, 'Copy part desk diary 1987 WJ REES', MPS025719001, p14 (Statement Reader's instructions undated).

410 Record of interview with Jonathan Rees, MPS035200001, p12, 02 February 1989.

411 Witness statement of member of staff from Southern Investigations, MPS010448001, p12, 08 February 1989.

317. Sixteen pages of the original diary had been photocopied by the Morgan One Investigation and these were available to the Hampshire/Police Complaints Authority Investigation. It is possible that the entry recording a meeting between Daniel Morgan and Jonathan Rees at 7.30 pm on 10 March 1987 had been in the diary when it was originally seized. Had this been the case, it would have partly corroborated Jonathan Rees's account that a meeting had been arranged for 7.30 pm on the night of the murder. It did not explain why he and Daniel Morgan met at the Golden Lion public house where Daniel Morgan was eventually killed.

Jonathan Rees had said that he did not make this entry in his diary. A member of his staff had subsequently stated that the handwriting in the diary was Jonathan Rees's. Further enquiries should have been made to try and establish who wrote the entry and when it was written. However, the matter then appears to have been dropped without explanation.

The Hampshire/Police Complaints Authority Investigation could have pursued many inquiries into this diary and its contents, including seeking the original diary which had been returned to Southern Investigations in May 1987, and seeking handwriting analyses to establish whether the writer of the entry could be identified. The fact that only a photocopy was in the possession of the police would have made this somewhat difficult, although not impossible.

The actions which had been suggested by the Statement Reader were not adopted and others that could sensibly have been carried out were not taken.

318. On 16 March 1987, a personal pocket diary for 1987, apparently belonging to Daniel Morgan,⁴¹² was recovered from Daniel Morgan's desk drawer at the offices of Southern Investigations. It contained entries for the month of March 1987 only, the rest of the document being completely blank. On 03 November 1988, DCS Alan Wheeler and DCI Paul Blaker met Iris Morgan at her home and showed her the diary, asking her whether she could identify it. She told the officers that she thought it appeared too new to be the one her husband had used constantly.⁴¹³ The Panel has viewed the diary, which is still in the possession of the Metropolitan Police, and it agrees with Iris Morgan that it appears to be in pristine condition. This raises the question as to whether or not this diary is a genuine document which had been used by Daniel Morgan, or was a document completed by someone else. If the latter, who made it and for what reason?

412 Exhibit KD/15, Morgan One Investigation document D500, *List of exhibits*, MPS011614001, p15, 16 March 1987.

413 Report of DCS Alan Wheeler, MPS022848001, 08 November 1988.

RECOMMENDATION

319. The Panel has received advice from an independent forensic science expert it consulted, Dr Kathryn Mashiter, that useful work could still be carried out on this document. It therefore recommends that the Metropolitan Police considers the operational benefits of submitting the diary for a forensic handwriting analysis in order to ascertain whether the entries were made by Daniel Morgan, as well as ESDA⁴¹⁴ testing to ascertain if there is evidence of writing by someone other than Daniel Morgan.

8 Claim that Daniel Morgan was about to sell information concerning alleged police corruption to the press

320. The Hampshire/Police Complaints Authority Investigation enquired into the suggestion that Daniel Morgan had been offered the sum of £250,000 for a story on police corruption.⁴¹⁵

321. Bryan Madagan, for whom Daniel Morgan had worked prior to establishing his own business, had made a statement in May 1987 in which he recalled a conversation with Daniel Morgan, before Christmas 1986:

‘Daniel joined me and during conversation mentioned words to the effect that he was going to “hit the jackpot”. I can’t remember his actual words but the gist of the conversation was to the effect that he had been in contact with a Sunday newspaper who had offered him a sum in the region of £250,000 for an exposé on his business-client relationship with regard to how he obtained his information. He didn’t elaborate on this but I drew the inference and I don’t think unnaturally that he meant his dealings with police officers.’⁴¹⁶

322. On 28 October 1988, the databases of both the Morgan One and the Hampshire/Police Complaints Authority Investigations were searched to ascertain whether there was any record of officers contacting any Sunday newspapers enquiring about the sum of £250,000 alleged to have been offered to Daniel Morgan. The only documents discovered were Bryan Madagan’s statement and some Morgan One Investigation actions.⁴¹⁷

323. On the day he ceased working on the Morgan One Investigation, DC Kinley Davies had reported that information had been received which had suggested that Daniel Morgan was going to sell a story about police corruption to the media and had been offered a substantial amount of money. DC Davies had said that this information had not been acted upon, and that it might be worth meeting the source of this information given the connections between PC Derek Haslam, Jonathan Rees, the death by suicide of DC Alan ‘Taffy’ Holmes, who had died in July 1987, and ongoing investigation of a senior police officer for possible corruption.⁴¹⁸

414 Electrostatic Detection Apparatus, a specialised piece of equipment used to reveal indentations or impressions in paper that are imperceptible to the naked eye.

415 Action A258, ‘Research both data bases re enq at a Sunday newspaper’, MPS031675001, 17 October 1988.

416 Witness statement of Bryan Madagan, MPS010404001, 22 May 1987.

417 Action A258, ‘Research both data bases re enq at a Sunday newspaper’, MPS031675001, 17 October 1988.

418 Morgan One Investigation message M423 from DC Kinley Davies, MPS012483001, 06 August 1987.

324. The Hampshire/Police Complaints Authority Investigation became aware of the role of PC Derek Haslam in relation to the investigation of the senior police officer linked to DC Alan Holmes and on 29 November 1988, DCS Alan Wheeler and DCI Paul Blaker interviewed PC Haslam.⁴¹⁹ He recounted to the Hampshire officers his role as ‘*go-between*’ on behalf of the Metropolitan Police Complaints Investigation Bureau with DC Holmes in the days before the death by suicide of DC Holmes. He also said that he thought that DC Holmes knew Daniel Morgan and provided the names of four people who ‘*maybe*’ could support this assertion. DCS Wheeler recorded that ‘*[t]he story was a complex one and involved freemasonry [sic] and other matters, but did not appear to involve our enquiry*’. He also stated PC Haslam should be ‘*treated with caution*’.⁴²⁰ Instructions were given to interview the four people named by PC Haslam, but this was not done and they were all marked ‘*No Further Action*’ in July and October 1989, following the decision of the Director of Public Prosecutions to discontinue proceedings against Jonathan Rees and his co-defendants.^{421,422,423,424}

325. Between 01 and 06 December 1988, PC Derek Haslam telephoned DCS Alan Wheeler and DCI Paul Blaker three times. He reported that:

- i. On 30 November 1988, he had been telephoned by Jonathan Rees and had told him that Hampshire Constabulary were making enquiries. During the same telephone call PC Derek Haslam stated that the friendship between DC Alan Holmes and Daniel Morgan began in September 1985, and that people in a wine bar in West Norwood were aware of the association between the two men.⁴²⁵
- ii. Sometime in 1986, DC Alan Holmes and Daniel Morgan had been drinking in a wine bar and their bill was sent to Southern Investigations. On receipt of this, Daniel Morgan was alleged to have written on it, ‘*HOLMES will pay next time*’. PC Derek Haslam also said that DC Holmes had been planning to introduce Daniel Morgan to freemasonry.⁴²⁶
- iii. ‘*John [sic] REES told me that an action was raised for the MORGAN and HOLMES connection to be looked at, but Det. Supt. Campbell had the action taken from the system.*’⁴²⁷

326. There is no record as to whether PC Derek Haslam stated how he had acquired the final two pieces of information described above. No action was taken as a consequence of any of the calls.

327. A number of other witnesses were also asked about any link between Daniel Morgan and DC Alan Holmes:

- i. On 26 September 1988, a neighbour of Daniel Morgan said that in August 1988 he had been told by Jonathan Rees that Daniel Morgan had discovered that a high-ranking police officer had been involved in a major armed robbery (the Brinks-Mat robbery)

419 Report of DCS Alan Wheeler, MPS022471001, 02 December 1988.

420 Report of DCS Alan Wheeler, MPS022471001, 02 December 1988.

421 Action A513, MPS032549001, 05 January 1989.

422 Action A514, MPS032548001, 05 January 1989.

423 Action A515, MPS032547001, 05 January 1989.

424 Actions A512 and A23, MPS032550001 05 January 1989, and MPS028003001, 15 June 1989.

425 Message from PC Derek Haslam to DCI Paul Blaker, MPS030421001, 01 December 1988.

426 Message from PC Derek Haslam to DCS Alan Wheeler, MPS030414001, 06 December 1988.

427 Message from PC Derek Haslam to DCS Alan Wheeler, MPS030413001, 06 December 1988.

and had been able to buy a large, expensive house on his share of the proceeds.⁴²⁸ The police were aware that this high-ranking police officer was connected to DC Alan Holmes.

- ii. On 08 February 1989, the bookkeeper who began working in Southern Investigations a short time after Daniel Morgan's murder said that she had had several conversations with Jonathan Rees and that in one of them he told her that '*Daniel had obtained information from a Police Officer named "Taffy HOLMES" [...] that [he] was going to sell [...] to a newspaper*'.⁴²⁹
- iii. In January 1988, an individual had given a statement to the Morgan One Investigation⁴³⁰ alleging that he had been told by a former police officer that '*money had passed hands*' between DC Alan Holmes and Daniel Morgan, whom he did not know. In April 1989, this person was interviewed by DI Rex Carpenter, who reported that the individual had said the comments he had made in his statement to the Morgan One Investigation were based on gossip in the Croydon area and '*purely without foundation*'. He also pointed out that the man had previously been arrested by and had an intense dislike for DC Holmes.⁴³¹

328. On 05 November 1988, Bryan Madagan was re-interviewed by the Hampshire Police Complaints Authority Investigation. The interviewing officers reported that he could not add to his earlier statement.⁴³²

329. Jonathan Rees was arrested in connection with the murder of Daniel Morgan on 31 January 1989.⁴³³ While in custody at Fareham Police Station in February 1989, after one of his interviews, he asked to see DCS Alan Wheeler in private without his solicitor being present (just as he asked to see D/Supt Douglas Campbell when he was first arrested). During this brief meeting he told DCS Wheeler that Daniel Morgan had been to the magazine *Private Eye* to pass information that a senior police officer was linked to a high-profile robbery and that he was due to receive payment of £10,000 for this.⁴³⁴

330. As a result of this conversation, Hampshire officers interviewed the Managing Director of the *Private Eye* publishers who stated:

*'I have been asked by the Police about any contact that Private Eye has had with a Daniel MORGAN and in particular whether the magazine has ever made a payment to such gentleman. Although it is not possible for me to say whether Mr MORGAN ever visited or contacted Private Eye I can state that I have never heard of him and no payment of £10,000 or any other sum has been made to him by the Company.'*⁴³⁵

331. In February 1989, Jonathan Rees also told DCS Alan Wheeler that he was aware that DC Kinley Davies and DC Michael Crofts had informed the Morgan One Investigation that DC Alan Holmes and a Metropolitan Police corruption investigation into the senior officer were linked to the murder of Daniel Morgan.⁴³⁶ This was incorrect.

428 Witness statement, MPS017360001, p2, 26 September 1988.

429 Witness statement, MPS011017001, pp4-5, 08 February 1989.

430 Witness statement, MPS010877001, p2, 05 January 1988.

431 Report of DI Rex Carpenter, MPS022387001, 19 April 1989.

432 Action A259, '*Int MADAGAN re info police were involved in illegal acts*', MPS031669001, 17 October 1988.

433 Custody Record in respect of William Jonathan Rees, HAM000307001, p2, 31 January 1989.

434 Witness statement of DCS Alan Wheeler, MPS010996001A, 02 February 1989.

435 Witness statement of David Cash, MPS011060001, 09 May 1989.

436 Witness statement of DCS Alan Wheeler, MPS010996001A, 02 February 1989.

332. Jonathan Rees's statement to DCS Alan Wheeler was not correct and his evident knowledge of detail of matters relating to the conduct of the Morgan One Investigation is concerning. This suggests a possible leak from within the Morgan One Investigation or from elsewhere in the Metropolitan Police.

333. On 14 May 1989, after the abandonment of criminal proceedings against him, Jonathan Rees was reported in a story that appeared in the *News of the World* to have said that, '*Morgan and Holmes were great pals. Both were Welsh and as thick as thieves. Taff Holmes was as bent as they come.*'⁴³⁷ On 02 August 1989 he was invited by the Hampshire/Police Complaints Authority Investigation to make a written statement about this matter. He declined to do so.⁴³⁸

334. On 19 May 1989, the Southern Investigations Office Manager, Peter Newby, contacted the Hampshire/Police Complaints Authority Investigation, following media reports linking DC Alan Holmes with Daniel Morgan. He said that he had known both men for two years but knew of no connection between them⁴³⁹ and he later repeated this in a written statement.⁴⁴⁰

335. A Metropolitan Police officer, a Detective Sergeant, provided a statement in which he said that he knew both Daniel Morgan and DC Alan Holmes and did '*not know of any connection between [them]*'. Had they associated together, he felt that he would have known. Neither man had mentioned the other to him.⁴⁴¹

336. Daniel Morgan's wife, Iris Morgan, repeated what she had told the Morgan One Investigation, namely that she knew of no relationship between the two men and that her husband had '*never ever mentioned the name Taffy HOLMES to her*'.⁴⁴²

337. The issue of whether Daniel Morgan and DC Alan Holmes were friends, or otherwise associated with each other, was an important subject. DC Holmes died by suicide when he was being investigated for allegedly providing information to a senior officer who was being investigated for corruption. Given the allegations and speculation concerning links between Daniel Morgan's murder and police corruption, it was an important line of enquiry and it was appropriate that the Hampshire/Police Complaints Authority Investigation pursued it.

437 News of the World newspaper article, '*Cover-up Cops Axed my Partner to Death*', MPS060694001, 14 May 1989.

438 Report of DI Rex Carpenter, MPS027946001, pp5-6, 03 August 1989.

439 Message from Peter Newby, MPS030746001, 19 May 1989.

440 Witness statement of Peter Newby, MPS010353001, 22 May 1989.

441 Witness statement of a Detective Sergeant, MPS018571001, p4, 03 July 1989.

442 Report of DI Rex Carpenter, MPS022381001, p1, 31 May 1989.

338. The Hampshire/Police Complaints Authority Investigation dealt properly with the issue of whether DC Alan Holmes and Daniel Morgan knew each other. While the four people named by PC Derek Haslam were not interviewed, he had said only that they may have been able to confirm that the two men knew each other. Neither he nor DC Kinley Davies had first-hand knowledge of the matter and both officers were known to be in contact with Jonathan Rees who was understandably regarded by DCS Alan Wheeler as having encouraged speculation about the topic in order to distract attention from himself. Such evidence as was obtained supporting the existence of a link was hearsay, originating with Jonathan Rees, and those most likely to have known the truth – Daniel Morgan’s widow and people who knew both men – denied that they knew each other.

339. One of the documents identified by the Hampshire/Police Complaints Authority Investigation related to the Features Editor of the *Daily Mirror*, Anton Antonowicz, who had spoken with the Morgan One Investigation.⁴⁴³ He was re-interviewed by Hampshire officers on 22 May 1989.⁴⁴⁴ He confirmed that he had come into contact with Daniel Morgan, who used to ring him with ‘*so called information*’ that he wanted to sell.⁴⁴⁵ This information was always far less valuable than Daniel Morgan thought, and Anton Antonowicz never ran a story on anything he was given. He had last heard from Daniel Morgan approximately a month before he was killed, although Anton Antonowicz was not in the office at the time of the telephone call and a message had been left for him. However, there was no mention of anything linked to police corruption and he said that if the matter had been important Daniel Morgan would have called him back.⁴⁴⁶

340. In June 1989, DCI Paul Blaker and a Detective Sergeant interviewed DC Kinley Davies about his work on the Morgan One Investigation. During the interview, DC Davies explained that he and DC Michael Crofts had interviewed former DC Peter Wilkins, who was a private investigator and friend of Daniel Morgan. DC Davies claimed that former DC Wilkins had told them that Daniel Morgan ‘*had uncovered [...] major police corruption, and that he was going to sell it to the national newspapers*’.⁴⁴⁷ DC Davies said he had provided this information to the incident room but ‘*the document had disappeared*’ before any action was taken. He claimed that, nevertheless he, DC Crofts and DS Christopher Horne continued to investigate the allegation, but they were ‘*suddenly removed from the squad without any reason being given*’.⁴⁴⁸ Before he left the Morgan One Investigation, he had written the information on a message form and submitted it. He learned subsequently that the matter had been allocated to DC Richard Davis.⁴⁴⁹ Former DC Kinley Davies repeated the substance of this allegation when he was interviewed by members of the Panel in 2016.⁴⁵⁰

443 Action A1581, MPS014644001, 04 February 1988.

444 Report of DI Rex Carpenter, MPS022383001, 30 May 1989.

445 Report of DI Rex Carpenter, MPS022383001, p1, 30 May 1989.

446 Report of DI Rex Carpenter, MPS022383001, 30 May 1989.

447 Report of a Detective Sergeant, MPS027951001, 23 June 1989.

448 Report of a Detective Sergeant, MPS027951001, 23 June 1989.

449 Report of a Detective Sergeant, MPS027951001, 23 June 1989.

450 Panel interview with former DC Kinley Davies, PNL000232001, 14 June 2016.

341. The Detective Sergeant noted in his report that D/Supt Campbell had made an entry in his policy file on 04 August 1987, recording his decision to return DC Kinley Davies and DC Michael Crofts, along with two other officers, to their divisions with effect from 10 August 1987 on the grounds that there was ‘*[i]nsufficient information coming into [the] Incident Room to keep [... the] officers fully employed*’.⁴⁵¹

342. On 06 June 1989, DC Richard Davis was interviewed by DCI Paul Blaker and the Detective Sergeant. He said that after DC Kinley Davies put information into the investigation about former DC Peter Wilkins, he was sent to interview former DC Wilkins. However, he said that when he met with him, ‘*WILKINS cut him dead, and denied ever having said such a thing to DAVIES and CROFTS*’.⁴⁵²

343. On 08 June 1989, DC Michael Crofts was interviewed by DI Rex Carpenter and confirmed DC Kinley Davies’s account, stating that he believed that he and his colleague had been removed from the investigation because of ‘*difficulties with the SIO [Senior Investigating Officer]*’, who had made a policy decision not to follow up the information.⁴⁵³

344. On 10 July 1989, DS Dennis Stephens reported that he had sought to re-interview former DC Peter Wilkins to establish what knowledge he had of the matter. He reported that, ‘*WILKINS was not available for interview, however the nature of the enquiry was put through Peter NEWBY (Office Manager). The reply from WILKINS was that he had no knowledge of MORGAN having uncovered police corruption.*’ No reason was given for former DC Wilkins’ lack of availability. The same day, DCI Paul Blaker instructed ‘*No Further Action*’ because former DC Wilkins had not provided anything to take the investigation forward.⁴⁵⁴

345. The Detective Sergeant’s report about the information concerning former DC Peter Wilkins, which DC Kinley Davies and DC Michael Crofts had been investigating (see paragraph 340 above), does not state whether DC Davies explained how he and his colleagues continued to investigate, nor whether, or how, they reported the outcome of their investigations. The Panel asked former DC Davies several times via email in relation to this matter, but he refused to answer unless he was first provided via email with sight of a number of unredacted, sensitive documents.⁴⁵⁵ The Panel could not agree to such disclosure of sensitive documents to a non-secure personal email address.

346. Although DCS Alan Wheeler investigated these matters, he later stated that he regarded all this as a ‘*red herring*’ and a ploy by Jonathan Rees to deflect attention away from himself.⁴⁵⁶

451 Morgan One Investigation SIO Policy File, Decision 13, p14, 04 August 1987.

452 Report of Detective Sergeant, MPS027950001, 23 June 1989.

453 Report of a Detective Inspector, MPS027948001, 08 June 1989.

454 Action A56, MPS027965001, 07 July 1989.

455 Emails dated 14 April 2017, 22 January 2018, 24 January 2018, 25 January 2018, 26 January 2018 and 29 January 2018.

456 Witness statement of former DCS Alan Wheeler, HAM000315001, p69, paras 227 to 229, 24 July 1996.

347. There is no clear evidence to corroborate the assertion that Daniel Morgan was working on a story about police corruption before he died. However, a more robust approach should have been taken to this line of enquiry. There was insufficient justification for the decision not to interview former DC Peter Wilkins and to take no further action to pursue it. Further, given the timing – July 1989 – it is difficult to escape the conclusion that DCS Alan Wheeler was preparing to terminate his investigation. This matter should have been investigated fully.

8.1 The ‘whistleblowing’ line of enquiry

348. A matter possibly linked to the claim that Daniel Morgan was about to sell a story about police corruption to the media concerns a claim that he had an appointment to see a senior police officer shortly after he was murdered.

349. On 07 February 1989, during a telephone conversation with DCS Alan Wheeler, Alastair Morgan had stated that while WDC Julie Benfield, who was a member of the Morgan One Investigation, was visiting his mother and sister at their home in Wales sometime previously, she had said that Daniel Morgan had been due to meet a senior officer at Sydenham Police Station two days after he was murdered.⁴⁵⁷ D/Supt Douglas Campbell had in fact been asked about the same issue during the Inquest the year before by the lawyer representing Isobel Hülsmann and Alastair Morgan and had denied all knowledge of it, saying that the officer had been a member of his team for some months and that he would have expected her to have told him if she had such information.⁴⁵⁸

350. On 14 March 1989, an action was raised for WDC Julie Benfield to be interviewed about this, but it was not carried out immediately and was later transferred to Operation Plymouth.⁴⁵⁹

351. On 15 June 1989, DCI Paul Blaker instructed that WDC Julie Benfield should be interviewed about her statement to Alastair Morgan but DCS Alan Wheeler later directed no further action. No reason was given for this.⁴⁶⁰

352. However, on 21 June 1989, WDC Julie Benfield provided Hampshire/Police Complaints Authority Investigation with a written statement concerning her involvement with the Morgan One Investigation. She was apparently not asked about the alleged arranged meeting between Daniel Morgan and a senior police officer or, if she was, her response is not recorded.⁴⁶¹

353. The Panel has been unable to find any evidence in either the papers relating to the Morgan One Investigation or in the papers relating to the Hampshire/Police Complaints Authority Investigation that the statement recorded by Alastair Morgan as being made by WDC Julie Benfield was investigated. It was not until 21 May 2007 that an Abelard Two Investigation officer spoke to former WDC Julie Benfield. She said that she could not recall the comment.⁴⁶²

457 Telephone conversation between DCS Alan Wheeler and Alastair Morgan, MPS031020001, 07 February 1989.

458 Transcript of the Inquest into the death of Daniel Morgan, INT000052001, p7, 15 April 1988.

459 Action A694, MPS032267001, 14 March 1989.

460 Action A24, MPS028002001, 15 June 1989.

461 Witness statement, MPS018565001, 21 June 1989.

462 Action A1214, MPS066472001, 21 May 2007.

354. The Panel has also been unable to establish whether or not this matter was linked by the Hampshire/Police Complaints Authority Investigation to several apparently connected enquiries carried out between September 1988 and March 1989 by the Morgan One Investigation about a possible Malta connection to the murder.

355. On 01 February 1987, Daniel Morgan and David Bray had flown to Malta to repossess, for a finance company, a Range Rover motor vehicle, which had been in the possession of Irving Markson, who with several other people was the subject of a major fraud investigation by West Yorkshire Police. Daniel Morgan had recovered the Range Rover and driven it back to England. He had contacted West Yorkshire Police to report what had happened in Malta and on 11 March 1987, the day after Daniel Morgan was murdered, a West Yorkshire officer had visited Southern Investigations hoping to interview him. Having heard about the murder, that officer had visited the Morgan One Investigation to explain that he had intended to interview Daniel Morgan (see Chapter 1, The Morgan One Investigation).

356. On 11 September 1988, DI Trevor Witt of the Hampshire/Police Complaints Authority Investigation team had met a member of 'INQUEST', an organisation providing advice to the bereaved about inquests, and who had been present throughout the Inquest into Daniel Morgan's murder. The man had handed papers about the Inquest to DI Witt and, during the meeting, had stated that Daniel Morgan had had an appointment at Sydenham Police Station on Thursday 12 March 1987 to discuss his visit to Malta and his repossession of a Range Rover there on behalf of a finance company.⁴⁶³ DI Witt did not report the grounds upon which the man had made this claim but it was suggested that an action should be raised for the man to be interviewed again and for a statement to be taken from him and that there should also be an attempt to identify the officer whom Daniel Morgan was scheduled to meet. However, DCI Paul Blaker did not authorise the interview of the individual whom DI Witt had met. No reasons were given.⁴⁶⁴

357. Later that month, DI Rex Carpenter interviewed Person O24, who had provided evidence to the Morgan One Investigation about his personal knowledge of Daniel Morgan and a telephone conversation he had with him on the evening of Tuesday 10 March 1987.⁴⁶⁵ DI Carpenter took a further statement from Person O24 who said that he remembered Daniel Morgan telling him at some point that he was working on '*a very big fraud case*' that had something to do with a finance company or a building society and that he was working for '*Scotland Yard*'.⁴⁶⁶ In the absence of any other explanation, the possibility is recognised that this was some reference to the repossession of the Range Rover. No actions were raised as a result of that statement.

358. In March 1989, in furtherance of the action raised to identify the officer with whom Daniel Morgan had an appointment at Sydenham Police Station, DI Rex Carpenter spoke on the telephone with one of the West Yorkshire officers who was dealing with the investigation into the matters related to the Range Rover.⁴⁶⁷ It appears that there was an assumption on DI Carpenter's part that the visit of those officers to London on 11 March 1987 was the appointment in question and he reported as such and no further action was taken.

463 Report of DI Trevor Witt, MPS022305001, 16 September 1988.

464 Report of DI Trevor Witt, MPS022997001, p1, 16 September 1988.

465 Witness statement of Person O24, MPS010599001, 13 April 1987.

466 Witness statement of Person O24, MPS010600001, 22 September 1988.

467 Report of DI Rex Carpenter, MPS022389001, 03 April 1989.

359. There was, and is, no firm basis for the assertion that Daniel Morgan was due to meet with ‘a senior police officer’ in the period immediately following his murder. It is now impossible to discover how the rumour arose, although the Panel is of the view that it probably came about partly as a result of the contact that Daniel Morgan had with the West Yorkshire officers and remarks that he had made to others, apparently about his work in connection with the recovery of the Range Rover in Malta. However, the Hampshire/Police Complaints Authority Investigation, despite having the opportunity to explore this matter further with WDC Julie Benfield and with the member of ‘INQUEST’, failed to do so.

8.2 Allegations that Daniel Morgan paid police to carry out illicit vehicle checks

360. In the statement he made to the Morgan One Investigation, Person M12 had described how he had arranged, via Daniel Morgan, for a number of vehicle checks to be carried out with police contacts on behalf of a work colleague whose partner had been subjected to a sexual assault by a man who had approached her in a car while she was waiting at a bus stop.⁴⁶⁸ Person M12 has told the Panel that Daniel Morgan used to meet police officer contacts in a public house in Penge whenever he needed such checks done.⁴⁶⁹ He related being told by Daniel Morgan that one of the checks carried out on behalf of the work colleague had been reported by his police source to have come back as ‘*blocked*’ and that Daniel Morgan recommended that he did not get involved any further.⁴⁷⁰ ‘*Blocked*’ is a Police National Computer term that at that time usually indicated the vehicle in question was a police vehicle or belonged to some other law enforcement agency.

361. The Morgan One Investigation subsequently interviewed and took a statement from Person M12’s work colleague in which he described to them providing Daniel Morgan, via Person M12, with several partial registration numbers in an attempt to identify the vehicle being driven by the man who had assaulted his partner. He stated that he paid £30 per registration number – although he was not charged every time – and that, while he had never met Daniel Morgan, he was aware of his identity and had spoken to him on the telephone. He said that he also understood from a conversation that he had with someone in a public house after the murder that Daniel Morgan ‘*had high ranking police contacts*’ and that he owed someone £20,000.⁴⁷¹

362. On 11 October 1988, the Hampshire/Police Complaints Authority Investigation, which was in possession of the statements made both by Person M12 and his work colleague, decided to re-interview the work colleague, specifically in connection with the assertion that Daniel Morgan owed someone a large sum of money.⁴⁷² The interview was carried out on 28 October and the man said that his understanding was that the money was in fact owed to a ‘*high ranking police officer*’ whose identity he did not know. He also repeated the allegation that he had paid £30 for vehicle checks to be carried out in connection with the assault on his partner. No statement was taken from him.⁴⁷³

468 Witness statement of Person M12, MPS031444001, 25 August 1987.

469 Panel interview of Person M12, 11 August 2016.

470 Witness statement of Person M12, MPS031444001, 25 August 1987.

471 Witness statement, MPS010874001, 22 December 1987.

472 Action A252, ‘*Re interview*’ [friend of Person M12], MPS031696001, 11 October 1988.

473 Report of a Detective Sergeant, MPS022359001, 28 October 1988.

363. Despite the Terms of Reference under which DCS Alan Wheeler was operating, nothing further was done to pursue this issue. It is accepted that the mere reference to 'a high ranking police officer' is vague and that it would not have been a simple task to enquire into Police National Computer vehicle checks in an attempt to identify the 'blocked' vehicle referred to and the police officer carrying out the check, especially as the witness had told D/Supt Campbell's officers that he had destroyed all the notes he had made in connection with the matter.⁴⁷⁴ However, there is no evidence that the Hampshire/Police Complaints Authority Investigation asked the family, friends or associates of Daniel Morgan whether they knew anything about his allegedly owing a large sum of money to a police officer. The period in which the partial vehicle registration numbers were handed over was known and, given that one of them had apparently resulted in the identification of what may have been a law enforcement vehicle, the scale of the search would have been much reduced and the feasibility of carrying it out should at least have been explored.

8.3 A possible insurance fraud

364. On 10 October 1988, DS Dennis Stephens obtained a statement⁴⁷⁵ from Peter Newby, Southern Investigations' Office Manager. DS Stephens later submitted a report advising that Peter Newby had disclosed other information which he (Peter Newby) did not want to include in his statement, for fear of reprisal. Peter Newby had said Southern Investigations had provided security for a listed building in Plumstead High Street in the autumn of 1986. A fire had occurred when security staff were not on site. In order to cover up their absence, Jonathan Rees and police officers made false statements and an insurance claim was subsequently paid. DS Stephens advised, '*I think we should dig into this insurance claim because if the allegation is true it would show police officers conspiring with Rees*'.⁴⁷⁶ DCI Paul Blaker directed that details of the insurance claim be obtained,⁴⁷⁷ that the Southern Investigations file on the matter be obtained,⁴⁷⁸ and that the Metropolitan Police file concerning the matter be obtained.⁴⁷⁹

365. On 02 May 1989, DS Dennis Stephens reported that the fire had been recorded as arson, that it had occurred while Jonathan Rees and former DS Sidney Fillery's brother were supposedly patrolling the premises, and that they had disturbed a group of youths in the act of lighting the fire.⁴⁸⁰ A man and a youth were later charged in connection with the offence; they both pleaded guilty and were sentenced to terms of imprisonment.⁴⁸¹ The investigative actions in relation to the insurance claim and the Southern Investigations file were never carried out.

474 Witness statement of friend of Person M12, MPS010874001, p11, 22 December 1987.

475 Witness statement of Peter Newby, IPC000858001, 10 October 1988.

476 Report of a Detective Sergeant, MPS023055001, 14 October 1988.

477 Action A299, '*Obtain copy of insurance claim re fire at Shornells*', MPS031533001, 28 October 1988.

478 Action A300, '*Examine Southern Inv file on fire at Shornells*', MPS031532001, 28 October 1988.

479 Action A298, '*T/I OIC fire at Shornells guest hse, ID crime report*', MPS031534001, 28 October 1988.

480 Report of a Detective Sergeant, MPS023027001, p1, 02 May 1989.

481 Report of a Detective Sergeant, MPS022333001, 02 May 1989.

366. This matter was not dealt with effectively. While the original crime was apparently investigated successfully, and two people pleaded guilty, that did not preclude the possibility that Peter Newby's allegation was true and that Jonathan Rees, with a close family member of former DS Sidney Fillery and with police officers, had conspired to defraud the insurance company. The Panel has seen no evidence to suggest that effective steps were taken to investigate this and, for reasons which are unclear to the Panel, such little action as was taken took seven months to complete. If the matter was considered to be outside the Hampshire/Police Complaints Authority Investigation's Terms of Reference, it should have been forwarded to the Metropolitan Police.

9 The culmination of the murder investigation: the arrests of Jonathan Rees, Paul Goodridge and Jean Wisden

367. In the months between his appointment in June 1988 and the arrests of Jonathan Rees and others in January 1989, DCS Alan Wheeler began the process of analysing and re-evaluating the evidence and information gathered by the Metropolitan Police. Hampshire officers carried out a comparison of the written statements made, and began to re-interview all the witnesses who had made the 756 statements⁴⁸² to the Morgan One Investigation, and all the police officers who had been involved in the investigation.^{483,484} Other Hampshire/Police Complaints Authority officers carried out a comparison of the written statements made and the evidence given by witnesses at the Inquest into Daniel Morgan's death.

368. By the first week of December 1988, the Hampshire/Police Complaints Authority Investigation had taken a further 90 witness statements.⁴⁸⁵

369. On 31 January 1989, Jonathan Rees, Paul Goodridge and Jean Wisden were arrested and taken to Fareham Police Station in Hampshire.

370. Jonathan Rees was arrested by DCI Paul Blaker at the offices of Southern Investigations.⁴⁸⁶ He was subsequently interviewed at 6.44 pm on 31 January 1989,⁴⁸⁷ at 11.20 am on 01 February,⁴⁸⁸ at 10.36 am on 02 February⁴⁸⁹ and finally at 3.30 pm on 02 February 1989.⁴⁹⁰

371. Searches were carried out at Southern Investigations and at Jonathan Rees's home address. A number of items of clothing, as well as a red hand towel found in a desk drawer, were found at the offices.⁴⁹¹ Elastoplast, more items of clothing, two Southern Investigations

482 Interim Report of DCS Alan Wheeler to the Police Complaints Authority, MPS022468001, p2, para7, 08 December 1988.

483 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p5, para 12, 04 September 1989.

484 Witness statement of Supt Paul Blaker, HAM000339001, pp12-13, paras 48-49, 25 July 1996.

485 Interim report of DCS Alan Wheeler to the Police Complaints Authority, MPS022468001, p2, para 7, 08 December 1988.

486 Witness statement of DCI Paul Blaker, MPS011028001, pp1-2, 20 February 1989.

487 Record of interview of Jonathan Rees, MPS021809001, 31 January 1989.

488 Record of interview of Jonathan Rees, MPS027169001 and MPS027170001, 01 February 1989.

489 Record of interview of Jonathan Rees, MPS021812001, 02 February 1989.

490 Record of interview of Jonathan Rees, MPS027173001 and MPS027006001, 02 February 1989.

491 Witness statement of a Police Constable, MPS018139001, p1, 07 April 1989.

diaries, dated 1984 and 1987, and a variety of documents, including a piece of paper which referred to ‘*CAMPBELL, FILLERY, JONES, PURVIS, Daniel*’ and two other men, were also seized from his home.^{492,493}

372. Paul Goodridge’s home was searched and among the articles seized were six items of red clothing and a VHS video cassette marked ‘*for solicitor*’. This contained a recording of the BBC *Crimewatch* programme and the *Crimewatch* update that featured the murder of Daniel Morgan.^{494,495}

373. During interview, Paul Goodridge said that he had had Daniel Morgan’s murder on his mind for two years⁴⁹⁶ and it had caused him a nervous breakdown.⁴⁹⁷ While in custody at Fareham Police Station, he was interviewed five times in the presence of his solicitor.⁴⁹⁸

374. Jean Wisden was arrested at her place of work by DI Trevor Witt.⁴⁹⁹ She was first taken to her home, which was searched.⁵⁰⁰ Items of property seized included two red pullovers.⁵⁰¹ While in custody she was interviewed three times but gave ‘*no comment*’ answers to all questions.^{502,503}

375. On 02 February 1989, Jonathan Rees⁵⁰⁴ and Paul Goodridge⁵⁰⁵ were charged with the murder of Daniel Morgan. Jean Wisden was charged with attempting to pervert the course of justice.^{506,507,508} Jonathan Rees and Paul Goodridge were remanded in custody and Jean Wisden was granted bail.⁵⁰⁹ However, on 16 February 1989 Paul Goodridge was granted bail by Fareham Magistrates’ Court.⁵¹⁰ Jonathan Rees was also granted bail by the Crown Court on 01 March 1989.⁵¹¹

492 Witness statement of a Detective Sergeant, MPS018075001, 07 February 1989.

493 Witness statement, MPS011000001, 03 February 1989.

494 Schedule of property and exhibits seized, MPS026099001, 31 January 1989.

495 Witness statement of a Detective Inspector, MPS034433001, pp4-5, 29 November 1995.

496 Record of interview of Paul Goodridge, MPS021802001, p3, 01 February 1989.

497 Record of interview of Paul Goodridge, MPS021803001, p13, 02 February 1989.

498 Record of interview of Paul Goodridge, MPS021801001, 31 January 1989.

Record of interview of Paul Goodridge, MPS021802001, 01 February 1989.

Record of interview of Paul Goodridge, MPS021803001, 02 February 1989.

Record of interview of Paul Goodridge, MPS021804001, 02 February 1989.

Record of interview of Paul Goodridge, MPS021805001, 02 February 1989.

499 Witness statement of DI Trevor Witt, MPS019998001, p4, 07 February 1989.

500 Record of property seized, MPS034371001, 31 January 1989.

501 Record of property seized, MPS034371001, p8, 31 January 1989.

502 Record of interview of Jean Wisden, MPS026854001, 01 February 1989.

Record of interview of Jean Wisden, MPS026855001, 02 February 1989.

(It is noted that the times for this interview appear incorrect. The record is only five pages in length, but according to the timings lasted for one hour and nine minutes.)

503 Record of interview of Jean Wisden, MPS026856001, 02 February 1989.

504 Custody record of Jonathan Rees, HAM000673001, p3, 02 February 1989.

505 Custody record of Paul Goodridge, HAM000672001, 02 February 1989.

506 Witness statement of D/Supt Alan Lewis, MPS024854001, 08 February 1989.

507 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, p6, 23 February 1989.

508 Charge Sheet for Jean Wisden, MPS021624001, 03 February 1989.

509 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, pp2-6, 23 February 1989.

510 CPS Bail notification in respect of Paul Goodridge, MPS025885001, 16 February 1989.

511 Winchester Crown Court bail order Jonathan Rees, MPS021516001, 01 March 1989.

9.1 Post-charge conversations with Paul Goodridge

376. On the evening of 02 February 1989, after he had been charged with the murder of Daniel Morgan, Paul Goodridge was visited in his cell at Fareham Police Station by DCS Alan Wheeler. An account of the conversation between the two men was recorded in DCS Wheeler's pocket book.⁵¹²

377. DCS Alan Wheeler recorded that he had received a message that Paul Goodridge wished to speak to him alone. He went to the cell and told Paul Goodridge that he did not want to interview him because he had now been charged. However, Paul Goodridge is stated as having said that he wanted to speak alone because the situation was dangerous, and he was frightened for his life and wanted protection for his family. DCS Wheeler asked him what he meant, and he replied:

*'I can't tell you. There is a big firm involved in this [...] that is all powerful. I can't tell anyone. I can't tell my solicitor. [...] What I can tell you will get me and Jean out of this but it will get REES well in it.'*⁵¹³

378. DCS Wheeler stated that he told Paul Goodridge that he must speak with his solicitor, to which Paul Goodridge replied:

*'I can't. The Met Police are a big and powerful firm. There are about seven involved in this. [...] You have been fair to me. It's not you. It's the firm in London I am worried about.'*⁵¹⁴

379. DCS Alan Wheeler told him that he should speak with his solicitor or, if he preferred, to his solicitor with DCS Wheeler present, to which Paul Goodridge replied that he would think about it and let him know.

380. Once the encounter was concluded, DCS Alan Wheeler informed the Metropolitan Police Detective Superintendent who was acting as liaison officer of what had happened. He later also informed DCI Paul Blaker, DI Trevor Witt, DI Rex Carpenter and DS David Kilbride. He told them that he felt that Paul Goodridge was a 'con-man' but that he could be talking about the involvement of Metropolitan Police officers in the murder.⁵¹⁵ In the early hours of the following morning, Assistant Chief Constable John Wright of Hampshire Constabulary attended the police station in connection with an unrelated matter and was also told of what had occurred.⁵¹⁶ Later that same day, Roland Moyle attended the police station and he too was informed.⁵¹⁷ Roland Moyle recorded in a file minute, '[i]n view of what GOODRIDGE says WHEELER now appears worried about the possible involvement of Met officers'.⁵¹⁸

381. On 03 February 1989, Paul Goodridge appeared before magistrates in Fareham and was remanded in custody to HMP Winchester.⁵¹⁹ Within a few days, he was transferred closer to home, to HMP Brixton, where he was visited by a friend. During the course of the visit, Paul Goodridge discussed the case. As a result of what he said, the friend, at Paul Goodridge's request, contacted a Metropolitan Police Detective Constable whom he knew.

512 Copy of pocket notebook entry made by DCS Alan Wheeler, MPS007547001, 02 February 1989.

513 Copy of pocket notebook entry made by DCS Alan Wheeler, MPS007547001, pp4-5, 02 February 1989.

514 Copy of pocket notebook entry made by DCS Alan Wheeler, MPS007547001, pp5-6, 02 February 1989.

515 Transcript of pocket notebook entry made by DCS Alan Wheeler, MPS033399001, p3, 02 February 1989.

516 Transcript of pocket notebook entry made by DCS Alan Wheeler, MPS033399001, p3, 03 February 1989.

517 Transcript of pocket notebook entry made by DCS Alan Wheeler, MPS033399001, p4, 03 February 1989.

518 Police Complaints Authority minute sheet entry made by Roland Moyle, MPS034440001, p3, 03 February 1989.

519 Custody Record of Paul Goodridge, MPS021208001, p1, 03 February 1989.

382. On 09 February 1989, having sought advice from his Detective Inspector, the Detective Constable telephoned the Hampshire/Police Complaints Authority Investigation and spoke with DCI Paul Blaker. The following day, having been informed of the officer's telephone call by DCI Blaker, DCS Alan Wheeler telephoned the officer at his home, where he was off duty. DCI Blaker was present and made a written summary of the conversation.^{520,521}

383. The Detective Constable informed DCS Wheeler that he had been contacted by Paul Goodridge's friend, who was known to the officer. The friend said that Paul Goodridge had 'lost his nerve' and was 'afraid to say anything since he believes high ranking police officers are involved'. Paul Goodridge was aware that the friend knew the officer to be 'trustworthy' and said that he 'had something to say', and that he had information that the police did not have, possibly involving a watch. The friend had stated that he intended to visit Paul Goodridge again on 12 February 1989.⁵²²

384. The note of the conversation was entered onto the Hampshire/Police Complaints Authority Investigation HOLMES database, but there is no record of any action being taken in respect of it.

385. On 13 February 1989, a member of the Crown Prosecution Service telephoned DCS Alan Wheeler and told him that he had received a 'garbled message' from Paul Goodridge's solicitor. It was suggested that since 09 February 'someone' [although it is not stated who, the context makes it clear that it was one or more police officers] had visited Paul Goodridge in HMP Brixton on the pretext of getting him to sign authorisation for his medical records to be examined. DCS Wheeler is recorded as having said that no one from the Hampshire/Police Complaints Authority Investigation had visited Brixton on this date.⁵²³

386. The Panel interviewed the Metropolitan Police Detective Constable about what Paul Goodridge's friend had told him. He was able to recall some information that had not been noted by DCI Blaker. He said that he had been told that:

*'GOODRIDGE said that the [Rolex] watch was taken to make the crime look like a robbery, but that they had missed the envelope containing the £20 notes in his pocket. GOODRIDGE wanted the investigation team to go and see him so that he could tell them that the taking of the watch was to make it look like a robbery and it didn't work because a lot of money was left on the body. He wanted to give us something that we didn't have so that the investigation team would go and visit him.'*⁵²⁴

387. The Panel asked former DCI (later Supt) Paul Blaker⁵²⁵ about both telephone calls. He said that he did not remember either of them but acknowledged that the handwriting in the note of the call to the Metropolitan Police Detective Constable was his. Asked if he recalled anything being done in relation to them, he said that he had no recollection. When it was put to him that it appeared that nothing had been done, he said that he would contradict that but was unable to explain what action had been taken.⁵²⁶

520 Hampshire/Police Complaints Authority M657, MPS030975001, 10 February 1989.

521 Panel interview of a former DCI, PNL000182001, 11 February 2020.

522 Hampshire/Police Complaints Authority M657, MPS030975001, 10 February 1989.

523 Hampshire/Police Complaints Authority M658, MPS030974001, 13 February 1989.

524 Panel interview of A former DCI, PNL000182001, p2, 11 February 2020.

525 Paul Blaker was promoted to Superintendent on 01 April 1990.

526 Panel interview of former DCI Paul Blaker, PNL000183001, 17 March 2020.

388. The Panel put it to former DCI Paul Blaker that, given Paul Goodridge had been charged with murder and that it appeared that police officers not connected to the murder investigation had visited him in prison in circumstances that were of concern to Paul Goodridge's lawyer, it would have been expected that enquiries would have been made to establish the facts. The Panel asked former DCI Blaker why this was not done. He replied that he did not know.⁵²⁷ Former DCI Blaker said in interview with the Panel that:

*'there was no dishonesty on my behalf, and I don't believe there was any dishonesty on Alan WHEELER's part. We investigated honestly and felt that we did all that we could. We didn't cover anything up. Alan directed a course of action, to try and detect whether there was police involvement in the murder of Daniel MORGAN. These documents show a contradiction to what I have just said, but I can't remember. Alan is now deceased and so we can't have a conversation to jog my memory. I have been trying to honestly answer your questions. There was no intention on my behalf to cover up police involvement and that I believe wasn't Alan WHEELER's intent either. He was not that sort of person. I am confident that neither Alan WHEELER nor I were coerced in any way and that we did our honest best.'*⁵²⁸

389. On 16 February 1989, prior to the Court hearing at which Paul Goodridge was granted bail, DCS Alan Wheeler saw him again, privately, in an interview room at Fareham Police Station. He gave Paul Goodridge his police station telephone number on a piece of paper. Paul Goodridge acknowledged this and said that he would 'be in touch' and repeated that he would 'need protection'.⁵²⁹ There is no reference in DCS Wheeler's note of the meeting of any mention during the conversation of either of the telephone calls of 10 February and 13 February 1989.

390. Paul Goodridge was then taken to appear before Fareham Magistrates. In a statement made in 1996 in connection with the civil action he took against Hampshire Constabulary, he said:

*'Although the police did not oppose bail, the Court was still very reluctant to give bail given all that had been said in the previous hearing about me being dangerous and a threat to witnesses. It turned out that the prosecution almost had to persuade the Court to give me bail.'*⁵³⁰

391. DCS Alan Wheeler recorded in his pocket notebook that because of the nature of the information passed to him by Paul Goodridge, it would not be processed in the usual way and that he would keep it secret to the members of his team.⁵³¹ There is in fact no record of the matter or of any subsequent enquiries that may have been carried out in relation to it on the HOLMES database for the Hampshire/Police Complaints Authority Investigation and there is no evidence that DCS Alan Wheeler had any further contact with Paul Goodridge or pursued the matter further.

392. In the statement made in July 1996 in connection to his civil action against Hampshire Constabulary, Paul Goodridge contradicted DCS Alan Wheeler's account of their first encounter. He said that, rather than him asking to see DCS Wheeler in private on 02 February 1989, DCS Wheeler had in fact come to see him uninvited and, after assuring him that he was not 'taped up', said: 'We know you didn't do it but we know you know who did do it. We don't want you,

527 Panel interview of former DCI Paul Blaker PNL000183001, 17 March 2020.

528 Panel interview of former DCI Paul Blaker, PNL000183001, pp2-3 17 March 2020.

529 Transcript of pocket notebook entry made by DCS Alan Wheeler, MPS033399001, p1, 16 February 1989.

530 Witness statement of Paul Goodridge, HAM000333001, p17, 24 July 1996.

531 Transcript of pocket notebook entry made by DCS Alan Wheeler, MPS033399001, p3, 02 February 1989.

we want REES[...]'. He alleged that DCS Wheeler then told him that all he needed to do was to 'de-arrest' him and then he could go home that night with his wife. Paul Goodridge said that he told DCS Wheeler that he had told the truth and that he knew nothing about the murder, to which DCS Wheeler responded that, as a consequence, he was going to prison.⁵³² In his witness statement in 1996 connected with the same civil proceedings, DCS Wheeler denied having this conversation as set out by Paul Goodridge.

393. While DCS Alan Wheeler informed the Police Complaints Authority orally of the remarks made to him by Paul Goodridge and also told an Assistant Chief Constable of them, it is surprising that he did not make any written record, other than in his pocket notebook, until he made a witness statement in 1996 in connection with the civil action being taken against Hampshire Constabulary by Paul Goodridge.⁵³³ It is of concern that the matter was not referred to in his report to the Police Complaints Authority, nor was it referred to in his report to the Director of Public Prosecutions. Neither did DCS Wheeler cause the information to be entered onto the investigation's HOLMES database.

It was understandable and legitimate that DCS Alan Wheeler might have regarded the information with some suspicion and that he was reticent to act immediately on it, but in that case, he should have made an entry in his policy file and recorded the reasons.

394. Of even greater concern is the apparent lack of reaction by DCS Alan Wheeler to the two telephone calls of 10 and 13 February 1989. In the first, he received information that reinforced what he had been told by Paul Goodridge on the evening of 02 February, that police officers were allegedly involved in Daniel Morgan's murder. It also reinforced the belief that Paul Goodridge wished to talk to 'trustworthy' officers about his knowledge of the matter. In the second, he received information that unknown police officers had visited Paul Goodridge in prison in circumstances that caused concern to Paul Goodridge's solicitor, to the extent that the solicitor telephoned the Crown Prosecution Service. This should have prompted immediate action from DCS Wheeler. It would have been an extremely simple task to establish the identities of the visitors by an examination of the prison files, which will have contained a letter signed by a senior police officer requesting access to Paul Goodridge and stating the identities of the officers making the visit. The Panel sought to establish if the records still existed, but they had been destroyed some years ago, in accordance with the Prison Service's normal retention policy.

⁵³² Witness statement of Paul Goodridge, HAM000333001, pp15-16, 14 July 1996.

⁵³³ Witness statement of former DCS Alan Wheeler, HAM000315001, pp69-71, 24 July 1996.

395. While to an extent speculation, the Panel's conclusion is that the unknown visitors to Paul Goodridge were in all probability Metropolitan Police officers. The Detective Constable who had been contacted by Paul Goodridge's friend had quite properly sought advice from his Detective Inspector about how to deal with the information he had received. He was told to pass it on to the Hampshire/Police Complaints Authority Investigation. It is likely that the Detective Inspector, innocently, then informed other senior officers of this and that, as a consequence, Metropolitan Police officers visited Paul Goodridge to warn him not to speak to Hampshire officers. This is a logical conclusion and one that DCS Alan Wheeler will undoubtedly have arrived at himself.

396. DCS Alan Wheeler logged both telephone calls but apparently took no action in relation to them. Nor did he inform anyone of the calls or refer to them in his reports to the Crown Prosecution Service or to the Police Complaints Authority. He did not mention them in the statement he made in connection with the later civil proceedings. Given his Terms of Reference, that he did not take this opportunity to establish the identity of police officers who may have been involved in an attempt to prevent someone who said he had knowledge of police involvement from talking to him is astonishing.

397. The Panel's concerns are aggravated by the fact that the Prosecution did not object to bail being granted to Paul Goodridge at his appearance before Fareham Magistrates Court on 16 February 1989. The extreme unusualness of this event is demonstrated by the credible claim made by Paul Goodridge (see paragraph 390 above) that the Court was reluctant to accede to the Prosecution's wishes. The granting of bail to those charged with murder was very rare and, in the circumstances of this case, surprising.

At the remand hearing on 09 February, objections to bail had been made on the grounds of Paul Goodridge's character and the likelihood that he would interfere with witnesses. It is not obvious to the Panel what had happened in the interim to eliminate those grounds. The only occurrences the Panel is aware of relating to Paul Goodridge between 09 and 16 February are the two telephone calls made to DCS Alan Wheeler on 10 and 13 February. It is the Panel's view that the decision not to object to bail was in all probability connected to those calls and that, for unknown reasons unconnected to the proper investigation and prosecution of the case, there was a desire to allow Paul Goodridge to be released.

398. The Panel wrote to Paul Goodridge⁵³⁴ seeking to interview him but he did not reply to the letter. The full information in relation to these matters did not become available until after former DCS Alan Wheeler had died. Therefore, no questions could be put to him about these matters.

⁵³⁴ Letter from Mike Kellett to Paul Goodridge, 29 May 2018.

9.2 The forensic examinations following the arrests

399. Following the searches of 31 January 1989, during which items of clothing, documents, implements and Elastoplast were seized, DCS Alan Wheeler instructed that items should be submitted to the Metropolitan Police Forensic Science Laboratory, in order that they might be examined in relation to:

- a. any match between the clothing and fibres which were recovered from the axe;
- b. comparison of the marks on the axe handle with the implements seized; and
- c. comparison of the Elastoplast seized with that which was on the axe handle.⁵³⁵

400. DCS Alan Wheeler believed that the chance of a match, two years after the event, was unlikely, and stressed that the prospect of finding any forensic evidence at all at that late stage was slim as very little clothing had previously been submitted.⁵³⁶ However, he thought that the examinations were necessary, particularly as clothing had not previously been submitted, nor had Paul Goodridge and Jean Wisden's home[s] been searched before in connection with the investigation.

401. On 13 February 1989, 23 sealed items were sent to the Forensic Science Laboratory. In addition to these items, the axe used to murder Daniel Morgan and the plaster which was on the axe handle had been obtained from the Metropolitan Police and were also sent.⁵³⁷

402. Philip Toates, a forensic scientist, examined each of the items of clothing for blood. On 15 March 1989, he informed DCS Alan Wheeler that he had found a small amount of blood on the cuff of a red jumper taken from Jonathan Rees's home.⁵³⁸ He stated that he would group the blood and if it were the same as Daniel Morgan's, he would require an elimination sample to be taken from Jonathan Rees. He subsequently reported that the stain was of human origin, but it was not possible to group it and therefore it was not possible to determine who it was from.⁵³⁹

403. Philip Toates also stated that a number of knives which had been submitted had been examined by his colleague. He believed that the score marks on the axe could have been made by any sharp knife or instrument and also believed that the same applied to the possibility of the knives used to cut the plaster. DCS Alan Wheeler therefore instructed that nothing more be done with the knives.⁵⁴⁰

404. The items of clothing were also examined as a possible source for the red viscose fibres which had previously been found on the plaster on the axe. All had red (or reddish) component fibres but none of these matched the red viscose fibres found on the axe.⁵⁴¹

405. Philip Toates examined Jonathan Rees's jumper to establish whether fibres found on the axe matched the fibres on the jumper. No matching fibres were found. A number of blue wool fibres recovered from the axe were also compared with the fibres on Jonathan Rees's suit jacket. These fibres also did not match the jacket.⁵⁴²

535 Report of DCS Alan Wheeler to the CPS, MPS034460001, pp59-60, 23 February 1989.

536 Report of DCS Alan Wheeler to the CPS, MPS034460001, p60, 23 February 1989.

537 Copy of HOLAB3 form – articles forwarded for examination, MPS025843001, 13 February 1989.

538 Message from Philip Toates to DCS Alan Wheeler, MPS030902001, 15 March 1989.

539 Letter from Philip Toates to DCS Alan Wheeler, MPS071212001, p2, 14 July 1989.

540 Message from Philip Toates to DCS Alan Wheeler, MPS030902001, 15 March 1989.

541 Letter from Philip Toates to DCS Alan Wheeler, MPS071212001, p2, 14 July 1989.

542 Letter from Philip Toates to DCS Alan Wheeler, MPS071212001, p2, 14 July 1989.

406. Philip Toates also compared the shoes, a grey scarf found at Southern Investigations and the red pullover found at Jean Wisden's home with one pink wool fibre and one red wool fibre recovered from the axe. No match was found.⁵⁴³

407. In relation to the Elastoplast seized from Jonathan Rees's home, he concluded that these were different from the plaster on the axe.⁵⁴⁴

408. On 14 July 1989, Phillip Toates wrote to DCS Alan Wheeler reporting his findings. He concluded that he had '*found no evidence to link REES, GOODRIDGE or WISDEN with the murder of Daniel MORGAN*'.⁵⁴⁵

409. The appropriate forensic examinations of items seized following the arrests of the three suspects were requested and carried out effectively.

9.3 The end of the criminal proceedings and later civil action against the police

410. On 23 February 1989, DCS Alan Wheeler submitted a report to the Director of Public Prosecutions setting out his case against the three accused. In its conclusion, he stated that the evidence against Jonathan Rees was '*reasonable but far from overwhelming*'.⁵⁴⁶ He conceded that, '*[t]he evidence against GOODRIDGE is not good in relation to the murder charge*'⁵⁴⁷ and recommended therefore that only Jonathan Rees should be prosecuted for the murder but that all three should be proceeded against '*on a charge of conspiring to pervert the course of justice*'.⁵⁴⁸

411. The Director of Public Prosecutions instructed Counsel to advise on the matter. Three barristers contributed to the examination of the case file. They included the Counsel who had represented the Metropolitan Police Commissioner at the Inquest into Daniel Morgan's death the previous year and the Counsel who had delivered a preliminary opinion⁵⁴⁹ on the evidence against Jonathan Rees, which DCS Alan Wheeler had submitted to the Director of Public Prosecutions for advice in December 1988 at the suggestion of the Police Complaints Authority.^{550,551} They were therefore very familiar with the case. Their conclusions were returned to the Director of Public Prosecutions on 25 April 1989.⁵⁵²

412. While Counsel agreed that Jonathan Rees had lied about his movements on the night, they concluded that the case against him for murder was weak and based almost entirely on circumstantial evidence. They considered that while it was likely that a magistrates' court would

543 Letter from Philip Toates to DCS Alan Wheeler, MPS071212001, p2, 14 July 1989.

544 Message from Philip Toates to DCS Alan Wheeler, MPS030902001, 15 March 1989.

545 Letter from Philip Toates to DCS Alan Wheeler, MPS071212001, p2, 14 July 1989.

546 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, p65, para 167, 23 February 1989.

547 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, p65, para 168, 23 February 1989.

548 Report of DCS Alan Wheeler to the Director of Public Prosecutions, IPC001304001, pp65-66, paras 168-169, 23 February 1989.

549 Regina v Rees and others Preliminary Opinion, MPS015465001, undated.

550 Message from Roland Moyle to DCS Alan Wheeler, MPS030400001, 20 December 1988.

551 Letter from DCS Alan Wheeler to the Director of Public Prosecutions, MPS022082001, 20 December 1988.

552 Joint opinion by counsel submitted to the DPP, MPS033215001, 25 April 1989.

commit him for trial, the matter was then likely to be stopped by a trial judge at the Crown Court at the end of the prosecution case, on the grounds that a jury would be most unlikely to convict him.⁵⁵³

413. In relation to Paul Goodridge they stated that they could not see ‘*any prima facie case of murder against [him]*’ and continued that the evidence, such as it was, amounted to ‘*little more than that [he] has lied about his movements in the period following the murder*’.⁵⁵⁴

414. In relation to Jean Wisden and the proposal that Jonathan Rees and Paul Goodridge be joined with her on a charge of conspiracy to pervert the course of justice, they pointed out that, as it was likely that Daniel Morgan had been murdered as soon as he approached his car in the car park of the Golden Lion public house and that the crucial period for which Jonathan Rees would require an alibi would be, say, between 9.00 pm and 9.15 pm, there was a difficulty in that Paul Goodridge and Jean Wisden were not involved until 9.17 pm, when Jonathan Rees allegedly telephoned them at their home. Therefore, they did not in fact provide an alibi for him. Further, if Jonathan Rees was not to be prosecuted for murder, it made little sense to prosecute the three of them for conspiracy to provide a false alibi that was not in fact an alibi.⁵⁵⁵

415. On 09 May 1989, a meeting took place which was attended by the Director of Public Prosecutions, by Counsel who had drafted the opinion, and by DCS Alan Wheeler, DCI Paul Blaker and the senior officer from the Metropolitan Police who had been acting as liaison between the Metropolitan Police and the Hampshire/Police Complaints Authority Investigation since shortly before the arrests. The Director of Public Prosecutions provided DCS Wheeler with a copy of Counsel’s written opinion and stated his intention to discontinue the proceedings at the next hearing. DCS Wheeler attempted to dissuade him from so doing and expressed his dissatisfaction with the lack of prior consultation about the decision. He said that he had received no response to his request for advice in December and that this was the first indication that he had received that there was a problem with the evidence. He acknowledged that the case against Jonathan Rees was weak but maintained that there was a case. The Director of Public Prosecutions was not persuaded and maintained his decision.⁵⁵⁶

416. On 10 May 1989, the Crown Prosecution Service telephoned the solicitors representing Isobel Hülsmann, Daniel Morgan’s mother, to inform them of the decision and to let her know that proceedings were going to be brought to an end the following morning at Fareham Magistrates’ Court.⁵⁵⁷ This resulted in a telephone conversation later in the day between Isobel Hülsmann, who was very distressed, and DCS Alan Wheeler.^{558,559} The same afternoon DCI Paul Blaker telephoned Iris Morgan, Daniel Morgan’s widow, to let her know what was going to happen. She too was very upset by the decision but agreed to receive a visit from DCI Blaker the next day, after the Court hearing had concluded.⁵⁶⁰

417. Counsel representing the Director of Public Prosecutions discontinued the criminal proceedings on 11 May 1989.⁵⁶¹ After that had been done, DCS Alan Wheeler telephoned Roland Moyle of the Police Complaints Authority to inform him. Roland Moyle had in fact

553 Joint opinion by counsel submitted to the DPP, MPS033215001, p2, 25 April 1989.

554 Joint opinion by counsel submitted to the DPP, MPS033215001, p10, 25 April 1989.

555 Joint opinion by counsel submitted to the DPP, MPS033215001, pp11-12, 25 April 1989.

556 Report of DCS Alan Wheeler, MPS022461001, 23 May 1989.

557 Message from CPS London, MPS030779001, 10 May 1989.

558 Message from Isobel Hülsmann, MPS030775001, 10 May 1989.

559 Message from DCS Alan Wheeler to Isobel Hülsmann, MPS030777001, 10 May 1989.

560 Message from DCI Paul Blaker to Iris Morgan, MPS030778001, 10 May 1989.

561 Message from to DCS Alan Wheeler, MPS030774001, 11 May 1989.

already spoken with the Metropolitan Police concerning the matter and told DCS Wheeler that he should continue his investigation with a focus on police involvement in the murder and that he would visit him the following week.⁵⁶²

418. Almost immediately following the end of the proceedings, solicitors acting for Jonathan Rees wrote to the Chief Constable of Hampshire Constabulary informing him of their intention to commence a civil action against the police and to seek damages for malicious prosecution and unlawful imprisonment on behalf of Jonathan Rees.⁵⁶³ Proceedings were commenced on 18 December 1990.⁵⁶⁴ Paul Goodridge also later commenced civil proceedings, on 08 May 1992.⁵⁶⁵

419. In the High Court on 11 December 1996, Jonathan Rees's action was struck out on the grounds of unreasonable delay by him. The reasons for this decision included in part that Jonathan Rees's solicitors had initially served the writ and statement of claim on Hampshire County Council rather than on the Chief Constable and had then taken an inordinate length of time to seek leave to amend the documents. Subsequently his legal advisors, according to the judge, had acted '*unreasonably and even improperly [...] spinning a yarn*'.⁵⁶⁶ He appealed but, on 08 December 1997, the Court of Appeal upheld the decision.^{567,568}

420. On 24 April 1998, at the High Court in Winchester, the proceedings in respect of Paul Goodridge were settled '*out of court*' on the basis that Hampshire Constabulary accepted that Paul Goodridge was prosecuted for murder '*without reasonable and probable cause*' but that he accepted that this was not done maliciously. Both sides agreed to pay their own costs.

421. The civil proceedings provide yet another example of DCS Alan Wheeler making a comment at one stage of his involvement in matters relating to Daniel Morgan and later contradicting himself. In his report to the Director of Public Prosecutions in February 1989 he had said, '*[t]he evidence against GOODRIDGE is not good in relation to the murder charge*' (see paragraph 386 above). However, in the statement he made in 1996 in connection with the civil proceedings he said, '*I honestly believed that there was sufficient evidence to charge [...] GOODRIDGE with the murder of Daniel MORGAN. I believed [him] to be guilty of murder and I believe that there was sufficient evidence to secure a conviction.*'⁵⁶⁹ This was noted by the junior barrister representing the Chief Constable of Hampshire, who in February 1998 sent a note to leading Counsel stating, '*[i]n my view we should do our best to avoid disclosing Mr Wheeler's report to the DPP dated 23.2.89*' because of this.⁵⁷⁰

422. It was reasonable for the three suspects to have been arrested: Jonathan Rees in connection with the murder and all three for conspiracy to pervert the course of justice. However, the decision to charge them was not justified.

562 Message from DCS Alan Wheeler to Roland Moyle, MPS030773001, 11 May 1989.

563 Letter to the Chief Constable, Hampshire Constabulary, MPS039553001, 12 May 1989.

564 Writ of Summons, HAM000259001, 18 December 1990.

565 Writ of Summons, HAM000798001, 08 May 1992.

566 William Jonathan REES v Chief Constable of Hampshire, HAM000228001, p12, 03 February 1997.

567 '*Headline Report for Hampshire Civil Claims*' prepared by legal advisors to the Panel based on analysis of Hampshire DPS Legal Professional Privilege material and correspondence between Hampshire County Council and Hampshire Constabulary, HAM000490001, 04 June 2001.

568 Rees v Chief Constable of Hampshire and Another, All England Official transcripts (1997 – 2008).

569 Witness statement of DCS Alan Wheeler, HAM000315001, p61, para 186, 24 July 1996.

570 Note by Counsel dated 20 February 1998. D501 contained in Volume 2, behind tab 62.

9.4 The case of former Police Officer Z31

423. A further line of enquiry was the case of a former police officer whose circumstances were first brought to the attention of the Morgan One Investigation on 23 June 1988, the day before DCS Alan Wheeler was appointed.⁵⁷¹

424. A Metropolitan Police Constable had contacted the Morgan One Investigation Major Incident Room and suggested that former Police Officer Z31 be considered as a possible suspect for the murder of Daniel Morgan.⁵⁷²

425. Former Police Officer Z31 was awaiting trial for assaulting six off-duty police officers in Richmond. He also fitted the description of a man wanted for a serious assault on a young girl on a train. More significantly, he was wanted for assaulting a man with an axe.⁵⁷³ However, no enquiries were carried out in respect of the information by the Morgan One Investigation. No reasons for this lack of action have been found by the Panel, although it must be presumed that the timing of the receipt of the information, coinciding as it did with the appointment of DCS Alan Wheeler, may have been a contributing factor.

426. Police Officer Z31 had joined the Metropolitan Police in 1979 and early in his career he had been described as ‘*a supervisor’s nightmare*’.⁵⁷⁴ Colleagues were reluctant to work with him because of his reputation for violence and, in March 1986, he appeared at the Central Criminal Court at the Old Bailey, charged with assaulting a member of the public and with attempting to pervert the course of justice. He was acquitted of both charges (although he was bound over in the sum of £100 to keep the peace regarding the assault charge),⁵⁷⁵ but the following month he resigned from the Metropolitan Police.⁵⁷⁶

427. At the time of his resignation, Police Officer Z31 lived in South Norwood, on the same street as Jonathan Rees. In June 1986, he and his wife left this address and became licensees of a public house in Hampton and later of a public house in Welling.⁵⁷⁷

428. In March 1988, former Police Officer Z31 and two other men were charged with attacking a repossession agent who was attempting to recover a motor vehicle on behalf of a hire purchase company, work similar to that frequently carried out by Daniel Morgan. Former Police Officer Z31 is said to have used a small axe, with which he almost severed the foot of the repossession agent. However, he was later acquitted of this charge, apparently on the basis of weak identification evidence.^{578,579}

429. On 07 February 1989, former Police Officer Z31 assaulted his estranged wife, while he was armed with an axe. During the assault he had threatened to kill his wife, and the axe was identical to that used to kill Daniel Morgan,⁵⁸⁰ a ‘*felling axe, “Diamond brand” made in China [...] [with] the initials “HZ” which are stamped into the blade*’. The brand was quite widely available from retail outlets in London at the time.⁵⁸¹ A Detective Constable from Thamesmead Criminal

571 Message to DI Allan Jones, MPS012952001, 23 June 1988.

572 Message to DI Allan Jones, MPS012952001, 23 June 1988.

573 Report of DCI Thomas Smith, MPS007382001, p5, 08 May 1996.

574 Report of DCI Thomas Smith, MPS007382001, p5, 08 May 1996.

575 Report of a Detective Sergeant, MPS024098001, p1, 06 March 1989.

576 Report of DCI Thomas Smith, MPS007382001, p5, 08 May 1996.

577 Report of DCI Thomas Smith, MPS007382001, p5, 08 May 1996.

578 Report of DCI Thomas Smith, MPS007382001, p5, 08 May 1996.

579 Report of a Detective Sergeant, MPS022337001, pp2-3, 06 March 1989.

580 Report of a Detective Sergeant, MPS022337001, p3, 06 March 1989.

581 Witness statement of retail owner MPS035289001, 27 February 1989.

Investigation Department (CID), involved in the investigation of the assault on the estranged wife, contacted the Hampshire/Police Complaints Authority Investigation on 22 February 1989 to draw attention to former Police Officer Z31 as a possible suspect for the murder of Daniel Morgan.⁵⁸²

430. The Thamesmead officer had been assisted during his investigation by DC Alan Purvis,⁵⁸³ one of the Catford detectives who had been arrested in 1987 on suspicion of murdering Daniel Morgan and who had subsequently been transferred to Thamesmead. It is assumed by the Panel that DC Purvis had probably recognised the potential significance of former Police Officer Z31, and this prompted the investigating officer to pass on the information the following day.

431. However, in an undated Metropolitan Police review document disclosed to the Panel, it was considered to be '*significant*' that Jonathan Rees had been charged with murder by the Hampshire/Police Complaints Authority Investigation on 02 February 1989, only six days prior to the Detective Constable from Thamesmead CID contacting the Hampshire/Police Complaints Authority Investigation on 08 February 1989. The same undated review document also suggested that this may have been an '*orchestrated attempt to encourage the murder investigation team to look at another suspect possibly casting doubt on the prosecution case against Jonathan Rees*'.⁵⁸⁴

432. While this may have been the case, and the Panel is not in a position to arrive at a conclusion, it is the Panel's view that sufficient evidence and information were in the possession of the Hampshire/Police Complaints Authority Investigation for former Police Officer Z31 to have been a suspect, with or without the possible links between Jonathan Rees and DC Alan Purvis.⁵⁸⁵

433. On 27 February 1989 actions were raised and instructions issued:

- i. to visit the hardware shop where former Police Officer Z31 bought his axe and to obtain a statement;⁵⁸⁶
- ii. to inspect his Metropolitan Police personnel file;⁵⁸⁷
- iii. to take a statement from his estranged wife;⁵⁸⁸
- iv. to establish his whereabouts on 09 and 10 March 1987;⁵⁸⁹
- v. to identify previous telephone numbers to which he had access;⁵⁹⁰ and
- vi. to establish the current status of the criminal proceedings against him.⁵⁹¹

582 Report of a Detective Sergeant, MPS022338001, 22 February 1989.

583 Report of DCI Thomas Smith, MPS007382001, p6, 08 May 1996.

584 Document entitled 'Daniel Morgan', MPS071789001, p3, undated.

585 The investigating officer certainly did not feel that he was being manipulated. On 26 June 2002, shortly after the 'Morgan Two' Investigation had been established, he telephoned the Major Incident Room from retirement and drew attention to former Police Officer Z31 once again, indicating that he should be a strong suspect, MPS007381001, 26 June 2002.

586 Action A646, '*Visit Hampton Hardware T/ST re axe used by [Police Officer Z31]*', MPS032324001 27 February 1989.

587 Action A647, '*Inspect personal file of [former Police Officer Z31]*', MPS032323001, 27 February 1989.

588 Action A648, '*T/ST the estranged wife of [former Police Officer Z31]*', MPS032322001, 27 February 1989.

589 Action A649, '*Establish whereabouts of [Police Officer Z31] on night of 09 / 100387*', MPS032321001, 27 February 1989.

590 Action A650, '*I/D previous telephone numbers re [Police Officer Z31]*', MPS032320001, 27 February 1989.

591 Action A651, '*Re [Police Officer Z31]: was any prosecution charge "dropped"*', MPS032319001, 27 February 1989.

434. A statement had already been obtained by a Metropolitan Police investigator from the shop where the axe had been purchased and a copy had been passed on to the Hampshire/Police Complaints Authority Investigation.⁵⁹² Former Police Officer Z31's personnel file was obtained from the Metropolitan Police but revealed nothing of relevance. The status of the criminal charges was ascertained.

435. By 06 March 1989, former Police Officer Z31's wife had been seen by a member of the Hampshire/Police Complaints Authority Investigation and provided some interesting and relevant information, although she had declined to make a written statement as she was in fear of the consequences were her husband to find out. She told the Hampshire officer that, while she could not recall meeting Jonathan Rees or any of his family when she and her husband lived on the same street in South Norwood as Jonathan Rees, at that time her husband was in the habit of frequenting several public houses in South Norwood and in Sydenham. She listed six such premises and these included the Golden Lion and the Dolphin public houses in Sydenham.⁵⁹³

436. His wife also stated that she had seen her husband carry an axe on previous occasions, both in his vehicle and on his person.⁵⁹⁴

437. She went on to say that in 1987 he had been in possession of a gold coloured wristwatch, which he told her was a replica Rolex make that he had bought '*from two gypsies*' for £25. This watch was later reported stolen during a burglary at one of the public houses he managed after he had resigned from the Metropolitan Police, although she believed that former Police Officer Z31 himself had been responsible for the burglary and that he had sold the watch to a customer.⁵⁹⁵

438. Former Police Officer Z31's wife also said that he had told her previously that he had '*hurt people*' for money and explained '*where do you think we get the money?*'.⁵⁹⁶

439. The information from former Police Officer Z31's wife, accounts of the assaults described above and other relevant information such as previous telephone numbers, names of associates and the identity of his current girlfriend, were recorded by the Hampshire/Police Complaints Authority Investigation.⁵⁹⁷

440. Twenty-two investigative actions were identified by the Statement Reader, DS David Kilbride, following the receipt of this information, including suggestions that former Police Officer Z31's associates and current girlfriend should be interviewed, that enquiries should be made concerning the burglary at the public house where the Rolex watch was allegedly stolen, that enquiries should be made at the public houses such as the Golden Lion, which he reportedly frequented, and that his bank account be examined. Inexplicably, DCI Paul Blaker did not ensure that this was done, but on 12 April 1989 merely noted that '*[t]his matter is being fully covered by DI Witt*'.⁵⁹⁸ The Panel has not been able to find any documentation produced by DI Trevor Witt that dealt with these issues, and there is no evidence that any of the enquiries were carried out.

592 Witness statement of shop owner, MPS035289001, 27 February 1989.

593 Report of a Detective Sergeant MPS022337001, pp3-4, 06 March 1989.

594 Report of a Detective Sergeant, MPS022337001, p4, 06 March 1989.

595 Report of a Detective Sergeant, MPS022337001, pp4-5, 06 March 1989.

596 Report of a Detective Sergeant, MPS022337001, p5, 06 March 1989.

597 Report of a Detective Sergeant, MPS022337001, 06 March 1989.

598 Report of a Detective Sergeant, MPS023032001, p5, 06 March 1989.

441. The 22 investigative actions identified by DS David Kilbride were all relevant and sensible actions, which should have been undertaken. Most of them were not pursued. Enquiries should have especially been made at the Golden Lion and Dolphin public houses in Sydenham, to try to establish the extent to which former Police Officer Z31 frequented both premises, to establish if he was known to associate with anyone implicated in the enquiry and to ascertain if he had been present on the nights of 09 or 10 March 1987.

442. Former Police Officer Z31's wife passed two of her husband's 1986 diaries to the Hampshire/Police Complaints Authority Investigation, one of which was examined, and research carried out in respect of entries for names, addresses and telephone numbers.⁵⁹⁹ Also a check was made to ascertain whether Jonathan Rees's mobile phone had been used to telephone former Police Officer Z31. Nothing of significance was discovered.^{600,601,602}

443. On 28 April 1989, DCI Paul Blaker and DI Rex Carpenter considered the possibility of interviewing former Police Officer Z31, but this was not done.⁶⁰³ The Panel has been unable to ascertain why not.

444. Enquiries were made to establish former Police Officer Z31's whereabouts on 09 and 10 March 1987. On 28 July 1989, a member of the Hampshire/Police Complaints Authority Investigation submitted a report stating that it had been impossible to do so. At the time of Daniel Morgan's murder, former Police Officer Z31 and his wife had been managing a public house in Hampton. The officer had spoken with former Police Officer Z31's wife who told him that her husband spent little time at the premises and that she was unable to say where he was on those dates.⁶⁰⁴ No further action to pursue this issue was taken by the Hampshire/Police Complaints Authority Investigation.

445. No assumption can be made that former Police Officer Z31 was involved in Daniel Morgan's murder. Nevertheless, DCS Alan Wheeler gathered sufficient information to justify treating former Police Officer Z31 as a suspect:

- i. Former Police Officer Z31 was a violent man and was known to use an axe, a weapon which is used very rarely in homicides and assaults in the UK.⁶⁰⁵ When he broke into his estranged wife's home he was armed with one identical to that used to kill Daniel

599 Report of a Detective Sergeant, MPS023030001, 10 March 1989.

600 Report of a Detective Sergeant, MPS022335001, 20 March 1989.

601 Action A702, 'Research carphone prints REES re numbers listed R7AR', MPS032834001, 04 April 1989.

602 Report of a Police Constable, MPS022631001, 05 April 1989.

603 Message from DCI Paul Blaker to DI Rex Carpenter, MPS030797001, 02 May 1989.

604 Report of a Detective Sergeant, MPS022327001, 28 July 1989.

605 An examination of the National Injuries Database conducted by the National Crime Agency on behalf of the Panel, for offences of homicide and assault involving an axe, revealed only 17 such cases nationally since 1992 (the earliest year for which data is available) of which only ten involved injuries to the head or face. Of these ten, in only three were there no defensive injuries. However, the data is incomplete. An analysis of Home Office Homicide Index data from 2001 to 2019, also carried out by the National Crime Agency on behalf of the Panel, revealed 27 homicides in England and Wales in which an axe/hatchet was confirmed as the murder weapon. Only nine of these cases occurred within the Metropolitan Police District. National Crime Agency case reference OP128694.

Morgan⁶⁰⁶ and he had also in the past allegedly attacked a vehicle repossession agent with an axe.⁶⁰⁷

- ii. He and Jonathan Rees previously lived in the same street.
- iii. He was reported to frequent the public house in which Daniel Morgan was murdered.
- iv. He was also reported to have frequented one of the public houses used by Jonathan Rees, former DS Sidney Fillery and members of the Catford Crime Squad.
- v. As a police officer who previously served in South London, he is likely to have known members of the Catford Crime Squad and perhaps Jonathan Rees.
- vi. His wife said that in 1987 he was believed to have been in possession of a Rolex watch which he claimed to have bought from 'gypsies'.

446. Former Police Officer Z31 died in 2003.⁶⁰⁸

447. The Panel asked former DS David Kilbride whether either DCS Alan Wheeler or DCI Paul Blaker had told him why the investigative actions he had suggested, both in the case of former Police Officer Z31 and in any of the other matters that the Panel drew to his attention, had not been carried out, and he said that they had not. Nor could he remember whether former Police Officer Z31 had been discussed at the weekly conferences held by the Hampshire/Police Complaints Authority Investigation. On being shown the copy of the report of 06 March 1989 referred to above with which he had dealt, he said that it was clear from the way in which he had marked it up that he had got quite excited about former Police Officer Z31 as a potential suspect. He could not explain why former Police Officer Z31 had not been looked at more thoroughly, as in his opinion he was 'a good candidate'.⁶⁰⁹

448. The Panel also asked former DS David Kilbride whether it was possibly the case that former Police Officer Z31 was not investigated more closely because to have done so might have undermined the case against Jonathan Rees, Paul Goodridge and Jean Wisden, who had been charged with Daniel Morgan's murder only a few days before former Police Officer Z31 had been drawn to the attention of the Hampshire/Police Complaints Authority Investigation. Former DS Kilbride thought that this was not the case and pointed out that if former Police Officer Z31 could have been shown to be an associate of Jonathan Rees it would have strengthened the case against the three people, but he was unable to say why more action had not been taken.⁶¹⁰

449. The Panel asked DCI Paul Blaker about this issue when it met with him. However, he stated that, while former Police Officer Z31's name was familiar to him, he was unable to remember any detail about the matter.⁶¹¹

606 Report of a Detective Sergeant, MPS022337001, p3, 06 March 1989.

607 Police records disclosed to the Panel also reveal that in October 1992 he was allegedly involved in another incident at which he was armed with an axe, MPS040088001, p6, 19 October 1992.

608 Message received by DCI Neil Hibberd, MPS060055001, 17 September 2003.

609 Panel interview of former Supt David Kilbride, PNL000269001, 28 June 2016.

610 Panel interview of former Supt David Kilbride, PNL000269001, 28 June 2016.

611 Panel interview of former Supt Paul Blaker, PNL000240001, 26 July 2016.

450. While there was no direct evidence linking former Police Officer Z31 to the murder of Daniel Morgan, and the information in the possession of the Hampshire/Police Complaints Authority Investigation may have amounted to nothing more than coincidence, there was ample justification to have regarded him as a suspect. There were sufficient grounds to have arrested him. At the very least he should have been interviewed. Furthermore, more effort should have been taken to establish whether there was a connection between him and Jonathan Rees, or with any other person thought to be implicated in Daniel Morgan's death.

This matter was not properly investigated. Former Police Officer Z31 was not even mentioned in the report which DCS Alan Wheeler later sent to the Police Complaints Authority.⁶¹² This line of enquiry was not treated with the gravity it merited and was a failing of DCS Wheeler's investigation.

9.4.1 Later developments concerning former Police Officer Z31

451. Sometime after the conclusion of the Hampshire/Police Complaints Authority Investigation, the Metropolitan Police reopened enquiries into former Police Officer Z31's possible involvement in the murder of Daniel Morgan.

452. In the years following the Hampshire/Police Complaints Authority Investigation, Isobel Hülsmann and Alastair Morgan continued to lobby and to pressurise the Metropolitan Police and others about the case. As a result of this activity, in early 1996 DAC Roy Clark directed that a review of the case papers be conducted. This was carried out by an inspector from the Complaints Investigation Bureau who realised that the line of enquiry relating to former Police Officer Z31, embarked upon by the Hampshire/Police Complaints Authority Investigation, had not been concluded. DCI Thomas Smith was then instructed to examine the matter. He reviewed the databases of the Morgan One and Hampshire/Police Complaints Authority investigations, visited Hampshire Constabulary headquarters and consulted with members of the Hampshire/Police Complaints Authority Investigation.⁶¹³

453. In May 1996, DCI Thomas Smith reported that he had noted that Daniel Morgan's mobile telephone records had not been researched to identify any possible connection with former Police Officer Z31 and so he had prompted this to be done. There was no recorded contact between the two men. He went on to conclude that the Hampshire/Police Complaints Authority Investigation had '*thorough [sic] researched*' former Police Officer Z31 and that there was insufficient evidence available then or now to justify his arrest.⁶¹⁴

454. DCI Thomas Smith stated that he had considered interviewing former Police Officer Z31 but had decided not to do so because local police officers had described his current mental state as '*suffering from delusion*' and that he was receiving treatment; therefore, any interview would be '*valueless*'. He recommended that Daniel Morgan's family be informed that there was insufficient evidence against former Police Officer Z31.⁶¹⁵

612 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, 04 September 1989.

613 Report of DCI Thomas Smith, MPS007382001, 08 May 1996.

614 Report of DCI Thomas Smith, MPS007382001, 08 May 1996.

615 Report of DCI Thomas Smith, MPS007382001, 08 May 1996.

455. The decision by DAC Roy Clark to reopen the investigation insofar as it related to former Police Officer Z31 was merited. The initial examination of the case papers carried out by the Complaints Investigation Bureau revealed the incomplete nature of the Hampshire/Police Complaints Authority Investigation into former Police Officer Z31. Unfortunately, the subsequent 1996 review appears to have been superficial. DCI Thomas Smith was wrong to conclude that there was insufficient evidence to justify former Police Officer Z31's arrest.

456. However, in October 1997, DAC Roy Clark once again referred the issue of former Police Officer Z31 for investigation⁶¹⁶ and D/Supt Albert Patrick was appointed to lead the enquiry. D/Supt Patrick maintained a policy file and his first decision recorded in that document was to have former Police Officer Z31 interviewed '*[i]n accordance with the letter from DAC Roy CLARK of 10/10/97*'. The reason for the decision is given as '*Commissioner is to see family of Danny Morgan on 7th November 1997*'.⁶¹⁷

457. D/Supt Albert Patrick conducted his investigation in accordance with established practices,⁶¹⁸ although, due to the limited scope of his task, he decided neither to use HOLMES, nor to index documents.⁶¹⁹ He gathered all the available material about former Police Officer Z31, and caused enquiries to be made with the Forensic Science Service, with former Police Officer Z31's previous employers and with police officers who had previously dealt with him. Intelligence records were also examined and both his first wife and estranged second wife were interviewed. The personnel file of former DS Sidney Fillery was examined to establish whether there was any link between him and former Police Officer Z31. D/Supt Patrick noted that '*[t]his aspect does not appear to have been addressed by Hampshire and may be significant during interview*'.⁶²⁰ A total of 20 actions⁶²¹ were raised, six incoming messages⁶²² recorded, and eight policy decisions made.⁶²³

458. On 22 October 1997, D/Supt Albert Patrick recorded in his policy file that, '*[h]aving reviewed all the information now obtained I am satisfied that there are grounds to afford reasonable suspicion which would justify an arrest*'.⁶²⁴

459. On 11 November 1997, former Police Officer Z31 was arrested by Metropolitan Police officers and interviewed about Daniel Morgan's murder in the presence of his solicitor. He refused to answer any questions and was released without charge. He was not eliminated as a suspect.^{625,626}

616 Letter from DAC Roy Clark to DAC William Griffiths, PNL000045001, pp139-140, 10 October 1997.

617 Policy File of D/Supt Albert Patrick, decision no. 1, MPS016323001, 13 October 1997.

618 MIRSAP.

619 Policy File of D/Supt Albert Patrick, decision no. 2, MPS016324001, 16 October 1997.

620 Policy File of D/Supt Albert Patrick, decision no. 7, MPS016329001, 22 October 1997.

621 Metropolitan Police docket CR201/87/93, PNL000045001, pp6-65, 16 to 23 October 1997.

622 Metropolitan Police docket CR201/87/93, PNL000045001, pp66-72, 14 October to 05 November 1997.

623 Metropolitan Police docket CR201/87/93, PNL000045001, pp167-175, 13 October to 04 November 1997.

624 Policy File of D/Supt Albert Patrick, MPS016327001, 22 October 1997.

625 Minute from Cdr William Griffiths to DAC Roy Clark, PNL000045001, p3, 19 November 1997.

626 Report of a Detective Sergeant, PNL000045001, p4, 11, November 1997.

460. DAC Roy Clark correctly required the matter to be re-examined in 1997 and directed that former Police Officer Z31 be re-interviewed. It is not clear what prompted this re-examination. The investigation then carried out by D/Supt Albert Patrick was thorough and properly documented with lengthy and well-reasoned policy decisions. Indeed, it is a textbook example of how such matters should be addressed.

461. In 2001, former Police Officer Z31's fingerprints were checked by the Metropolitan Police Fingerprint Bureau against outstanding marks recovered from exhibits seized during the Morgan One Investigation, but they were not identical to the outstanding marks.⁶²⁷

462. In 2007, as part of the Abelard Two Investigation and seeking to take advantage of advances in forensic science which had occurred since the time of Daniel Morgan's murder, DNA samples were recovered from the axe used to kill him. The DNA samples of a number of suspects were compared with the samples from the axe but no matches were found. Former Police Officer Z31's DNA was not among those checked, as the profile obtained from a DNA sample he had provided some years earlier was not suitable to be compared with those from the axe. The samples of those police officers who had come into contact with the axe were also compared for elimination purposes. One of them was by that time deceased but, with the assistance of his wife, a sample was obtained from a family member and was thus able to be checked. The Panel has discussed this matter with the Metropolitan Police and with the forensic scientist involved and the same method used in respect of the deceased officer in 2007 would be feasible to be used in respect of former Police Officer Z31.

RECOMMENDATION

463. The Panel recommends that the Metropolitan Police consider the desirability and explore the possibility of obtaining samples of DNA from former Police Officer Z31's relatives, to compare it with the outstanding DNA recovered from the axe.

9.5 Investigative actions

464. There were 861 investigative actions raised during the 'Operation Drake' phase of the Hampshire/Police Complaints Authority Investigation.⁶²⁸ There were significant delays of up to nine months in the completion of many of them, including some potentially important enquiries. For example:

- i. On 09 September 1988, it was decided that Police Officer N21, who had been introduced to Jonathan Rees by former DS Sidney Fillery, and who was a member of the Catford Crime Squad, should be interviewed about his knowledge of Daniel Morgan and Jonathan Rees. He was not seen until seven months later, on 06 April 1989, by which time he had left the Metropolitan Police and was working for Jonathan Rees and Sidney Fillery at Southern Investigations.⁶²⁹

⁶²⁷ Results of fingerprint comparisons for former Police Officer Z31, MPS109542001, pp5-8, 14 May 2001 and 05 August 2009.

⁶²⁸ HOLMES computer printout of Operation Drake action resumes and text, MPS020593001, 27 June 2000.

⁶²⁹ Action A80, MPS031214001, 09 September 1988.

- ii. On 28 September 1988, it was decided that a statement should be taken from a witness about the movements of Jonathan Rees on the day of Daniel Morgan's murder.⁶³⁰ No action was taken to obtain the statement for seven months, until 19 April 1989, more than two months after Jonathan Rees had been charged with murder.
- iii. On 07 December 1988, it was decided that a statement should be taken from a *Daily Mirror* journalist who had received a telephone call alleging that Paul Goodridge was responsible for Daniel Morgan's death.⁶³¹ The information had been received by the Morgan One Investigation on 28 July 1988,⁶³² but was not recorded on the Hampshire/Police Complaints Authority Investigation HOLMES database until 03 November 1988.⁶³³ No officer was tasked with taking the statement until 16 March 1989, six weeks after Paul Goodridge had been charged with murder. The statement was not obtained until 29 March 1989, eight months after the information had been received.⁶³⁴

465. The Hampshire/Police Complaints Authority Investigation became aware of the information about Paul Goodridge at the beginning of November 1988, but it did not obtain a witness statement from the journalist who received that information until the middle of March 1989. The Panel has been unable to identify any explanation for the lengthy delay in completing the action on the part of the Hampshire/Police Complaints Authority Investigation.

466. Of the 861 investigative actions raised during the Hampshire/Police Complaints Authority Investigation, 115, or 13 per cent, were never dealt with.⁶³⁵ In the aftermath of the decision to discontinue proceedings against those who had been charged, no further action was taken on these matters. Some of these actions had been outstanding since September 1988 and the vast majority since before the arrests were made on 31 January 1989.

467. Many of these matters should have continued to be investigated despite the discontinuance of proceedings, since the murder remained unsolved and the issue of possible police involvement had not been thoroughly investigated. It is incomprehensible why the remaining investigative actions were not dealt with during 'Operation Plymouth' following the decision to discontinue proceedings.

630 Action A181, MPS031458001, 28 September 1988.

631 Action A474, MPS031907001, 07 December 1988.

632 Telephone call from D/Supt Douglas Campbell, MPS012984001, 28 July 1988.

633 Operation Drake typed copy of Morgan One message regarding telephone call from D/Supt Douglas Campbell on 28 July 1988, MPS028343001, 03 November 1988.

634 Witness statement, MPS011052001, 29 March 1989.

635 Panel research of HOLMES system.

10 Operation Plymouth

468. Following the collapse of the criminal prosecution against Jonathan Rees, Paul Goodridge and Jean Wisden, DCS Alan Wheeler discussed the case with Roland Moyle and it was agreed that the investigation should continue, albeit that it would concentrate on ‘*police involvement*’.⁶³⁶ Roland Moyle had earlier noted that, once the phase of the operation involving Jonathan Rees, Paul Goodridge and Jean Wisden was completed, ‘*WHEELER will concentrate on the role of FILLERY and his colleagues*’.⁶³⁷

469. Operation Drake was ostensibly concluded and a separate operation, Operation Plymouth, focusing on the original wording of the Terms of Reference and using a separate database (although linked to the Drake database), was established. It was recorded that the investigation into Daniel Morgan’s murder was completed and so the decision was also taken to transfer the Operation Drake database and related documentation to the Metropolitan Police.⁶³⁸

470. The Operation Plymouth phase of the Hampshire/Police Complaints Authority Investigation commenced on 26 May 1989.⁶³⁹ The first action was raised on 07 June and the last on 10 July 1989. Sixty-two actions were raised in all, of which eight were not issued and were subsequently marked as ‘*NFA*’ (No Further Action). The focus was entirely on police officers who had either been members of the Morgan One Investigation or who were thought to have been associated with events on 09 and 10 March 1987, or with Belmont Car Auctions.

471. However, there was not a ‘clean break’ and Operation Drake actions continued to be raised after Operation Plymouth started and were still being raised after the last Operation Plymouth action was raised, even though many of the Operation Drake actions were marked ‘*NFA*’ and filed before they could be allocated. A number of outstanding Operation Drake actions were also transferred to Operation Plymouth.

472. The Panel notes the logic behind the decision to establish a ‘*new*’ operation, albeit one that was a continuance of Operation Drake. However, the Panel cannot also help but note that Operation Drake had in effect initially been what Operation Plymouth was intended to be (i.e. an investigation of police involvement), but it had transformed into a full murder investigation without a change of name or the establishment of a new database. The question might be asked, what really was the point of a new name and database? The two aspects of the operations were inextricably linked, as the original December 1988 decision to move to a full murder investigation demonstrated.

10.1 The Catford Crime Squad and the Morgan One Investigation team

473. Suspicions had arisen during the Morgan One Investigation about the Catford Crime Squad, and the conduct of other officers stationed at Catford (see Chapter 1, The Morgan One Investigation).

⁶³⁶ Telephone conversation between DCS Alan Wheeler and Roland Moyle, MPS030773001, 11 May 1989.

⁶³⁷ Extract from Police Complaints Authority minute sheet concerning the investigation into the murder of Daniel Morgan, made by Roland Moyle, MPS104952001, 03 February 1989.

⁶³⁸ SIO Policy Document Operation Drake, decisions 30 and 31, MPS035201001, pp4-5, undated.

⁶³⁹ SIO & DSIO Policy Document Operation Plymouth, MPS027915001, 26 May 1989.

474. In September 1988, DCS Alan Wheeler decided to re-interview all 38 officers who had responded to a Morgan One Investigation questionnaire stating that they knew or had met Jonathan Rees or Daniel Morgan.⁶⁴⁰ There were 19 officers identified as having been members of the Catford Crime Squad during the relevant period of 1987 and 58 actions were raised in relation to them, the majority instructing that they be interviewed about their knowledge of Daniel Morgan and Jonathan Rees.⁶⁴¹ (The Morgan One Investigation questionnaire contained nine questions which, among other things, asked if the officer had met either man and if so, where and in what circumstances.) In some instances, usually if they were supervisory officers, they were also asked by the Hampshire/Police Complaints Authority Investigation what they knew of former DS Sidney Fillery and of DC Peter Foley and DC Alan Purvis.⁶⁴² The work was carried out between September 1988 and May 1989 and, where appropriate, statements were taken. Eighteen of the actions were endorsed '[d]oes not appear to know Rees or victim'. No information was obtained that took the investigation forward.

475. Officers who had worked on the Morgan One Investigation were also seen. On 03 and 04 May 1989, 35 actions were raised to interview those officers who had not already been interviewed during the course of the Hampshire/Police Complaint Authority Investigation.^{643,644} The actions instructed that the subjects' background be researched before they were seen and they were asked to provide accounts of what duties they had undertaken during the course of the investigation, and whether they knew Daniel Morgan, Jonathan Rees, former DS Sidney Fillery, DC Peter Foley or DC Alan Purvis. Their views were also sought concerning possible police involvement in the murder. There were 11 actions transferred to Operation Plymouth, presumably because they had not been completed by the time of the Director of Public Prosecution's decision to discontinue proceedings against Jonathan Rees and his co-accused on 09 May 1989.⁶⁴⁵ No information was obtained that took the investigation forward.

10.1.1 DCs Peter Foley and Alan Purvis

476. Ten of the actions in Operation Plymouth related to DC Peter Foley and DC Alan Purvis,⁶⁴⁶ and both officers were interviewed on 06 July 1989 by DCI Paul Blaker in the presence of their solicitors.⁶⁴⁷ DC Peter Foley was reported to be '*still in a state of bewilderment*' concerning his arrest and the events that had led to it. He denied ever having heard of Daniel Morgan prior to his murder and stated his belief that the alleged robbery at Belmont Car Auctions did not provide a motive for that crime. He was aware that Jonathan Rees was the main suspect for the murder and could not therefore understand why former DS Sidney Fillery was still friendly with

640 Copy of Morgan One Investigation Questionnaire, MPS032008001, p1, 09 September 1988.

641 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, pp68-69, para 290, 04 September 1989.

642 Examples of reports generated from those actions were:

Report of DCI Paul Blaker, MPS023013001, 20 October 1988.

Report of DCI Paul Blaker, MPS023004001, 08 May 1989.

643 Action A797, MPS032652001, 03 May 1989 through to action A832, MPS032609001, 04 May 1989.

644 A839, MPS032601001, 05 June 1989.

645 Report of DCS Alan Wheeler, MPS022461001, 23 May 1989.

646 Action A4, '*Examine docs re DC PURVIS & report assessment*', MPS028028001, 13 June 1989.

Action A5, '*Examine documentation relating to FOLEY*', MPS028027001, 13 June 1989.

Action A9, '*Est from Belmont Car Auct. Role of FILLERY / PURVIS / FOLEY*', MPS028022001, 13 June 1989.

Action A12, '*Int DC PURVIS re the meeting 140387 Crown PH*', MPS028017001, 13 June 1989.

Action A13, '*Int DC FOLEY re meeting 140387 Crown PH*', MPS028016001, 13 June 1989.

Action A25, '*Int PURVIS est reason for his presence Garden Gate PH*', MPS028001001, 15 June 1989.

Action A40, '*Int PURVIS re CLAPTON Murder de brief 090387*', MPS027985001, 16 June 1989.

Action A41, '*T/ST PURVIS re his presence Belmont Car Auct 190386*', MPS027982001, 16 June 1989.

Action A43, '*Examine custody record of DC PURVIS*', MPS027980001, 16 June 1989.

Action A47, '*Examine custody record of DC FOLEY*', MPS027975001, 16 June 1989.

647 Report of DCI Paul Blaker, MPS027944001, 07 July 1989.

him. He had never heard of Paul Goodridge or Jean Wisden. He himself denied any involvement in the murder and said that he was extremely upset that D/Supt Douglas Campbell had said at the Inquest that there was *'insufficient evidence'* against him as opposed to *'no evidence'* and that this had been an unjustified slur on his character.

477. DC Alan Purvis accepted that he had acted unprofessionally in connection with his involvement with Belmont Car Auctions, although like his colleague DC Peter Foley, he did not believe that the matter provided a motive for the murder of Daniel Morgan whom he had met on just one previous occasion. He denied any involvement in the murder and, like his colleague, he too was surprised that former DS Sidney Fillery was still associating with Jonathan Rees.

478. DCI Paul Blaker concluded that both DC Alan Purvis and DC Peter Foley came across as honest, and while he did not say so explicitly, intimated that he did not believe that they had been involved in the murder.^{648,649} In his report to the Police Complaints Authority, DCS Alan Wheeler stated that, while both officers had *'acted in a naïve manner in relation to their activities concerning Belmont Car Auctions [...] [n]o evidence [...] has been adduced to support [either officer's] involvement in the murder'*.⁶⁵⁰

10.1.2 Allegations of misconduct against D/Supt Douglas Campbell

479. The allegation that D/Supt Douglas Campbell was drunk when he arrived at the scene of the murder on the night of 10 March 1987 was drawn to DCS Alan Wheeler's attention by his staff.

480. DCS Alan Wheeler kept a *'suggestion book'* for the use of any member of his team who wished to bring something to his attention.⁶⁵¹ On 21 November 1988 the Office Manager, a Detective Sergeant, made a lengthy entry in the book setting out his thoughts on various matters relating to D/Supt Douglas Campbell and suggesting enquiries that might be made to establish the facts surrounding certain points. Part of the entry read:

*'On the night of the murder, I like most others in the [Hampshire] incident room accept that D/SUPT CAMPBELL had been drinking prior to arrival at the scene. However whether he was drunk is a very different matter. What is clear is this – if he wasn't drunk, he was extremely incompetent in the way he handled the enquiry that night.'*⁶⁵²

481. It is of course the case that the Detective Sergeant was not in the incident room on the night of the murder. In November 2020, former D/Supt Douglas Campbell stated to the Panel that he refuted entirely any suggestion that he was intoxicated on the night of the murder.

482. The Office Manager had then listed a number of instances when D/Supt Douglas Campbell had failed to act effectively, including the failure to take notes of the conversation with Jonathan Rees on the night of the murder and the failure to seize his clothing. He speculated about possible reasons for these failures and concluded:

648 Report of DCI Paul Blaker, MPS027944001, 07 July 1989.

649 Report of DCI Paul Blaker, MPS027943001, 07 July 1989.

650 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p80, para 344 (g), 04 September 1989.

651 SIO Policy Document Operation Drake, decision no. 10, MPS035201001, 25 July 1988.

652 Operation Drake suggestion book, MPS026866001, p 24, 21 November 1988.

*'I'm sure everyone agrees that a man of D/Supt CAMPBELL'S experience should not of [sic] made the mistakes he did, even allowing for the shortage of manpower available to him at that time.'*⁶⁵³

483. This suggests that within the Hampshire/Police Complaints Authority Investigation, the subject of D/Supt Douglas Campbell's sobriety on the night of 10 March was discussed although as this is the only written record of the fact, it is not clear whether the discussion involved DCS Alan Wheeler and/or DCI Paul Blaker. Former DCS Wheeler told the Panel that he had been aware of the criticisms but said that in his view it was more a case that D/Supt Campbell liked to have a drink and there was no evidence that he was drunk.⁶⁵⁴

484. There is nothing within the papers disclosed to the Panel to show that the Office Manager's comments were considered, other than a written endorsement signed by DCI Paul Blaker that they had been noted. The Panel has asked Commander Alan Fry, who was the senior Metropolitan Police officer with responsibility for the area at the time of the Morgan One Investigation, if he had been made aware of the allegations. He responded that it was the first he had heard of them. He said that if he had known, he would have been 'aghast' and D/Supt Douglas Campbell would not have remained the Senior Investigating Officer.⁶⁵⁵

485. Given the seriousness of the allegation, this matter should have been investigated. At the Inquest into Daniel Morgan's death, one witness said that the allegations of drunkenness had been propagated by Jonathan Rees with the intention of discrediting D/Supt Douglas Campbell.⁶⁵⁶ While this may have been the case, if DCS Alan Wheeler thought that the subject was outside his Terms of Reference, it should have been reported to senior officers within the Metropolitan Police. There is no evidence that this was done.

That allegation against D/Supt Douglas Campbell has been in the public domain for a number of years and the Panel has concluded in Chapter 1 that, '[o]ther than DC Noel Cosgrave's statement, there is no information to support the allegation that D/Supt Douglas Campbell was drunk at the scene of the murder'. Nothing contained in the Hampshire/Police Complaints Authority papers would justify changing that conclusion.

11 The conclusion of the Hampshire/Police Complaints Authority Investigation and submission of DCS Alan Wheeler's final report to the Authority

486. No further investigative actions were raised after 10 July 1989 and it seems that the Hampshire/Police Complaints Authority Investigation then came to an abrupt end, as the uncompleted actions outstanding from Operation Drake were marked, '[i]n view of DPP decision NFA D/SIO direction 12/07/89', which meant that the Deputy Senior Investigating Officer had directed that no further action should be taken on these matters. The Panel has been unable

⁶⁵³ Operation Drake suggestion book, MPS026866001, p25, 21 November 1988.

⁶⁵⁴ Panel interview of former DCS Alan Wheeler, PNL000205001, 24 March 2015.

⁶⁵⁵ Panel interview of former Commander Alan Fry, PNL000233001, 15 June 2016.

⁶⁵⁶ Transcript of the fourth day of the Inquest into the death of Daniel Morgan, MPS015476001, p59, 14 April 1988.

to find any document that explains the rationale for the decision, and DCS Alan Wheeler's policy file is silent on the subject.⁶⁵⁷ It has not been possible to discuss the subject with former DCS Wheeler, but former DCI Paul Blaker has stated that his recollection is that the decision was DCS Wheeler's and that he cannot recall if any consultations were undertaken before it was made.⁶⁵⁸

487. The Hampshire/Police Complaints Authority Investigation into the murder of Daniel Morgan came to a formal end with the submission of DCS Alan Wheeler's final report to the Police Complaints Authority on 04 September 1989.⁶⁵⁹ It was '*supported by over 400 statements made by witnesses and police officers, a full transcript of the inquest held into the death of Daniel Morgan, photographic evidence and 9 volumes of other documents*'.⁶⁶⁰

488. In his report, DCS Alan Wheeler set out the circumstances, as they were known, of Daniel Morgan's murder and the background to the case. He dealt with the allegations of police involvement and documented in detail the evidence given by Kevin Lennon. He also set out his findings in relation to Jonathan Rees, former DS Sidney Fillery and others. He concluded:

*'There is circumstantial evidence which strongly indicates REES and GOODRIDGE are involved in the murder of MORGAN albeit insufficiently cogent in the view of the Director of Public Prosecutions to persuade him to continue proceedings.'*⁶⁶¹

489. He went on to say that there was no evidence '*to implicate a Police Officer by name or the Police in general as being involved in the murder*', nor was there any '*evidence of wilful action(s) on behalf of any member of the Metropolitan Police Murder Investigation squad to prevent the murder being properly detected*'.⁶⁶²

490. In relation specifically to former DS Sidney Fillery, DCS Alan Wheeler concluded that there was '*no evidence to implicate [him] in the murder or any kindred matter other than that provided by a convicted fraudsman*'⁶⁶³ (i.e. Kevin Lennon). However, he did say that '*[h]is involvement at Belmont Car Auctions may have been the subject of discipline*'.⁶⁶⁴

11.1 DCS Alan Wheeler's commentary on the Morgan One Investigation and alleged police criminality

491. DCS Alan Wheeler had not been explicitly tasked by his Terms of Reference with reviewing and reporting on the efficacy of the Morgan One Investigation, although it is clear from the remarks made by members of the Police Complaints Authority at the time of the arrests of Jonathan Rees and others at the end of January 1989 and again after the discontinuation of proceedings in May 1989 that there was an expectation that he would do so. In his report DCS Wheeler did comment to a limited extent on how the Metropolitan Police Investigation had been conducted and discussed possible criminality on the part of some police officers linked to

657 SIO & DSIO Policy Document Operation Plymouth, MPS027915001, 07 June 1989.

658 Letter from former Supt Paul Blaker to the Panel, 24 January 2017.

659 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, 04 September 1989.

660 Police Complaints Authority Interim Statement relating to allegations against officers of the Metropolitan Police, MPS026296001, p3, 12 February 1990.

661 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p79, para 344 (a), 04 September 1989.

662 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, pp79-80, paras 344(c) and 344 (f), 04 September 1989.

663 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, pp80-81, para 344 (i), 04 September 1989.

664 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p80, para 344(h), 04 September 1989.

the investigation. While he made several adverse remarks, his conclusions were on the whole positive, although it will be shown that the views he expressed were inconsistent and subject to change a number of times, both before and after he submitted his report.

492. In his report he set out his approach to the issues as follows:

*'[Allegations that the murder had been arranged or committed by police officers] caused [me] to review in depth particular aspects of the murder and the subsequent investigation. In reviewing and analysing the investigation it was necessary to take into account the policy of the Metropolitan Police in relation to murder investigation. The numerical strength of the investigation squad had to be borne in mind. It was a conscious decision not to seek to apportion blame for pernickety reasons unless matters were disclosed which were justly meritorious [sic] of blame. Any failure, no matter how small, which directly or indirectly indicated Police involvement in the murder or any deliberate Police action following the murder to prevent its detection, was examined.'*⁶⁶⁵

493. His first criticism was of the Morgan One Investigation's failure to establish the veracity of DS Sidney Fillery's alibi for the night of 10 March 1987. He said:

*'The question of verifying an alibi, given in support of the fact of having no opportunity of committing the crime, should have been pursued at the time and this was not done by the Metropolitan Enquiry Team.'*⁶⁶⁶

494. He was also dissatisfied with the way in which Jonathan Rees had been handled in the initial stages of the investigation, saying, *'REES, having been identified as the last person to have seen MORGAN alive, should have been viewed at that early juncture as a suspect[...]. The manner in which [he] was initially treated was superficial from a forensic point of view. This situation was irrecoverable [...]'*, although he then went on to say that he could find no evidence that *'the failure to examine REES or to take his clothing or to search his house or car, was deliberately contrived to prevent the possible finding of vital evidence'*.⁶⁶⁷

495. However, these appeared to be the limit of his criticisms. Later in the report he commented favourably on the initial response of the Metropolitan Police to the report of a murder at the Golden Lion public house: *'The response of the Officers was in accordance with what would be expected of Police Officers responding to such an incident.'*⁶⁶⁸

496. In his conclusion, DCS Alan Wheeler stated, *'[t]he manner in which the investigation was conducted by the Metropolitan Police showed determination to bring those responsible before the court'*.⁶⁶⁹

497. However, it is clear that this statement did not entirely represent the opinions of either DCS Alan Wheeler, nor perhaps Roland Moyle. In a file minute made on 10 December 1988, following a meeting between the two men, Roland Moyle noted that they had discussed the *'incompetence'* of the Metropolitan Police investigation.⁶⁷⁰

665 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p11, para 44, 04 September 1989.

666 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p54, para 225, 04 September 1989.

667 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, pp54-55, paras 227 and 230, 04 September 1989.

668 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p65, para 276, 04 September 1989.

669 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p81, para 344 (n), 04 September 1989.

670 Minute of meeting referred to within *'Daniel John Morgan – draft Timeline: Wheeler's Investigation and PCA handling'*, HOM000376001, p4, 10 December 1988.

498. The Panel has also taken note of remarks made by DCS Alan Wheeler concerning the impact he thought that his investigation had had on the attitude of Daniel Morgan's family. Towards the end of his report to the Police Complaints Authority, DCS Wheeler referred to the family and to public confidence in the Metropolitan Police:

*'When Hampshire Officers arrested REES and commenced proceedings against him, the family saw that we had reached the same conclusion as the Metropolitan Officers. This seemed to restore some faith in the family's view of the Metropolitan Police Force.'*⁶⁷¹

and:

*'The media coverage of the murder and the revelations at the Inquest caused temporary harm to the Metropolitan Police, but at least the family are more inclined towards the Metropolitan Police, because Hampshire reached the same conclusion.'*⁶⁷²

499. On the surface, these remarks could appear to be mere statements of fact or informed opinion, made in passing by DCS Alan Wheeler. However, later remarks by D/Supt Douglas Campbell, in a written statement made in connection with civil proceedings in 1991, show them in a different light. In his statement D/Supt Campbell said:

*'On the Friday following the arrests [of Jonathan Rees, Paul Goodridge and Jean Wisden], it would be 3 February 1989, Commanders TAYLOR and GOUGH came and saw me at Catford Police Station. They said, "They've got no further evidence Doug, but they've done it to take the pressure off the Met Police created by the family."'*⁶⁷³

500. D/Supt Douglas Campbell went on to say that, while he accepted that this was what the officers had been told, he did not accept it as the truth. Nevertheless, the remarks were unfortunate and, if they are an accurate representation of what Commanders Taylor and Gough had been told, call into question the purpose of establishing the Hampshire/Police Complaints Authority Investigation, which was to examine possible police involvement in the murder, and raise issues about DCS Alan Wheeler's approach during his investigation.

501. Reference has already been made to the remarks made by lawyers from the Metropolitan Police and Hampshire Constabulary, meeting in 1995 to discuss the civil action commenced by Jonathan Rees. At the meeting, it was stated that the motive for the decision to transfer responsibility for investigating the murder from D/Supt Douglas Campbell to DCS Alan Wheeler was because *'if the prosecution failed in the Met's hands, there would have been even more criticism'*.⁶⁷⁴ This would appear to go some way to corroborating the remarks made by Commanders Taylor and Gough to D/Supt Campbell.

502. The record of the same meeting of the lawyers also contains a curious and concerning entry. The Hampshire Constabulary lawyer is recorded as having informed her Metropolitan Police colleagues that there was a *'box of documents'* relating to the Police Complaints Authority *'to which she was at the moment being denied access'* by Hampshire Constabulary. Supt Paul Blaker (as he was now after promotion from DCI) *'was saying that the papers were confidential and he did not want to reveal them'*, although he was being pressurised to do so. During the meeting it became clear that part of the contents of the box was a copy of

671 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, pp77-78, para 337, 04 September 1989.

672 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, pp81-82, para 344 (o), 04 September 1989.

673 Witness statement of D/Supt Douglas Campbell, MPS037223001, pp14-15, 05 February 1991.

674 Metropolitan Police Solicitor's Department Attendance Note, MPS038840001, p2, 05 April 1995.

DCS Alan Wheeler's interim report of 08 December 1988 to the Police Complaints Authority, which the Metropolitan Police lawyers were able to provide a copy of to the Hampshire Constabulary lawyer.⁶⁷⁵

503. It is not known what other papers the '*confidential box*' contained, nor whether the pressure on Supt Paul Blaker to disclose them was ultimately successful. This was an awkward position for the Hampshire Constabulary lawyer to be in, as it is not usual for lawyers defending the police in a civil action to be denied access to relevant material. There is no reference in the papers disclosed to the Panel by Hampshire Constabulary to a '*confidential box*' of Police Complaints Authority material, and none of the material disclosed is of a nature that would be regarded as so confidential that it could not be seen by the lawyers. The only reference is in the note, which was compiled by the Metropolitan Police lawyers and disclosed to the Panel by the Metropolitan Police. The Panel wrote to Hampshire Constabulary concerning the matter but were told that all the material held by Hampshire Constabulary relating to the investigation had been disclosed and a further search of the files had not revealed such a '*confidential box*'.

504. The possible existence of a '*confidential box*' of sensitive material relating to the Police Complaints Authority is of concern to the Panel. It may be that the contents were disclosed with all the other Hampshire Constabulary papers, but the Panel has seen nothing that would have merited such a label. It has already been noted in this chapter that actions that would have been expected to have been taken to investigate possible police misconduct were apparently never taken, or if they were taken, records relating to them were not made, or at least were not entered onto the HOLMES database. Reference to a '*confidential box*' begs the question as to whether investigations were carried out and records were made but they were never disclosed.

505. In November 1989, the Director of the Metropolitan Police Complaints Investigation Bureau wrote to Michael Mates MP to inform him of the outcome of the Hampshire/Police Complaints Authority Investigation. He told Michael Mates that DCS Alan Wheeler had concluded '*that the original murder enquiry had been carried out efficiently and with determination*'.⁶⁷⁶

506. In February 1990, the Police Complaints Authority issued an interim public statement in which it said that, '*[t]he investigation has been an extensive and complex one. All matters raised have been investigated thoroughly to the satisfaction of the Police Complaints Authority.*'⁶⁷⁷

507. The view that both the Morgan One and Hampshire investigations had been effective was further endorsed by the Police Complaints Authority in March 1990 when Gerry Gillman, a member of the Police Complaints Authority, wrote to Alastair Morgan stating, '*[...] I would like to stress that the two enquiries carried out by the Metropolitan Police and the Hampshire Constabulary have been most thorough and have produced no evidence of police involvement in your brother's murder*'.⁶⁷⁸

675 Metropolitan Police Solicitor's Department Attendance Note, MPS038840001, p1, 05 April 1995.

676 Letter from the Director of CIB to Michael Mates MP, MPS039312001, 23 November 1989.

677 Police Complaints Authority Interim Statement Relating to Allegations against Officers of the Metropolitan Police, MPS026296001, p3, 12 February 1990.

678 Letter from member of the Police Complaints Authority to Alastair Morgan, PNL000099001, p85, 27 March 1990.

508. Evidence gathered by officers involved in the Hampshire/Police Complaints Authority Investigation clearly indicated multiple significant failures in the Morgan One Investigation, but these were not reflected in DCS Alan Wheeler's report to the Police Complaints Authority, although they had been passed on verbally. Nor, despite having been made aware of its shortcomings, was the matter addressed by the Police Complaints Authority in its interim public statement, made following receipt of DCS Wheeler's final report, nor referred to in the letter sent to Alastair Morgan by Gerry Gilman in March 1990. The Panel considers that the Police Complaints Authority's assessment of the quality of the Hampshire Investigation, set out in the interim public statement, was inaccurate.

509. On 09 January 1991, at a conference in the context of the civil proceedings brought by Paul Goodridge and Jonathan Rees against the Hampshire Constabulary, which was attended by DCS Alan Wheeler and Supt Paul Blaker, Counsel noted DCS Wheeler as saying '*[w]e found lots of irregularities but found no evidence of police involvement. Only police inefficiency.*'⁶⁷⁹

510. Then in 1996, DCS Alan Wheeler, in his witness statement made in connection with the same civil action said, '*I had respect for what Detective Superintendent CAMPBELL had done*'.⁶⁸⁰

511. DCS Alan Wheeler's views appeared to change once again when he engaged with the Panel. In September 2013 he wrote to the Panel saying, '*[d]uring my investigation evidence was forthcoming of police corruption, and a combination of inefficiency, negligence and bad police behaviour*'.⁶⁸¹

512. When the Panel met former DCS Alan Wheeler in March 2015, he said that he thought that Daniel Morgan's murder should have been detected by the Morgan One Investigation. He thought that the crime scene was very poorly managed and there were other forensic failures such as the fact that Jonathan Rees's clothing had not been examined. He also considered that the offices of Southern Investigations should have been sealed, so as to prevent the removal of potentially important evidence such as the Belmont Car Auctions file and Daniel Morgan's desk diary. He went on to say that he thought that D/Supt Campbell was poorly supported by his team, many of whom were not up to the task, and that he received inadequate support from senior Metropolitan Police management. While D/Supt Campbell was clearly determined to solve the murder, and the arrests of the police officers showed how determined he was, DCS Wheeler thought that more could have been done. He was aware that D/Supt Campbell had taken a lot of criticism and said that he himself had been kinder to him than most.⁶⁸²

679 Notes of meeting between DCS Wheeler and Supt Blaker, HAM000844001, p3, 09 January 1991.

680 Witness statement of former DCS Alan Wheeler, HAM000315001, p35, para 59, 24 July 1996.

681 Letter from former DCS Alan Wheeler to the Panel, 24 September 2013.

682 Panel interview of former DCS Alan Wheeler, PNL000205001, 24 March 2015.

513. DCS Alan Wheeler's views on the case and on key personalities involved in it varied significantly over the years. The Panel strongly disagrees with his positive assessment of the Morgan One Investigation, as reported at the end of his investigation. This gave the impression that the Metropolitan Police had conducted a sound investigation, which was not justified by the evidence.

12 The independence of the Hampshire/Police Complaints Authority Investigation

514. While the concept of a fully independent enquiry into allegations of police misconduct, as it is understood today, was not so well-developed in the 1980s, it was a topical issue in the public domain and a matter of public concern at the time of the Hampshire/Police Complaints Authority Investigation that police largely investigated themselves when complaints were made by members of the public.

515. The Police Complaints Authority had been established by section 83 of the Police and Criminal Evidence Act 1984, with the aim of introducing an independent element into arrangements for dealing with complaints. Under Part IX and Schedule 4 of the Act, it had limited powers to supervise investigations of certain categories of complaint, including allegations that police conduct had resulted in the death or serious injury of any person. While it had the power to approve the appointment of investigating officers, section 85(3) of the Act provided that the decision as to whether an outside police force should be called in to conduct an investigation rested with the chief officer of police. Although the Police Complaints Authority had the power to direct that disciplinary charges be brought against police officers subject of complaint, it had no powers of its own to investigate but relied entirely on police forces to conduct enquiries.

516. Recognising the seriousness of the suspicions and allegations that police officers had been involved in the murder of Daniel Morgan, the Metropolitan Police and the Police Complaints Authority agreed that an outside police force, with no connections to the original enquiry, should be brought in to undertake the investigation and should be supervised by the Police Complaints Authority. In theory, this should have provided most of the independent elements necessary for an effective and objective scrutiny, and the investigation was understood by the members of Daniel Morgan's family to be a new and independent enquiry into the murder. However, the reality was rather different, and the hybrid and somewhat unsatisfactory system described above was reflected in DCS Wheeler's view of his own role.

517. When the Panel met former DCS Alan Wheeler in March 2015, he stated that in carrying out his investigation he had reported to the Metropolitan Police Assistant Commissioner in charge of complaints, and that he had seen himself as working for the Metropolitan Police on a Metropolitan Police matter.⁶⁸³ It is, however, acknowledged that his statement made in 1996 in connection with the civil proceedings says that he believed he had to be independent.⁶⁸⁴

⁶⁸³ Panel interview of former DCS Alan Wheeler, PNL000205001, 24 March 2015.

⁶⁸⁴ Witness statement of former DCS Alan Wheeler, HAM000315001, p34, para 56, 24 July 1996.

518. When he had sensed that his team had come to a position where they could make arrests for the murder, he had also informed both his own Chief Constable and the Metropolitan Police hierarchy, as he had taken the view that it was a Metropolitan Police crime that he was investigating and he wanted the Metropolitan Police to be satisfied with how he had gone about the investigation.⁶⁸⁵

519. Prior to the arrests of Jonathan Rees, Paul Goodridge and Jean Wisden on 31 January 1989, DCS Alan Wheeler arranged for the secondment of a Metropolitan Police Detective Superintendent, Alan Lewis, to his team. He gave this officer access to all the Hampshire/Police Complaints Authority Investigation's documents and information, allowed him to share an office with him and DCI Blaker and allowed him to report his own findings on the investigation, directly and privately, to New Scotland Yard, although DCS Wheeler stressed that the officer was not part of the command structure of the Hampshire/Police Complaints Authority Investigation.^{686,687,688}

520. DCS Alan Wheeler apparently had good relations with the Police Complaints Authority and had several meetings and regular telephone contact with Roland Moyle in order to discuss the progress of the investigation. However, while the possibility cannot be entirely excluded, based on the material provided, there is no evidence that DCS Wheeler informed or sought the permission of the Police Complaints Authority to bring in the Metropolitan Police Detective Superintendent, other than after the fact in his closing report.

521. Furthermore, D/Supt Alan Lewis charged all three suspects after their arrests⁶⁸⁹ and also participated in the meeting with the Director of Public Prosecutions at which the decision to discontinue proceedings against the three defendants was taken.⁶⁹⁰

522. DCS Alan Wheeler stated that he was working for the Metropolitan Police. The prominent role played by D/Supt Alan Lewis of the Metropolitan Police inside the Hampshire/Police Complaints Authority Investigation afforded him (and, therefore, the Metropolitan Police) complete access to the investigation's database. This has led the Panel to conclude that the Hampshire/Police Complaints Authority Investigation was not independent.

13 Summary of the Panel's conclusions and findings

523. The Hampshire/Police Complaints Authority Investigation's Terms of Reference were badly drafted, lacked clarity and were not specific enough about what the investigation should cover. They should have encompassed not just potential police involvement in the murder but also allegations of police undermining the investigation and the general conduct of the investigation.

685 Panel interview of former DCS Alan Wheeler, PNL000205001, 24 March 2015.

686 Panel interview of former DCS Alan Wheeler, PNL000205001, 24 March 2015.

687 Witness statement of former DCS Alan Wheeler, HAM000315001, p35, paras 57-59, 24 July 1996.

688 Witness statement of former Supt Paul Blaker, HAM000314001, p20, para 87, 25 July 1996.

689 Witness statement of D/Supt Alan Lewis, MPS011008001, 08 February 1989.

690 Final Report of DCS Alan Wheeler to the Police Complaints Authority, MPS060685001, p38, para 152, 04 September 1989.

524. The Terms of Reference should have been revised in December 1988, once the decision had been taken to approve the investigation of the murder as a whole, rather than just alleged police involvement.

525. The Hampshire/Police Complaints Authority Investigation had the capability and potential to bring a successful conclusion to the investigation into the murder of Daniel Morgan, by uncovering the full circumstances and by bringing to justice some or all of those involved. Members of the investigation were, on the whole, competent investigators, who worked hard and gathered and developed a great deal of relevant information concerning the conduct of many of the personalities linked to the case.

526. In many respects, the Hampshire/Police Complaints Authority Major Incident Room was administered in a far more competent way than that of the Morgan One Investigation. Nationally adopted policies and procedures, such as Major Incident Room Standard Administrative Procedures, were largely applied, and this contributed to the effectiveness of the work of the members of the investigation team.

527. In addition, DCS Alan Wheeler's use of forensic resources was good and far superior to that of the Morgan One Investigation.

528. However, policies adopted by DCS Alan Wheeler and steps taken by him during the course of the investigation, diluted and frustrated the effectiveness of the enquiry.

529. Some aspects of DCS Alan Wheeler's conduct of the investigation, all of which have been set out in the text of this chapter, give rise to concerns about the integrity of his investigation. These can be summarised as follows:

- i. DCS Wheeler did not understand the concept of 'independence' and considered himself to be working for and to the Metropolitan Police. At key stages during the investigation he consulted with and sought the approval of senior Metropolitan Police officers for actions he proposed to take and gave the Metropolitan Police complete access to his investigation's database.
- ii. He adopted the unusual policy, contrary to nationally accepted practice and to the usual practice followed in other Hampshire Constabulary murder investigations, of requiring all investigative actions to be approved in advance by him or by his deputy, DCI Paul Blaker. Many examples have been given in the above text of DCS Wheeler or DCI Blaker refusing to authorise what the Panel considers to have been sensible and logical steps that had the potential to fully complete important lines of enquiry. No reasons were ever recorded in writing for this, and the Statement Reader, DS David Kilbride, was never given any oral explanation for his suggestions being overruled.
- iii. It is clear to the Panel that DCS Wheeler devoted a great deal of time to obtaining evidence to justify the prosecution of Jonathan Rees, Paul Goodridge and Jean Wisden. Almost the entirety of the effort in this respect was devoted to undermining Jonathan Rees's alibi for the evening of 10 March 1987. While the Panel accepts to an extent the basis of the assertion that, in order to establish whether police officers were involved in the murder it was necessary first to find out who had committed the murder, it is clear that the focus of the investigation was predominantly on gathering alibi-related evidence against Jonathan Rees and that far less effort was devoted to establishing the involvement or otherwise of police officers.

- iv. When DCS Wheeler received information by means of an anonymous letter that suggested police officers had inappropriate relationships with Jonathan Rees and that linked him to the Vian brothers, who had been arrested during the Morgan One Investigation and who, the information claimed, had used axes in the past (something which was not known prior to this), no serious effort was made to pursue it.
- v. The main thrust of the allegations made by members of Daniel Morgan's family and supported by the arrests carried out during the course of the Morgan One Investigation, was that former DS Sidney Fillery had been involved in the murder and had attempted to frustrate its investigation. Yet DCS Wheeler failed fully to pursue lines of enquiry that may have helped to establish the truth of the allegations. For example, the issue of the removal of files relating to Belmont Car Auctions from Southern Investigations' offices in the aftermath of the murder was dealt with superficially. No attempt was made to follow up the statement by DC Michael Crofts that former DS Fillery had put the files in his car and driven away with them, nor to clarify the several accounts of removal of items from the premises. The claim that former DS Fillery had removed the files in his car was not even referred to when DCS Wheeler discussed the matter in his report to the Police Complaints Authority.
- vi. While he spent considerable time examining the strength of the evidence given by Kevin Lennon that former DS Fillery and other police officers had been part of a plot to kill Daniel Morgan, DCS Wheeler failed to take simple steps that may have assisted in corroborating or negating the evidence, such as having Kevin Lennon's girlfriend interviewed, making enquiries about the burglary in which Kevin Lennon's diary, which supposedly contained relevant information, had allegedly been stolen and enquiring into the possibility that attempts had been made to have Daniel Morgan breathalysed. Instead, in his reports written at the time, he appears to have underrated Kevin Lennon's credibility and the value of his evidence. Incongruously, he subsequently expressed far more positive views about it during the civil proceedings against Hampshire Constabulary and in his dealings with the Panel.
- vii. Other possibly criminal acts that may have been intended to frustrate the original investigation, such as former DS Fillery's visit, accompanied by Jonathan Rees, to the office of a client of Southern Investigations in the days following the murder, were not pursued.
- viii. When DCS Wheeler received information concerning possible criminal acts – which may also have amounted to disciplinary offences – not apparently connected to the murder of Daniel Morgan, committed by former DS Fillery and other police officers, such as the allegations made by PC Timothy Gratton-Kane that former DS Fillery had stolen property seized during the search of a house, he failed to follow them up. While it may be the case that he considered them to be outside his Terms of Reference (although the Panel has seen nothing to indicate that such was his opinion), if this was the case, they should have instead been referred to the Metropolitan Police and/or to the Police Complaints Authority for investigation. There is no evidence that this was done.
- ix. Other information concerning possibly corrupt behaviour by police officers, that may or may not have been linked to Daniel Morgan's murder, was not pursued, even when relatively simple steps could have been taken to ascertain its weight: for example, the allegations that Daniel Morgan paid police officers to carry out Police National Computer checks and that police officers, together with Jonathan Rees, made false

statements concerning an arson at premises being guarded by Southern Investigations security staff (among whom was former DS Fillery's brother). As with the allegations made by PC Gratton-Kane, if DCS Wheeler considered them to have been outside his Terms of Reference they should have been passed to the Metropolitan Police and/or the Police Complaints Authority. There is no evidence that this was done.

- x. Similarly, DCS Wheeler failed to pursue evidence that other police officers or former officers may have been involved in the murder. The example of former Police Officer Z31 illustrates a serious failure in this respect, when simple steps that had been suggested by DS David Kilbride could have implicated or eliminated him and perhaps led to evidence against others being obtained.
- xi. The Panel is concerned by DCS Wheeler's response to the conversation he had with Paul Goodridge in the cells at Fareham Police Station in February 1989, during which Paul Goodridge is alleged to have made remarks indicating the involvement of police officers in the murder of Daniel Morgan. While no names and no details were apparently given, DCS Wheeler failed to deal with the information appropriately. Although he informed verbally senior members of his team, the Police Complaints Authority and his Assistant Chief Constable of the conversation, no written record was made of it on the HOLMES database and neither was it referred to in the written reports submitted to the Director of Public Prosecutions and the Police Complaints Authority. The matter was effectively buried, and no further reference was made to it until the civil proceedings brought by Paul Goodridge and Jean Wisden had been issued in 1996.
- xii. The Panel has even greater concerns about the apparent lack of action taken following the two telephone calls relating to Paul Goodridge on 10 and 13 February 1989: that is, the call relating to the information passed to the police following the visit to him in HMP Brixton and the call relating to the unusual visit by police officers allegedly seeking authorisation to access his medical records. These were an important development and demanded an immediate response, but nothing was done.
- xiii. Despite being in possession of abundant information pointing towards an ineffective and, in many ways, incompetent investigation, DCS Wheeler did not report in writing the true extent of what had been discovered. He made no reference in his final report of the documents submitted to him by DCI Terence Farley and PS John Riddell. Indeed, the evidence strongly suggests that he was unhappy with both reports; he expressed as much to the Panel in relation to DCI Farley's report, and it is clear that the only reason that PS Riddell's was inputted onto the HOLMES database was because PS Riddell did this himself. DCS Wheeler told PS Riddell some time later that the report had caused him '*problems*'.
- xiv. Not only did DCS Wheeler not report in writing what had been found, he in fact reported the contrary and made positive comments about the Morgan One Investigation which were subsequently repeated by both the Metropolitan Police and the Police Complaints Authority. He thereby misled those to whom his reports were addressed and others who read them and had to respond to them. His positive written remarks formed an incremental part of the foundations of the increasingly

strong public assertions made over the years, and as recently as 2017,⁶⁹¹ by senior Metropolitan Police officers, that the Morgan One Investigation was basically sound but floundered largely because of corruption.

- xv. However, while the papers available to the Panel are incomplete, it is clear from the material that has been seen that the Police Complaints Authority was largely aware of the true state of affairs. Roland Moyle had read PS Riddell's report and was clearly aware of its significance. There had also been at least one conversation between Roland Moyle and DCS Wheeler (minuted by Roland Moyle) concerning the incompetence of the original investigation. Yet the Police Complaints Authority accepted a written report from DCS Wheeler which made no mention of this and subsequently issued a statutory certificate and sent a letter to the family of Daniel Morgan, in which complete satisfaction was expressed concerning both the Morgan One and the Hampshire/Police Complaints Authority investigations.
- xvi. While few records remain of contact between DCS Wheeler, the Police Complaints Authority, senior officers of the Metropolitan Police and senior officers of Hampshire Constabulary, those that the Panel has seen suggest strongly that DCS Wheeler was open about how he was conducting his investigation and what he had found. Whereas little was put in writing, the Panel has seen material not reflected in documentation intended for external reading, that leads it to believe that DCS Wheeler reported orally and frankly. Yet there is no evidence that anything was ever done to deal with the issues set out in the preceding paragraphs.

530. The Hampshire/Police Complaints Authority Investigation did not pursue, to the fullest extent possible, evidence that serving or former police officers:

- i. were involved in the murder of Daniel Morgan;
- ii. had committed crimes not connected to the murder of Daniel Morgan; or
- iii. had been guilty of disciplinary offences, whether or not connected to the murder of Daniel Morgan.

There is some evidence that this was deliberate conduct on the part of the Hampshire/Police Complaints Authority Investigation.

531. The Hampshire Constabulary, the Metropolitan Police and the Police Complaints Authority agreed, whether tacitly or expressly, to hide from the family of Daniel Morgan and from the public in general, the fact that the original Metropolitan Police investigation into the murder of Daniel Morgan had been ineffective and, in many respects, incompetent.

691 Statement issued by AC Martin Hewitt, *The Guardian* newspaper, 11 March 2017.

Chapter 4: Operation Nigeria/ Two Bridges

Contents

- 1 Background to Operation Nigeria/Two Bridges**
- 2 The remit of Operation Nigeria/Two Bridges**
- 3 Information-gathering**
- 4 Later perceptions of the Operation by the Murder Review Group**

1 Background to Operation Nigeria/Two Bridges

1. Following the conclusion of the Hampshire/Police Complaints Authority Investigation and the submission of the report to the Police Complaints Authority on 04 September 1989,¹ there was a lengthy hiatus in which there were no further active investigations into the murder of Daniel Morgan, with the exception of pursuing a line of enquiry relating to one suspect, former Police Officer Z31. (see Chapter 3, The Hampshire/Police Complaints Authority Investigation).

2. After Sir Paul Condon (later Lord Condon) was appointed Commissioner of the Metropolitan Police, in February 1993, approval was granted by the Home Secretary to set up a small, discrete intelligence unit outside London. The purpose of this unit was to run operations to scope accurately the scale and nature of the known issue of police corruption. The unit was managed by the Complaints Investigation Bureau and was known as Complaints Investigation Bureau 3 (CIB3).² It was a covert policing team comprising a surveillance team, a technical support unit and an integrity testing unit. CIB3 worked in conjunction with the Complaints Investigation Bureau Intelligence Cell (CIBIC). The operations run by CIB3 were carried out as part of an anti-corruption initiative and were overseen by the Metropolitan Police. CIB3 was under the command of Deputy Commissioner John Stevens (later Lord Stevens) and, according to Lord Condon in a subsequent interview by the Panel, staffed by highly vetted and trustworthy police officers, former army intelligence officers and others from non-police backgrounds.³

1 Final Report by DCS Alan Wheeler to Roland Moyle of the Police Complaints Authority, MPS060685001.

2 Panel interview with former D/Supt David Zinzan, PNL000220001, pp5-6, 15 March 2016.

3 Panel interview with Lord Condon, PNL000246001 pp3-3, 28 September 2016.

3. During a Panel interview with former D/Supt (later AC) Robert Quick on 24 August 2016, the Panel sought clarification on the structure of the Complaints Investigation Bureau (CIB), CIB2 and CIB3. Former D/Supt Quick confirmed that 'Complaints Investigation Bureau' referred to the whole bureau and was often known as the '*discipline office*'; that CIB2 dealt with complaints and disciplinary investigations; and that CIB3 was the covert and proactive branch of the Complaints Investigation Bureau.⁴

4. One of the operations carried out by CIB3, Operation Gallery (1993-96), was a significant, wide-ranging anti-corruption investigation. It led to intelligence suggesting possible criminality by Jonathan Rees and former DS Sidney Fillery. In November 2020, both Jonathan Rees and former DS Fillery denied these allegations to the Panel.⁵

5. As a result of this intelligence, it appears that preparatory work was instituted to carry out feasibility studies for targeting former DS Sidney Fillery and Jonathan Rees at their Southern Investigations offices, where both were now partners. Operation Landmark was created in May 1997 to conduct lifestyle surveillance on these premises, followed by Operation Hallmark, which particularly focused on surveillance to help plan the deployment of an intrusive listening device. These operations effectively later transformed into Operation Nigeria: the documentation in relation to Operation Landmark refers to carrying out work in advance of '*the evidential phase to be known as Operation Nigeria*'.⁶ Operation Nigeria was later renamed Operation Two Bridges, on 14 April 1999, but for the sake of clarity within this chapter, the operation will be referred to throughout as Operation Nigeria/Two Bridges.

1.1 Chronology of key events relating to the operation

- **14 April 1999** DCI Barry Nicholson became the Senior Investigating Officer for the covert operation. Operation Nigeria, which had started earlier in 1998, was renamed Operation Two Bridges.
- **April 1999** Listening device material was gathered from this time onwards.
- **02 July 1999** Article placed by the Metropolitan Police in the *Daily Telegraph* designed to prompt conversation which might provide information about the murder.
- **24 September 1999** Eleven suspects, including Jonathan Rees, arrested in connection with offences related to a conspiracy to pervert the course of justice by planting controlled drugs.
- **26 September 1999** Arrest of a serving police officer, DC Austin Warnes, in connection to the conspiracy case.
- **14 December 2000** Jonathan Rees, DC Austin Warnes and Simon James were convicted of perverting the course of justice. Jonathan Rees and Simon James were sentenced to six years' imprisonment (seven years following appeal by the Attorney General); DC Austin Warnes was sentenced to four years (five years following appeal by the Attorney General).

⁴ Panel meeting with former D/Supt Robert Quick, pp2-3, 24 August 2016.

⁵ In response to fairness letters from the Panel.

⁶ '*Binder from CIBIC re Operation Landmark*', MPS099651001, p83.

Officers of significance in Operation Nigeria/Two Bridges, in order of rank

- Deputy Commissioner John Stevens, authorising officer for covert surveillance
- Deputy Assistant Commissioner Roy Clark
- Detective Chief Superintendent David Wood
- Detective Superintendent Christopher Jarratt
- Detective Superintendent Robert Quick, who joined the Complaints Investigation Bureau 3 (CIB3) and took over management of Operation Nigeria in January 1999
- Detective Chief Inspector Barry Nicholson, Senior Investigating Officer from April 1999.

2 The remit of Operation Nigeria/Two Bridges

6. Operation Nigeria was set up primarily to gather intelligence relating to former DS Sidney Fillery and Jonathan Rees, who were together running Southern Investigations after the murder of Daniel Morgan.⁷ From May 1999, Southern Investigations was expanded and re-organised and began trading as 'Law & Commercial'.⁸ A document from D/Supt Christopher Jarratt of the Complaints Investigation Bureau Intelligence Cell (CIBIC), addressed to DAC Roy Clark, who was in charge of running the operation, described Operation Nigeria as:

*'a CIB (CIBIC) led operation, the targets of which are Sidney FILLERY and Jonathan REES (REECE) of Southern Investigation Services[...]. They became operational targets by virtue of a substantial and increasing intelligence picture highlighting their corrupt associations with serving police officers, ex officers and criminals. Additionally, they remain suspects in connection with the murder of Daniel MORGAN some years ago.'*⁹

7. The Panel's Terms of Reference state that there had been '*five successive police investigations*'¹⁰ into Daniel Morgan's murder, of which Operation Nigeria/Two Bridges was considered to be the third investigation. However, Operation Nigeria/Two Bridges was not an investigation, rather it was an intelligence-gathering operation.

8. The Panel has been unable to locate any formal Terms of Reference, strategy documents or a policy log for Operation Nigeria/Two Bridges among the documentation available to it. In the absence of such documents, indications of the remit of Operation Nigeria/Two Bridges

7 Memo from D/Supt Christopher Jarratt to DAC Roy Clark, MPS099739001, p17, 08 September 1998.

8 Memorandum from D/Supt Robert Quick, p37, 02 September 1999.

9 Note headed 'Re: Operation Nigeria' to DAC Roy Clark through D/Supt Christopher Jarratt, MPS099739001, p44, undated.

10 See www.danielmorganpanel.independent.gov.uk/panels-remit/panels-term-reference.

can be inferred from other related documents and from the various applications for (continued) authorisation to deploy an intrusive listening device at the offices of Southern Investigations/ Law & Commercial. On 17 March 1998, authority was granted for pre-deployment activity in order to determine the feasibility of deploying a listening device. In September 1998, D/Supt Christopher Jarratt wrote to the Deputy Commissioner via DAC Roy Clark, referring to efforts to achieve evidence of *'current and past corruption activities involving ex-DS FILLERY and his partner John [sic] REES'*.¹¹ D/Supt Jarratt also referred to the need *'to establish once and for all whether or not FILLERY and/or REES were involved in the MORGAN murder'*.¹²

9. Intelligence obtained before the start of Operation Nigeria/Two Bridges suggested that Southern Investigations was acting as a hub for serious and ongoing corruption. The historic intelligence was summarised in a report in December 1998:

*'Both FILLERY and REECE [sic] have been subjects of interest to CIB for a considerable period of time. Long term and wide ranging intelligence shows them to be deeply involved in corruption, using a network of serving and retired police officers to access sensitive intelligence for the purpose of progressing crime, frustrating the course of justice, and selling sensitive information to the press.'*¹³

10. A memorandum at the end of 1998 from DAC Roy Clark to D/Supt Christopher Jarratt referred to the remit of Operation Nigeria/Two Bridges as including the objective *'to consider them [Jonathan Rees and former DS Fillery] as (remaining) suspects for the murder of Daniel MORGAN in 1987'*.¹⁴

11. A *Metropolitan Police Service – Corruption and Dishonesty Prevention Strategy* document, produced in December 1998, had a foreword by Commissioner Sir Paul Condon, which set out the organisation's views on anti-corruption during this period. This stated:

*'This comprehensive Anti-corruption Strategy, which we believe has no peer anywhere in the world, aims to ensure that there is no hiding place for those that are corrupt, dishonest or unethical. Nor is misguided loyalty to those who have betrayed us acceptable.'*¹⁵

12. The senior officers involved in Operation Nigeria/Two Bridges did not recall or refer to any Terms of Reference when interviewed by the Panel and have different recollections as to the remit of the operation. Former D/Supt Robert Quick, who assumed command in January 1999, initially told the Panel that gaining intelligence on Daniel Morgan's murder was the only objective of Operation Nigeria.¹⁶ However, when further questioned by the Panel, he elaborated to say that it was not in fact a murder investigation but an intelligence operation. He stated there were very strong suspicions about Southern Investigations and corrupt police officers, and relationships between journalists and corrupt officers. However, former D/Supt Quick advised the Panel in 2020 that he had not seen and reacquainted himself with material from the operation prior to his interview with the Panel.

11 Memorandum from D/Supt Christopher Jarratt to DAC Roy Clark, MPS099739001, p17, 08 September 1998.

12 Memorandum from D/Supt Christopher Jarratt to DAC Roy Clark, MPS099739001, p17, 08 September 1998.

13 Application for renewal of surveillance approval, MPS099739001, p69, 08 December 1998.

14 Memo from DAC Roy Clark to D/Supt Christopher Jarratt, MPS099739001, p9, undated 1998.

15 *Special Notice 36/98 Metropolitan Police Service – Corruption and Dishonesty Prevention Strategy*, p4, 16 December 1998.

16 Panel meeting with former D/Supt Robert Quick, p3, 24 August 2016.

13. The recollections of other senior officers interviewed by the Panel were that the murder of Daniel Morgan was just one aspect of the operation. For example, former DCI (later D/Supt) Barry Nicholson said that when he joined the operation as Senior Investigating Officer on 14 April 1999, he was told that it was not a re-investigation of the murder, but an operation targeting the key individuals believed to have been involved, in respect of both the murder and other criminality. Former DCI Nicholson told the Panel that he understood the Home Secretary to have told the Metropolitan Police that *'something should be done'*¹⁷ about the murder.

14. Former DCI Barry Nicholson continued in interview:

*'If you investigate a murder there is a set model for doing so. Two Bridges was not a murder investigation, but was hoping to obtain evidence that would lead to the murder as well as other criminality.'*¹⁸

15. The Panel accepts former Senior Investigating Officer DCI Barry Nicholson's description of Operation Nigeria/Two Bridges as a covert operation targeting suspects in the murder of Daniel Morgan – Jonathan Rees and former DS Sidney Fillery – in respect of corrupt activities, including in relation to the murder of Daniel Morgan. The plan was to target the two individuals in question with an intrusive listening device and then to follow and develop the intelligence which emerged. The relevance of intelligence gained would then inform any decision on whether to re-launch a murder investigation.

16. Intelligence was gathered during Operation Nigeria/Two Bridges from two main sources: people who provided information, and a covert listening device at the offices of Law & Commercial. Relevant intelligence also came into the Complaints Investigation Bureau 3 (CIB3) from other sources, including documents and reports assessing any links between police officers, private investigators and organisations in the media, as well as possible corruption linked to personal relationships formed through membership of the Freemasons.

17. In April 1999, the Complaints Investigation Bureau discussed ideas for a strategy for further investigating the murder of Daniel Morgan. A minute for the attention of DAC Roy Clark from D/Supt Christopher Jarratt noted that *'every consideration should be given to reopening the murder enquiry'*.¹⁹ The minute discussed re-launching the murder investigation once the outcome of the monitoring of the Operation Nigeria/Two Bridges listening device was known.²⁰ Further advice from DCS David Wood to DAC Clark also made clear that:

*'the re-opening of the enquiry may not be justified. It has, after all, be [sic] investigated and re-investigated. I would suggest that a review is made on the basis of the new information[...]. Operation Two Bridges has not uncovered any further information at this stage but the officers involved are well aware of this interest.'*²¹

17 Panel interview with former DCI Barry Nicholson, PNL000239001, p1, 22 July 2016.

18 Panel interview with former DCI Barry Nicholson, PNL000239001, 22 July 2016.

19 Minute sheet prepared by D/Supt Christopher Jarratt and DCS David Wood for DAC Roy Clark, MPS071718001, p1, 21 April 1999.

20 Minute sheet prepared by D/Supt Christopher Jarratt and DCS David Wood for DAC Roy Clark, MPS071718001, p1, 21 April 1999.

21 Minute sheet prepared by D/Supt Christopher Jarratt and DCS David Wood for DAC Roy Clark, MPS071718001, p3, 22 April 1999.

18. Former D/Supt Christopher Jarratt indicated to the Panel in interview that, although the Operation Nigeria/Two Bridges team would have been aware of Daniel Morgan's murder, they were primarily looking for corruption involving Law & Commercial. Had they found sufficient information that would have justified a re-investigation of the murder, an investigation team would then have been established to take this forward.²²

3 Information-gathering

3.1 Early information suggesting links between police officers, private investigators and the media

19. A document within the Operation Nigeria/Two Bridges files, dated 03 April 1997, referred to the newspaper contacts of former DS Sidney Fillery and former DC Duncan Hanrahan. It suggested that *'HANRAHAN and FILLERY are in contact with two newspaper groups and may be passing information to them which has been gleaned from police sources'*.²³ The reasons for these contacts were not known, but the document concluded the reasons *'would appear to give cause for concern'*.²⁴

20. A later information report collated by the Complaints Investigation Bureau Intelligence Cell (CIBIC) on 13 January 1998 was prepared in response to a request for *'details of Police Officers who contact known journalists'*.²⁵ The report listed a number of potential contacts between police officers, journalists and private investigators, and stated that former DS Sidney Fillery was maintaining *'close links with members of the press, mainly with The News of the World and the Mirror Group'*, keeping contact via his office, mobile and home phones. The report concluded: *'We have nothing current to show any direct links with serving Police Officers and the Press.'*²⁶

21. Other intelligence gathered during the operation in the same year included an information report on 'The Penge Lodge', which the Panel understands to be associated with Freemasonry. The report showed former DS Sidney Fillery to be an *'active member'*.²⁷ He was identified as attending the Lodge with, among others, *'John [sic] REES'*, and former DC *'Duncan HANRAHAN'* and former DS *'Alex [sic] LEIGHTON'*, both of whom were known for their close ties with Law & Commercial. Intelligence checks were made on serving police officers to see if they, too, were members of that Lodge or had links with former DS Fillery but concluded there was *'NO evidence that they are linked to FILLERY or the Lodge'*²⁸ (emphasis in original). The relationships between media organisations and private investigators and police officers, both serving and former, as well as possible membership of the Freemasons among police officers, and potential links with corruption, are discussed further in Chapter 10, Corruption.

22 Panel Interview with former D/Supt Chris Jarratt, PNL000247001, pp1-2, 28 September 2016.

23 Newspaper contacts of Mr S Fillery of Southern Investigations and Mr D Hanrahan of Hanrahan Associates, MPS109747001, p13, dated 03 April 1997.

24 Newspaper contacts of Mr S Fillery of Southern Investigations and Mr D Hanrahan of Hanrahan Associates, MPS109747001, p13, dated 03 April 1997.

25 Information report, 'Police – Press Contact', MPS109747001, p6, 13 January 1998.

26 Information report, 'Police – Press Contact', MPS109747001, p6, 13 January 1998.

27 Information report, 'The Penge Lodge No1815', MPS109747001, p3, 1998.

28 Information report, 'The Penge Lodge No1815', MPS109747001, p5, 1998.

3.2 Some people who provided information

22. Operation Nigeria/Two Bridges included a range of matters unrelated to the murder of Daniel Morgan, but relevant to the investigation of police corruption. The intelligence relating to police corruption gathered during the operation is further discussed in Chapter 10, Corruption.

3.2.1 Information from former DC Duncan Hanrahan

23. Former DC Duncan Hanrahan was arrested on 20 May 1997 and charged with criminal offences linked to corrupt activity. Following the receipt of further intelligence, he was arrested again in December 1998, for conspiracy to pervert the course of justice. On 19 March 1999, former DC Hanrahan was convicted of theft, perverting the course of justice, possession with intent to supply illegal drugs, robbery and conspiracy to pervert the course of justice. He was sentenced to more than eight years' imprisonment. Former DC Hanrahan, whose role in the Morgan One Investigation as a Metropolitan Police Officer is discussed in Chapter 1, had worked with Jonathan Rees and former DS Sidney Fillery at Southern Investigations (later Law & Commercial) following his departure from the Metropolitan Police on the grounds of ill health.²⁹ Extensive press-reporting about former DC Hanrahan described him as a 'supergrass', making wide-ranging claims about police corruption. A *Sunday Times* article of 12 October 1997 went further, stating: '*Investigators believe Hanrahan has vital information about the murder of Daniel Morgan, a private investigator who was found with an axe in his head in a south London pub car park 10 years ago.*'³⁰

24. However, at no stage had former DC Duncan Hanrahan provided any evidence to implicate any individual in the murder of Daniel Morgan. In relation to Southern Investigations, former DC Hanrahan's sole admissions, following his arrest in 1997, were:

- i. that he was aware the company had the ability to undertake 'PNC [Police National Computer] style checks', both through DC Nigel Grayston and other sources, and that he himself had conducted Police National Computer checks through DC Nigel Grayston.³¹
- ii. that, while still a serving police officer, he had worked for Southern Investigations 'moonlighting at the 2 night-clubs'.³²

25. The admissions by former DC Duncan Hanrahan tended to support other intelligence in respect of Southern Investigations working with corrupt serving police officers. However, the information did not assist significantly in progressing the Operation Nigeria/Two Bridges corruption enquiries and did nothing to add to the understanding of the circumstances surrounding Daniel Morgan's death.

²⁹ Removal report for D.S. Sidney Alexander Fillery, MPS009636001, p3, 21 March 1988.

³⁰ David Leppard, Jason Burke and Christopher Hastings, 'Supergrass exposes Yard corruption' – Insight, *Sunday Times*, PNL000100001, p251, 12 October 1997.

³¹ Statement of Duncan Hanrahan, MPS099720001, p8, undated.

³² Statement of Duncan Hanrahan, MPS099720001, p7, undated.

26. In the period following former DC Duncan Hanrahan's arrest there was a report of a conversation between Jonathan Rees and former DS Sidney Fillery, including the comment '[i]f Duncan opens his mouth we're in deep shit'.³³ It appears from the context of this alleged conversation that 'Duncan' was former DC Duncan Hanrahan, but it is unclear whether the matter of concern referred to the Daniel Morgan murder, corruption or something else.

27. On 28 May 1999, the intrusive listening device which had been deployed at the offices of Law & Commercial recorded Jonathan Rees discussing former DC Duncan Hanrahan's attempt to provide information to the Metropolitan Police:

[Jonathan REES] *'I think he tried to [do] a deal, he tried to be a super grass, they sussed him out and fucked him off. I'd be glad to know the sordid details... it'd be nice to know if when [sic] he got interviewed, because he's the one that we thought they were using to try and nick me for the murder. He'll come out with a little bit of bollocks, but I'll be able to pick the truth out of it, the bones out of it.'*³⁴

28. The device had earlier recorded the following conversation on apparently the same subject:

[Sidney FILLERY] *'...yeah and the good news, really, is that Duncan clambered [sic] up. What will suit me fine and I will never know, I will never ever know now unless somebody tells me in years to come, will never know if he's mouthed John and I up. It would suit me if he did because if he did then yet again that murder's been investigated and they haven't charged anybody one way, so it would suit me actually if I find out that Duncan.... yeah so it would suit me if I find out that Duncan said "Yeah, nut and gut, I was there when Blondie submitted [sic] to the murder" or some other fucking bollocks like that, that would suit us, but yet again it's been investigated. There can't be anything left other than what colour shoe laces I had....'*³⁵

29. This conversation was reflected in one of the Metropolitan Police's ongoing requests for intrusive surveillance approval, as follows:

*'Of particular note during the last authority period was a conversation between Fillery and his accountant Ian Paye. The conversation was sparked by the imprisonment of Duncan Hanrahan, an ex MPS detective, sentenced to for [sic] 8 years for [a] corruption related offence. The conversation clearly showed direct and close links between mentioned individuals who have been involved in criminality and corruption. Fillery is particularly concerned at what Hanrahan might have told police about the association between them, and whether Hanrahan has given information about the murder of Daniel Morgan implicating him and Reece [sic]. Clearly, Fillery is concerned and feels more vulnerable around this issue than many others discussed. This information will assist in the development of a strategy to obtain evidence of serious offences.'*³⁶

3.2.2 3.2.2 Information from Person F11

30. Person F11 was arrested on 17 September 1998 during an undercover operation investigating major drug-trafficking.³⁷ Person F11 had become involved in negotiations to supply an undercover police officer with cocaine. During the course of the negotiations, Person F11

33 Abelard Two message M991, MPS073932001.

34 Transcript of listening device, MPS007878001, pp 2-3, 28 May 1999.

35 Transcript of listening device, MPS099720001, p44, 22 March 1999.

36 Application for renewal of surveillance approval, MPS099739001, p136, 31 March 1999.

37 Person F11's risk assessment, by DS Richard Oliver, MPS049793001, p1, 29 May 2002.

conspired with the officer to find a person who would be willing to undertake a contract to murder an associate of Person F11, James ('Jimmy') Cook. Person F11 then also met a further police officer who agreed to be the 'contract killer', and Person F11 supplied the 'hit man' with a firearm and a photograph of the intended victim.³⁸ This killing did not take place.

31. Person F11 was charged on 18 September 1998 with conspiracy to murder James Cook, possession of a firearm with intent to kill, and supplying Class A controlled drugs, namely one kilo of cocaine, to a police officer.³⁹ He was remanded in custody and shortly after his arrest indicated that he had knowledge of serious criminality, including corrupt police officers' criminal activities, which he would divulge in exchange for a reduction in his sentence.⁴⁰ Person F11 met Anti-corruption Command officers on 25 September 1998 and agreed to provide information.⁴¹

32. Person F11 gave considerable intelligence in relation to the corrupt activities of police officers, and his intelligence proved to be of value in establishing that DC Duncan Hanrahan had been perverting the course of justice. On 30 September 1998, an officer confirmed with Person F11 that he would further assist the police with evidence of police corruption, drug supply and Daniel Morgan's murder.

33. In a statement made on 22 January 1999, outlining his knowledge of the murder of Daniel Morgan,⁴² Person F11 claimed that in '1989 or 1990' James Cook had confided in him that he and a man named 'Glen VINES' had committed the murder and had been 'paid by John [sic] REES' to do so. Person F11 also claimed that:

*'Jimmy COOK told me that he was the driver and that Glen VINES had committed the murder by striking the victim in the head with an axe.... The car that [James] COOK drove when taking Glen VINES to kill the victim was hidden in a garage in Cheam after the murder. [James] COOK told me that a man named [Person P9] used the garage.'*⁴³

34. Person F11 claimed that Person P9 was 'used as a gofer by James COOK', was constantly bullied by him and that Person P9 was 'terrified' of James Cook.⁴⁴ Person F11 also named someone who he said could provide partial corroboration of his account, particularly in respect of the disposal of the vehicle.⁴⁵ However, in a meeting on 20 September 2001 with DS Richard Oliver and a Detective Constable, Person F11 requested that the statement he had made regarding Person P9 and James Cook be retracted.⁴⁶ He explained that he had been told about a newspaper article that had stated that the police knew the person who 'got rid of the car'.⁴⁷ Person F11's concerns were that:

*'anyone who read it and knew about the car would know it could have come from me. It was Cookie [James Cook] who told me about that and Hanrahan told me about the murder.'*⁴⁸

38 Person F11's risk assessment by DS Richard Oliver, MPS049793001, p1, 29 May 2002.

39 Schedule of police interaction with Person F11, 17 September 1998 to October 2007, MPS103708001, p7, 12 September 2007.

40 Schedule of police interaction with Person F11, 17 September 1998 to October 2007, MPS103708001, p7, 12 September 2007.

41 Schedule of police interaction with Person F11, 17 September 1998 to October 2007, MPS103708001, p7, 12 September 2007.

42 Murder Review Group file, MPS094325001, p104, 06 October 2000.

43 Statement of Person F11, MPS046816001, p2, 22 January 1999.

44 Statement of Person F11, MPS046816001, p2, 22 January 1999.

45 Statement of Person F11, MPS046816001, p2, 22 January 1999.

46 Letter from the Metropolitan Police and minutes of meeting at HMP Cudingley with Person F11, MPS049613001, p6, 20 September 2001.

47 Letter from the Metropolitan Police and minutes of meeting at HMP Cudingley with Person F11, MPS049613001, p3, 20 September 2001.

48 Letter from the Metropolitan Police and minutes of meeting at HMP Cudingley with Person F11, MPS049613001, p3, 20 September 2001.

35. Person F11 also explained to the officers that he *'just wanted to tell [them] about the bent coppers and not the other issues'* and that he was *'plastered all over the papers'* and made out to be a *'grass'*.⁴⁹ The article to which Person F11 was referring formed part of the intelligence-gathering strategy during Operation Nigeria/Two Bridges and is discussed later in this chapter (see paragraphs 59-62 below).

36. Despite his wish to retract the information he had provided, Person F11's information remained significant in each of the investigations that followed Operation Nigeria/Two Bridges (see Chapter 6, The Abelard One/Morgan Two Investigation; and Chapter 8, The Abelard Two Investigation). However, it was not considered significant enough on its own to constitute grounds for a reinvestigation of the murder.

37. Person F11 was convicted of nine offences on 08 July 1999, including the original drug supply and conspiracy to commit murder. He was sentenced to a total of seven years' imprisonment.

38. The fact that Person F11 had previously been attempting to arrange the murder of James Cook clearly indicated that Person F11 had a grudge against him. When Person F11 subsequently provided information to the police that James Cook had told him that he (James Cook) had murdered Daniel Morgan, it would have been inevitable that defence lawyers for James Cook would have questioned Person F11's credibility as a witness.^{50,51}

3.2.3 Information about and from William Newton

39. In December 1998, Operation Nigeria/Two Bridges received intelligence about William Newton, who was under investigation for alleged money-laundering offences. William Newton had started to act as an accountant for Southern Investigations in the weeks before Daniel Morgan's murder.⁵² (The previous accountant/bookkeeper for Southern Investigations was Kevin Lennon, who had been convicted of fraud.)

40. It was claimed that William Newton had referred to the murder of Daniel Morgan as the *'HP murder'*,^{53,54} because the *'fee for the hit was paid in three instalments'*.⁵⁵ According to the intelligence received, William Newton had heard this from a man *'who was questioned re the murder and was also a customer of Newton at the time'*.⁵⁶

49 Letter from the Metropolitan Police and minutes of meeting at HMP Cudingley with Person F11, MPS049613001, p5, 20 September 2001.

50 Person F11's risk assessment, by DS Richard Oliver, Operation Abelard MPS049793001, p1, 29 May 2002.

51 Report into the debrief and evidence of Person F11, MPS103708001, p7, 12 September 2007.

52 MPS088488001, p1, 11 October 1999.

53 MPS040618001, p2, 01 December 1998.

54 Hire purchase is a method of paying for something in which the buyer pays part of the cost immediately and then makes smaller, regular payments until the debt is completely paid.

55 MPS040618001, 01 December 1998.

56 MPS040618001, 01 December 1998.

41. The Panel has found no evidence to show that an approach was made to William Newton when this intelligence was received in December 1998, but on 04 October 1999, following raids on his offices by the Complaints Investigation Bureau 3 (CIB3), William Newton himself made contact with CIB3 about the murder of Daniel Morgan.⁵⁷

42. William Newton gave details of a conversation he had had in 1988 or 1989 with a prison officer who had told him that the murder had been a contract killing, but the prison officer had not provided the names of the people involved. William Newton said that he had thought no more about this claim until 28 September 1999, when the husband of a client of his *'stated that the murder was a contract killing ordered and paid for by Jonathan REES over "woman trouble" with MORGAN'*.⁵⁸ The man to whom William Newton had spoken gave the name of the murderer as a man with a Scottish surname similar to *'McCLURE'*.⁵⁹ William Newton said that the person who had driven the car from the scene of the murder was *'Jimmy GREEN'* and he claimed that *'Jimmy GREEN'* had been arrested recently with Jonathan Rees, breaking into a woman's car and planting Class A drugs. The Detective Constable taking the statement believed that William Newton was talking about James ('Jimmy') Cook when he referred to *'Jimmy GREEN'*.⁶⁰

43. This intelligence was not taken further at the time. In a report dated 02 February 2000, DI Michael Gates explained that this was because it was the *'belief of the interviewing officers that Mr NEWTON's approach to police was motivated by self protection in that he was aware of the corrupt and dishonest dealing undertaken by Law and Commercial'*.⁶¹

44. William Newton was subsequently arrested on 11 October 1999 in connection with another offence related to drug-trafficking.⁶²

3.3 The intrusive listening device

45. Following the necessary authorisations, an intrusive listening device was successfully installed within the offices of Law & Commercial on 30 October 1998. However, it did not become fully operational until April 1999, when DCI Barry Nicholson was appointed the Senior Investigating Officer and initial technical difficulties had been overcome. The listening device continued in place, with regular renewals of authorisation, until September 1999. Former D/Supt Robert Quick said that, for most of the live operation, Deputy Commissioner John Stevens was the authorising officer for the listening device and other operational matters.^{63,64}

46. Former D/Supt Robert Quick also told the Panel that he briefed the then Deputy Commissioner John Stevens (later Lord Stevens) regularly on the detail of Operation Nigeria/Two Bridges.⁶⁵ The unredacted documents relating to the intrusive surveillance in connection with Operation Nigeria/Two Bridges show that Deputy Commissioner Stevens received presentations on the operation on 06 January, 12 February, 11 March, 07 April, 05 May, 04 June, 02 July, 05 August and 02 September 1999.⁶⁶ The documents summarise the briefings provided directly to the Deputy Commissioner and refer, among other things, to *'corruption between journalists,*

57 Message form, MPS104504001, p74, 04 October 1999.

58 Information report, MPS104504001, p72, 06 October 1999.

59 Information report, MPS104504001, p72, 06 October 1999.

60 Information report, MPS104504001, p72, 06 October 1999.

61 Report re Operation Two Bridges by DI Michael Gates, MPS046677001, p13, 02 February 2000.

62 Notes of arrest/report of incident, MPS085466001, pp1-11, 11 October 1999.

63 Panel interview with former D/Supt Robert Quick, PNL000197001, p3, para 15, 10 November 2014.

64 Memo from DCI Barry Nicholson, MPS099739001, p39, 11 April 2000.

65 Panel Interview with AC Robert Quick, PNL000197001, p3, para 15, 10 November 2014.

66 Two Bridges intrusive surveillance report minutes, MPS009510001, pp30,34,37-46.

private investigators, suspended and serving police officers,⁶⁷ and *selling sensitive information to the press*.⁶⁸ Deputy Commissioner Stevens endorsed his initial authorisation of 06 January 1999 with the following request: *Please keep me updated as to progress in this case.*⁶⁹

47. During the Leveson Inquiry, Lord Stevens was asked whether he was aware during the time that he was Deputy Commissioner and/or Commissioner that the *News of the World* was extensively using the private investigation company Southern Investigations, which became Law & Commercial, to obtain information about police officers illegally. He responded that he was not,⁷⁰ even though in his autobiography, *Not for the Faint-Hearted: My Life Fighting Crime*, published soon after his retirement as Commissioner in 2005, he had referred at length to the surveillance on the business which he had authorised.⁷¹ (See Chapter 10, Corruption.)

48. DCI Barry Nicholson was aware that previous attempts to obtain evidence against former DS Sidney Fillery and Jonathan Rees had failed. The application for renewal of surveillance approval noted former DS Fillery's and Jonathan Rees's current knowledge of the various investigative methods and techniques that might have been used against them, as well as the constant threat of compromise to the investigation posed by their level of access to the Metropolitan Police through professional and social contacts.⁷²

3.3.1 Briefing of the listening team and quality of the transcripts

49. The Panel has not been able to find any briefing documents for the team that was monitoring the listening device in order to determine what they had been listening for. DAC Roy Clark referred to the murder of Daniel Morgan as being part of the operation's remit in this context and stated that he had created *a concise account of that crime to assist in the venture should it be required*.⁷³

50. The Panel asked former DCI Barry Nicholson whether he and the officers of Operation Nigeria/Two Bridges had been briefed on the murder, and if so, to what extent. Former DCI Nicholson confirmed that all officers working on the operation understood that they were seeking evidence about the murder of Daniel Morgan. He said that he was aware of the murder and the suspects but did not recall being briefed in detail or reading the papers of previous investigations. He told the Panel he thought that the operation had captured all conversation relevant to the murder.⁷⁴ A document providing instructions to those officers transcribing the product of the listening device reads as follows:

*“Relevant” conversations, which at this stage must be a subjective view, are subsequently to be fully transcribed and exhibited by the monitoring officer. This transcription must be typed, or hand-written and then typed. Other “non-relevant” conversations must show enough detail to allow other persons, e.g. defence solicitors, to form their own judgements as to relevance without the need for them to listen to all of the recordings themselves.*⁷⁵

67 Intrusive surveillance application bundle re Law & Commercial, MPS099739001, p195, 06 January 1999,

68 Intrusive surveillance application bundle re Law & Commercial, MPS099739001, p89, 06 January 1999,

69 Intrusive surveillance application bundle re Law & Commercial, MPS099739001, p23, 06 January 1999,

70 Lord Stevens of Kirkwhelpington. Leveson hearing transcript, afternoon session, p7, 06 March 2012.

71 *Not for the Faint-Hearted: My Life Fighting Crime*, by John Stevens, published by Phoenix, 01 June 2005.

72 Application for renewal of surveillance approval, MPS099739001, p69, [date unclear] 1998.

73 Minutes of Two Bridges Surveillance Report, MPS009510001, p4, undated.

74 Panel interview with former DCI Barry Nicholson, PNL000239001, p2, 22 July 2016.

75 Documents re the listening post 19/3/99 – 15/4/99 – Op. ‘Two Bridges’ (Nigeria), MPS099550001, p15, 09 March 1999.

51. However, the Panel has identified instances of discussions held within Law & Commercial that appear to relate to the murder of Daniel Morgan or its investigation, which were documented in summary text, rather than word for word.^{76, 77}

52. By way of an example, the transcription summary produced during Operation Nigeria/Two Bridges is significantly shorter than the full verbatim transcript produced for the later Abelard Two Investigation. This in itself might not be of concern, provided that the summarised version of the conversation fully reflected the sense of the issues discussed. However, in one area this was not the case:

‘Jonathan REES says that “the coup that the Met had was to get Kev LENNON on their side.” Jonathan REES says that 31/2 million pounds was spent on the enquiry – and if he could be convinced that there would be no backlash if he admitted that he (LENNON) told lies.’⁷⁸

53. In this summarised transcript from Operation Nigeria/Two Bridges, the conversation has been so heavily abbreviated that some of the sense of what Jonathan Rees is saying about Kevin Lennon has been lost. In the following transcript, later produced in 2008 for the Abelard Two Investigation, a fully verbatim version of the conversation was produced:

‘Jonathan REES (on the phone): “What about KEVIN LENNON? Did you ever meet KEVIN LENNON? Are you sure... Yeah... Yeah... Yeah... I wonder cause he would be quite good. Because all the Met, the coup the Met had was to get KEVIN LENNON on their side. If you could go in there and convince LENNON that... His biggest fear, he’s not stupid, he’s a little cunt. He would know, that the Met spent. The Met spent over two million pounds (inaudible ?) half a million and Hampshire over one million. Three and a half million on that enquiry and LENNON would know... er... a lot of Met investigation [sic] all relied on him and a lot of publicity. And if it came out now that he told fucking lies and everything, he knows there will be quite severe backlash.”⁷⁹

54. Monitoring the conversations recorded by the intrusive listening device for information relevant to the murder of Daniel Morgan was a complex task: ability to identify references to persons other than the main suspects as well as to other potentially relevant data would have required considerable knowledge of the circumstances of the murder, and the personalities connected with it, on the part of the monitoring team.

55. The recorded conversation material was later enhanced by the Abelard Two Investigation (which had newer, more sophisticated audio equipment that may have improved the clarity of the dialogue to an extent). However, the summarised version produced during Operation Nigeria/Two Bridges was too lacking in detail to be fully comprehensible.

76 Transcript of listening device, MPS099599001, p56, 16 April 1999.

77 Transcript of listening device, MPS058695001, p11, 18 August 1999.

78 Transcript of listening device, MPS000756001, pp2-3, 05 July 1999.

79 Enhanced summary/transcript, MPS000757001, p7, 19 February 2008.

3.3.2 Conversations recorded by the intrusive listening device before the July 1999 'trigger' article in the Daily Telegraph

56. During the time it was operational, the listening device recorded instances in which Jonathan Rees not only referred to the murder of Daniel Morgan, but was firm in his denial of any involvement.^{80,81} For example, in May 1999, Jonathan Rees was recorded in conversation with a client and stated that he had been 'paid out' over 'false allegations'.⁸² Also in reference to Daniel Morgan's murder, when asked if he knew who did it, he responded, '[n]o, no, not at all', and said that the best thing for him would be if somebody was arrested and charged with the murder.⁸³ Jonathan Rees said that the person who had been charged alongside him in connection with the murder (see Chapter 3, The Hampshire/Police Complaints Authority Investigation) had since been to court and had been exonerated.⁸⁴ When his client asked if he himself was also acquitted, he replied '[n]o, not at all, I know there was no connection and nothing to do with me, so I'm not worried about it'.⁸⁵

57. On 09 June 1999, Jonathan Rees was recorded during a telephone conversation with an unknown person, discussing the civil claim he had brought against Hampshire Constabulary, after he had been arrested and charged with the murder of Daniel Morgan. In the conversation, he dismissed a number of the motives that had been suggested as reasons he might have killed Daniel Morgan, stating 'at the end of the day there is no evidence to say that I fucking murdered him'.⁸⁶ Further on during the same conversation, he continued:

*'Now we know there is fuck-all there, there's nothing, there never was anything, there never will be anything, that's if...yeah...yeah that's right... well because there is a lot of fucking, fat drunken animals out there... .eh... .no I'm not I'm a fucking innocent man....'*⁸⁷

58. As the other side of the conversation is not available, it is not possible to know exactly to what Jonathan Rees was responding when he declared himself an 'innocent man'.

3.3.3 The 'trigger' article in the Daily Telegraph

59. The approach to intelligence-gathering during Operation Nigeria/Two Bridges included the proactive step of placing an article in the *Daily Telegraph*⁸⁸ on 02 July 1999, using the information received by the police from Person F11 concerning Daniel Morgan's murder. As discussed above (see paragraphs 33-35), the article was based on Person F11's witness statement of January 1999, where he claimed that James Cook had been the driver and 'Glen VINES' had committed the murder. Person F11 also claimed to know the hidden location of the car after the murder, in a garage in Cheam used by Person P9:

*'[Person P9] was terrified of COOK. He didn't tell me who put the car in the garage but said that it was stored there and covered with a tarpaulin. Jimmy COOK told me that when things had died down they had collected the car and destroyed it.'*⁸⁹

80 Murder Review Report by DI Steve Hagger, MPS020525001, p65, 06 October 2000.

81 Transcript of listening device, MPS050231001, pp2-5, 2 July 1999.

82 Transcript of listening device, MPS061013001, p9, 13 May 1999. The identity of the 'client' is not known.

83 Transcript of listening device, MPS061013001, pp9-10, 13 May 1999.

84 Transcript of listening device, MPS061013001, p10, 13 May 1999.

85 Transcript of listening device MPS061013001, p10, 13 May 1999.

86 Summary of transcript, MPS104746001, p4, 09 June 1999.

87 Summary of transcript, MPS104746001, p4, 09 June 1999.

88 *Daily Telegraph*, 'Car clue to 12-year-old axe death mystery', MPS040636001, p2, 02 July 1999.

89 Statement of Person F11, MPS046816001, p2, 22 January 1999.

60. Using this intelligence, the *Daily Telegraph* article was intended to stimulate discussion at Law & Commercial, which would then be captured by the intrusive listening device.

61. The text of the article was as follows:

‘Car clue to 12-year-old axe death mystery – one of the most perplexing unsolved murder inquiries to face the Metropolitan Police – the axe murder 12 years ago of a private detective – has been re-opened following the emergence of what the force describes as “crucial” new information.

‘Daniel Morgan, 37, was bludgeoned to death with an axe in a pub car park on March 10, 1987. The Daily Telegraph understands that the new information concerns the hiding and disposal of the getaway car.

‘Despite extensive inquiries by the Met and Hampshire Police over the past 12 years, no one has been convicted for the murder at the Golden Lion in Sydenham, South London.

‘There were no witnesses, no forensic evidence and – despite the murkiness of the world inhabited by Mr Morgan – no clear motive.

‘The dead man’s brother Alistair [sic], has lobbied MPs and the Metropolitan Police Commissioner Sir Paul Condon for renewed police action, but the case had appeared to have gone cold.

‘But one police source disclosed: “We know the getaway car, though it doesn’t exist anymore. We know where the car went after the murder and we know where it was stored, off the street in south west London. We believe we know how it was disposed of. We also have a strong suspect for the getaway driver.”

‘The police source said: “there may or may not have been a management committee behind this murder. We hope we’re going to be able to find out now.”⁹⁰

62. Until the publication of the *Daily Telegraph* article in July 1999, Daniel Morgan’s family were not aware of Operation Nigeria/Two Bridges, nor of its association with Daniel Morgan’s murder, because it was a covert intelligence-gathering operation. On publication of the article, the family of Daniel Morgan expressed their shock and distress at learning such information in this manner. Members of the family, and Alastair Morgan in particular, have explained their dissatisfaction with not having been informed of the covert operation, either before its start or before the publication of the article (see Chapter 12, The Treatment of the Family). The family should have been informed just before publication, so that what appeared to be very important new information did not come as a shock to them.

⁹⁰ *Daily Telegraph*, ‘Car clue to 12-year-old axe death mystery’, MPS040636001, p2, 02 July 1999.

3.3.4 Conversations after publication of the 'trigger' article

63. Following publication of the *Daily Telegraph* article, the listening device within Law & Commercial captured a number of relevant interchanges. These are quoted at length below as they formed an important part of the consideration given in later years as to whether to bring charges against those suspected of the murder.

64. On the day the *Daily Telegraph* article was published, the following conversation was recorded:

[Sidney Fillery] *'Can you pull the Telegraph up on that.*

[Jonathan Rees] *'Yeah, why.*

[Fillery] *'Page nine, they got the MORGAN murder in there again, erm, they found, they know how the getaway car was disposed of or something, whatever the getaway car means. I suppose that's good news because everybody knows where you were, you know, nobody's disputing where you were following the murder so you can't be driving any getaway cars.*

[Rees] *'Er right.*

[Fillery] *'They know where it was disposed of and all that, page nine in the Telegraph.*

[Rees] *'Who phoned that through.*

[Fillery] *'Peter COOK*

[Fillery] *'You'll have to be on your guard about telephone calls obviously.*

[Rees] *'Mmmm.*

[Fillery] *'I don't remember anybody mentioning a getaway car or I mean, do you?*

[Rees] *'No. [Coughs, then mumbles under his breath] ... tell you if there was one, fucking wouldn't I...'*

.....

[Rees] *[Call out to Alec Leighton] 'Hello my dear, is he alright, yeah, the Telegraph, yeah, it will be, yeah, it'll be that car that we use with our..., when our security guard got caught in it [laughs] yeah. I bet they got that fucking car that we had that security guard in... yeah, also the getaway car – well obviously the getaway car wasn't my fucking car because it's er, cos I was in it meself that night so frigging..., so obviously, yeah, so er oh right, so they obviously think it's someone else then, not me, yeah, yeah, yeah, so it's not as though they'd come and talk to me about it though, will they... but there was no witnesses, no forensic evidence...'*⁹¹

91 Record of interview, MPS050231001, pp2-5, 02 July 1999. The transcript refers to John Rees as 'Avon' and Sidney Fillery as 'Tyne', code names given at the time of the operation. These have been changed above for the sake of clarity.

65. In a further transcript from the same day, Jonathan Rees was recorded on a telephone call to someone he called 'Jim', believed to be James Cook, in which he described the news article and what it covered. He explained that he'd phoned up the reporter, told him that he was suing the police, and asked him if he had any more information about the murder, because *'it's a help for me if they catch the murderers it would be good for my Case – won't it'*.⁹²

66. Four days later, on 06 July 1999 between 9.34 am and 11.38 am, a conversation occurred between former DS Sidney Fillery and DC Thomas Kingston, who was at that time a suspended Metropolitan police officer.⁹³ Former DS Fillery said:

*'We read, we read this fucking article in the Telegraph didn't we. Well what that means, who knows, I'd say it's good news because nobody's ever alleged that John was driving the getaway vehicle.'*⁹⁴

67. After further conversation, former DS Sidney Fillery asked:

*'Do you have a getaway vehicle for that sort of murder? They say it's a hit. Do you have a getaway vehicle. We've obviously we've read all the statements.'*⁹⁵

68. DC Thomas Kingston then joked that *'John should put his hands up, because nobody believes him when he says he didn't do it'*.⁹⁶

69. Later that same day, in conversation with Jonathan Rees, former DS Sidney Fillery again described the *Daily Telegraph* article as possibly being 'good news':

[Sidney Fillery] *'Well, I mean, I've never heard of a get away car, I mean I read all the papers, another? Read the papers of even Alex MARAUCHECK [sic], he rung and said have you seen it ? ... I've never heard of a get away car before and he said this, I said I didn't think it was that sort of murder, like with a get away car, is something like a smash and grab or something happened and he legged it, but all the pointers seem to be that this was an opportunist murder, I mean nobody's ever mentioned a get away car... certainly nobody's ever accused me of being on the scene, so it can't be me. I'm not the get away driver, it might be good news.'*⁹⁷

70. On 07 July, a conversation was recorded on the listening device between DC Thomas Kingston, Jonathan Rees and journalist Doug Kempster, while they were looking at a photograph believed to be of a body with head injuries.⁹⁸ The conversation is summarised on the transcript:

'KEMPSTER comments on crisps being left behind. KEMPSTER asks what happened to his trousers. [Rees] says it was like that like that [sic] when they found the body'

92 Summary/transcript. MPS007603001, p2, 02 July 1999.

93 Transcript of listening device, MPS100360001, p10, 06 July 1999.

94 Transcript of listening device, MPS100360001, p10, 06 July 1999.

95 Transcript of listening device, MPS100360001, p10, 06 July 1999.

96 Transcript of listening device, MPS100360001, p10, 06 July 1999.

97 Transcript of listening device, MPS040608001, pp5-6, 06 July 1999.

98 Audio summary of covert recording of conversations between Avon, Ganges (the name given to DC Thomas Kingston), Kempster and Tyne, MPS009863001, p14, 07 July 1999.

– they said it was either by force of the attack that he had his hands on his pocket or “someone ransacking”. [Rees] said his Rolex watch went missing.⁹⁹

71. Also, on 07 July 1999, as a result of the publication of the article in the *Daily Telegraph*, police met former DC Duncan Hanrahan, who had been convicted of serious criminal offences and was in prison. He claimed that in the late 1980s or early 1990s, Jonathan Rees had a blue, probably 5 series, BMW that he wanted to sell as he had bought a Ford Sierra. He was unable to get the price for it that he wanted, so he arranged with James Cook to have the vehicle stolen from the street.¹⁰⁰ The Metropolitan Police deduced that ‘HANRAHAN was inferring that this may have been the method used by REES to dispose of the vehicle used in the MORGAN murder’.¹⁰¹ Former DC Hanrahan did not explicitly relate the information to Daniel Morgan’s murder himself.

72. On 13 August 1999, around six weeks after the publication of the *Daily Telegraph* article, Jonathan Rees, Glenn Vian and former DS Sidney Fillery had the following conversation in the offices of Law & Commercial about James Cook, believed to be in reference to the murder of Daniel Morgan and the car allegedly driven by James Cook to the scene of the crime, and later stored in the garage used by Person P9:¹⁰²

[Jonathan Rees] ‘What happened to the car, I mean did he have the car at one time was that...

[Glenn Vian] ‘He did yeah, but he’s got to rope someone else in, you’d have to go right the other way wouldn’t he. And someone else has said I think he’s got too much to lose. To go right the other way. It’d been involving in too many people.

[Glenn Vian] ‘The person who got rid of the car. I mean they haven’t got a hope to reach that car. That cars [sic] not there any more. There’s no proof, it’s all hearsay, all hearsay innit, one person’s hearsay. No (?) there’s no (?) either (?) fuck all, nothing. It’s (?) may be some other people depending on who he’s (?) or why but there’s a few people who don’t like him. Including the person that got rid of the motor who I know doesn’t like him. He was his alibi. But he likes me, but he didn’t tell me, he just said I know it’s bollocks. Too many people have said it. Plenty of people I don’t even know.’¹⁰³

73. This conversation, along with Jonathan Rees’s call to James Cook on the day that the *Daily Telegraph* article was published, were to form part of the case developed by both the Abelard One/Morgan Two Investigation, and the Abelard Two Investigation (discussed in Chapters 6 and 8).

3.3.5 Conversations relating to Kevin Lennon

74. In numerous instances in the transcripts of recordings by the Operation Nigeria/Two Bridges listening device, those within Law & Commercial appeared to be discussing a civil action brought by Jonathan Rees against his former solicitor. During such discussions, intelligence

99 Audio summary of covert recording of conversations between Avon, Ganges, Kempster and Tyne, MPS009863001, p14, 07 July 1999.

100 MPS040633001, p2, 07 July 1999.

101 MPS040633001, p2, 07 July 1999.

102 The transcript uses the annotation ‘(?)’ to indicate text missing due to the poor quality of the listening device recording. The original transcript has the code names ‘Avon’ for Jonathan Rees and ‘Darwin’ for Glenn Vian, but these have been changed here for clarity.

103 Record of interview, MPS000769001, p7, 13 August 1999.

from the device suggested that in a conversation with former DS Alec Leighton, Jonathan Rees expressed that he was keen for former DS Leighton to speak to Kevin Lennon in an effort to persuade him to change the evidence he had given to the Morgan One Investigation. This was apparently with the intention of assisting Jonathan Rees's civil claim. The listening device recorded a discussion about the possibility of offering Kevin Lennon money in exchange for him changing his account.¹⁰⁴

75. On 27 August 1999, it was decided that Operation Nigeria/Two Bridges should '[i]dentify whether Kevin Lennon has been approached by Alec Leighton', but this was not done.¹⁰⁵ It was later followed up by the Abelard One/Morgan Two Investigation which was set up in the aftermath of Operation Nigeria/Two Bridges (see Chapter 6, The Abelard One/Morgan Two Investigation, paragraph 56).

3.4 Discovery of a conspiracy to pervert the course of justice

76. Before the publication of the 'trigger' article in the *Daily Telegraph* on 02 July 1999,¹⁰⁶ indications had already begun to emerge from conversations captured by the intrusive listening device at Law & Commercial about a conspiracy to pervert the course of justice.

77. On 02 July 1999, an application was made for the renewal of the authorisation to use the listening device, reasoning:

*'The purpose of the intrusive surveillance is yet to be achieved. The monitoring of the premises has identified serious criminal offences yet the intelligence gained surrounding the murder of Daniel MORGAN has been scarce [...]. A story in the Daily Telegraph 02/07/99 has already provoked a reaction. Monitoring of the facility will hopefully obtain evidence to support a criminal prosecution for the murder of Daniel MORGAN.'*¹⁰⁷

78. The 'serious criminal offences' discovered by Operation Nigeria/Two Bridges within Law & Commercial had nothing to do with the murder of Daniel Morgan; instead they related to a conspiracy to plant Class A drugs on the wife of a client of Law & Commercial and to have her arrested, with the intention of strengthening the client's position in an ongoing child custody battle.¹⁰⁸ This conspiracy was undertaken with the complicity of a serving police officer, DC Austin Warnes.¹⁰⁹

79. A separate police investigation and prosecution ensued, and Jonathan Rees, DC Austin Warnes and Simon James were convicted of conspiracy to pervert the course of justice in the case of *R v William Jonathan Rees & Simon Charles James*.¹¹⁰

80. A separate application for approval for the renewal of surveillance later in 1999 suggested that the investigation into the planting of drugs on the woman had an impact on the ability of Operation Nigeria/Two Bridges to pursue the murder case: *'It is envisaged that as soon as the risk to [the wife of the client of Law & Commercial] diminishes the impetus can return to the Daniel MORGAN murder.'*¹¹¹

104 Listening device transcript, MPS099685001, p379, 18 August 1999.

105 Action A659, MPS099071001, p1, 27 August 1999.

106 *Daily Telegraph*, 'Car clue to 12-year-old axe death mystery', MPS040636001, p2, 02 July 1999.

107 Surveillance renewal application, MPS099739001, p181, 02 July 1999.

108 Operation Two Bridges Internal Investigation, MPS099294001, p8, 01 January 1999.

109 Operation Two Bridges Internal Investigation, MPS099294001, p4, 01 January 1999.

110 Operation Two Bridges Internal Investigation, MPS099294001, p46, 01 January 1999.

111 Surveillance renewal application, MPS099739001.

81. However, continued use of the intrusive listening device was rendered impossible once the Metropolitan Police were forced to disclose the transcripts of the recordings produced, during the course of the criminal prosecution.¹¹² For this reason, the listening device ceased to operate after the arrest of Jonathan Rees on 24 September 1999,^{113,114} with an application to cancel the device made by D/Supt Robert Quick on 29 September 1999, and authorised on 05 October 1999.¹¹⁵

82. The decisions made in the context of the *R v William Jonathan Rees & Simon Charles James* case were reasonable. The listening device continued to be deployed until disclosure of its presence to the suspects meant it had to stop. The listening device could only be used until the suspects became aware of it through disclosure. This was not a murder investigation but an intelligence-gathering operation; it was appropriate to stop that intelligence-gathering once the listening device had ceased to be of use.

3.5 Information not provided to the operation

83. The Panel has identified three instances in which the Metropolitan Police were in possession of intelligence potentially relevant to the murder of Daniel Morgan that was not supplied to Operation Nigeria/Two Bridges. The intelligence consisted of the following:

- i. Information that had been provided in 1995 to the Complaints Investigation Bureau 2 (CIB2) by a Metropolitan Police Detective Constable about another police officer's involvement in the murder;¹¹⁶ as well as a report that the crime scene '*had been cleaned up*',¹¹⁷ implying that forensic evidence had been deliberately removed or destroyed.
- ii. After publication of an appeal for information on the Metropolitan Police's Intranet in 2014, a Detective Constable, who in 1993 had worked on Operation Gallery (see above, paragraphs 4-5), approached the Abelard Two review support team. He indicated that some aspects of Operation Gallery were related to the Daniel Morgan murder and confirmed that he had received significant intelligence, which he had recorded on the police database. This intelligence related to a named police officer who had never been considered a suspect in the murder of Daniel Morgan, but of whom it was said there was an acceptance among some of the officers at the station where he worked that he was responsible for '*the axe murder of a private detective some time ago where the victim had an axe buried in his head*'.¹¹⁸ The record explaining these events commented that the Directorate of Professional Standards should have provided this information to Operation Abelard Two. However, the Panel has seen no evidence to support the involvement of the named officer in the murder of Daniel Morgan.

112 Schedules of pre-interview disclosure, MPS099739001, pp217-227.

113 Jonathan Rees – Schedule of pre-interview disclosure, MPS099739001, p218, served on 24 September 1999.

114 Various surveillance applications and renewals, MPS099739001, p214, 11 April 2000.

115 Minutes of Two Bridges Surveillance Report MPS009510001, p47, undated.

116 Debriefing of the Detective Constable who contacted CIB2, MPS099714001, pp24-25, 22 September 2000.

117 Disclosure file (1) for Daniel Morgan Murder Review team, MPS099714001, p34.

118 Record of contact from the Detective Constable who contacted the Metropolitan Police Review support team re Operation Gallery, MPS108179001, p2, 11 December 2014.

- iii. Information about the murder reportedly passed on 01 October 1998 to the Complaints Investigation Bureau by a source and investigated on 28 October 1998 by two police officers. This information was logged onto a database but no further action was taken as the information was deemed to be factually incorrect. DCI Barry Nicholson was not made aware of this matter until 08 May 2000.^{119,120}

84. DCI Barry Nicholson, Senior Investigating Officer for the operation, complained in a memo in June 2000 that he had not received the intelligence from 1995 and 1998 (i and iii above).¹²¹ He was not at that time aware of the intelligence held by the Complaints Investigation Bureau 3 (CIB3) from 1993 (ii above), which came to light only in 2014 during the Panel's research and had not been made available to any of the investigations into Daniel Morgan's murder.

85. The Panel discussed all these instances of failure to share information with former DCI Barry Nicholson. He told the Panel that, in his view, as Senior Investigating Officer he should have had access to all relevant intelligence. He said that he understood this approach, of refraining from sharing information, to have been a strategic decision taken by CIB3 in respect of its operations generally. It was not in any way limited to Operation Nigeria/Two Bridges.¹²²

86. When the Panel met former D/Supt Robert Quick, he explained that the Complaints Investigation Bureau Intelligence Cell (CIBIC) sometimes guarded its information '*very jealously*' and was hesitant about disclosure.¹²³ Former D/Supt Christopher Jarratt indicated to the Panel that information provided by CIBIC to Operation Nigeria/Two Bridges was always frank, but it might not always have been full.¹²⁴

87. Three instances in which potentially relevant intelligence held by the Metropolitan Police was not passed to Operation Nigeria/Two Bridges is a major concern. While none of the pieces of intelligence appears to have been particularly strong, the Panel nevertheless agrees with the Senior Investigating Officer of Operation Nigeria/Two Bridges, DCI Barry Nicholson, that he should have been provided with relevant information. Nor was the intelligence provided to any of the investigations into Daniel Morgan's murder as it should have been to comply with disclosure rules.

The intelligence gathered during Operation Gallery in 1993 came to light only as a result of the work of the Panel, which in December 2014 requested that the Metropolitan Police circulate a message to any officer with information about the murder of Daniel Morgan to come forward. Failing properly to record material gathered on an unsolved murder negated the purpose of so doing and made the exercise pointless.

119 Letter from DCI Barry Nicholson to a D/Supt, MPS099649001, pp2-3, 27 June 2000.

120 Letter to D/Supt Robert Quick (through DCI Barry Nicholson), MPS099649001, pp4-6, 27 June 2000.

121 Memo from DCI Barry Nicholson to a D/Supt, MPS099649001, pp2-3, 27 June 2000.

122 Panel meeting with former DCI Barry Nicholson, PNL000239001, p1, 22 July 2016.

123 Panel meeting with former D/Supt Robert Quick, p8, 24 August 2016.

124 Panel interview with former D/Supt Christopher Jarratt, PNL000247001, p2, para 13, 28 September 2016.

4 Later perceptions of the Operation by the Murder Review Group

88. The Metropolitan Police's records indicate that only 15 out of a total of 1909 lines of enquiry to be investigated in Operation Nigeria/Two Bridges¹²⁵ appeared to relate to the investigation of Daniel Morgan's murder.¹²⁶

89. A Murder Review Group report produced in October 2000 illustrates how Operation Nigeria/Two Bridges was seen within the Metropolitan Police. Between June and October 2000, while the legal proceedings arising from Operation Nigeria/Two Bridges were ongoing, DI Steve Hagger from the Metropolitan Police's Murder Review Group conducted a review of the previous investigations into Daniel Morgan's murder with a view to determining whether further investigative opportunities existed. His report is covered in depth in Chapter 5. In his report, DI Hagger described Operation Nigeria/Two Bridges as '*a pro-active operation undertaken by CIB(3) to investigate "corrupters of police"*'.¹²⁷

90. In a Parliamentary debate in July 2004, Home Office Minister Caroline Flint MP explained the Government's view that the murder of Daniel Morgan had been extensively investigated. She said that:

'after four investigations and a coroner's inquest, the Government do not consider there to be a realistic prospect of uncovering new evidence. I believe that the efforts of the Metropolitan police to pursue the case to a successful conclusion, despite not having done so, have been extraordinary, and to their credit they have been prepared to look again and again at what happened 17 years ago....'

91. In the same debate, Caroline Flint MP suggested that investigation of the murder was the primary objective of the operation and investigation of corruption a secondary matter:

*'A third police investigation [Operation Nigeria/Two Bridges] was carried out as an intelligence-led, covert investigation for the purpose of gathering evidence about the murder of Daniel Morgan as well as allegations of police corruption.'*¹²⁸

92. The available information suggests that gaining intelligence about the murder of Daniel Morgan was in effect a secondary objective of Operation Nigeria/Two Bridges, the primary objective being to gain evidence of police corruption. In this, the operation was successful, with the convictions of a serving officer, DC Austin Warnes, as well as Jonathan Rees and Simon James for conspiracy to pervert the course of justice.

125 Actions A1460 to A1891, MPS099267001, p13, 22 May 2000.

126 List of Documents referring to Daniel MORGAN (as compiled by the MPS), Operation Two Bridges, MPS099593001, p3, 22 May 2000.

127 Metropolitan Police Murder Review Group report, MPS094325001, p217, 06 October 2000.

128 Adjournment debate, <http://www.publications.parliament.uk/pa/cm200304/cmhansrd/vo040706/halltext/40706h04.htm> 06 July 2004.

93. However, information received by the Home Office, and provided to Minister Caroline Flint MP prior to the debate, implied that the primary objective of Operation Nigeria/Two Bridges was the investigation of Daniel Morgan's murder. Although unintentional on the part of the Minister, the effect of the mischaracterisation is that the family of Daniel Morgan, Parliament and the wider public were misled on this point (see also Chapter 12, The Treatment of the Family).

94. The operational strategy used by the Metropolitan Police to gather intelligence was effective, but it did not result in any leads that could have been progressed in relation to the investigation into Daniel Morgan's murder. However, the intelligence gathered by Operation Nigeria/Two Bridges was shared within the Metropolitan Police and contributed to the subsequent decision to undertake a Murder Review.

ISBN 978-1-5286-2479-4
(Volume 1 of 3)
CCS0220047602