



Home Affairs Committee

Oral evidence: Investigation into the late Lord Brittan, HC 534

Wednesday 21 October 2015

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Members present: Keith Vaz (Chair); Victoria Atkins, James Berry, Mr David Burrowes, Nusrat Ghani, Mr Ranil Jayawardena, Tim Loughton, Stuart C. McDonald, Mr David Winnick.

Questions 1 – 317

Examination of Witness

Witness: **DCI Paul Settle**, gave evidence.

Q1 Chair: Could I call the Committee to order and welcome DCI Settle? Thank you very much for coming in, DCI Settle, at such very short notice. We are most grateful. Could I refer everyone present to the Register of Members' Interests where the interests of members of this Committee are noted? Are there any additional declarations relevant to this witness?

James Berry: In addition to my declaration that I am a practising barrister, prior to my election I was involved in a number of cases on behalf of the Metropolitan Police as an independent barrister.

Chair: Thank you. We are concerned today, DCI Settle, with the issues of process only. We are not interested in ongoing police investigations into any other issues apart from the process relating to the allegations made by the witness Jane about the late Lord Brittan, so that is where we will confine our questions and I would be grateful if you could do the same. You obviously have a lot of experience in these matters but that is what we want to talk about to you today. Can you describe the role that you had in relation to this?

DCI Settle: I was senior investigating officer for Operation Fairbank, and associated operations, from November 2012 when it started. That meant that I was the detective chief inspector who was basically responsible in running the cases.

Q2 Chair: Were you also involved in the Operation Vincente, which—

DCI Settle: I was, sir. I commenced the Operation Vincente on 20 December 2012.

Q3 Chair: Did that relate specifically to the allegation of the witness Jane concerning the late Lord Brittan?

DCI Settle: It related solely to that allegation. It was set up in isolation because it was an allegation made by an adult female of rape. I was aware of the sensitivities right from the outset, so it was set up as a stand-alone operation and conducted in isolation from anything else that was happening.

Q4 Chair: Much of what you had to deal with that you thought would be confidential is now already in the public domain.

DCI Settle: That is right, yes.

Chair: That is obviously a matter of great regret, because it has clearly caused a great deal of distress to the family of the late Lord Brittan, and presumably to him at the time.

You have very kindly provided the Committee with a paper setting out all the circumstances, some of which we will put into the public domain, but not all of it because not all of it is relevant. In particular, I want to take you to the decision time. You made a decision on 4 September about the allegation and about the evidence that you had. What was the decision that you took about the allegation made by the witness Jane?

DCI Settle: On 4 September 2013, following the advice I received from the Crown Prosecution Service and in conjunction with further advice from the Crown Prosecution Service regarding the police applying what is known as the code test, I decided that the investigation should not proceed any further. My reason for that was that I concluded that any action against Lord Brittan would be grossly disproportionate and would not have a legal basis as, in order to interview him, we would have to have had reasonable grounds to suspect that an offence had been committed. The investigation had shown that, while an allegation had been made, the offence had not been made out in law and, as such, those reasonable grounds had ceased.

Q5 Chair: You found that there were no reasonable grounds at all and you went to the CPS?

DCI Settle: Yes.

Q6 Chair: This will become an issue in relation to other witnesses? Did you have any difficulty in getting advice from the CPS?

DCI Settle: Absolutely not. I reviewed all the evidence that we had against Lord Brittan on 7 June. It is a long time since I was at detective school but I looked at the evidence and I thought, "I am not quite sure about this", so I sought what is known as early investigative advice from the Crown Prosecution Service. The report that I sent up was completely anonymised. There was no mention of Lord Brittan whatsoever in there so that we would

get a completely objective, unbiased view. The report came back and that concurred with my thoughts that the offence of rape had not been made out, and that was specifically on the account that the victim Jane had given us. That is before we spoke to anybody else, which we had done, but on the victim's account alone it was unreasonable to suspect that anybody would have known that consent was an issue.

Q7 Chair: In your view, there was no reason to either interview him or to cause any further investigations to take place?

DCI Settle: Absolutely not. I made an entry basically saying that I did not feel the arrest of Lord Brittan was a proportionate response. The matter was over 40 years old. The offence was not clear-cut. The additional witnesses that we had traced, despite it being 40 years old, did not support Lord Brittan's presence. Jane had only identified him from a certificate she had allegedly seen and I was not convinced the necessary points for the offence had been proved. In addition, something I was also conscious of, there was no right of anonymity for persons arrested and there had been significant media intrusion around arrestees. To put that into perspective, it was at the same time that Yewtree was running.

Q8 Chair: You met the complainant and you explained this to the complainant, did you?

DCI Settle: I met with the complainant on 17 February and I explained it in full and at that meeting she asked for me to provide a written response as to why I had ceased the operation.

Q9 Chair: You did not inform the late Lord Brittan or his solicitors, presumably because this was not in the public domain at that stage?

DCI Settle: It was not in the public domain and, to use a very well-worn quote, I did not want to give it the oxygen of publicity. At that stage there was no reason for me to inform Lord Brittan. I regret that I didn't, purely because had I informed him that there was formally no further action on an allegation that had been made then maybe it would have been slightly difficult to revisit it.

Q10 Chair: Shortly after you made your decision you met with Tom Watson.

DCI Settle: That is correct.

Chair: According to your statement, at a hotel. Why did you meet with him in particular?

DCI Settle: Mr Watson had been—

Chair: Sorry, on 10 February 2014.

DCI Settle: Yes, on 10 February, which is one week before I met with Jane. I had met with Mr Watson periodically to keep him abreast of details with the investigation because Mr Watson had been an intermediary for an awful lot of the complainants and was aware of

their personal cases. The purpose of my meeting with him and keeping him abreast was to try to deconflict and reassure him what we were doing, and why we were doing it so he retained confidence in the investigation.

Q11 Chair: What was his view about your decision?

DCI Settle: To be perfectly honest, at the time he did not express any concerns whatsoever. I explained in full the reason for my decision and why. It was a highly unusual decision, in that I am aware there are guidelines that say we always interview the suspect. But those grounds to interview the suspect had ceased because it was a highly unusual set of circumstances where, on the victim's account alone, the actual offence was not made out. I explained that to him. I also explained to him regarding two other matters that he was aware of where people had made allegations against the late Lord Brittan. I explained to him where we were with those.

Q12 Chair: Were you surprised then when this was reopened as a result of Mr Watson's letter?

DCI Settle: If I am being frank, I am extremely disappointed because I would have thought that, before doing that, I had the type of relationship with him where he could have phoned me to seek clarity and, had I not assured him of that clarity, then he was perfectly within his rights to write that letter. But I was rather shocked.

Q13 Chair: Did you see it as a criticism of you, a criticism of the investigation?

DCI Settle: I saw it as a betrayal, to be perfectly honest, because I thought that I had been frank and honest with him and transparent from the outset. We had him visit our office. We had him meet our team so that he could gain confidence in what we were doing and understand that we would take the investigation where the evidence led us. We were not there with an agenda. We were there to do a job. It was as simple as that and I saw it as a very low blow, to be perfectly honest.

Q14 Chair: In the newspapers it is quoted as maybe not you but those close to you suggesting that you felt that what he had done undermined your investigation. Is that the case?

DCI Settle: Yes. I felt that it undermined our investigation because, put bluntly, at that time we had Operation Yewtree running with a lot of officers and a lot of resources, and my investigative team consisted of six people and me. We had a full diary for the forthcoming two weeks and any distractions that we had took us away from the job that we were there to do.

Q15 Chair: What happened after that? The matter was reopened?

DCI Settle: The matter was reviewed by another senior officer who did not look at all the documents and, in particular, did not look at my decision log. My decision log is a

contemporaneous note of decisions made at the time and the rationale why I have made those decisions. It is an intrinsic and fundamental part of all major investigations. That was not examined. A review was done on limited documentation and that, in my opinion, wrongly concluded that the obvious line of inquiry was to interview Lord Brittan.

Q16 Chair: Why do you think that was done? What drove the Metropolitan Police into continuing with this, after you had reviewed all the evidence and had CPS advice? Why do you think this was done?

DCI Settle: I think the dates speak for themselves. On 17 May it was revealed that Mr Watson had written a letter. On 18 May there was a newspaper article. On 19 May a hurried review was carried out.

Q17 Chair: That was because of his letter?

DCI Settle: I think it was a direct result of that. I am aware that the review may well have been ordered two weeks before. I wasn't aware of that at the time. What I do know is 17 May was a Saturday, 18 May a Sunday and the 19th a Monday. That is, the first day back in the office after the weekend newspapers.

Q18 Chair: It is fairly unusual, is it not, for an officer conducting an operational matter to be keeping a Member of Parliament informed of the developments that you were telling Mr Watson about?

DCI Settle: It is unusual but it was unusual circumstances. We had never encountered anything like this. The internet was awash with allegations, anecdotes, rumours and facts, and we were in a position where we were trying to sift through those. In fairness, I had a measure of sympathy for Mr Watson because, after he had asked his question, he was deluged with people coming forward and making allegations to him.

Q19 Chair: After he had asked which question? After he spoke in the House?

DCI Settle: After he spoke in the House he was deluged with people coming forward and making allegations and was not in the best position to—well, how do you prepare for that when it is—

Q20 Chair: Do you regret giving so much information to him?

DCI Settle: I don't because it kept him abreast of the investigation and prevented speculation, because there has been an awful lot of media intrusion into this right from the outset and an awful lot of speculation and, I would say, inaccurate reporting regarding this. I don't regret keeping him informed because I am a firm believer that, once you have a stakeholder in an investigation, it is key—you do more harm to ostracise him than it would have done good.

Q21 Chair: It was not just one case. He was involved in quite a lot of cases, wasn't he?

DCI Settle: There were many, many cases and, in fairness, we have had I think three successful prosecutions to date as a result of the information that Mr Watson passed to us.

Q22 Chair: You must feel quite vindicated at the end because senior officers have now taken over this. They have gone to the CPS. The CPS have said that they do not want to be involved in this because the evidential test had not been met and, finally, we have a letter from Mr Rodhouse—who we will be hearing from later—apologising to Lady Brittan about this matter. That must be a complete vindication of the position that you had taken in February 2014?

DCI Settle: It may well be but I take no pleasure from it. Quite frankly, it distracted us from doing our job.

Q23 Chair: But it took a year and a half for the family to be informed.

DCI Settle: Yes.

Chair: Do you think it would have been the right thing to do to have told Lord Brittan while he was still alive?

DCI Settle: It is my opinion that had we been in a position where his name came out into the public domain then he should have been told as soon as possible.

Q24 Mr Burrowes: Your decision that you say did not go any further in terms of review, is that the usual practice?

DCI Settle: If I was conducting a review, no. In my decision log I have an entry where I have reviewed the evidence to date on, I think, 7 July. I have listed all the documentation and all the evidence I looked at when I was reviewing it, so that people are aware of what I have looked at. The review that was conducted looked at about three documents.

Q25 Mr Burrowes: So where did your decision log go?

DCI Settle: It was kept in the office at Empress State Building in west London.

Q26 Mr Burrowes: Do you have your decision log on you there?

DCI Settle: I don't. I have a copy of it that I took.

Q27 Mr Burrowes: Referring to the copy of your decision log, how do you describe in your log the option of either arresting or interviewing Mr Brittan or both?

DCI Settle: Bear with me a second. It is rather unprofessional to shuffle through. “At this stage I do not feel that the arrest or interview of Lord Brittan is a proportionate response. The matter is over 40 years old. The offence is not clear-cut. The additional witnesses do not support Lord Brittan’s presence at the time. The victim is sure of the identification from a certificate in this flat but I am still not convinced that the offence is made out. There is no right of anonymity for persons arrested for sexual offences. Furthermore, there is considerable media intrusion regarding arrestees. At the moment Lord Brittan is of interest in other aspects of a parallel investigation and to arrest or interview now would, I feel, jeopardise any potential inquiries as this would be nothing more than a baseless witch hunt.”

Q28 Mr Burrowes: Right. We then had an interview under caution of Lord Brittan. In your professional opinion, which is significant, would you then say that what we had was a baseless witch hunt?

DCI Settle: I think the interview was without grounds and I think that the interview, consequently, was not within the confines of PACE and unlawful.

Q29 Mr Burrowes: What you are referring to, as I understand, is code C 10A of PACE?

DCI Settle: I will take your word for that.

Q30 Mr Burrowes: Which I can say to you says, “In order to interview Lord Brittan under caution, were there reasonable objective grounds for the suspicion of rape or other allegations based on known facts or information?” At the time of your investigation, were there reasonable objective grounds for that suspicion?

DCI Settle: There weren’t. They had ceased. From the outset when we had the allegation we are duty bound to investigate it, which we had, the difficulty being that as we investigated it those grounds ceased.

Q31 Mr Burrowes: Over the passage of time, are you aware of any further pieces of evidence that provided reasonable objective grounds based on known facts or information?

DCI Settle: Nothing.

Q32 Mr Burrowes: When it was grossly disproportionate and would not have a legal basis, effectively what you are saying to us is that the subsequent interview under caution of Lord Brittan, in your opinion, was unlawful?

DCI Settle: That is correct, sir, yes.

Q33 Mr David Burrowes: We have this letter from Mr Watson, dated 28 April, that says these words, “It further troubles me that the senior police officer”—no doubt referring to you—“who dropped the case revealed to the victim he apparently took a series of worthless stereotypes and other irrelevant points into consideration. He did this after apparently consulting with an unnamed CPS official. Most of these stereotypes have been blown out of the water in recent months, or so I thought.” What are your comments on that?

DCI Settle: The meeting that I had with Jane was heated. I was on the receiving end of what can best be described as a heated exchange. I am paid to do that. I am paid to sit and listen and not to respond. Regarding my using stereotypes and, furthermore, regarding I think somewhere in there it alleges that I slammed my papers on the table and stuff like that, anybody that knows me knows that is simply not me. It is not true. I was put in a position where she was understandably upset about my decision, and so was her husband, and they challenged me on it.

Q34 Mr Burrowes: The first paragraph of Mr Watson’s letter is that there was practice that was contrary to ACPO and CPS guidance on investigation and prosecution of rape cases. Is that true?

DCI Settle: It is not because, while it is always advisable to interview the suspect, we followed the guidance in that what I did was—conscious of who Lord Brittan was, conscious of the impact it would have and conscious of the media intrusion we would get—I sought to obtain the strongest possible case that we could have against him. The difficulty being, in trying to obtain that strongest possible case it actually undermined the whole prosecution and the grounds for us to interview him ceased to exist.

Q35 Mr Burrowes: Why was there a delay between September 2013 and February 2014 in informing Mr Watson or the alleged victim?

DCI Settle: Regarding Mr Watson, that was purely because that was the next time I met with him. I hadn’t met with him previously. Regarding Jane, I had said to my officer who was her point of contact, who was going to see her and inform her in person, that if she wanted to see me—the lady lives in the north of the country quite a considerable distance away—I would be more than happy to go and see her in person and explain my decision. She wanted that to happen initially. That was arranged and then she changed her mind and decided she was coming to London, and the earliest she could come to London was 17 February.

Q36 Mr Burrowes: Prior to the interview of Lord Brittan, were the solicitors in disclosure informed about the decision to take no further action?

DCI Settle: I don’t know, sir. It was not conducted by me. I was told to have nothing more with the investigation.

Q37 Mr Burrowes: In terms of the impact following the letter of 28 April to the DPP—you no doubt talked to officers around this whole issue—how would you describe the level of impact on the Met Police of the letter from Tom Watson?

DCI Settle: It has confused matters considerably because, as I said, we had limited resources and we were there to do a job. This distracted us and it shook confidence within the team because it has kind of undermined us.

Q38 Mr Burrowes: What was the immediate reaction that you were aware of from that letter hitting the CPS correspondence unit inbox on 1 May 2014?

DCI Settle: I would suggest one of panic among some people and one of shock among others.

Q39 Mr Burrowes: Finally, have you been involved in any other cases where Members of Parliament have acted as intermediaries?

DCI Settle: No.

Q40 Mr Winnick: I am going to ask you a few questions, Mr Settle, like other colleagues, and nothing I say should be seen as detrimental regarding the late Lord Brittan. The meeting that you had on 17 February 2014 with Tom Watson, as you said it was a perfectly calm meeting. You gave your views or the result of the investigation, I should say, so far, and Mr Watson discussed the matter with you. So you had no quarrel about that meeting?

DCI Settle: Absolutely none whatsoever, sir. The meeting was actually on 10 February. He was given an update on how the investigation writ large, which had many different strands and aspects to it, was proceeding and where we were and at no point were any concerns raised whatsoever.

Q41 Mr Winnick: Would you say it is the duty of a citizen, not necessarily by any means a Member of Parliament, who has received information that an offence took place, however many years ago, to bring that to the attention as quickly as possible of the police?

DCI Settle: Yes, I would like to think that people would do because that is ultimately what we are here for.

Q42 Mr Winnick: So there is no feeling that Mr Watson was wrong to bring the information to the police?

DCI Settle: No, far from it. He was used as a conduit by many people who—I have to be frank—for whatever reason, have a distrust in the police and would not normally have approached us.

Q43 Mr Winnick: You said, Mr Settle, and I was impressed by your evidence, Mr Watson had provided evidence—and I am pretty certain I got it correctly—to the police that resulted in three successful prosecutions.

DCI Settle: That is correct.

Q44 Mr Winnick: So here is a person, politician or otherwise, who has sought to ensure that those who were the subject of various forms of sexual abuse are brought to justice.

DCI Settle: That is correct, sir.

Q45 Mr Winnick: To put it frankly—and I hesitate to use terms that could be misinterpreted—we are not talking about someone who lives in a fantasy world, who does not have the slightest idea what is happening and, out of nowhere, goes to the police and wastes police time. Am I right?

DCI Settle: Sorry, in respect of—

Mr Winnick: Sorry, I have put it in a long way, but we are not dealing with a fantasist, are we?

DCI Settle: In Mr Watson or—

Mr Winnick: Mr Watson, yes.

DCI Settle: No, we are not. No, sir.

Mr Winnick: In no way?

DCI Settle: No, sir.

Q46 Mr Winnick: You accept that he carried out a public duty?

DCI Settle: Absolutely.

Q47 Mr Winnick: Thank you very much. Would I not be right to say that all this occurred where there was a climate—in my view, a justified climate—arising from the Savile case, the late Smith, who were never brought to justice and there was a strong feeling, am I right, Mr Settle, in Parliament and no doubt in the police as well?

DCI Settle: There was a very strong feeling. There was a feeling that we had let people down, historically, and that we were there to bring perpetrators to justice at the earliest opportunity.

Q48 Mr Winnick: It could be, could it not, that Mr Watson felt that there had been an injustice, that Jane was telling the truth, or at least the police should probe more deeply into the allegations, and that his motive was above board?

DCI Settle: It could be. However, at the meeting I had with him on 10 February I explained, very simply and thoroughly, why we had made that decision. As I have said, had he taken the view that he subsequently did, I would have expected him to contact me and clarify the issue before he made representations. We have kind of gone from a 1 on the scale to a 10 on the scale with no justification.

Q49 Mr Winnick: Yes. Mr Settle, I can understand that you had this meeting. He seemed satisfied and then later on he wasn't, but that is your dispute, isn't it, to a large extent, that instead of Mr Watson coming back to you he acted otherwise?

DCI Settle: Yes, but—

Mr Winnick: Yes. Thank you very much indeed. It has been very useful.

Chair: You wanted to finish your sentence?

DCI Settle: No, I am fine. Thank you, sir.

Q50 Nusrat Ghani: You mentioned in your written statement, and also earlier on, that you met with Mr Tom Watson on 10 February 2014.

DCI Settle: Yes.

Q51 Nusrat Ghani: You met Mr Tom Watson at the hotel next to the Unite head office, “I updated him on all aspects of the investigation to date, as he had acted as an intermediary for a significant number of complainants”. Was it unusual for you to have this sort of relationship with other parliamentarians in these cases?

DCI Settle: As I said, it was unusual but it was unusual circumstances.

Q52 Nusrat Ghani: Did it help you proceed with your work or was it hindering you doing your work?

DCI Settle: To be brutally frank, we had several people come forward who would not normally have come forward and recently a guy by the name of Richard Alston has just been found guilty and sentenced, and that was a direct result of Mr Watson's intervention and facilitating the victim through to us.

Q53 Nusrat Ghani: Do you think it is acceptable for parliamentarians to have this sort of relationship with police officers like yourself?

DCI Settle: I think that if there is a case where it is bringing people to justice then, yes, it is.

Q54 Nusrat Ghani: You mention that you also felt undermined in your position. How did you get—

DCI Settle: Did I?

Nusrat Ghani: You felt undermined by the letter.

DCI Settle: I think that was in the media.

Nusrat Ghani: Yes, you mentioned it as well today. You mentioned it today. How did you allow yourself to be undermined by Mr Watson? How did you get yourself into that position?

DCI Settle: By doing my job and by the—

Q55 Nusrat Ghani: So you felt that you were unable to do your job because of Mr Watson's intervention?

DCI Settle: Yes, as a direct result of the correspondence. When I made representations regarding my position on the matter I was told to have nothing more to do with it.

Nusrat Ghani: Thank you.

Q56 Chair: Who told you not to have anything more to do with it?

DCI Settle: My line manager, Detective Superintendent Gray.

Q57 Chair: How far up the Metropolitan Police chain do you think this went, that people knew that this was going to be opened up again after you had reached your conclusion?

DCI Settle: I am pretty sure that it was at commander level.

Chair: At commander level?

DCI Settle: Yes, at that time that is who was chairing the Strategic Overview Group, the Gold Group, into the matter.

Q58 Victoria Atkins: Officer, in your statement that you provided to us, you refer to the fact that Jane was interviewed by a suitably trained and specialised officer.

DCI Settle: That is correct.

Victoria Atkins: Could you give us a bit of help with this? What do you mean by that?

DCI Settle: We have officers who are specifically trained. It is called SOIT, sexual offences investigation techniques, and there are officers that are particularly trained. It is a very intensive course to deal with victims of sexual abuse, to understand their specific needs rather than a routine plod turning up.

Q59 Victoria Atkins: Obviously we are dealing potentially with very vulnerable people who complain of terrible crimes committed against them, and that requires sensitivity but it also requires you to do your job to make sure that you achieve best evidence?

DCI Settle: Absolutely and, to a certain degree, I am reliant upon my officers and their competency and ability to do that. My job, once they have achieved that evidence, is then to review that evidence and make operational decisions based upon what they have obtained.

Q60 Victoria Atkins: What are the potential consequences if things go wrong at that stage with the complainant?

DCI Settle: For the complainant there could be many: their confidence in the police, their confidence in the justice system would be rocked if not shattered. In other cases they have taken action themselves because it has become too much for them. It is one area where we do go above and beyond what we need to do to reassure that person and to achieve the best evidence but, most importantly, not at the victim's expenses.

Q61 Victoria Atkins: Looking forward, if a decision is made to charge and then it ends up in court, what potential consequences can any mishandling at an early stage in the investigation have on the success of a prosecution?

DCI Settle: It can have absolutely massive consequences. Everything is disclosable within the law and what we have done is held to account, and quite rightly so. Our actions are all scrutinised, often with 20/20 hindsight many months later.

Q62 Victoria Atkins: Summing up your role as a police officer, you have talked about you have a job to do, you have no agenda. A theme that police officers often follow is: we go where the evidence leads us.

DCI Settle: It is a well-worn quote but it is quite accurate.

Victoria Atkins: Where did the evidence lead you in this case?

DCI Settle: The evidence led me to the conclusion that, on Jane's account alone, the actual points to prove for rape were not there. Therefore, despite the fact that Jane was insisting she had been raped, in law she hadn't.

Q63 Victoria Atkins: We have heard mention of Mr Watson's letter. It was a letter to the Director of Public Prosecutions but it was later publicised on 17 May on a website called Exaro. Is that correct?

DCI Settle: That is correct, ma'am.

Q64 Victoria Atkins: So that information was then in the public domain?

DCI Settle: Yes.

Q65 Victoria Atkins: Thank you. Again, this is in the context as you have described of Mr Watson bringing many complaints to you as investigating officers, and also the media context of campaigning.

DCI Settle: Absolutely. Unfortunately, we—I say fortunately we have a free press, but we have a free press and Jane saw fit to speak to the media, the difficulty being when she spoke to the media her account varied slightly.

Q66 Victoria Atkins: It was precisely because Mr Watson had brought these cases to your attention that you met with him and explained this particular case, out of all the other cases you explained it to him?

DCI Settle: I explained this and the other strands that were live at the time.

Q67 Chair: How long did you have this unit?

DCI Settle: From November 2012 when we first started investigation until May 2013.

Q68 Chair: How many allegations as opposed to convictions? You talked about convictions; how many allegations did you look at?

DCI Settle: We had in the region of 400 bits of information from allegations at the beginning.

Chair: 400?

DCI Settle: Yes.

Chair: How many people have been successfully convicted?

DCI Settle: We have three convictions to date. Please appreciate that an awful lot of the information came from the internet. It was nothing more than rumour and anecdote.

Q69 Chair: Did you have to look into all those allegations?

DCI Settle: We had to look into all of them to establish whether there was any truth to them.

Q70 James Berry: Mr Settle, you described how you were keeping Mr Watson abreast of a number of cases, in fact a significant number of complainants. Without going into the details of any of these cases, were all of these people Mr Watson's constituents?

DCI Settle: I don't believe any of them were.

Q71 James Berry: You don't believe any of them were. Were you keeping in touch with those individuals' Members of Parliament?

DCI Settle: The only other Member of Parliament I had contact with—and, please forgive me, the poor gentleman has died and I cannot remember his name. He was the MP up in Manchester who made representations on behalf of one of his constituents.

Chair: Was it Jim Dobbin?

DCI Settle: No, Paul—

Chair: Anyway, let us not speculate as to who it was.

DCI Settle: He was the only other Member that I had contact with.

Q72 James Berry: Are you aware of the convention in Parliament that we only act on behalf of our own constituents?

DCI Settle: Absolutely not. I am a policeman.

Q73 James Berry: You expect the MP, perhaps, to tell you that?

DCI Settle: Possibly, yes.

Q74 James Berry: You describe Mr Watson as a stakeholder. Were you keeping any other stakeholders abreast of developments, charities, NSPCC and so on?

DCI Settle: Within the strategic overview meeting and the Gold Group we had various other stakeholders, such as the NSPCC who have been of great assistance to us, and then other law enforcement agencies, such as SOCA as it was then, the National Crime Agency as it is now.

Q75 James Berry: You have explained how in the meeting you set out the situation. Mr Watson did not raise much of an objection then. Did he allege at that meeting that you failed to follow the guidelines?

DCI Settle: Absolutely not. It was a very, very convivial meeting.

Q76 James Berry: So he did not raise this with your senior officers; he went straight to the DPP with a complaint?

DCI Settle: He had absolutely no reason whatsoever to raise it with any of my colleagues or any of my senior officers. It was a very, very convivial meeting.

Q77 James Berry: Your position is that you did follow the guidance. Whereas you say it wasn't proportionate to interview Lord Brittan, I think that what your evidence actually is that it did not even reach the evidential threshold to interview him under the section of PACE that Mr Burrowes mentioned?

DCI Settle: Absolutely. It fell at the first hurdle. What we set out to do was to strengthen the case as much as we possibly could and, in making those inquiries, it actually undermined the case. As soon as the evidential test was applied it fell at the first hurdle.

Q78 James Berry: You did not even get on to the issue of proportionality. It is more that the evidence on your assessment wasn't there?

DCI Settle: Yes. When I talk about proportionality that is before I sent the advice up to the CPS where I was saying, "I am not taking any action now because I don't believe it is proportionate because I am going to speak to the CPS".

Q79 James Berry: Finally, as I understand it, it is your view that in a case where a suspect has not been identified in public or has not been informed of an allegation against them, when that information does come out into the public domain, by whatever means, the police ought to inform that individual that an allegation has been made against them?

DCI Settle: I think that once it is out there we have a duty to inform them exactly what is going on at the earliest opportunity.

Q80 James Berry: Unless there are operational reasons not to?

DCI Settle: I would struggle to find an operational reason not to.

James Berry: Very good. Thank you.

Q81 Tim Loughton: Mr Settle, I think we have all agreed that MPs and others in public office have a role—indeed a duty—in handing on information where they think it is of use to the police and representing victims, particularly if they are their constituents. How many times did you meet Mr Watson?

DCI Settle: I would say three or four.

Q82 Tim Loughton: What sort of thing did you discuss with Mr Watson?

DCI Settle: I will put things into perspective. The first meeting I had with Mr Watson was in the presence of a man who was making a series of allegations and a journalist who was there because the guy would not speak to us unless the journalist was present as he wanted what he was saying recorded. At that first meeting that we met with him he gave us a series of allegations. We then had a subsequent meeting immediately after with Mr Watson where he said, “By the way, we have all of these” and handed over a load more allegations that were given to us. As a result of that, I met with him periodically. He came over to the office and saw the work of the team and what our other jobs were within the paedophile unit. He came over to see us and I updated him periodically on the progress of those allegations he was aware of.

Q83 Tim Loughton: When you say “updated him periodically”, was he open to privileged information effectively?

DCI Settle: No, because these people had come through him, so if anything he possessed the privileged information before we did.

Q84 Tim Loughton: But presumably your investigations on the initial information that he gave you might have yielded further information, which were operational matters about the way you were handling it, what further witnesses it might have taken you to that he would not have been in receipt of. Did you share that sort of information or not?

DCI Settle: No, absolutely not.

Tim Loughton: So he did not have any privileged information?

DCI Settle: No.

Q85 Tim Loughton: Did he try to direct you as to how you might do your job differently?

DCI Settle: No.

Q86 Tim Loughton: So you felt he wasn't being involved in operational matters at that stage?

DCI Settle: I felt he was being very supportive and we had a very strong relationship with him up until that letter arriving.

Q87 Tim Loughton: What grounds do you think he could have had for then sending a letter? If he had taken issue with you and then not come to you to complain that he disagreed with your decision, would you have expected him to have gone to perhaps your line manager or a senior officer?

DCI Settle: Yes. Nobody was more surprised than me when the letter arrived.

Q88 Tim Loughton: It was disproportionate, perhaps, to take it to the DPP rather than to take it further within the police themselves and then allow that complaint to become part of the public domain?

DCI Settle: Yes.

Q89 Tim Loughton: What qualifications do you think Mr Watson has to judge the way police carry out their investigations?

DCI Settle: None that I am aware of.

Q90 Tim Loughton: You said that the way this case has panned out, the adverse publicity that it has had on the activities of the police and the relationship with Mr Watson and others, had undermined your investigation and that it had the capacity to undermine parallel investigations going on. Do you think this has had a more deep-seated influence on the way the police will continue to look at similar allegations in the future?

DCI Settle: Yes, I do.

Tim Loughton: In what respect?

DCI Settle: We are stuck between a rock and a hard place. We are there to investigate things and some of the people we are dealing with are very vulnerable and susceptible to exaggeration. We are there to sift through things but we are also working within a climate where we have finite resources, and when those resources need to be directed towards something that is more life threatening or immediate, unfortunately, I can see a position being taken where things are not necessarily looked at because of this.

Q91 Tim Loughton: Do you think that the way various details have been put into the public domain—not by the police—is going to have a detrimental impact on the ability or willingness of victims to come forward with further historical allegations in the future?

DCI Settle: Absolutely, because we are in a position where this has been played out in the media and where quite often victims' accounts have been played out in the media. If we are now not seen to follow through on what has become accepted as fact because it has been in the media, then we are all part of the problem and we are all part of the conspiracy. The difficulty is that if the evidence is not there, from a purely objective evidential point of view, then we struggle to proceed with it.

Q92 Tim Loughton: Finally, you would agree that the way this case has panned out, the way that certain individuals have put it in the public domain, could be deeply damaging to the pursuit of historic child sexual exploitation cases, both for the ability and capability and willingness of the police to pursue them and, more importantly, for the effectiveness of victims coming forward and having their allegations properly looked at, taken seriously and pursued?

DCI Settle: I think it has an impact, yes.

Chair: Thank you, Mr Loughton. Mr McDonald, we are due to have a vote shortly, just to let you know.

Q93 Stuart C. McDonald: I will be as quick as I can. Mr Settle, you described the advice you had with the CPS and you described the advice they gave you as helpful. I don't think anyone here would challenge the fact that you came to a perfectly reasonable conclusion about how the case should stop. Having said that, the advice that you got from the CPS did

not actually say that you should not arrest or you should not interview Lord Brittan. It left that matter to you. Is that correct?

DCI Settle: The advice I was given said that the arrest or interview of Lord Brittan was an operational decision for the police.

Q94 Stuart C. McDonald: Sure. In your statement you have said that one of the reasons you took advice from the CPS was that you are not an expert in sexual offences.

DCI Settle: That is correct.

Q95 Stuart C. McDonald: Thank you. Also, in your statement you describe the offence as not clear-cut. Is that a fair description?

DCI Settle: Yes.

Q96 Stuart C. McDonald: What I am saying is that I perfectly understand the conclusion that you came to but, in light of those comments, would you not say that another reasonable police officer might have taken a different approach and might have decided to interview Lord Brittan?

DCI Settle: I do not, if the full facts are looked at, because the pivotal issue becomes reasonable grounds to suspect an offence has been committed and those reasonable grounds have ceased.

Q97 Stuart C. McDonald: You do not think if any officer came in and said to the Committee that they, in the same circumstances, would have interviewed Lord Brittan, you would say that would have been unreasonable?

DCI Settle: I would struggle to see how any officer that had read my 30-plus notes of the decision log could rationally argue against the decision I made.

Q98 Stuart C. McDonald: In a case that is not clear-cut what are the dangers of interviewing an accused person?

DCI Settle: The issue for me at that time was one of anonymity, and one of Lord Brittan's name being put out into the press and the associated issues that would come with that. As I have said, there were parallel investigations running at the same time.

Q99 Stuart C. McDonald: I will stop you there. To clarify then, the prospect of media coverage was a factor in the decision?

DCI Settle: First and foremost, the evidence was a factor in the decision. The prospect of adverse media coverage was a factor in not arresting him or interviewing him until we had clarified the position with the CPS.

Q100 Stuart C. McDonald: Finally, you spoke about your dismay at the review that took place regarding the decision made and you indicated that you thought the letter from Mr Watson was related to that, but then you also said that your understanding was a review had been ordered two weeks before that.

DCI Settle: I have heard that that is the case but I wasn't at the meeting so—

Stuart C. McDonald: Who did you hear that from?

DCI Settle: I could not honestly tell you.

Stuart C. McDonald: Was it somebody within the Met?

DCI Settle: Someone within the organisation, absolutely.

Q101 Stuart C. McDonald: But how could a letter that had not yet been written cause a review to take place?

DCI Settle: A good point, well presented.

Q102 Chair: DCI Settle, thank you for coming here to give evidence to us today. I am still puzzled how you managed to get the CPS to give you advice, whereas Mr Rodhouse, with his several letters, and senior management were unable to get the CPS to give them any advice whatsoever, but we will explore that with them. You have talked about a baseless witch hunt and betrayal and the undermining of your investigation, but I go back to what I said to you before. Two years later, after this had started and you had come to a conclusion, the same conclusion was that there should not have been any charges.

DCI Settle: Yes, sir.

Chair: So, even though you take no joy at this, you were in fact vindicated in your original judgment.

DCI Settle: Yes, I take no joy from it whatsoever but, yes.

Q103 Chair: The distress that has been caused to the family of the late Lord Brittan must be immense.

DCI Settle: I can only apologise and ask that, in retrospect, if there was anything that I could have done that could have prevented that, I would quite happily have done it because it is completely uncalled for.

Q104 Chair: Why did you stand aside as the head of this unit?

DCI Settle: I was told to have nothing more to do with the investigation.

Chair: Any investigation or this one?

DCI Settle: The whole Operation Fairbank.

Q105 Chair: Do you think that is because you had taken a stand? You must not feel fettered in any way in talking to this Committee; no one is going to do anything to you as a result of what you say, otherwise it would be a contempt of the House. Do you think it is because you stood your ground and said you did not think this should have been taken further?

DCI Settle: Yes, sir.

Chair: That is a very serious reflection on those who made this decision. So what are you doing at the moment, DCI Settle?

DCI Settle: Not a great deal.

Chair: I see. Well, we will try to make sure you are put to good use because I think that the Commissioner has made it very clear he needs as many officers as he can in the force. Thank you very much for giving us evidence today.

DCI Settle: Thank you, sir.

Chair: Thank you.

Examination of Witnesses

Witnesses: **Assistant Commissioner Patricia Gallan**, Metropolitan Police, and **Deputy Assistant Commissioner Steve Rodhouse**, Metropolitan Police, gave evidence.

Q106 Chair: When you were last here you had not been promoted. On behalf of this Committee, may I congratulate you on your promotion to your new senior position in the Metropolitan Police?

Assistant Commissioner Gallan: Thank you, Chair.

Chair: We had hoped to have the Commissioner here but I gather that he is abroad.

Assistant Commissioner Gallan: That is correct. He is abroad on operational matters.

Chair: Yes, of course. He has asked that you come but we will see him at a later stage about the vexed question of police funding, which I know is—

Assistant Commissioner Gallan: That is correct. He has offered to come and see you about all matters.

Q107 Chair: Indeed. Can I say at the start that you sent out a letter to us last week and you issued a statement? The Committee has looked at some of the comments that have been made and we are glad that it reflects the feelings of this Committee in three respects. First of all, the Commissioner has requested that another police force should look at the investigation to make sure it is thorough and properly conducted and that it identifies good practice. We think that that is a good idea but we hope that there is a timetable because, if we are going to get good practice, we need the good practice fed through as quickly as possible.

Secondly, the Commissioner said that he believes that there is an imbalance in the current legislation, allowing suspects to be publicly named before charge while those bringing allegations remain anonymous and he feels this needs to be addressed. We believe that that is correct and our predecessor Committee in our inquiry into police bail, which featured the case of Paul Gambaccini, accepted that.

Thirdly, he has invited legislators to consider pre-charge publicity for suspects where additional legal safeguards are required. We agree that this is an important area and we will be looking at that as well.

So three easy wins with us today at the Select Committee. However, how would you describe the way in which the Metropolitan Police has handled the situation regarding the late Lord Brittan?

Assistant Commissioner Gallan: It might be helpful if Steve just outlines the actual process it went through in the background, because I think a very short synopsis might help.

Chair: I think we would prefer you to answer our questions and then if you can supplement that later that will be helpful. I am asking for an overall view. I think we know the substance of it. How do you think it has been handled?

Deputy Assistant Commissioner Rodhouse: I think it has been a very difficult and unusual set of circumstances. The rationale behind actions that have been taken I think has been absolutely in good faith. The investigation was a search for the truth. That is my summary of it having reviewed all the papers. It was clearly a difficult set of circumstances but—

Q108 Chair: You have said that twice. That is not what I asked you. I asked you how do you think this has been handled, not that it was difficult. Of course it was difficult, otherwise

you would not be sitting here today. How do you think, as the Gold Commander, this has been handled when a letter of apology goes to the widow of someone who has not been charged with any offence, on the day that the BBC decides to broadcast a programme? How do you think it has been handled?

Deputy Assistant Commissioner Rodhouse: I think these matters have been handled as well as could be in the circumstances but I absolutely understand the distress caused to Lady Brittan. I absolutely recognise, I apologise, and for good reason, because, at the point that Lord Brittan died, I was in negotiations, discussions with the CPS, to obtain a view of the evidence in the case, and I am sure we will come to that. But latterly—that was in January 2014.

Q109 Chair: You would like to apologise to Lady Brittan?

Deputy Assistant Commissioner Rodhouse: Absolutely. I have apologised through her legal team. I would absolutely be happy to do that in person.

Q110 Chair: What are you apologising for, if you think it was handled okay?

Deputy Assistant Commissioner Rodhouse: I do recognise that at the time the complainant in this case, Jane, was updated that there was no prospect of the CPS reviewing the case; after Lord Brittan died—and that was in April 2014—I recognised that Lady Brittan and her legal team should have been updated at that time and I regret that. That is a failing and I apologise for that.

Q111 Chair: That would have been after he had died?

Deputy Assistant Commissioner Rodhouse: That is right, yes.

Q112 Chair: The whole of 2014 appears to be you writing to the CPS asking them to back up your decision. You were playing a bit of ping-pong with them.

Deputy Assistant Commissioner Rodhouse: These are complex circumstances. But the truth of the matter is the investigation was not completed and the full file of complete evidence arising from that complete inquiry was not submitted to the CPS until 12 November 2014. It was only on 22 November 2014 did I receive a note indicating that the CPS were not prepared to consider that file. It was at that point that I appealed and was in the course of appealing that decision, because I felt this was absolutely a case where public confidence was best served for a full and independent review of the circumstances.

Q113 Chair: You did not say that in your letter. You did not mention public confidence. You said you thought this was susceptible to media pressure and public cynicism. It wasn't public confidence; actually, what the Metropolitan Police was doing was protecting its back.

Deputy Assistant Commissioner Rodhouse: We don't mind difficult headlines in relation to this issue but what I do mind is—

Q114 Chair: So why did you say it was media pressure and public cynicism that got you to take so long to make this decision?

Deputy Assistant Commissioner Rodhouse: What concerns me was the impact that this case would have on people considering coming forward to report serious allegations such as rape. So, difficult headlines for the Metropolitan Police, so be it, but what I did not want is for people to be put off because they had fears that allegations against prominent people would not properly be considered and—

Q115 Chair: You did not say that in your letter, though, did you? What you said in your letter was that you would be susceptible to media pressure and a great deal of public cynicism. Therefore, you wanted the CPS to make a decision that you could not make, which DCI Settle was able to make in the previous year. This was just kept on and on while the late Lord Brittan was very ill and dying, so he died without being told what you and everyone else in the Metropolitan Police and the CPS already knew.

Deputy Assistant Commissioner Rodhouse: As we have heard, the investigation was reopened in April 2014. We have heard from DCI Settle the reasons why, but thereafter—

Q116 Chair: What were the reasons in your view? Was it because of Mr Watson's letter?

Deputy Assistant Commissioner Rodhouse: No, I don't believe it was.

Q117 Chair: So what do you think it was for? Why was it reopened then?

Deputy Assistant Commissioner Rodhouse: My understanding is that a colleague of mine who was the Gold Commander at that time in relation to this—

Chair: Who is that?

Deputy Assistant Commissioner Rodhouse: Commander Graham McNulty received a briefing in relation to this case. He was not satisfied that all aspects of the investigation had been fully conducted so, therefore, he commissioned a review. That is a very common practice, a peer review by an experienced investigator. It was that review that highlighted

that there were aspects of the investigation that had not been fully completed, and so that was the reason it was carried out.

Q118 Chair: But on completion of the investigation you came to exactly the same conclusion that DCI Settle had come to in February when he informed the complainant and also informed Mr Watson. So what I cannot understand, what puzzles me, is why did all that take a year and a half and, in the meantime, the late Lord Brittan had died with this hanging over his head. That is really what we are concerned with today.

Deputy Assistant Commissioner Rodhouse: Absolutely, and I understand that concern, but when the investigation was reopened in late April 2014 the decision was taken, following the review—that review completed on 19 May—Lord Brittan was not arrested but he was interviewed under caution later that month. Thereafter, other investigations took place. There were some delays. The majority of those delays were caused by Lord Brittan’s ill health but it wasn’t until 12 November that we were in a position to say, “The investigation, from our perspective, is complete” and submit that to the CPS. As I say, the rationale behind that, clearly there was consideration as to whether the full code test had been met, that being: was there sufficient evidence to warrant a charge in the matter in our opinion?

Q119 Chair: But the CPS kept saying it was nothing to do with them, didn’t they? They said, “You are the police officers. You will need to make the decision”.

Deputy Assistant Commissioner Rodhouse: They said in response to the file that DCI Settle submitted that it was an operational matter as to whether or not the police conducted an interview. I have views on DCI Settle’s decision at that point but, thereafter, the CPS in our communications with them highlighted that there were other aspects of the investigation to be completed, so that was what we did. The CPS have never reviewed the full file of evidence in this case. The judgment that my officers had to make and I support—

Chair: You wish they had?

Deputy Assistant Commissioner Rodhouse: I wish they had reviewed the file of evidence.

Q120 Chair: Would you want them to do it now?

Deputy Assistant Commissioner Rodhouse: I don’t know that any purpose would be served now but that was certainly my intention because I think, if we take ourselves back to the context of the day—and Mr Winnick highlighted that well—in terms of Lord Brittan’s name was in the press for a number of reasons. There was public speculation over his role in the handling of the Dickens’ dossier. I myself at this time had had to refer a number of cases to the IPCC where people are coming forward to highlight concern over the role of police in investigating prominent people. Lord Brittan had been named in the

media, so this was a different context and, for reasons of public confidence, because I want people to come forward and report these serious offences in the confidence that the police will tackle them without fear or favour, no matter who is named in the allegation.

Q121 Chair: You keep referring in your letter to media pressure and public cynicism rather than the confidence of the public. But let me finally put this to you: is this not about the politics of fear when you have prominent people and the public believe or the press believe or the cynicism of the public you refer to believe that you have not done a thorough enough job, that people will think that you are letting them off and, therefore, the more famous you are the more the police will actually want to investigate you?

Deputy Assistant Commissioner Rodhouse: I think this investigation was following the evidence where it could and conducting a thorough investigation of all the circumstances. That was not done within DCI Settle's investigation. I understand his rationale but there were other inquiries that needed to be conducted before we could say we had done the job thoroughly.

Chair: We will stop there and come back after the vote. Thank you. Order, order, we will adjourn the Committee.

Sitting suspended for a Division in the House.

On resuming-

Q122 Chair: We will begin the proceedings. The Committee is quorate. My apologies, Mr Rodhouse and Ms Gallan, for keeping you waiting. Such is life in the House I am afraid.

Mr Rodhouse, I was putting to you a couple of final points about the politics of fear. This is about the police: when there is a celebrity or a very famous person you feel you are under an obligation to check and recheck and to submit files to the CPS and to order new investigations because you are fearful, in your own words, of "media criticism and public cynicism". How would you answer that?

Deputy Assistant Commissioner Rodhouse: I think it is important that we do a thorough investigation on every occasion, but clearly where the subject material of that investigation is subject to public scrutiny it is particularly important that we have got it right. It is important that we can reassure the public that if they come forward to report a serious offence we will investigate it thoroughly no matter who the allegation is against. I do not regard it as the politics of fear at all.

Q123 Chair: Do you feel you have now arrived at the right conclusion on this?

Deputy Assistant Commissioner Rodhouse: I think so.

Q124 Chair: Quite a lot of officers must have looked at this file by now.

Deputy Assistant Commissioner Rodhouse: Yes, a number have.

Q125 Chair: There is Mr Price. There is Mr Settle. Presumably you have looked at the file before coming to give evidence today. Maybe Patricia Gallan has. Maybe the Commissioner has. You are all very satisfied that no further action needed to have been taken?

Deputy Assistant Commissioner Rodhouse: When the file was submitted in November 2014 it was in my judgment then, and it remains so, that the full code test was not quite met.

Q126 Chair: I am talking about now. I understand. You said that before. But now you are satisfied?

Deputy Assistant Commissioner Rodhouse: I see no evidence to change my view.

Q127 Chair: Right. So it is exactly the same position as DCI Settle had when he decided to discontinue.

Deputy Assistant Commissioner Rodhouse: No, I disagree, because now we have completed a full and thorough investigation and Lord Brittan was interviewed and was able to give his account of what happened. That is really important. It is highly unusual to undertake an investigation of this nature without interviewing the person who is accused. There are lots of reasons for that and, if I may, I could outline some of those, but not least it is important that Lord Brittan is able to give his account so we can follow that through. In this case, the CPS advice was that the incident as reported, a jury could have been persuaded that it may have taken place. They did raise significant concerns over whether Lord Brittan would have known that Jane was not consenting to sex. However, when we spoke to Lord Brittan he did not raise that as an issue. His account was that this incident never took place at all.

Q128 Chair: You cannot tell us what he said because he is not here to counter anything that you say.

Deputy Assistant Commissioner Rodhouse: I can recount the evidence.

Chair: We do not need a rehearsal of the evidence. We are talking about process here, the way in which you have handled it. So you are saying that as far as you are concerned nothing has been done wrong but you felt you should apologise to Lady Brittan, to conduct a review and to call for changes in the law, but nothing has gone wrong.

Deputy Assistant Commissioner Rodhouse: No. As I said in my letter to Lady Brittan's solicitors, clearly I do regret not informing her at the same time that we informed Jane.

Q129 Chair: But that is the only thing you think you have done wrong?

Deputy Assistant Commissioner Rodhouse: Absolutely. This has been a search for the truth.

Q130 Chair: Why did you want to have a review then—another review by another police force to look at good practice—if you as a senior officer of the Met feel that nothing has gone wrong?

Deputy Assistant Commissioner Rodhouse: I think it is always good practice to have another pair of experienced eyes looking at our investigation to see what lessons we can learn for the future.

Q131 Chair: Does that happen to all the cases that you do, you think it should be reviewed?

Deputy Assistant Commissioner Rodhouse: Not every case. But where we do think there is value in it, absolutely we will do that. It is a well-established process.

Q132 Chair: Assistant Commissioner Gallan, who took the decision to remove DCI Settle from his post?

Assistant Commissioner Gallan: We have to be clear that neither DAC Rodhouse nor I were in post at the time so we have had to go from documentation at that time. It seems to me his line managers decided at the time of the review that it was appropriate that the line manager took over that position.

Q133 Chair: Right. Thank you. Did you know about it? Did senior members of the Metropolitan Police know that he had been removed from his post?

Assistant Commissioner Gallan: Do you mean now or then?

Chair: Then. I think we all know now.

Assistant Commissioner Gallan: I just wanted to be absolutely clear because I think it is important that we know what aspect we are talking about.

Chair: Then.

Assistant Commissioner Gallan: At the time the commander was aware that a detective superintendent was taking over the investigation.

Q134 Chair: There have been a lot of changes announced in the last week. You have disbanded some inquiries, you have put others together. Does that come under your supervision?

Assistant Commissioner Gallan: They all come under my business group, yes.

Q135 Chair: Why did you take all these decisions to disband certain inquiries or amalgamate others and change the head of the unit that is now looking at these cases?

Assistant Commissioner Gallan: It is not in terms of stopping investigations.

Chair: No. I did not say that.

Assistant Commissioner Gallan: Just to be clear, it is where there are links between them, where there are crossovers in terms of intelligence and in terms of some witnesses and some allegations, so it is better to have them all under the one detective superintendent. We talked about it in the summer, that it was time to do that, and this was an opportune moment to do it when at the same time we were increasing the resources within the rape command as a result of the Dame Elish review and as well as that we are preparing for the public inquiry into child abuse. So we know that we have to prepare for all those things, which is why we are having the resources in one place.

Q136 Chair: Yes. The success rate of 400 different pieces of allegations and only three convictions does not seem like a very good success rate to me.

Assistant Commissioner Gallan: We can go into it in a lot more detail but I think the challenge with rape allegations is they are particularly difficult to get to court. They are also, in their historical nature, very difficult to prove. I think that shows the challenges of historical investigations. It also shows some of the challenges with this particular investigation. When something has taken place a long time ago and there were probably only very few witnesses, it is going to be a challenge but it is our job to investigate it and find out what facts we can.

Q137 Mr Jayawardena: As the Chairman said, I am simply looking at the process here. First, could I ascertain from you—I hope the answer is yes—every British citizen is equal before the law, are they not?

Assistant Commissioner Gallan: Yes.

Q138 Mr Jayawardena: Taking that a step further, and I will come back to that point in a moment, DCI Settle is a senior experienced officer. Would you not agree?

Assistant Commissioner Gallan: Yes.

Q139 Mr Jayawardena: When he sought advice from the CPS as part of his investigation, part of the due process, and did so anonymously, we would expect—everyone being equal before the law—that that advice was fair, balanced and appropriate.

Assistant Commissioner Gallan: Yes.

Q140 Mr Jayawardena: Why is it then that due process being followed and the CPS writing back to the Metropolitan Police on 22 November saying it did not meet the appropriate criteria, that the Metropolitan Police believe that it should be appealed due to the strong public interest, which has a strange correlation to a letter that was sent from Tom Watson on 28 April 2014?

Deputy Assistant Commissioner Rodhouse: That was my decision. The reason behind that decision, because I thought this was a close-cut case; it was important that the public had reassurance that we had fully examined all the material. My reason for the appeal was not because I felt the CPS had made a wrong decision in examining the evidence. It was because I wanted the CPS to consider the evidence so that the public could be reassured that there had been a full and thorough examination of all the facts now the investigation had been completed. Particularly the truth in this is bearing in mind the context of the day in terms of what else was going on.

Q141 Mr Jayawardena: It seems to a layman such as myself that you are applying a different test to this investigation; you are possibly being led into certain decisions by parliamentarians, the media and others. By your own admission you have said you have taken the decision because you wanted to avoid media criticism. Surely that is not due process; surely that is not equality before the law.

Deputy Assistant Commissioner Rodhouse: No. I wanted the same standards to have applied to everyone, but absolutely it was right in a case of such public prominence, of such interest, to check that we had got our decision making right. That was what I was seeking.

Q142 Mr Jayawardena: Is that not what you should be doing though? You are the senior officer; you should be able to review a case and decide whether it was the right process that your officers followed. The CPS has already made its decision clear.

Deputy Assistant Commissioner Rodhouse: Ordinarily yes. But I think there are a very small number of cases where the public interest is well served by having the evidence reviewed and that is what I was seeking here.

Q143 Mr Jayawardena: So because of the particular individual, you are applying a different test and a warning, therefore, should be to all of us round this table and in the Chamber across the road that if someone makes an allegation about us we face a different test in your eyes.

Deputy Assistant Commissioner Rodhouse: No. I think the point, as I have said, is the same test needs to be applied. This was about making sure that that test had been correctly applied.

Q144 Mr Jayawardena: And you do not trust a detective chief inspector to arrive at an appropriate decision.

Deputy Assistant Commissioner Rodhouse: On this occasion—I have heard DCI Settle’s evidence—I am sure he came to his decision in good faith but I do not agree with the decision. The case is there are a number of ways in which you could pursue an investigation. My view was that he should have conducted an interview. That is not to say his decision was irrational or wrong but it is to say that other officers reviewing it—and as they have done subsequently—could, and indeed did, come to a different conclusion. In that case I think it would have been the right thing to do to interview Lord Brittan at that point.

Q145 Mr Jayawardena: But you accept now that the process that the Metropolitan Police followed was flawed, caused huge pain to the family, and that is something that you regret.

Deputy Assistant Commissioner Rodhouse: Clearly this investigation has caused pain to the family, but my point is that at the point that Lord Brittan died I was still in discussions with the CPS seeking for them to review the evidence and, therefore, it was not possible to tell Lord Brittan, or indeed his legal advisers, that there was not to be a prosecution.

Q146 Mr Burrowes: I am interested in your view. Obviously you were trained in the burden in relation to interviews, PACE and code C 10A; you will be so familiar with that. So you are disputing the investigating officer’s view that there were no reasonable, objective grounds for the suspicion, based on known facts or information, to enable an interview to take place?

Deputy Assistant Commissioner Rodhouse: Clearly I have a view on that—I am happy to talk about that— but probably more importantly the reviewing officers and their supervisors at the time did. My own view on this is that there were reasonable grounds to suspect an offence had taken place on the basis of what the victim had said. Issues of

consent are, as people would judge, in people's minds and it was entirely appropriate—and there was absolutely, in my view, a legal power—to conduct that interview. That was an interview conducted not under arrest, an interview under caution.

Q147 Mr Burrowes: Under caution? This is the codes for caution?

Deputy Assistant Commissioner Rodhouse: Yes. Absolutely.

Q148 Mr Burrowes: So there needs to be those reasonable, objective grounds. Did your full file review include the 30 pages of that decision log that we heard about from Officer Settle?

Deputy Assistant Commissioner Rodhouse: I don't believe that the reviewing officer saw the decision log at that time. The reviewing officer conducted her review on the basis of other documentation. That is not unusual. We have a process within the Metropolitan Police. In many cases where a detective chief inspector decides to take no further action following an allegation of rape and an investigation, we run a process called a rape scrutiny panel where we will dip-sample and review those investigations. It will not necessarily be done with the decision log in hand because it is a review of the facts at that time.

Q149 Mr Burrowes: When was the first time you looked at that log?

Deputy Assistant Commissioner Rodhouse: When I looked at that log? That would have been some weeks ago.

Mr Burrowes: Some weeks ago?

Deputy Assistant Commissioner Rodhouse: Yes.

Q150 Mr Burrowes: So that was after you came to the conclusion about wanting to review, then appeal, the decision?

Deputy Assistant Commissioner Rodhouse: The review was tasked—

Mr Burrowes: But that is the case?

Deputy Assistant Commissioner Rodhouse: The review was tasked in April 2014 and I subsequently came into this in July 2014, but it was my decision to appeal to the CPS in November 2014, yes.

Q151 Mr Burrowes: Would it not have been helpful to have looked at the original officer's decision log of some 30 pages to be able to give some flavour or reasoning behind the original decision not to pursue an interview?

Deputy Assistant Commissioner Rodhouse: It may have been but my judgment, I think, would have remained the same. This was a case where the facts were not clear-cut, as per DCI Settle's evidence and it was right that an experienced rape prosecutor, in my view, took a view, because this was one of a small number of cases where the public interest was better served.

Q152 Mr Burrowes: That public interest—your view has been mentioned before— you wrote in your report, concerning the reactions and the concern about media criticism and public cynicism, and plainly it has no relevance to the codes of practice. It is not referred to. Public cynicism, media criticism or anything like that are not referred to in the codes. So that has no relevance to a decision whether to interview.

Deputy Assistant Commissioner Rodhouse: No, absolutely not. The two issues are separate. My view, for what it is worth, is that there was a legal power to interview Lord Brittan and there was no breach of the PACE codes. But latterly my decision around November was a separate issue.

Q153 Mr Burrowes: On the reaction we heard from the officer, he said there was blind panic as a result of the intervention of Mr Watson and made reference to communications involving a number of officers. What is your response to that?

Deputy Assistant Commissioner Rodhouse: I was not involved at the time but I have spoken to many who were and absolutely none of them recall blind panic. The letter from Mr Watson to the DPP was written on 28 April. The briefing that gave rise to this review took place a week earlier. The letter was never sent to the Metropolitan Police until 2 June so we were not aware of its existence until late May. The decision to take the review, and indeed the decision to adopt the findings of the review, was taken in isolation from that letter from the DPP. I do not believe there was any influence.

Q154 Victoria Atkins: On what grounds did the Metropolitan Police search Lady Brittan's homes on 4 and 5 March 2015?

Deputy Assistant Commissioner Rodhouse: I think you are alluding to publicity to do with another operation. That is a live operation where we have never named anyone responsible.

Chair: Which we do not wish to know about.

Deputy Assistant Commissioner Rodhouse: Okay.

Q155 Victoria Atkins: So that was not in relation to Jane, is what you are saying?

Deputy Assistant Commissioner Rodhouse: Absolutely. That is correct.

Q156 Victoria Atkins: We have heard from DCI Settle about obtaining early investigative advice when he had conduct of the case and he sent an anonymised report to the CPS and they duly sent an opinion back saying, “No further action is required. The evidential test is not met”. Did you anonymise your request to the CPS when you made it?

Deputy Assistant Commissioner Rodhouse: If I may just address one point: the advice from CPS did not say take no further action. It said it was an operational matter for the police and it was indeed coded saying, “Further action required”. We were not seeking a charging decision. That was early investigative advice. In relation to the file submission in November, no that was not anonymised.

Q157 Victoria Atkins: Forgive me; pause, please. On that, DCI Settle’s evidence was that following the advice received from the CPS and in conjunction with further advice received from the CPS, because he made two applications, he applied the test and found that the evidential test was not met.

Deputy Assistant Commissioner Rodhouse: It was a police decision based on that evidence. It was not a CPS decision. I have seen the advice and it clearly says that it is an operational matter for the police.

Q158 Victoria Atkins: But help me, Officer: in complex cases, not just in sexual offences but in the wider arena of organised crime and terrorism and fraud, it is perfectly normal, indeed it is recommended, that the police or the investigating body seeks advice from counsel on charge. Yes?

Deputy Assistant Commissioner Rodhouse: Yes.

Q159 Victoria Atkins: Why did that not happen in this case then? Why was advice not provided?

Deputy Assistant Commissioner Rodhouse: At which point, sorry?

Victoria Atkins: As you were making the decision to charge, you say that you sought advice from the CPS. Yes?

Deputy Assistant Commissioner Rodhouse: No. I think we need to be very clear. The advice that DCI Settle sought was early investigative advice.

Victoria Atkins: I agree.

Deputy Assistant Commissioner Rodhouse: A precursor to seeking any decision to charge. We were not at that stage.

Q160 Victoria Atkins: What advice were you seeking in the later stages?

Deputy Assistant Commissioner Rodhouse: I was asking for the CPS to consider the file. My acknowledgement was that it had not quite met the full code test but, as I have said, this was a case where I thought that it would be valuable for the public interest for the CPS to review that evidence nevertheless, to give the public confidence this had been a robust investigation and that when prominent people are the subject of allegations it will be dealt with properly in the context of an awful lot of stories and indeed referrals that I have made in relation to my own force to the IPCC where people had come forward to say that they had evidence that officers had not acted correctly in the past.

Q161 Victoria Atkins: So, in other words, you wanted the CPS to back your decision, to cover your back?

Deputy Assistant Commissioner Rodhouse: We wanted to check our decision making, whether we had made a good decision.

Q162 Stuart C. McDonald: Mr Rodhouse, you said that DCI Settle's inquiry had not been completed entirely and we also heard about your view on whether or not Lord Brittan should be interviewed. Is there anything else that you think DCI Settle should have done that had not happened?

Deputy Assistant Commissioner Rodhouse: I think the interview was clearly the key part because once Lord Brittan had said that he did not recall the incident—that it did not take place—clearly we needed to address the issue of identification and whether or not Jane had correctly identified Lord Brittan as the person who she believed had raped her. So there was a process to establish that, which was clearly very challenging with the passage of time and a known individual. There were also inquiries to establish whether Jane's description of the location of the offence, or the incident, was consistent with where Lord Brittan had been living. She also describes some aspect of Lord Brittan's possessions and we were seeking to establish whether that was borne out as well.

Q163 Stuart C. McDonald: And none of that had happened under DCI Settle's investigation?

Deputy Assistant Commissioner Rodhouse: That is right. They were all done subsequently.

Q164 Stuart C. McDonald: Okay. Very briefly, DCI Settle applied the following test when making his decision about whether or not to interview Lord Brittan. He refers to the code for Crown Prosecutor's paragraph 4.4 that clearly states, "A case which does not pass the

evidential stage must not proceed, no matter how serious or sensitive it may be”. Is that the right test he should be applying when considering whether or not to interview Lord Brittan?

Deputy Assistant Commissioner Rodhouse: No. In my view it is not.

Q165 Stuart C. McDonald: What is the appropriate test?

Deputy Assistant Commissioner Rodhouse: When it comes to interviewing it is a judgment call as to whether or not there are grounds to do so and whether or not it would add value in any way, shape, or form. The issue here is that Lord Brittan could well have given a cast-iron alibi to suggest he was out of the country at the time of this allegation, in which case my officers are left with trying to establish whether this is a malicious allegation—and we have taken action in respect of those fairly recently too—or whether or not Jane was mistaken in her identification. So there are issues that arise from an interview that I do not think were adequately covered by DCI Settle’s rationale.

Q166 Chair: A point of clarification: how much action have you taken in respect of malicious allegations?

Deputy Assistant Commissioner Rodhouse: I do not have statistics for you but I am aware of a case within the last two or three months where that exactly was the case, where an allegation was made against a prominent individual. We believed it to be malicious and false and therefore action was taken.

Q167 Mr Burrowes: You formed a judgment on the substance and extent of what DCI Settle’s investigation was in terms of the stage it had got to and the decision not to interview without looking at the log. I am not sure how you can properly come to that judgment.

Deputy Assistant Commissioner Rodhouse: The log is not the only place where his decision making was documented so there are—

Q168 Mr Burrowes: It is a key document.

Deputy Assistant Commissioner Rodhouse: It is a key document but I am satisfied with the judgments that have been made on the information.

Q169 Mr Burrowes: You said in response to Stuart McDonald that a decision about whether to interview would be about whether it would add value.

Deputy Assistant Commissioner Rodhouse: Yes.

Mr Burrowes: I do not see a reference to any other added value in the guidance to the codes of practice. That opens up that when a serious or minor allegation is made, if you can get an added value out of it, anyone is up for interview. Now that does not seem to be—

Deputy Assistant Commissioner Rodhouse: Added value is clumsy wording: to prove or disprove the offence I think might be better.

Q170 James Berry: Are you saying that the guidance on what you can refer to the CPS should effectively be amended so that you can refer cases to the CPS when you cannot make up your mind whether the evidential threshold has been met and, secondly, where the evidential threshold has in fact not been met but you think there is a wider public interest in having a second opinion?

Assistant Commissioner Gallan: Yes, we are. I have written to the DPP and discussed it with her. The reason for that is about transparency. It is not about our trying to cover our backs or justify at all. It is rather that there are a number of matters that are of public interest where in the past people have not had confidence that police will do a full investigation and we know that by the number of referrals to the Independent Police Complaints Commission alleging corruption in the past by police officers. As a result of that, there are a very small number of cases, involving things like police corruption, high profile individuals or in terms of being very complex, where the evidential test has not been met. So, in other words, we as a police service are not trying to push it up and say we think there is a case here, because that would be entirely wrong. Rather we are saying we have searched for all the evidence we can get; we do not think there is any more; we would respect and seek the advice of an independent prosecutor in whichever area of criminality to review that case for us. They may come back and say, “You have made entirely the right decision” or, as happens on some occasions, very helpfully they say, “You have not followed all the lines of inquiry. Have you thought about X?” I think it is really important for public confidence—really important for people out there at large—to know that we will take their allegations seriously and that we will follow them through and also that we are not judge and jury, that we will always seek other people to review our decisions as well, where appropriate.

Q171 James Berry: Do you see the risk that in cases of public interest—and most cases involving high profile individuals could well be described as falling into that category—you could be seen as passing the buck?

Assistant Commissioner Gallan: I think that could be seen in that way if we were saying they have met the evidential test. We are not saying that. We are being quite open and honest. In the case of Leon Brittan, I was quite clear on my part that if the CPS were not willing to make the decision, we, the police, would make the decision and be quite clear why we made it. So I think we need to be very direct about that. It is not a case of passing the buck. It is about our being transparent and open, where we have not always been in the past, and about saying what the facts of cases are. But in terms of prominent people, it comes to the very fact of what the Commissioner has spoken about, about why

Parliament—and it is for all of you to consider whether additional safeguards need to be put in.

It is important I emphasise that at no point until last week did the police service put the name of Leon Brittan into the public domain.

James Berry: No one is disputing that.

Assistant Commissioner Gallan: I think it is really important because I think it is one of the issues that needs to be got across. There are a number of safeguards that we need to consider.

Q172 Tim Loughton: Mr Rodhouse, you have described this as a close-cut case. DCI Settle described it as the evidential basis fell at the first hurdle. How could there be such a disparity between colleague police officers, open to the same amount of facts and information, on a case like this?

Deputy Assistant Commissioner Rodhouse: I cannot account for DCI Settle's decision making. Clearly, if you take DCI Settle's view as fact—and I do not—then clearly there would be a long way between us in terms of law. But if you take an alternative view, that it was entirely open to him to conduct an interview, the natural course would have been to conduct the inquiries that I outlined earlier and we would not have been too far apart. I have not put the details of the allegation into the public domain for obvious reasons, and I do not propose to do so, but my judgment is that it is not clear-cut.

Q173 Tim Loughton: But you can see why it is worrying.

Deputy Assistant Commissioner Rodhouse: Indeed.

Tim Loughton: If it depends on which police officer you go to you may get a completely different decision.

But can I finally probe you on the public interest better served point just made? Is it the case on what constitutes public interest that if Leon Brittan had been AN Other that you would have taken the decision not to reopen the investigation?

Deputy Assistant Commissioner Rodhouse: I do not believe that to be the case. We commonly receive letters from MPs, campaigners, around individual allegations, particularly where the victim in that case, the complainant, does not believe there to be a thorough investigation. We listen to them all, we address them, and absolutely we would undertake a review. In fact, that has now been enshrined in process. Since April this—

Tim Loughton: So it is nothing to do—

Deputy Assistant Commissioner Rodhouse: Sorry, if I may finish? Since April this year there has been a victim's right to review where no further action has been taken in respect

of rape allegations. What that means is if the victim in the case is unhappy with the police investigation, it will be reviewed by a different officer.

Q174 Tim Loughton: So you do not think that the decision to reopen the case would have been any different if Leon Brittan had been an ordinary member of the public?

Deputy Assistant Commissioner Rodhouse: Absolutely.

Q175 Chair: Thank you. One final point about the Gambaccini case: is Operation Yewtree under you, Patricia Gallan?

Assistant Commissioner Gallan: Yes, it is.

Q176 Chair: It is. I am sure you have had the opportunity of reading the Committee's report on police bail.

Assistant Commissioner Gallan: Yes.

Chair: We have just received a letter from the DPP, which you have raised with her so I am raising it with you, as to the length of time it took to inform Mr Gambaccini that there was no action being taken against him. She has informed us that the police wrote to her in February 2014 with the initial papers but it took a further seven months to get the entire file from the police to the CPS. I am just a little puzzled. On the one hand you keep wanting the CPS to give you advice and on a case like Paul Gambaccini's—which is in the public domain, which we have discussed and indeed he has written a book about it—it took you seven months to send the file. Why was that?

Assistant Commissioner Gallan: I do not have all the details and I need to have a look at the DPP's letter, but I surmise that we have asked for early investigative advice and then at some stage will have put in the full file, which is not unusual in cases—we will work hand in hand with the CPS. We will very often put evidence in along the way and at the final stage we will submit the full file. I will happily look into the case for you and write back a response when I know all the details.

Q177 Chair: Good, and the DPP is going to give evidence shortly. It is a long wait, isn't it, seven months? It just mirrors what has happened in this case. This all could have been done so much more quickly. The late Lord Brittan could have been informed if the processes of the Metropolitan Police could have been quicker. No one is to blame individually for this. It is a system that allows delay to prevent what the Home Secretary talked about, which is timely information.

Assistant Commissioner Gallan: I understand that and we all want timely investigations. I think I will need to look into all the circumstances. However, what I would say is that investigations very often are complex; involve meeting victims in all areas of the country; we have on occasions evidence that takes some time to retrieve in terms of if it is telecoms and suchlike. So cases are not always straightforward, and I am talking about the generality rather than the specifics of Mr Gambaccini's case. The specifics of that I will look into. I know the broad details of it. I will happily write back to you.

Q178 Chair: Thank you. Let us have an answer by Friday. I would be very grateful

Assistant Commissioner Gallan: Unfortunately that might be a little challenging because I will not be here. So if you could give me a little more time, that would be helpful.

Q179 Chair: Are you also abroad on operational matters?

Assistant Commissioner Gallan: I am not on operational matters but I will not be here. So if I can have a little more time, I will personally ensure you get an answer.

Chair: Okay. That is very kind. Thank you very much, Assistant Commissioner, Deputy Assistant Commissioner. Most grateful.

Examination of Witness

Witness: **Mr Tom Watson**, MP, gave evidence.

Q180 Chair: Mr Watson, thank you very much for coming in here. We are most grateful. Can I begin by congratulating you most warmly on your election as the deputy leader of the Labour Party? I declare an interest on behalf of both Mr Winnick and myself, which is in the public domain: both of us nominated you for that position. So you know; it is all out there.

Mr Watson: Mr Vaz, just before we begin, can I say I have an ear infection so my hearing is slightly impaired today, so if you could speak up?

Chair: We will try to speak up but we are not shouting at you, just to understand that.

Mr Watson: That might come later.

Q181 Chair: These are very serious matters, obviously, and we have had some very compelling evidence from the senior ranks of the Metropolitan Police as well as Detective Chief Inspector Settle and he has used the phrases, "baseless witch hunt" and "betrayal" in

respect of some of the activities and actions that you have been involved in. He has also, on the other hand, said that you played a very important part in ensuring that individuals were brought to justice and he talked about the three people who have been convicted who may not have been convicted had those cases not come to you and had you not passed things on.

I want to limit this to a discussion of process on the allegation by the witness Jane in respect of the late Leon Brittan. I want to start with one of your quotes, which you may know of. You said that he is as close to evil as any human being could get. That sounded to me and others as being a bit emotional. You have addressed this whole issue of child abuse very seriously, but this is emotion, isn't it? Do you regret using the words about someone, presumably whom you have never met, that they are as close to evil as any human being could be?

Mr Watson: I do regret using that phrase. Let me just give you clarification on that. That was not a phrase that I used. It was an alleged victim that used that phrase. But that was not Jane. But I do regret using that emotive language. I should not have done and I am sincerely sorry for repeating it. It was unnecessary.

Q182 Chair: Of course to the family of Lord Brittan, and indeed I am not sure whether this was used when he was alive originally; to him it is not very nice to hear those words.

Mr Watson: It was not used when he was alive but, yes, I am sincerely sorry for the hurt caused to Lady Brittan for repeating that phrase. I felt at the time that some people's voices were not being heard but I used the wrong language and I am very sorry about that.

Q183 Chair: We have heard evidence that you were something of a hub in respect of these allegations: people would write to you and you made this a big issue. After your involvement in the phone hacking issue you had turned to this issue, people had written to you and you had raised it in the House of Commons. Do you think as a Member of Parliament you went a little too far in trying to run the process rather than be the conduit that would enable people to send you information and then you would then pass it on to the police?

Mr Watson: No, I was not trying to run the process but nor was I anticipating the volume of information, allegations, alleged survivors and alleged witnesses that would make themselves known to me or my team. I initially asked a question on a very narrow point and then there was an explosion of information that came into the office that most MPs would think is their duty to pass over to the police to investigate.

Q184 Chair: Yes, because you have used those words a lot, "a duty to pass on". I think we all have those situations where we, as Members of Parliament, have a duty to pass on but you seem to have gone beyond that to the extent where the investigating officer, having told the complainant Jane on 4 February, then met you and gave you an explanation as to why things were being closed down. That is over and above your duty as a Member of Parliament, is it not?

Mr Watson: When I met DCI Settle on 10 February I was not aware of the agenda. I was not aware of what he was going to share with me when I met him. Indeed, my recollection of the meeting is slightly different from his. He did raise this case but I did not understand that that was the purpose of the meeting. I saw DCI Settle's testimony on the monitors. I think I should say that I had a very good working relationship with him and it is my view that he is a very good police officer and he led a very good team of investigators who were dedicated to their cause and I was not aware of the allegations he had made in front of the Committee until he made them.

Q185 Chair: Of course. But looking at what he has said, and looking at the meeting of 10 February, he was very clear that there was no case to answer. You at that meeting, whether you were surprised at the contents of the meeting or not, did not raise any issues against that decision. You subsequently, however, then wrote into the DPP in words that he described, "to undermine the investigation that had taken place" that both you and he had been working on for so long.

Mr Watson: That was not my intention and I had no cause to write the letter when he told me that was his judgment; I accepted his judgment. It was only when I met Jane for the second time—I first met her in December 2012 and the second time I met her was in late March 2013—where she described the meeting she had had with DCI Settle, which he himself said was not a pleasant meeting. She felt very distressed and raised a number of concerns about the decision he had taken.

Q186 Chair: And you backed her up?

Mr Watson: What I did at the time—she was very distressed when she talked to me— was ask her to go away and reflect on what she had told me and write to me about how she felt and why she felt there was an issue.

Q187 Chair: Is that really your job? We have had stories in the newspapers of your office being used as a place for suspects to be interviewed. Is that really your job, Mr Watson? You are not Sherlock Holmes, are you?

Mr Watson: It is certainly not what I was looking for. I had a meeting with DCI Settle's team in mid to late December 2012. They asked me to come in to their office. One of the things they asked me to do—this was presumably after the Savile affair—was to reassure the public that if they came forward, they would be treated seriously by the criminal justice system; they would be believed and their case would be looked at seriously. That is what happened with Jane. She approached me in December 2012 and made a very brief allegation. I then asked her if she had reported it to the police. She said she had reported to her own police authority, which we now know is South Yorkshire. I reassured her that I thought the police would take her view seriously. Fast forward to March 2014: she felt very let down. She had had to give two three-hour interviews with the same testimony; the first to South Yorkshire, the second to the Metropolitan Police.

Q188 Chair: So you still believed her story.

Mr Watson: It was not for me to believe her or not, to judge her. But I did feel, having reassured her that she would be treated seriously, that I at least owed it to her to test whether the criminal justice system was doing its job.

Q189 Chair: That is why you wrote to the DPP?

Mr Watson: That is why I wrote to the DPP.

Q190 Chair: The DPP's role in this was very simple, to pass the letter immediately on to the police, and you were then informed that the interview had taken place before the letter had arrived. Is that right?

Mr Watson: No. I had no knowledge of any interview of Leon Brittan until I had a phone call from *The Independent on Sunday*, the day before my letter was revealed in that paper.

Q191 Chair: As far as you are concerned, you worked with the police over a long period of time. This special relationship that you had was designed to bring these cases forward, and you do not believe that you have overstepped the mark in trying to run some of these investigations and undermine the investigation, or you do not feel you have betrayed DCI Settle, which he believes that you have done.

Mr Watson: I feel very sad that DCI Settle feels that because I had a very good working relationship with him. Neither of us really wanted to be in the position where there was such a volume of information that needed to be passed over to the police. It was not my intention to affect his career. At the point that I had spoken to Jane I just wanted to make sure that her voice was amplified in the system.

Q192 Chair: You do not believe that because of your letter there was panic in the Metropolitan Police that Tom Watson had written in and if they did not do what Tom Watson said it was going to be all over the media?

Mr Watson: I am slightly bewildered by what I have just witnessed on the monitors and in the room. There is obviously a disagreement at the Metropolitan Police on whose judgment was right but I was not aware of any of that at the time. I sent a letter to the DPP. She wrote back to me in June to say that she felt from their point of view procedures had been followed and she had passed the letter back to the Metropolitan Police, and that was the last I heard of it.

Q193 Chair: Would you like to take this opportunity to apologise to Lady Brittan for some of the comments that you have made? I don't know whether you have but others of course have talked about the illness of the late Lord Brittan. It must be terrible for the family. What would you like to say to Lady Brittan as a result of what has happened?

Mr Watson: I am very sorry for the distress caused and I am very sorry for the wider family. I know they are very angry. They clearly loved Leon Brittan very much and they are angry on behalf of their family member and I am sorry. I am.

Q194 Chair: They appear to be angry with you. Do you think you have some responsibility for their distress?

Mr Watson: I feel that the people's voices were not being heard and I felt responsibility for them, and I hope they can try to understand that.

Q195 Mr Burrowes: The Brittan family solicitors have followed up on that issue of apology. They say they found particularly hurtful the impact on their family of your remarks not long ago, on 12 October, on the Floor of the House where you said that there is far more than meets the eye to this case. This was extremely distressing. They also referred to the comments made by you on Twitter and elsewhere so soon after Lord Brittan's death. Do you apologise for those comments?

Mr Watson: No. The comments I made on there related to a question I was asked about DCI Settle and the conduct of the case. It was my view that the account that had been reported in the newspapers, that I had effectively forced the Metropolitan Police to change their view on the case, was not correct. So I was saying in an interview where I was put under pressure that I felt that there was more to that particular issue.

Q196 Mr Burrowes: If, for example, the late Lord Brittan was here before you today, what would you say to him?

Mr Watson: Well, he is not before us today and I am sorry about that but I cannot—you are asking me to comment on things beyond the Jane investigation and I do not think it would be—

Q197 Mr Burrowes: Helpful and appropriate in terms of the Jane investigation and matters before this Committee?

Mr Watson: Like you, I am seeing the Jane investigation unfold before the Committee. I was not aware of much of this internal debate and disagreement at the Metropolitan Police.

Q198 Mr Burrowes: DCI Settle said, “I apologise in retrospect if anything I have done was not called for”. Would you adopt that type of apology?

Mr Watson: I am not responsible for the operation of the investigation. I cannot be. I don’t know about it. What I did was amplify the voice of Jane.

Q199 Mr Burrowes: There was the letter you sent on 28 April. Did you have any other further contact with the Metropolitan Police or CPS in relation to the matters pertaining to that letter?

Mr Watson: No. I had the letter back from the CPS and my recollection is that that was the last I had heard of it.

Q200 Mr Burrowes: In this particular letter, you don’t just make representations; you are quite specific. You refer to the actions of the police officer being contrary to ACPO CPS guidance.

Mr Watson: Yes.

Mr Burrowes: You make specific requests for an interview and arrest. What authority do you have to make those particular requests?

Mr Watson: I don’t, although I did have cause to read a thing called the ACPO CPS protocol, which Jane had read and her belief was that in cases like this, in judging participation, consent or an alibi, the police must interview the alleged suspect and I thought she made a very compelling argument. So I looked at the document. It has since been updated. But there was a section within it that gave me cause to think that if I wrote to the DPP, it may be that the procedures were not followed. I don’t know. It seems to be that that is what senior management at the Metropolitan Police feel but that is not for me to judge. I was trying to amplify Jane’s voice in the system.

Q201 Mr Burrowes: You made reference to it, that you specifically wanted Lord Brittan to be interviewed. You gave your particular opinion on that rather than just simply giving a voice to somebody else.

Mr Watson: Having read the guidelines and having talked to Jane, I wanted to make sure that they were not treating Lord Brittan differently from any other person. Okay, I might have been forceful with my language in the letter but my intent was to make sure that the system was working properly.

Q202 Mr Burrowes: You went to the DPP rather than to the boss of the officer in the case. Why was that?

Mr Watson: I may have been wrong to do that, but I felt the DPP would know, would give proper guidance on how to conduct the inquiry.

Q203 Mr Burrowes: Just finally, the officer referred to a baseless witch hunt, inferring I suppose your part because you were involved in wanting the investigations to be continued.

Mr Watson: I missed his point on that but I certainly did not want to take part in baseless witch hunts.

Q204 Mr Burrowes: He said in the decision log he referred to, “If the matter went further by way of interview that it would amount to a baseless witch hunt”, which no doubt he is holding you at least partially responsible for.

Mr Watson: But I was not aware that he had written that in his log until his evidence and nor was I aware of the judgment that he took and his managers took.

Q205 Mr Burrowes: But as the accusation has been made, not least by the original officer in the case, how do you respond to that?

Mr Watson: I don’t know quite what he meant by that judgment. I am not sure if he was saying that he chose not to interview Leon Brittan because he was worried about media—

Q206 Mr Burrowes: But what is your view on that? How do you view the judgment that is made, not just by him, that this has been a baseless witch hunt?

Mr Watson: I don’t know. I am not party to all the information in this case.

Q207 Mr Burrowes: In relation to this allegation, can you give a judgment on the accusation, as far as you are concerned, that you have conducted a baseless witch hunt?

Mr Watson: With respect, Mr Burrowes, I have only heard what has been said today and I have not seen the evidence that the police collected. I do not know what judgment they have made, so it is hard for me to make a judgment about whether DCI Settle’s view that this might form a baseless witch hunt is accurate or not.

Q208 Mr Winnick: Would you describe yourself, Mr Watson, as a campaigning Member of Parliament?

Mr Watson: I guess all MPs are campaigners, Mr Winnick, yes.

Q209 Mr Winnick: The background before you took up matters of allegations of sexual abuse and the rest was on hacking, wasn't it, and you wrote a book about it?

Mr Watson: I did.

Q210 Mr Winnick: When you started campaigning and informing the police of various allegations, you had already, to use the expression, established yourself in the public eye as a campaigning MP and you wrote a book. What was it called?

Mr Watson: "Dial M for Murdoch".

Mr Winnick: Which some would say was responsible for the closure of *The News of the World*, apart from anything else. I want to bring you, Mr Watson, to the climate in which you took up the allegations, in particular Jane. Am I not right, it was a climate where there was a great deal of public concern, parliamentary concern as well understandably, that historical sexual abuse cases, going back in some instances 40 years and more, Savile, Smith et cetera, had not been dealt with in any way whatsoever? These characters, having committed these foul crimes, had died and there was a sense of injustice that this was continuing. Would that be a right way of describing it?

Mr Watson: I think in the media there was that and in the country people were angry about that, yes.

Q211 Mr Winnick: When you say people were angry, what made you in particular decide, after the hacking issue, to more or less take up the same role as a campaigning MP on what I have just said?

Mr Watson: I was not really looking, believe it or not, to make this a big campaign. It was the sheer volume of information that came through my office that detained a lot more time than I thought. I was trying to have a quieter life after the hacking inquiry. But just to give you an idea of the scale, within six weeks since I asked my first question we had 299 separate contacts; some of that information, some of those allegations, some of those people claiming to be witnesses or victims. So, it was very difficult to keep up with it. We had to list it all and send it through to the police and then they marked up which pieces of information—

Chair: Could we confine it to the Lord Brittan issue? Thank you.

Q212 Mr Winnick: The three cases that led to a successful prosecution came from you. Is it because—and I think this is very relevant, Chair—the people concerned, the victims involved, contacted you?

Mr Watson: No. The first point of contact was when an individual who had been a specialist on a previous Metropolitan Police inquiry had approached me to say that he was concerned that a previous inquiry had been closed down prematurely and he believed there was intelligence that could lead to further convictions. That led to the opening of an investigation that led to the conviction of Charles Napier for 13 years.

Chair: Thank you. We need to—

Q213 Mr Winnick: Therefore, it would be difficult, would it not, to describe you as some kind of fantasist who out of the blue makes allegations or takes up allegations where there is no foundation at all?

Mr Watson: No, I hope that is not the case. I hope people don't say that.

Q214 Mr Winnick: As shown in these three cases, though not in the case of Lord Brittan. Reference has been made publicly to another Member of Parliament who did not identify Lord Brittan but on social media Lord Brittan's name was mentioned. Does it surprise you that only you have been called to give evidence and not Lord Goldsmith? Not Lord Goldsmith, Zac Goldsmith.

Chair: Mr Winnick. I do not think we can ask the witness why he was called. This is a decision that was taken by the Committee.

Q215 Mr Winnick: I asked if he was surprised that he was a witness called and no other Member.

Mr Watson: Very few things surprise me in Westminster these days, Mr Winnick, but I am sure that Zac Goldsmith could give a good account of himself if he were called as a witness.

Q216 James Berry: Mr Watson, just to be clear, there is no criticism of you whatsoever, certainly from me, for referring on allegations of serious and disgraceful sex abuse to the police in confidence. But you published an article or had an article published in *The Daily Mirror* on 24 January 2015, didn't you? That is right, isn't?

Mr Watson: Yes. I have apologised for that.

Q217 James Berry: You have apologised for one comment in it but, just to be clear, at the point when you published that article Lord Brittan had not been named by the police, had he?

Mr Watson: He had. Not by the police, no, sorry. His name was in the public domain.

Q218 James Berry: He had not been named by the police and indeed the police had not provided any details of the allegation, had they?

Mr Watson: No.

Q219 James Berry: No. Did you ask the police for their views before publishing that article in *The Daily Mirror*?

Mr Watson: No, I didn't.

Q220 James Berry: Did you ask Judge Goddard's inquiry team for her views before publishing that information in *The Daily Mirror*?

Mr Watson: No.

Q221 James Berry: It is important, isn't it, that the Goddard inquiry is able to carry out its investigations fairly without witnesses' evidence being contaminated in any way?

Mr Watson: I sincerely hope the article will not influence the Goddard inquiry, because there are plenty of things with this case that I do need to say to the Goddard inquiry but I hope that article will not prejudice that.

Q222 James Berry: In publishing that article in *The Mirror* you were not promoting the interests of the Goddard inquiry, were you?

Mr Watson: Nor was I undermining the Goddard inquiry, in my own view.

Q223 James Berry: In publishing those allegations in *The Mirror* you were not promoting the interests of the victims if they want a full and fair inquiry before Goddard, were you?

Mr Watson: The reason I wrote the article, and I have retracted the phrases I used, was there were—it is hard for me to go down this road and stick to Jane.

Chair: I think you should stick to Jane.

Mr Watson: It is hard for me to answer that question comprehensively.

Chair: Mr Berry, we must confine our questions to the witness Jane.

Mr Watson: Perhaps it could be helpful if I say when I wrote the article it bore no relation nor was there any attributed quote to Jane.

Q224 James Berry: We are also dealing with the effect on Lord Brittan and his family. Just to put a final question here, you say that you wrote the things that you wrote, some of which you have now apologised for, because you felt the victims' voices had not been heard. But in fact the victims' voices were being heard because you had reported their allegations to the police, hadn't you?

Mr Watson: Well, they felt very strongly, or at least one of them did, that they had had justice denied, but that is not related to the Jane case and I am in a very difficult position when it comes to—

Q225 James Berry: Isn't it the fact that the only interests you were promoting there were your own political interests in publishing that article?

Mr Watson: No, James, that is not the case at all.

Q226 James Berry: Next, the ex-head of the elite Flying Squad, John O'Connor, has said this, "The mere fact that he has made it into a political issue and all these people he was making allegations against just happened to be in the opposition party I find appalling. I cannot see any justification for what he has done". They are not my words. They are those of the ex-head of the Flying Squad. You are aware that there are disgusting allegations against politicians from what were the three main political parties, yes?

Mr Watson: Well, in relation to the wider allegations that are not Jane, I can assure you that I have reported allegations that link to politicians in all the three main political parties.

Q227 James Berry: But would you accept that by in public only pursuing Conservative politicians you are at least open to the allegation that you are motivated more by politics than by a pursuit of justice?

Mr Watson: That is not factually correct, though. I have publicly commented on the conduct of the inquiry in Rotherham. I have commented in the early days, although there is now a potential trial, on the Janner issue, and there are other public comments I have made. So I don't accept what you say. I don't accept the facts as you put them.

Q228 James Berry: If that is wrong, I will check it. Just finally, you have received allegations from a former Labour councillor called Chris Fay, haven't you?

Chair: Does it relate to the late Lord Brittan?

Mr Watson: It has no relation to the Jane case at all.

Q229 Chair: Right, so I think we had probably better not put that before you. Dealing with this tribal issue, that you are tribal and that your campaign on News International was separate from any criticism of *The Mirror*, who were also involved in hacking and other organisations that were involved in hacking, you can categorically say to this Committee that whatever you get on an all-party basis you put to the police?

Mr Watson: Absolutely.

Q230 Nusrat Ghani: Mr Watson, you said you became an unwitting hub for people who were victims of child abuse or alleged victims of child abuse contacting you and you wanted a quieter life, you mentioned. That then contradicts why you have a page on your website inviting people to come forward if they have been victims of abuse.

Mr Watson: That was related to the early days of the inquiry when in December 2012 the police themselves asked me to reassure the public and believed that because some of the cases—

Q231 Nusrat Ghani: The police needed your help to reassure the public they can do their job for child abuse victims?

Mr Watson: Yes, the police were concerned that in the light of Savile and in light of allegations where previous police inquiries had not gone to plan that public reassurance would help, and that is why I did what I did.

Q232 Nusrat Ghani: So, as well as being MP for your constituents you are now a conduit for the police reassuring the public that they can do their job.

Mr Watson: As I have explained, I did not want to find myself in that position but when you do, you really only have one choice.

Q233 Nusrat Ghani: I have your website page here and I also have the website page for NAPAC, the National Association for People Abused in Childhood, and also the NSPCC website, especially the pages where they ask people to contact them, whether by telephone or online, if they feel that they have been victims of abuse. When you set up your page, were you following any best practice out there in the field that is interpreted by all the major charities that deal with child abuse victims?

Mr Watson: Very early on it became very clear from my staff that they needed some kind of support and advice on how to deal with very vulnerable potential witnesses and victims.

So we met the NSPCC very early on and tried to signpost people to the NSPCC and we also—

Q234 Nusrat Ghani: How did you do that, because there is no signpost on your website?

Mr Watson: We also took advice from the Metropolitan Police and I think a detective sergeant came and advised my staff on how they should collect the information and then how best to deal with it afterwards.

Q235 Nusrat Ghani: There is no link from your website to NAPAC or NSPCC. Whereas the other two charitable organisations quite easily signpost people to call or other places for them to go, yours just seems to go to you. So, what do you do with the data? Where do you keep it?

Mr Watson: It yields very little information. I am afraid I have not looked at that page for a long time. But the idea was that when people came forward we could get them into the system to support them.

Q236 Nusrat Ghani: Which system?

Mr Watson: Either into the criminal justice system if they were making a specific allegation and reassure them that they would be taken seriously. As DCI Settle said, in one particular case that ensured that a successful prosecution happened.

Q237 Nusrat Ghani: If I just could—

Chair: If it relates to the Lord Brittan case.

Nusrat Ghani: In a way. It is about duty of care. If one person goes to your website instead of going forward to the NSPCC or the other websites where they have processes in place, where they have response times to e-mail people back—these are vulnerable people that need care and attention. If they are contacting you instead of them, are you failing in your duty of care?

Mr Watson: One of the things we try to do if people need help is get them help as quickly as they can and the NSPCC became very important in that, both the hotline and the counselling service.

Q238 Nusrat Ghani: Your hotline?

Mr Watson: You are taking me beyond this but there is—

Chair: We would prefer you not to.

Mr Watson: Okay.

Chair: Thank you very much, Ms Ghani.

Nusrat Ghani: I have two very quick questions, if I may.

Chair: Concerning the Lord Brittan case?

Q239 Nusrat Ghani: Yes. You mentioned that when you spoke to Jane you gave her reassurances that she would be taken seriously.

Mr Watson: Yes.

Nusrat Ghani: What expertise or training do you have to assure victims of abuse that their evidence will be taken seriously?

Mr Watson: I had to make a judgment on the competency of the Metropolitan Police team and I judged that they were very serious and very well trained and competent. In the case of Jane, though, she made the allegation—I know now, I didn't know at the time—before I had asked any questions in Parliament. In light of the Savile case she said that she had come forward because Alison Levitt had said we can never ignore victims again in light of Savile and she felt that she should talk to her local police force on that basis. It was then that the alleged crime was supposed to have taken place in London and the Metropolitan Police took over.

Q240 Stuart C. McDonald: Thank you, Mr Watson. We have heard some evidence that you had a pretty decent working relationship with DCI Settle for a period. Did you have a similar working relationship, just for clarity's sake, with Commander Graham McNulty?

Mr Watson: I do not think I have ever met Commander Graham McNulty, although I might have done. I have no recollection of it.

Q241 Stuart C. McDonald: So you didn't have any working relationship with him in the early part of 2014?

Mr Watson: No, I don't think I did. I can check my files to see whether there was any correspondence but I am pretty certain there was not.

Q242 Victoria Atkins: Mr Watson, let's be clear, everyone here wants to secure justice for the victims of sexual abuse. In that vein, if someone jeopardised, potentially, the trial of a sex offender, how would you feel?

Mr Watson: Like everyone else in this room, I would worry that that was happening.

Q243 Victoria Atkins: You have described it as being a surprise that you had an explosion of complainants contacting you after your statement in PMQs in October 2012. On at least 12 occasions since then you have referred to, among other things, Leon Brittan, you have referred to paedophile networks, you have referred to paedophile Ministers and Cabinet Ministers. Of the 299 allegations you received, how did you choose which ones to publicise?

Mr Watson: I did not publicise—I don't think I publicised any of them. What I did was list them and send them over to the police, who then came back to me on 52 of them and said, "Can you contact these people? We would like to follow this up". My main task in the early days was to talk to those people to try to convince them that they should talk to the police directly.

Q244 Victoria Atkins: We have seen blogs and so on where you have in fact published, I would put, the allegations of these complainants. But I will deal with Jane. How did Exaro website get your private letter to the Director of Public Prosecutions such that they were able to publicise it in May 2014?

Mr Watson: They got it from Jane.

Victoria Atkins: From Jane?

Mr Watson: Yes.

Q245 Victoria Atkins: All right. In terms of your other allegations, how did you decide which ones should go on your blog and which should not?

Mr Watson: In what sense?

Victoria Atkins: If I can help you, in your statement following Lord Brittan's death you referred to Jane. You referred to other complainants as well. How did you choose them out of the 299 allegations you received just in that five-week or six-week period?

Mr Watson: In order to answer this question fully, you would draw me away from the Jane allegation.

Q246 Chair: If you can confine it to the Jane allegation and answer Victoria Atkins' question: why did you choose that one?

Mr Watson: The blog list I wrote did not relate to the Jane issue.

Q247 Victoria Atkins: Those were other complainants that you chose, just so I am clear?

Mr Watson: There are other complainants.

Q248 Victoria Atkins: Yes. With Jane, why in this particular instance did you choose Jane?

Mr Watson: In which instance is this?

Victoria Atkins: You are talking about 299 allegations in the first six weeks following your 13 comments that you have made since then. How did you choose which paedophiles, which Ministers and so on to pick?

Mr Watson: I did not choose Jane. Jane chose me.

Q249 Victoria Atkins: But you have not publicised all of the victims that came to you, have you? You can't have done because there are so many of them.

Mr Watson: No.

Q250 Victoria Atkins: If I may just follow this through, please. With your experience of campaigning in the world of sexual abuse, you must know that the police do not publicise allegations from complainants before trial. Yes?

Mr Watson: Yes.

Q251 Victoria Atkins: Did you stop and think for one moment that repeating these allegations in the public arena in the course of an investigation may contaminate or prejudice a future trial?

Mr Watson: The allegations against Leon Brittan were not repeated until it was impossible for him to stand trial.

Q252 Victoria Atkins: How many times did you meet Jane?

Mr Watson: Twice.

Q253 Victoria Atkins: When you comforted Jane and reassured her did you video that meeting?

Mr Watson: No.

Q254 Victoria Atkins: Did you record the audio of it?

Mr Watson: No.

Q255 Victoria Atkins: If in a future trial defence counsel accused you of potentially coaching this very vulnerable complainant, you would have no way of proving otherwise, would you?

Mr Watson: The logical conclusion of what you are saying is that I should not have met Jane or I should have videoed my meeting with Jane.

Q256 Victoria Atkins: No, the logical conclusion, Mr Watson, is that you are a Member of Parliament not a police officer and, as we heard from DCI Settle, police officers who deal with these cases are very highly specialised in their training precisely to achieve best evidence. That is the phrase that is used in the criminal justice system.

Mr Watson: All I can say is that I was trying to do my very best on Jane's behalf and trying to help DCI Settle in very difficult circumstances.

Q257 Victoria Atkins: Just one final question, please. It follows given your answer to my first question, that if there has been any impact on future investigations or prosecutions, as DCI Settle referred to, then you yourself must be very worried about the way you handled some elements of this campaign.

Mr Watson: You can only do your best and, as an MP, you can only try to get people into the system and refer their allegations and information to the police and then it is down to the police to do their job.

Q258 Victoria Atkins: Will you learn lessons from this, then?

Mr Watson: I will be looking very closely at what the conclusions of this Committee report are, that is for sure.

Q259 Chair: We have not decided we are going to have a report, Mr Watson. In your Huffington Post blog you state that, "I did not and could not know if they were true but I did believe their claims should be fully investigated".

Mr Watson: That is right, Mr Vaz.

Q260 Chair: Is that also a reference to the Jane meetings? You did not know what she was saying was true but you felt they should be fully investigated?

Mr Watson: Yes.

Q261 Chair: You were not a witness on behalf of Jane. You were someone who was saying, “Here is someone making a complaint. It needs to be investigated”?

Mr Watson: That is absolutely right, yes.

Q262 Tim Loughton: Mr Watson, I think it is fair to say you and I have been at the forefront of the campaign to have the profile of child sexual exploitation raised, that we have encouraged victims to come forward and we have encouraged the police to take allegations seriously that have not been taken as seriously as they should have been in the past. I think we are all agreed that is a job of a Member of Parliament and it is absolutely right that we should pursue that.

What I am puzzled about is where individual MPs then take on individual cases and appear to interfere with the due justice process thereafter. Specifically, in your statement when a point of order was raised on 12 October and in specific reference to the Jane case you said, “It is not for me to judge the validity of these claims”, as the Chairman has just alluded to. But in your letter to the DPP on 28 April that is exactly what you are doing because you are questioning whether the police have pursued these claims and you are strongly suggesting that the claims have greater validity than the police have decided at that stage that they had. So you were trying to play prosecutor and effectively jury there, were you not?

Mr Watson: I certainly was not, Tim. What I was trying to do was challenge—

Chair: Mr Loughton would be—

Mr Watson: Mr Loughton. Sorry, Mr Vaz. I was trying to challenge the system to make sure that they were adhering to all procedures.

Q263 Tim Loughton: But you see the point I am getting at. Nobody is criticising what you have done and what I have done, I hope, in raising this whole situation. But you said you had a very good relationship with DCI Settle.

Mr Watson: I did.

Tim Loughton: You met him on a number of occasions. You successfully brought information that led to people being prosecuted, which is a good result that we would all applaud. Where did it all go horribly wrong such that DCI Settle told you quite categorically that in his professional view as the lead officer on the case it did not

even meet the first hurdle of evidential basis to pursue and now tells us he feels undermined and that you have betrayed him? Where did it go wrong?

Mr Watson: I feel it came to the point where the meeting I had with him—my recollection was this was a very tiny part of it and my concern at that meeting was he had had a family tragedy and I was concerned for him. I thought no more of his judgment on that until I met Jane at the end of March when she was very distressed and in that situation I could have tried to mediate or I could have tried to amplify her voice in the system. I felt that she felt so strongly about it, and then went away and wrote to me, that that was the right course of action. I did not realise that DCI Settle would see it as a betrayal. I understood he would not like it but I certainly did not do it with the intention of undermining him and I am very concerned to see what he said today that that may be the case.

Q264 Tim Loughton: I understand that, but if you were concerned for his condition, a family tragedy and anything else as well, how on earth could it have helped and have been conducive to the good working relationship you had in pursuit of perpetrators not to go back to him to say, “Look, I am concerned about this and I want to take it further” or, failing that, write to another police officer senior to him to say that you think the police should look at this again, but instead go straight to the DPP over the heads of all of them? That does not strike me as not wanting to unsettle him in any way.

Mr Watson: It certainly was not the intention and it is quite difficult to say this but until today I was not aware that DCI Settle still worked for the Metropolitan Police. I understood that he had left the police so I am sorry if I—maybe I should have called him after knowing that he was still there.

Q265 Tim Loughton: But you see the point I am making as to how involved you have been in this case, in terms of not just expressing concern and passing on information but trying to micromanage in order to achieve a result that you have set your face on?

Mr Watson: I do not accept that I was trying to micromanage a police inquiry. At all points I have just been trying to amplify the voices of the people that have come forward.

Q266 Tim Loughton: But do you agree, as DCI Settle said as well and as I am concerned about, that the way this case has panned out will undermine the work of the police in properly pursuing potential perpetrators and undermine the preparedness of victims to come forward in the future and that is not what you or I want, I am sure, in the interests of pursuing these cases?

Mr Watson: We certainly do not want that and I hope that is not the outcome. Indeed, I should say that with all the publicity this week—and I saw your comments on the television at the weekend—it has led to more people coming forward to my office this week and one of the tests I have is to make sure that their information is passed to the police.

Q267 Tim Loughton: Are they going to be handled in a different way from some of the cases in the past?

Mr Watson: That will be down to the police, won't it?

Q268 Tim Loughton: Have you spoken to Justice Goddard and the panel about any of these?

Mr Watson: Not yet.

Tim Loughton: Why not?

Mr Watson: I am due an appointment. I have an appointment to see them next month.

Q269 Tim Loughton: Do you not think it should have happened sooner rather than later, given your deep involvement in some of these cases?

Mr Watson: There was a summer recess. But I will be seeing them.

Q270 Mr Burrowes: You said in evidence that you had made public comment in relation to the Jane allegation in blogs or articles. On 24 January 2015, in your article in *The Mirror*, you said, "I have spoken to a woman who said he raped her in 1967". Is that referring to the Jane allegation?

Mr Watson: It is, yes, and there was also a published letter that seven MPs signed, linking to it.

Q271 Mr Burrowes: I am just talking to you at the moment. That is three days after Lord Brittan died. It is two days after the police indicated that an investigation into a rape allegation in which a man in his 70s had been questioned was ongoing, and it is before the police then decided, even though he had died, whether a prosecution would have been followed. Do you not think that when you said at the end of your article to *The Mirror* on 24 January, "The police must continue their investigations", you are wanting to influence them?

Mr Watson: I had a feeling or a belief that it may be that other allegations would not be pursued, and I think I need to leave it there when it comes to this one.

Q272 Mr Winnick: You started off by expressing apologies over the remarks you made about Lord Brittan and I, as a Labour colleague, am very pleased that you did so, Mr Watson. But I want to ask you this: do you have any regrets on taking up the campaigning issue and

seeking what you believed was justice for those who were the victims of sexual abuse, and I am not referring of course to one particular case?

Mr Watson: No. I think I did the right thing with the best intentions.

Mr Winnick: Your conscience is clear?

Mr Watson: Yes. There are MPs on all sides of the House that take this matter very seriously.

Q273 Nusrat Ghani: We can put your conscience to one side and I want to focus on the victims. I talked about the different charitable organisations that work together to provide support. They do not seem to be linked at all to your website. You said that Jane was very, very distressed. If she was very, very distressed, what support did you provide her? What professional advice did you seek to make sure that she was not distressed further with your going public? I am worried about these victims or alleged victims becoming victims twice over when you go public.

Mr Watson: With Jane, at all points she is aware of what I have said.

Q274 Nusrat Ghani: What support? When I went through the NSPCC guidelines, this is not something they would do. This is not best practice when people come forward when they are victims. They would offer them different types of support; get them in touch with local authorities; get them in touch with social workers; they get them in touch with local community activists, and they can go to the police station with them—professionals, engaged in this all the time, providing support.

Mr Watson: In the case of Jane, I can assure you that she does have support, and I talked to her family to ensure that that is the case.

Q275 Chair: Thank you. We are coming to the end of this session now. Mr Watson, reputational damage when people make allegations that are false is pretty severe, is it not?

Mr Watson: It is.

Q276 Chair: Of the 400 people, or 400 separate pieces of information, only three people have subsequently been convicted, all three with your help. Do you think that this whole process means that more people will come forward and perhaps make false allegations?

Mr Watson: Just to say, Mr Vaz, the 299 in the case of my part of it was not 299 allegations against individual people. The level of the quality of the information was varying. It was not for me to judge what information was useful to the inquiry or not. In

those circumstances it was best to give it all to the police and let them come back to us to see whether we could help them with anything else.

Q277 Chair: You are now the deputy leader of the Labour Party. You are the chairman of the Labour Party. You are the shadow Secretary of State for the Cabinet Office. Will you have the time to continue to do the work that you have been doing on these issues?

Mr Watson: I very much hope that we can create the public policy space to make sure that victims of serious sexual crimes feel confident that the criminal justice system will take them seriously and then we can work together—

Q278 Chair: Do you think that is not happening still?

Mr Watson: We still have to build confidence. There is another area that is unrelated directly to the Jane case, but I do think that the counselling services that victims of sexual abuse have available to them are too limited, and particularly psychiatry. One of the things I feel responsible for doing in the future is to make sure that in the public policy space we can try to make the case, hopefully on a cross-party basis, that there needs to be much greater support for people who have suffered child sexual abuse.

Q279 Chair: But taking Mrs Ghani's point, you are not qualified to do this and we are not qualified to do this; somebody needs to be?

Mr Watson: No, but we are in a position to try to make sure the Government can ensure it happens.

Chair: Indeed. Mr Watson, thank you very much for coming in today.

Examination of Witness

Witness: **Alison Saunders**, Director of Public Prosecutions, gave evidence.

Q280 Chair: My apologies for keeping you waiting so long. I am afraid we also had two votes that we had to attend.

Alison Saunders: That is okay. I quite understand.

Chair: In a sense, you are the easiest witness to deal with today in terms of these issues.

Alison Saunders: That makes a nice change.

Chair: Our questions relate to your involvement, which is pretty limited, and it is really the reasons why it was so limited. Give us the explanation as to why, when the police kept writing to the CPS and saying, “Review what we have done”, your officials were so very firm in saying, “Actually, this has got nothing to do with us; this is for you to decide”. Tell the Committee why that was the case.

Alison Saunders: We have director’s guidance, which sets out what the police will do, what the CPS will do, so it is very clear, not just to each of us but to everybody else, exactly what decisions we all make and what happens. The guidance is clear that cases that come to us for charging decisions should only do so when the police consider that it satisfies a code test, which is a realistic prospect of conviction. At no time did this meet that test. So the guidance is very clear: it is a decision that the police can make and they make ordinarily in many cases, every day of the year.

Q281 Chair: Why were they so desperate to get you to back them up in the decisions that they made? The guidelines are very clear. As you have said, the test was not met. Why did they keep writing to you, do you imagine?

Alison Saunders: You have heard from Mr Rodhouse why they did that. I can’t put myself into their minds. All I know is that they kept asking us, and we were very clear that this did not pass the test. It was not a case that was particularly complex, so it did not fit the guidance and, therefore, it was not for us to make the decision.

Q282 Chair: In respect of Mr Watson’s letter to you, you were even more clinical. He writes to you and you just hand on the letter to the police.

Alison Saunders: Which we do in lots of cases where we get letters from other MPs, or indeed members of the public, that relate to investigations. It is not a matter for us. I can’t answer for the police, so we always pass it straight to the relevant force for them to answer.

Q283 Chair: You have taken some decisions that have obviously resulted in criticism of the CPS, and indeed of yourself, and you have taken it, I would say, on the chin. You accept that this is part of the territory of being the Director of Public Prosecutions.

Alison Saunders: Absolutely.

Chair: Have you ever come across any circumstance where a decision taken by the CPS has been based on media criticism or public cynicism?

Alison Saunders: No.

Q284 Chair: What do you feel about those words? Would you ever make a decision on that basis?

Alison Saunders: No. We make our decisions in accordance with the code for Crown prosecutors, and that is the only thing that we make our decisions on: whether there is realistic prospect of conviction, looking at the evidence, and it has to be reliable and admissible in court, and whether or not it is in the public interest. If the first one, realistic prospect of conviction, is not met, we do not even go into the public interest. That does not have any bearing.

Q285 Chair: So you would not like to see a change in the law, as Bernard Hogan-Howe suggests, that the guidance should be amended, which would allow you to be giving advice to the Metropolitan Police on what appears to be operational matters?

Alison Saunders: We do not have to change the law for that, because it is the director's guidance, so it is my guidance, albeit that this current guidance was signed off by my predecessor. I could change the guidance if I thought that was appropriate. What I do not want is for us to become responsible for decisions that are rightly the police's territory. We are not investigators. We do not make operational decisions in relation to investigations. We can advise and we can help, but those decisions are not for us. I am very clear about that, and there is no reason in the majority of cases. In a lot of cases, the police will make those decisions.

Q286 Chair: So you do not want to change the guidance? You do not see any reason why they should be changed?

Alison Saunders: At the moment—and we had a meeting on it yesterday—we are talking to the police about some of these issues, and whether or not they are making representations as to why they think we should change the guidance.

Q287 Chair: Before I open this up to colleagues, can I talk about the Paul Gambaccini case? We accept your explanation. We are not happy about your explanation, but we accept it, that for administrative reasons you did not write to Mr Gambaccini.

Alison Saunders: I am very sorry for that.

Q288 Chair: Thank you very much for that. Just explain the difference between the file you got in February and the one you got in September, and why did you have to wait for that file?

Alison Saunders: As I said, we make our decisions in accordance with the code, and that is whether or not there is a realistic prospect of conviction, whether there is sufficient evidence. In order for us to make that decision in many cases we do need a full file of evidence, which means that all investigative avenues have been pursued, whether they might be exculpatory or whether they might be to prove the offence.

We were not satisfied—I think the first time when we had the file we were giving what we call early investigative advice, which is not a charging decision. It is about where the investigation is, what other avenues might be pursued, what sort of things we would be looking for in a full charging file. When the file came in we still did not have enough, so there was a bit of to-ing and fro-ing to make sure that we had everything we needed in order to make a charging decision.

Q289 Chair: If you had had that in February, you could have made that decision earlier and Mr Gambaccini would have been spared six months “under the Yewtree”, as he called it?

Alison Saunders: Yes. We can’t make our decisions until we get a full file of evidence, and we do not make our decisions, apart from certain cases where people are in custody and there is an immediate threat.

Q290 Chair: But you have now written to him?

Alison Saunders: Yes. I have written to him.

Q291 Chair: Thank you. Is that letter in the public domain?

Alison Saunders: I have not put it in the public domain. I have sent my letter directly to him.

Chair: Right. We will write to him and get a copy, if he is happy with that.

Q292 Mr Burrowes: We heard from DCI Settle that on 19 August 2013 he received advice from Deborah Carr at the CPS that concluded, “On the evidence I have seen I am of the view that there is insufficient evidence to prove that the suspect would have been aware that the victim was not consenting”. You may well have heard—I am not sure if you had a chance to hear his evidence—that he could not justify a lawful use of police power in terms of cautioning before interview and moving to the point of interview. Was that a sound decision by him?

Alison Saunders: That is an operational matter for the police and we are very clear that that is an operational matter for the police. Our advice that was given at that stage, which was early investigative advice, made it clear that we thought there was not sufficient at that stage for a realistic prospect of conviction, and made it clear that any other action was a matter for the police to decide, in accordance with PACE and their own regulations.

Q293 Mr Burrowes: But from what you have heard, it seems that that was relied upon in terms of not getting to the first hurdle. It did not get to the first hurdle, even to

interview. Is it unusual for an officer to get to that point in these type of allegations, to the point where they do not decide to interview?

Alison Saunders: It is difficult to say, because it is almost the negative, because those type of cases will never come to us. I should imagine, from the number of reports that go to the police and the number of cases that come to us, there may well be other cases. But I would have no idea as to the number because they would, by definition, tend not to come to us.

Q294 Mr Burrowes: In the letter from Mr Watson on 28 April to you, he made specific reference to the lack of interview, and indeed arrest as well, and also to the guidance, which is the CPS and ACPO guidance. Is there anything in that guidance that supports the case that at that stage he should have been interviewed?

Alison Saunders: There will always be some cases where the allegation is such, right at the beginning, that an officer would be able to make a judgment that it is not going to pass, it is not going to get any further, and therefore there is no point in going ahead and interviewing anyone. In this particular case, we gave very clear early investigative advice that from the complainant's account herself, we did not think there was enough on that alone for it to go ahead and there would not be sufficient evidence for a realistic prospect.

Q295 Mr Burrowes: I struggled in this guidance to find anything that would suggest that there was anything that is contrary, at the moment, to the officer's decision not to process it into an interview. There is nothing—

Alison Saunders: No. It is a matter of judgment. I do not think there is anything that is contrary to it.

Q296 Mr Burrowes: We have heard, looking now at what we have heard in evidence from a number of people, that plainly there is a wide difference of opinion in relation to this, ranging from the officer, DCI Settle, who said that it would be grossly disproportionate and lacked legal basis to take it further, and referred to a baseless witch hunt. That was seriously put forward. Then you heard the Assistant Commissioner saying he had a different view on it. When you are looking at this, and you have guidance that is looking at these serious allegations, do you have any comments?

Alison Saunders: I can't comment on their disagreement. What I can say is that, at the early investigative advice stage, we said that we thought that on the basis of the information we had, which was the complainant's evidence and some other bits, that we did not think there was a realistic prospect of conviction. It did not get any stronger with any further investigation, and that is why we were clear it never met the test for coming to us for charging advice because there was never a realistic prospect of conviction.

Q297 Mr Burrowes: Finally, were you aware of any contact from Mr Watson with your office or any other offices in relation to the Metropolitan Police and those involved in these investigations subsequent to 28 April, concerning the allegation of Jane?

Alison Saunders: No. The only contact I was aware of was the letter from Mr Watson to me. That was the only contact. I was not aware of anything else.

Q298 Mr Winnick: Just one or two matters to clarify issues, Ms Saunders. Do you know Tom Watson in a social sense? In other words, is he a friend of yours, to put it in blunt terms?

Alison Saunders: No. I met him today for the first time as we were sitting here. That is the first time I have met him.

Mr Winnick: The first time?

Alison Saunders: Yes.

Q299 Mr Winnick: Some have said that it is surprising that, in his letter of 28 April, he begins, “Dear Alison”. I know there is something, perhaps strange to my generation, trying to abolish surnames, which I am not too sympathetic about, but is it surprising that he should address you by your first name?

Alison Saunders: I should say I am addressed as many things by many different people, but I am never surprised at what people address me as.

Mr Winnick: You can rest assured that, should I ever write to you, it will not be, “Dear Alison”. But your reply is, “Dear Mr Watson”?

Alison Saunders: Yes.

Q300 Mr Winnick: I want to ask you, and perhaps you can make it absolutely clear, whether there was any intervention, be it by this letter from Mr Watson or any other source, that influenced your decision in a particular case?

Alison Saunders: No.

Mr Winnick: Not at all?

Alison Saunders: No.

Mr Winnick: Thank you.

Chair: Thank you. I should declare my interest. I do write to the DPP and say, “Dear Alison” in my letters.

Mr Winnick: That does not surprise me at all.

Chair: She has very kindly replied, “Dear Mr Vaz”.

Q301 Nusrat Ghani: In view of the conflicting evidence this morning from Mr Settle and the Met Police, I just want to understand, if there are processes in place, whether everybody is aware of them or whether there is some ignorance being played out here?

Alison Saunders: The processes are very clearly set out on what should come to us for charging advice and what should come to us for early investigative advice.

Q302 Nusrat Ghani: Everyone who gave evidence this morning, apart from Mr Watson, should have been made aware of all—

Alison Saunders: It is very clearly set out. Whether people are aware or not—we always have very good policies. Sometimes people are not aware of them, but it is very clear from the director’s guidance, which everyone should know, when cases come to us for charging and when they do not.

Q303 Nusrat Ghani: I am concerned that within the Met there might be some institutional blindness, for example, that they have chosen to ignore procedures and just make decisions based on their own judgment.

Alison Saunders: We certainly made it clear, right from the beginning, where we thought the line was in this particular case, and we have maintained that line.

Q304 Nusrat Ghani: You made it clear, but they did not understand that at all?

Alison Saunders: They obviously kept asking us to review that, so—

Q305 Nusrat Ghani: My other concern is the repercussions of this case to victims who might be deterred from coming forward. They might feel that they may not be taken seriously, or they need to have a person of power, a man of establishment like Mr Watson. He will be the only person to deliver them justice. Can you comment on that at all?

Alison Saunders: I would sincerely hope it does not put anybody off coming forward. If they have been the subject of an alleged offence, one would hope they would come forward and report that to the police and go through the procedures where they can have support and they can make their allegations, and those allegations can be investigated. I would certainly encourage anyone to come forward.

Q306 Nusrat Ghani: Has Mr Watson's involvement damaged the cause of abuse victims coming forward to seek justice?

Alison Saunders: I would sincerely hope not.

Nusrat Ghani: Not? Yes, thank you.

Q307 Stuart C. McDonald: Do you ever have cases where reasonable, competent lawyers come to different decisions on whether or not to prosecute a case?

Alison Saunders: Yes.

Q308 Stuart C. McDonald: Quite regularly? How do you resolve these? Does it happen often?

Alison Saunders: It does not happen often, no. We do have them, and it is a case of sitting down and debating, and at some point somebody makes a decision, normally the more senior person.

Q309 Stuart C. McDonald: Okay. As regards the early investigative advice that was given, that was in no way designed to influence the decision whether or not to interview Lord Brittan?

Alison Saunders: No. We made it very clear in the advice. It makes it very clear. It says it is an operational matter for the police.

Q310 Stuart C. McDonald: Finally, and this could be the subject of a whole separate inquiry, could interviews of somebody who has been accused of rape be a fairly significant part of a prosecution?

Alison Saunders: No. Absolutely.

Q311 James Berry: I think what the Met Police want is for your guidance, or the guidance in your name, to be changed so that they can refer cases to you where the evidence is on the margin, basically, of the threshold and also cases where the evidence does not meet the threshold but the public interest test is met, in their view, none the less. I think you disagree with the need for a change?

Alison Saunders: I think there is a role for the police, where they make decisions in these cases now and do so regularly across the country. There is no reason for that to be

changed. From my own perspective, it is important that we, the CPS, deal with those cases that we really should do and within our existing resources we are very conscious about what we should be doing. To open the floodgates and the doors to have more cases coming in where there is no realistic prospect of conviction—it doesn't matter whether or not the public interest is in pursuing the case. If you don't have the evidence, you can't go ahead with it.

Q312 James Berry: You don't get to stage 2. Yes. It is right, isn't it, that in our system there are at least three levels, the police and then the CPS, and then the judge if he has to decide whether to put the case to the jury? It is important that at every stage a decision is taken without fear or favour and independently.

Alison Saunders: Absolutely.

James Berry: But there is, of course, an opportunity to pass the buck at every stage, and you would not want to see that happening? You want to see each of those individual actors taking that decision without passing the buck?

Alison Saunders: Absolutely. Constitutionally, that is what should happen, and for public confidence it is important as well.

Q313 James Berry: Of course. It is not something you are criticised for. It is either you should not have put a case forward to trial because the trial collapsed, or you should have put the case forward to trial and you did not. It is not a criticism that you normally get, but anyway.

Finally, just as senior lawyer, would you agree that it is unhelpful to a court or an inquiry for the allegations that tribunal will be considering to be bandied about in tabloid newspapers prior to the hearing?

Alison Saunders: Absolutely. If a case is going to court, the court should be the place where the evidence is tested and where it is heard and where an independent tribunal can decide on it.

Q314 James Berry: You would not expect a Member of Parliament, no less, to put those kind of allegations into a newspaper, would you?

Alison Saunders: If the case is going to court, it should be heard in court. It does not matter who the individuals are. It should be heard in court and tested in court, and the tribunal can then make their decision.

Q315 James Berry: That includes a public inquiry?

Alison Saunders: Yes.

Q316 Victoria Atkins: Just following on from that, I should declare I have been instructed by the Crown Prosecution Service over the years. The point about achieving best evidence that I mentioned with Mr Watson, is that this is a 300-page manual that provides guidance to investigators, social workers, all sorts of parties within the criminal justice system, to do exactly as it says, achieve best evidence for victims or complainants of sexual offences. When people, no matter how well meaning, veer away from that guidance, what sort of repercussions can there be further on down the line?

Alison Saunders: If we do not have evidence that is obtained through the proper channels, it may be that in the evidence of the witnesses, if they are giving evidence in court, there are inconsistent statements or there may be some allegation, as you said earlier, that they have been coached. There is an art, particularly in serious sexual cases, all involving vulnerable witnesses, to obtaining the best evidence. It can take a long time. It takes training. There are lots of safeguards there, quite rightly, for the individual as well as for the defendant.

Q317 Victoria Atkins: I know this is a word that will send a shiver down your spine, but DCI Settle mentioned the word “disclosure”. For anyone who is not familiar with the workings of the legal world, there are all sorts of separate legal issues with disclosure of what is called unused material, in other words material that may be relevant to the investigation but does not form part of the trial. Again, this is where allegations may form part of that disclosure exercise.

Alison Saunders: Anything that undermines the prosecution case or assists the defence, we have a duty to disclose and would do so.

Chair: Director, thank you very much for coming in. You have been extremely clear in what you have said. We are extremely grateful, and I apologise again for keeping you waiting for so long. We are most grateful. Thank you.