



## **HOME AFFAIRS MINISTER**

**Presentation of extracts of the Wiltshire Police Investigation into the management and supervision of the Historic Child Abuse Enquiry by the Chief Officer of Police – Mr. G Power.**

**13 July 2010**





## HOME AFFAIRS MINISTER

### Explanatory Note

This document includes extracts from the disciplinary investigation by Wiltshire Police into the management and supervision of the Historic Child Abuse Enquiry by the Chief Officer of Police, Graham Power. The investigation was conducted for the purpose of disciplinary proceedings. Witnesses interviewed as part of this investigation were not informed that their identities or information provided by them to the investigation Team would be published.

As a consequence, only parts of the original Report are being published.

The text of this Report has been redacted to ensure that, in publishing this Report, due regard is had to the relevant legal principles contained in the Human Rights (Jersey) Law 2000, the Data Protection (Jersey) Law 2005 and other legal duties.

Any police officer referred to in the text is described as Officer X and any other person is described as X. Where other text has been redacted from paragraphs which are otherwise included it is noted by the words “text redacted”.

In the interests of transparency the page numbering of the original document has been retained.

Care should be taken with respect to the statistical information contained in this document. It was up to date at the time of its preparation but has not been updated subsequently.

The Minister has reflected on the competing interests of Articles 8 and 10 of the European Convention on Human Rights- right to respect for private life and family life and right to freedom of expression respectively.

The Minister considers that individuals should only be named where naming is important to understanding what happened or where that individual's position carries with it the expectation of public accountability. The Minister considers that an individual should not be named if their role is of a junior nature or peripheral to the events being described.

The Minister in deciding which parts of this Report to publish has sought to balance the requirement to be open and transparent with the need to be fair to individuals.



**An independent disciplinary investigation by Wiltshire Police  
following the suspension of Chief Officer Graham POWER of the  
States of Jersey Police on 12 November 2008**

**Obligation to confidentiality**

1. Paragraph 1.2 of the discipline code (for Chief Officers of the States of Jersey Police) requires that all parties involved in the operation of this code will maintain confidentiality while proceedings are being progressed. The outcome of any particular case arising under the code will not, as a general rule, be publicised, but it is accepted that following the outcome of a particular case, the Home Affairs Minister and/or the States Employment Board and/or the Chief Officer, might decide that public disclosure is appropriate.
2. This Report contains personal data within the meaning of the Data Protection Act 1998 and Wiltshire Police would breach the first data protection principle if it were to disclose that information. Hence, the information is exempt under s.40(2) Freedom of Information Act 2000.
3. This Report contains information that has been, and continues to be, held by Wiltshire Police for the purposes of an investigation which it has a duty to conduct and which ought not to be disclosed (under s.30 Freedom of Information Act 2000).
4. An obligation of confidence upon Wiltshire Police arises from the duty outlined at one above and disclosure of information would be likely to prejudice relations between the United Kingdom and Jersey. Information, therefore, ought not to be disclosed (under s.27 Freedom of Information Act 2000).



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## **1. Background and context**

- 1.1 This Report relates to a disciplinary investigation undertaken by Brian MOORE QPM, Chief Constable of Wiltshire Police, following the suspension on 12 November 2008 of Graham POWER QPM, Chief Officer of the States of Jersey Police, in relation to alleged failings in his supervision of the Historic Child Abuse Enquiry known as Operation Rectangle. The Wiltshire Police investigation is known as Operation Haven.

### **1.2 Chief Officer POWER's career history**

- 1.2.1 Chief Officer POWER's police career commenced in 1966 in the then Middlesbrough Constabulary which through a process of amalgamation became a part of Cleveland Constabulary. In 1974, he was selected for the accelerated promotion scheme and was promoted to sergeant in 1975. In his early years in Cleveland, he served in uniform, CID and the traffic department. Later as a police sponsored student, he read Politics, Philosophy and Economics at Oxford University and achieved an MA with second class honours in 1979. He rose through the ranks to become Superintendent in 1985. In 1988, he transferred to North Yorkshire Police and was promoted to Chief Superintendent and became Commander for Harrogate Division.
- 1.2.2 After attending the Senior Command Course in 1991 he was appointed Assistant Chief Constable of Lothian and Borders Police in Scotland, where he oversaw 'management services' comprising recruitment, finance, I.T. and related disciplines. He became the Deputy Chief Constable of Lothian and Borders Police in 1994 and in the same year was awarded the Queen's Police Medal for his distinguished services to policing. In 1998, he took up a position as Her Majesty's Assistant Inspector of Constabulary for Scotland.

- 1.2.3 Following his retirement from the police service in Scotland, Graham POWER was appointed as the Chief Officer of the States of Jersey Police on 1 November 2000. His initial contract of service was for a period of five years and was due to expire on 31 December 2005. However, this contract has twice been extended and his current employment contract is due to terminate on 31 December 2010.
- 1.2.4 During his career, CO POWER has attended formal training courses as follows:
- 1974 Police College Bramshill  
Special Course (accelerated promotion)
  - 1983 Police College Bramshill  
Research and Planning
  - 1985 Northumbria Police training school  
Public Order Command course
  - 1988 West Yorkshire Police training school  
Tactical Firearms Commander
  - 1988 Police Staff College Bramshill  
Intermediate Command course
  - 1990 Police Staff College Bramshill  
Public Order ground commander
  - 1991 Police Staff College Bramshill  
Senior Command Course
  - 1992 Police Staff College Bramshill  
Equal Opportunities
- 1.2.5 If the above is correct, it will be apparent that CO POWER has received no formal 'refresh' training since 1991.
- 1.2.6 In 1997, whilst Deputy Chief Constable of Lothian and Borders Police, Mr POWER planned and led the policing of the Commonwealth Conference which, at that time, was the largest political conference ever held in the United Kingdom.
- 1.2.7 In 1998, he led a team of investigators conducting a major review of a Grampian Police investigation into the abduction and murder of
- X** In his concluding report, he made

several recommendations for future practice. Reference will be made later in this Report to that review.

- 1.2.8 This Inquiry has not been asked to pass comment on CO POWER's general attributes or reputation as a Chief Officer. However, given the insight that we have acquired in conducting this investigation, we conclude that CO POWER was a competent Chief Officer when managing the routine business of the States of Jersey Police. This is reflected in the overall performance of the Force and the generally positive opinions expressed by the Her Majesty's Inspectorate of Constabulary in 2006 and 2008. The evidence accrued by Operation Haven also suggests that, while CO POWER was confident and competent in managing the ordinary, he was ill-equipped to manage the extraordinary when it arose in the shape of Operation Rectangle.

### **1.3 Structure of the States of Jersey Police**

- 1.3.1 The Bailiwick of Jersey is a self-governing Island measuring 45 square miles and incorporating 12 parishes, each headed by a democratically elected Connétable with its own honorary police force. The professional States of Jersey Police has an Island-wide mandate and has existed, in its current form, since 1952. Effectively, therefore, the Island has 13 police forces.
- 1.3.2 The States of Jersey Police is responsible to the Home Affairs Minister who undertakes the role of what would be considered in the UK, a Police Authority. The Chief Officer's political accountability is to the Minister under Article 9 of the Police Force (Jersey) Law 1974 for the '*general administration and the discipline, training and organisation of the Force*'. In addition, the Chief Officer of Police is one of a number of Chief Officers on the Island who report directly to the Chief Executive to the Council of Ministers and Head of Public Service. The Chief Executive conducts a formal Performance Review and appraisal in respect of all Chief Officers, including the Chief Officer of Police. This includes performance against the Policing Plan, the application and maintenance of appropriate policing

standards as advised by HMIC, and in respect of the effective and efficient use of resources. However, the Chief Officer's Performance Review is more collaborative in nature due to the fact that the Chief Officer of Police also reports directly to the Home Affairs Minister. By law, the Chief Officer of Police has complete operational independence from the Council of Ministers.

- 1.3.3 The States of Jersey Police comprises 240 officers and 95 civilian support staff. The Senior Management Team consists of the Chief Officer, Deputy Chief Officer, a Superintendent and three Chief Inspectors. For ease of reference, a full organisational chart of the States of Jersey Police is included within the Evidential Bundle accompanying this Report. The States of Jersey Police currently operates from four operational sites: Police Headquarters, the 'Summerland' site in Rouge Bouillon, and the Special Branch offices at Jersey Airport and St Helier Harbour.

## **1.4 Role profile for the Chief Officer**

- 1.4.1 The role profile for the Chief Officer of Police, described in the post's job description, is to *'direct, control and command the States of Jersey Police Service and its civilian support staff in accordance with the Police Force (Jersey) Law 1974 and the policies of the Home Affairs Department in order to provide an effective and efficient police service and to advise the Home Affairs Minister on all aspects of the provision of policing in the island'*. The principal accountabilities of the Chief Officer are listed within the job description which can be found within the Evidential Bundle accompanying this Report.
- 1.4.2 The provisions of the Police (Complaints and Discipline) Jersey Law 1999 and the Police (Complaints and Discipline Procedure) (Jersey) Order 2000 do not apply to the Chief Officer. He is subject to a disciplinary code for the Chief Officer of Police which forms part of his contract. Although he remains subject to that code, it has been amended so as to substitute references to the Home Affairs Minister for references to the former Home Affairs Committee.

- 1.4.3 CO POWER sits on the States' Corporate Management Board, chaired by the Chief Executive to the Council of Ministers. The Chief Executive has a specific responsibility to the Corporate Management Board for the performance of all States' departments, not just for the police. CO POWER also represents the Channel Islands and the Isle of Man on the ACPO Terrorism and Allied Matters Business Area. He is a candidate assessor for the Home Office 'Police High Potential and Strategic Leadership Programme' which assesses members of the police service considered suitable for advancement to the most senior ranks.

## **1.5 Operation Rectangle – a brief chronology of events**

- 1.5.1 A full chronology can be found at Appendix 1
- 1.5.2 In April 2006, the States of Jersey Police became concerned at the number of allegations of reported child abuse against State employees and those in a position of trust and responsibility over children. These concerns were particularly highlighted when the Commanding Officer of the States of Jersey Sea Cadets was prosecuted for downloading pornographic images of children, including some sea cadets. Another male pleaded guilty to historic offences of child abuse at Haut de la Garenne, a former children's home. The States of Jersey Police began to examine a number of previous cases and as a result a Historic Child Abuse Enquiry, codenamed Operation Rectangle, commenced on 10 September 2007. During this review enquiry, references were made to abuse which had allegedly taken place at Haut de la Garenne. A 'covert' phase of the Historic Child Abuse Enquiry was undertaken from September until November 2007 when the investigation was made known to the public. The overt phase, from November 2007, concentrated on public appeals for potential victims and witnesses to contact the States of Jersey Police. This resulted in a positive response and on 13 December 2008, the enquiry was

preliminarily declared a 'critical incident' and classified as 'Category A+'. This Category is defined in the Murder Investigation Manual as *'a homicide or other investigation where public concern and the associated response to media intervention is such that normal staffing levels are not adequate to keep pace with the investigation'*.

- 1.5.3 In January 2008, with the assistance of Devon & Cornwall Constabulary, Operation Rectangle data were transferred from a manual card indexing system to the full 'Home Office Large Major Enquiry System' (HOLMES) database. DCO Lenny HARPER performed the role of the SIO alongside his duties as Deputy Chief Officer and **OFFICER X** was appointed as the Deputy Senior Investigating Officer (DSIO). CO POWER was aware of the investigation and at times *'provided confidential briefings to the Minister for Home Affairs, Wendy KINNARD, the Chief Minister Frank WALKER and the Chief Executive Bill OGLEY'*.
- 1.5.4 As enquiries continued, the decision was made to focus on the former children's care home at Haut de la Garenne within the investigation.
- 1.5.5 Haut de la Garenne was built in 1866 as a privately run home for destitute and orphaned children. In 1900 it became known as the Jersey Home for Boys. The Education Committee took responsibility for it in 1953 when it became a mixed-gender home and was re-named Haut de la Garenne. The building ceased to function as a children's home in 1983 and at the time of the search, in February 2008, it was a youth hostel.
- 1.5.6 During January 2008, a decision was taken to search the Haut de la Garenne for the presence of human remains. The rationale for this decision is commented on in a later Section of this Report. The search of the building commenced on 19 February 2008 and following a further decision to search 'Victorian Bunkers' nearby, the searches were completed on 2 August 2008. Immediately prior to the search commencing DCO HARPER held a meeting with LGC Forensics and representatives from the National Policing Improvement Agency

(NPIA) in order to assess the logistics for the search. As a result, a number of experts were called upon to assist with the investigation, including anthropologists, archaeologists and specialist search advisors. On 23 February 2008, Haut de la Garenne attracted national and international media attention when the 'potential remains of a child' were said to have been discovered inside the building. As a result of this discovery, the investigation fell into two distinct functions, the on-going enquires into sexual abuse and the search for human remains at Haut de la Garenne and its environs.

- 1.5.7 As Operation Rectangle gained media momentum from 23 February 2008 onwards, at the suggestion of CO POWER, the ACPO Homicide Working Group was contacted to provide mentoring and advice to the Operation Rectangle investigation team. Agreed terms of reference were signed by CO POWER and **X** representing the ACPO Homicide Working Group. There has been much contention over the term of reference '2c', i.e., whether the ACPO Homicide Working Group was providing 'quality assurance' of the Operation Rectangle investigation. Between February and June 2008, the ACPO Homicide Working Group led by **X** attended the Island and provided mentoring and advice mainly to DCO HARPER. The ACPO Homicide Working Group Team comprised **X**, **X** and **X**. Four reports with recommendations were submitted by them to the States of Jersey Police.
- 1.5.8 Following the events of 23 February 2008, DCO HARPER was appointed as SIO for Operation Rectangle on a full time basis and relinquished the DCO function to **OFFICER X**. **OFFICER X** remained as the DSIO, although **OFFICER X** assumed that role from January to March 2008 whilst **OFFICER X** attended a training course followed by a period of annual leave.

1.5.9 The Home Affairs Minister at the commencement of Operation Rectangle was Senator Wendy KINNARD and the Assistant Minister was Deputy Andrew LEWIS.

1.5.10 On 29 May 2008, Deputy Andrew LEWIS took over Senator Wendy KINNARD's responsibility for Operation Rectangle.

**TEXT REDACTED** Deputy Andrew LEWIS then subsequently assumed the role of Home Affairs Minister in October 2008 after Senator KINNARD left her ministerial role.

1.5.11 DCO HARPER led Operation Rectangle as the SIO until his retirement in August 2008. His successor as the new DCO, David WARCUP, was appointed on 4 August 2008. There had been regular contact between David WARCUP and CO POWER prior to the commencement of his DCO role with the States of Jersey Police. As will be seen in this Report, CO POWER makes reference to speaking to David WARCUP by telephone and updating him on certain issues prior to his appointment. Detective Superintendent Michael GRADWELL, seconded from Lancashire Constabulary, was appointed as the new SIO for Operation Rectangle on 8 September 2008.

1.5.12 Upon his appointment, DCO WARCUP assumed responsibility for the strategic oversight of Operation Rectangle. In line with best practice and as suggested in Recommendation 68 of the ACPO Homicide Working Group report, DCO WARCUP wrote to

**OFFICER X** of the Specialist Crime Directorate, Metropolitan Police, in August 2008, formally requesting assistance in undertaking a full review of the Historical Abuse Enquiry and this was agreed. In September 2008, the Specialist Crime Review Group commenced their review of Operation Rectangle. A review is a specific, structured process undertaken by experienced, specialist investigators against the standards described in the Murder Investigation Manual and the Major Incident Room Standardised Administrative Procedure Manual.



- 1.5.13 The purpose of the review and the report which followed was to provide advice, guidance and learning for the SIO and the Operation Rectangle team. A review will typically highlight well run aspects of an investigation and comment on areas that require attention. In order to be effective and to encourage staff to speak openly, the content of the final report of the review is intended to be provided and received in a spirit of learning. Public disclosure of the report is resisted and it usually attracts public interest immunity. Accordingly, it would not be disclosable for the purposes of a discipline hearing as to do so could undermine the public interest by inhibiting candour between interviewers and interviewees in the review process. The review report for Operation Rectangle has not, therefore, been relied on or quoted from in this Inquiry. Witness statements have, however, been provided by **X** Lead Review Officer, and the Head of the **OFFICER X** Specialist Crime Review Group.
- 1.5.14 Whilst the Specialist Crime Review Group was conducting the review, DCO WARCUP and Detective Superintendent Michael GRADWELL were also assessing aspects of the investigation. Comment will be made on their opinion throughout this Report. ACO WARCUP will state that on a number of occasions, he sought to raise concerns with CO POWER about the enquiry. In particular, the Media Section of this Report highlights the evidence of DCO WARCUP who tried to persuade CO POWER to participate in a press conference on 12 November 2008 to 'put the record straight' in relation to the items found at Haut de la Garenne and which were reported, incorrectly, to the public.
- 1.5.15 An interim review report was delivered to DCO WARCUP by the review officers from the Metropolitan Police Service on 10 November 2008. On 10 November 2008, DCO WARCUP wrote to Chief Executive Bill OGLEY, outlining his concerns with regard to what he termed as *'failings in relation to the command and management of the ongoing Historic Child Abuse Enquiry.'*

- 1.5.16 On the evening of 11 November 2008, DCO WARCUP and Detective Superintendent Michael GRADWELL provided a briefing to the Corporate Parent Group of Ministers in regard to Operation Rectangle in advance of a media briefing that was to occur on 12 November 2008. The purpose of the media briefing was to correct previous reports about Operation Rectangle that were in the public realm and were considered inaccurate and had the potential to harm future trials. The briefing announced that the forensic recoveries made on 23 February 2008 and subsequently at Haut de la Garenne provided no indication of any murders having taken place there, and that, contrary to public perception, there had been no bodies burnt or disposed of. On the evening of 11 November 2008, CO POWER was contacted whilst at home and invited to attend a meeting the following day with the Minister, the Chief Executive and the Head of Human Resources.
- 1.5.17 On 12 November 2008, CO POWER was informed that he would be subject to the Formal Disciplinary Process and was suspended from duty by Deputy Andrew LEWIS. DCO WARCUP was appointed to the role of Acting Chief Officer of Police. The suspension has been subject of a review process by the Home Affairs Minister, but remains in place at the time of writing this Report.
- 1.5.18 In November 2008, Chief Constable Brian MOORE was requested by Her Majesty's Inspectorate of Constabulary, to undertake a disciplinary investigation into CO POWER's role in relation to Operation Rectangle. Terms of reference for the disciplinary investigation were agreed on 1 December 2008, and Operation Haven commenced on that date. Following a six month evidence gathering phase, Operation Haven made preparations for the interview of CO POWER and disclosed to him various documents relevant to the interview. In the absence of legal representation, CO POWER declined to be interviewed but supplied a lengthy written statement.

## 1.6 Operation Haven terms of reference

1.6.1 Chief Constable MOORE was formally commissioned to undertake the discipline investigation by Bill OGLEY, the Chief Executive to the Council of Ministers, by way of a letter dated 1 December 2008. The following terms of reference were agreed:

1.6.2 *In respect of States of Jersey Police Historic Child Abuse Investigation (Operation Rectangle) and in the context of the duties of the Chief Officer of Police, as set out in Article 9 (3) of the Police Force (Jersey) Law 1974, (i.e. the Chief Officer of Police shall be responsible to the Minister for the general administration\* and the discipline, training and organisation of the Force and of the Port Control Unit) to undertake a disciplinary investigation which seeks to establish,*

1.6.3 1. *Whether Chief Officer Graham POWER's performance met the ACPO/NPIA standards and guidance for the supervision of Operation Rectangle (including the supervision of the financial management of Operation Rectangle).*

1.6.4 2. *Whether Chief Officer Graham POWER's performance met the ACPO/NPIA standards and guidance for the supervision of Operation Rectangle as a critical incident.*

1.6.5 3. *Whether Chief Officer Graham POWER's performance met the ACPO/NPIA standards and guidance for the supervision of the media strategy in respect of Operation Rectangle. And,*

1.6.6 4a. *In discharging 1-3 above, if it is discovered that a person may have committed any criminal offence which may have a bearing on 1-3 above, this will be disclosed to the Acting Chief Officer of Police and the investigative approach will be agreed with him.*

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\* A separate report will be prepared by Operation Haven in respect of the financial management of Operation Rectangle and, therefore, this issue is not dealt with in this Report.

4b. *In respect of the States of Jersey Police, if it is discovered that a person may have committed any disciplinary breach which may have a bearing on 1-3 above, this will be disclosed to the Acting Chief Officer of Police and the investigative approach will be agreed with him.*

1.6.7 5. *To identify and report any corporate learning for the benefit of the States of Jersey Police identified from 1-4 above.*

1.6.8 A copy of the disciplinary code for the Chief Officer of Police (States of Jersey Police) is included in the Evidential Bundle accompanying this Report.

## **1.7 Operation Haven planned method of investigation**

1.7.1 In order to assess the performance of CO POWER in his supervision of Operation Rectangle, Operation Haven adopted the following investigation plan:

- Ascertain the standard of investigation applicable to the States of Jersey Police.

This Inquiry has sought to discover whether the standards that the States of Jersey Police were working to were the relevant ACPO/NPIA standards.

- Ascertain what CO POWER should have known about the ACPO/NPIA standards of investigation based on his previous experience.

Through enquiries with CO POWERS's previous forces and his experience within the States of Jersey Police, Operation Haven sought details of his training, his experience and the previous investigation standards he has worked to. Witness evidence seeks to include details of his knowledge and awareness of those standards.

- Ascertain what CO POWER did know about the ACPO/NPIA standards.

This was intended to be discovered during the formal interview of CO POWER by this Inquiry. In the absence of that interview, the examination of witness testimony, his prepared statement and documentation has allowed Operation Haven to draw conclusions relating to CO POWER's knowledge.

- Ascertain any failings by CO POWER in respect of the standard.

Evidence gathered from witnesses, the analysis of available documentation and the examination of his e-mail communication provided Operation Haven with material that was considered by expert witnesses in order to assess CO POWER's performance. Experts were used to help assure the findings of this investigation and provide an independent opinion. The expert witnesses were provided with access to relevant material including CO POWER's witness statement.

- Ascertain whether there has been a failing against a criminal or misconduct threshold.

The material gathered by this Inquiry has been examined by lawyers commissioned by Operation Haven.

- Ascertain whether there been a failure of performance by CO POWER.

Similarly, the material gathered has been examined by lawyers commissioned by Operation Haven.

## **1.8 The investigation and supervision standards for Operation Rectangle**

- 1.8.1 Operation Haven has sought to assess the actions of CO POWER against the relevant Association of Chief Police Officers and National Policing Improvement Agency standards which are included within the Evidential Bundle accompanying this Report and summarised below.

- **The Murder Investigation Manual** was first published on behalf of ACPO in September 1998. It was compiled by a group of experienced Senior Investigating Officers supported by experts and other professionals working in the criminal justice system. They carried out extensive consultation within the Police Service and partner agencies to identify good practice in homicide investigation. The resulting manual was widely praised for consolidating the wide array of complex issues involved and it is now regarded as the definitive guide on homicide investigation by practitioners and policy makers alike. It is used to underpin the training and development of SIOs and has become a reference point for the investigation of all types of major crime. The second edition was published in 2000 after being amended to take into account changes in legislation and procedure. The current edition, published in 2006, was further amended to take into account legislative, scientific and technical advances, together with procedural developments that have come about through lessons learned from public enquires, coroners' inquests, criminal trials and internal reviews. The current 2006 version of the manual focuses mainly on the role of the SIO and the strategic issues involved in investigating a homicide. Many of the associated tactical elements are now dealt with in separate manuals of guidance.
- **The Major Incident Room Standardised Administrative Procedures** were published in a consolidated form on behalf of ACPO in 2005, providing the Police Service with clear information and guidance on the procedures to be used in a Major Incident Room. The success of any major investigation requires an organised and methodical approach and the Major Incident Room is central to this. All information gathered from members of the public, enquiry officers and other sources is recorded and managed using a standard set of administrative procedures, into a system used by the SIO to direct and control the enquiry.

- **The Investigation of Historic Institutional Child Abuse** guidance was published on behalf of ACPO in 2002. It was produced after SIOs nationally recognised that a number of complex historical investigations had been undertaken with limited national guidance and an absence of documented good practice. There followed extensive consultation with SIOs throughout England, Wales and Northern Ireland who had experience in dealing with historic abuse investigations.
- **Practice Advice on Critical Incident Management** was published on behalf of ACPO in 2007. The advice contained in the manual was developed in response to concerns raised by the Police Service in England, Wales and Northern Ireland regarding its ability to identify and manage critical incidents. The manual provides Chief Officers with a range of strategies for developing protocols and procedures to help forces to prepare for, identify and manage critical incidents.
- **ACPO Media Advisory Group** guidance notes were published in 2002, replacing those previously published in 2000. The guidance aims to encourage consistency of practice by police forces when dealing with the media. The guide provides a clear working framework to assist police to maintain effective working relationships with the media.
- **The Effective Use of the Media in Serious Crime Investigations** is a report published by the Home Office in 1999. It explores the central issues surrounding effective media handling in major crime investigation. It includes advice on developing media strategies, managing media interest, the disclosure and acquisition of information and wider concerns regarding relations with victims, families and communities. The information contained in the report was gathered following interviews with SIOs and media liaison officers involved in 16 investigations of murders and sexual assaults.
- **Practice Advice on Core Investigative Doctrine** is a manual that provides definitive national guidance for all investigators on the key

principles of criminal investigation, irrespective of its nature or complexity. It was produced by drawing on the collective experience of police practitioners, stakeholders and academics to provide a single definitive document providing a strategic overview of the investigative process and providing a framework for investigative good practice. It was published in 2005.

- **Working Together to Safeguard Children** was published by HM Government in 2006 and is a guide to inter-agency working to safeguard and promote the welfare of children.

1.8.2 The majority of these manuals have been produced by the NPIA. For clarity the roles of the NPIA, ACPO and Her Majesty's Inspectorate of Constabulary (HMIC) are explained below:

- NPIA was formed in April 2007, *'its purpose being to make a unique contribution to improving public safety'*. Through its National Improvement Strategy for Policing, its aim is to help its partners – ACPO, the Association of Police Authorities and the Home Office – to take a long term view about policing.
- ACPO is an independent, professionally-led strategic body. In the public interest and, in equal and active partnership with government, ACPO leads and co-ordinates the direction and development of the Police Service in England, Wales and Northern Ireland.

1.8.3 ACPO and NPIA issue guidance to police forces in England, Wales and Northern Ireland on a variety of policing matters which are considered best practice. It is accepted that the States of Jersey Police is not bound to follow guidance issued by ACPO/NPIA. Evidence collected by Operation Haven indicates that CO POWER was aware of the existence of ACPO/NPIA guidance and that he was or should have been aware that certain guidance issued by ACPO/NPIA had been introduced to the working practices of the States of Jersey Police. His officers attended accredited NPIA training courses in the UK. There is also evidence which indicates



that States of Jersey Police sought to follow and introduce ACPO/NPIA guidance, where it was thought appropriate.

- The role of Her Majesty's Inspectorate of Constabulary is to promote the efficiency and effectiveness of policing in England, Wales and Northern Ireland through inspection of police organisations and functions to ensure that agreed standards are achieved and maintained. Also, that good practice is spread and performance is improved. Inspectors are appointed by the Crown on the recommendation of the Home Secretary and report to Her Majesty's Chief Inspector of Constabulary, who is the Home Secretary's principal professional policing adviser and is independent of the both the Home Office and the police service.

CO POWER invited Her Majesty's Inspectorate of Constabulary to inspect the States of Jersey Police in 2006, which incorporated a follow-up visit in March 2008. The two reports relating to these inspections and visits are contained within the Evidential Bundle accompanying this Report. The inspection procedure is explained in the statements of Her Majesty's Inspector Ken WILLIAMS CVO CBE QPM BA, and his Staff Officer, **OFFICER X** who carried out the inspection.

- 1.8.4 Prior to the first visit of the HMIC in 2006, CO POWER had identified 10 issues that required HMIC scrutiny. Within the inspection report produced by HMI Ken WILLIAMS is one area of assessment described as 'Investigating Major and Serious Crime'. Under the heading *Compliance with Association of Chief Police Officers (ACPO) Murder Manual*, the report states '*in the event of a serious crime... guidance will be sought from the Major Incident Room Standard Administrative Procedures and murder manual*'.
- 1.8.5 These two points are also contained in the HMIC re-visit report in 2008, also produced by HMI WILLIAMS. This report has been published in full by the States of Jersey Police on their website.

1.8.6 In their evidence to Operation Haven, both CO POWER and ex-DCO HARPER considered that NPIA standards were not applicable to the States of Jersey Police. The statement of CO POWER infers that the States of Jersey Police assumes no legal duty to adopt the standards of the NPIA though they may adopt those standards, if appropriate. This Inquiry agrees there is no legal duty on the States of Jersey Police, or any force, to adopt ACPO/NPIA guidance. However, as the HMIC Inspection of the States of Jersey Police indicates, standards will be assessed against the ACPO/NPIA guidance. This is the approach adopted by Operation Haven. A letter sent by CO POWER dated 20 December 2008 to the SIO of Operation Haven, Chief Constable MOORE, states *'I am not aware of any mandate which extends their [NPIA/ACPO] authority beyond the UK and certainly none which extends to this Bailiwick... I understand that those holding this view believe that if I am successfully held to account for an alleged breach of UK guidelines then the probable outcome is that all such guidance will thereafter become the bible for policing in this island'*.

1.8.7 Operation Haven contends that on balance, the States of Jersey Police had adopted the ACPO/NPIA standards, based on the HMIC inspections of 2006 and 2008 and on the evidence indicated in the statements of some States of Jersey Police officers and support staff.

- **OFFICER X** the Deputy Senior Investigation Officer for Operation Rectangle, states *'there are no Jersey standards or Jersey standard operating procedures for an investigation like this'*.
- **X** the States of Jersey Police Forensic Services Manager, states *'the forensic officers in Jersey work to the NPIA standard'*.
- **OFFICER X** refers to being *'recently qualified to UK national standard'*.

- OFFICER X (X4) were each trained as SIOs to the NPIA standard within the UK.
  - OFFICER X was 'trained in Ashford to the NPIA/ACPO standard'.
  - ACO David WARCUP states 'At no time in discussions with the Chief Officer of the States of Jersey Police, Mr Graham POWER, has it ever been suggested that the standards to which I have referred should not be applied. Indeed on the contrary it was clear to me that the standards which applied or which we aspired to were the same as those in the UK. This was evident in relation to a number of areas which were discussed in general over time, including misconduct, firearms, child protection, and the problem of vulnerable people, the role of Multi-Agency Public Protection Arrangements (MAPPA) National Crime Recording Standards, call handling, and serious crime investigation'.
- 1.8.8 These members of his staff were only aware of and only refer to, UK standards.
- 1.8.9 In addition, CO POWER sought mentoring guidance and advice from the ACPO Homicide Working Group. The ACPO Homicide Working Group advise and mentor only to the NPIA standards.
- 1.8.10 For the above reasons Operation Haven contends that the ACPO/NPIA standards are applicable to this misconduct investigation and according to the Murder Investigation Manual Standardised Administrative Procedures any derogation from them should include the documentary evidence as to why the standards are not being adhered to.
- 1.9 Former DCO Robert Leonard 'Lenny' HARPER**
- 1.9.1 This Inquiry accepts that the accountability of CO POWER should not increase because of the retirement of DCO HARPER from the Police

Service. Where the report identifies failings in the performance of ex-DCO HARPER, those failings were not visited on CO POWER because he is still accountable as a serving officer. Any failings that we conclude are attributable to CO POWER stand on their own merit in respect of CO POWER.

1.9.2 This Inquiry was not asked to investigate ex-DCO HARPER for misconduct matters as he had retired from the Police Service and was no longer subject to discipline regulations. We have little doubt, however, that had he still been serving at the time Operation Haven was launched, this Inquiry would have been considering his conduct.

1.9.3 As Operation Haven has assessed the performance of CO POWER against the relevant ACPO/NPIA standards applicable in the United Kingdom whilst having regard to the States of Jersey Police context, so we have considered identified failings against the conduct standard which is applicable in the UK. We have obtained legal advice in this regard and the specific advice relating to misconduct charges that would be applicable in the UK is contained in this Report. It is quite properly a matter for the competent Authority in Jersey to consider and accept or reject the advice we have received.

#### **1.10 Use of police rank abbreviations**

1.10.1 At various times in this Report, the same witness will be referred to, but with different rank abbreviations. For example, Mr HARPER is sometimes referred to as 'DCO HARPER', 'ex-DCO HARPER' or 'former DCO HARPER'. These differences arise depending upon whether the event described or his commentary upon it was pre- or post- his retirement. Similarly, Mr WARCUP is described as 'DCO WARCUP' and 'ACO WARCUP', sometimes in the same paragraph or section. These differences relate to an event or his commentary on an event, pre- or post- the suspension of CO POWER and when Mr WARCUP became the Acting Chief Officer (ACO). This approach has been adopted for other police witnesses in 'acting' ranks or who retired at times relevant to this investigation. We hope this explanation assists the reader.

## 2. Executive summary

- 2.1 Having considered the evidence available to us, this Inquiry finds that Chief Officer Graham POWER did not possess an adequate range of current, technical policing skills to ensure that he was able to provide effective leadership of Operation Rectangle, probably the largest child abuse investigation in the States of Jersey Police history. We have found no evidence that CO POWER committed any criminal offence relating to his supervision of Operation Rectangle. However, we conclude that he may be in breach of the Discipline Code for Chief Officers in his failure to meet the relevant performance requirements placed upon him by s.9(3) Police Force (Jersey) Law 1974. These potential breaches are described in the Conclusions and Legal Advice Sections of this Report.
- 2.2 By his own admission, CO POWER did not know enough about major crime investigation, criminal procedure disclosure, Gold Groups and Independent Advisory Groups. CO POWER accepts that his *'training and qualifications were becoming dated'*, but this he states, was known to and accepted by, ministers and officials and senior colleagues. In our view, faced with Operation Rectangle, CO POWER's skills and experience were largely obsolete. However, to that point, we have no evidence that his performance was anything other than effective in the role of Chief Officer.
- 2.3 To his credit though, CO POWER sought the advice of the experts in the ACPO Homicide Working Group in respect of Operation Rectangle. Unfortunately, the ACPO advisors adopted a policy of only making recommendations to which CO POWER and his SIO, DCO HARPER, had signalled prior approval rather than making recommendations which robustly challenged them to change their opinions. The lack of clarity surrounding the ACPO Homicide Working Group's advice and mentoring role to the SIO created an environment in which it is now suggested by its representatives, DCO HARPER and CO POWER that some of the ACPO advice was misunderstood. Any misunderstanding which did arise helped to create a false sense of security for CO POWER which ought not to be to his detriment, albeit responsibility for Operation Rectangle rests squarely with him. His sense of security would have been better founded had he maintained his professional knowledge and development and had he supervised DCO HARPER

appropriately. From the moment that CO POWER agreed the appointment of DCO HARPER as SIO, CO POWER was rendered vulnerable by his own lack of training, skills and recent experience in major crime investigation. These vulnerabilities, we conclude, were compounded by misunderstandings of some of the advice provided to him by the ACPO Homicide Working Group.

- 2.4 Based on the evidence available to this Inquiry, we also conclude that CO POWER's position was made more difficult by his 'hands-off' management style which provided the strong-willed and passionate DCO HARPER considerable latitude to pursue his own course and without proper regard to the advice and roles of fellow professionals and other stakeholders. The evidence acquired by this Inquiry suggests that CO POWER felt considerable loyalty to his Deputy, especially regarding DCO HARPER's desire to challenge the 'Jersey way' of the political and legal institutions in the Island which both men felt extended a malign and possibly corrupt influence over the independent pursuit of the truth which CO POWER and DCO HARPER took as their 'mission' in respect of Operation Rectangle.
- 2.5 The Historic Child Abuse Enquiry codenamed Operation Rectangle which commenced in September 2007 proved to be the catalyst for many of the passions and weaknesses of the Chief Officers to be played out in full.
- 2.6 Telling factors were also DCO HARPER's lack of current training and experience as an SIO and his near imperviousness to self-doubt. These deficiencies and traits, combined with the emotive nature of child abuse itself linked to the suspicion of collusion and cover-up by echelons of the State, provided the platform for DCO HARPER to pursue his own agenda irrespective of the true merit of the evidence available to him. We highlight that these salient factors were compounded by CO POWER's apparent reluctance to impose robust supervision, his sense of loyalty to and sometimes admiration for, his Deputy, and CO POWER's own distrust of the political establishment.
- 2.7 In this Inquiry's view, CO POWER made a poor initial judgement in appointing his Deputy as SIO to Operation Rectangle in Autumn 2007, but the judgement at that time that did not amount to a failure in performance. Clearly alive to the significance and scale of media attention after 23 February 2008, CO POWER

wisely secured the assistance of the ACPO Homicide Working Group. Its clearly communicated advice on the need for strategic co-ordination of the investigation was not accepted by CO POWER and an apparent compromise – to appoint an Independent Advisory Group, with some Gold Group responsibilities – was agreed by the Chief Officer, but the inexperienced IAG members left without adequate professional support, were bound to fail and did so, in their role of providing robust advice to the States of Jersey Police on this most difficult of abuse investigations.

- 2.8 The media needed little encouragement to paint a graphic and horrific picture of institutionalised abuse of vulnerable children on the Island. We are clear from the evidence that such reporting was condoned and even encouraged in a number of the States of Jersey Police press releases which variously described the '*partial remains of a child*', '*skull*', '*shackles*', '*bath*', '*cellars*' and '*blood*', none of which transpired to be accurate. Even when the Attorney General challenged CO POWER over the nature and effect of media reporting on the fairness of proceedings against defendants charged with child abuse, CO POWER's supervisory intervention against his Deputy – the principal architect of the misrepresentation in the media – was only to the extent of forwarding to the Attorney General a copy of the Force's media strategy which, in any event, could hardly have been said to have been adhered to at that point. DCO HARPER remained sufficiently emboldened to subsequently publish in the media a direct attack on prosecutors following their refusal to charge suspects whom DCO HARPER was determined to see charged. The ensuing exchanges between the lawyers and the police officers signalled an irretrievable breakdown in trust which CO POWER seemed either powerless to prevent by virtue of his support for DCO HARPER's stance or his inability to properly challenge his Deputy. This Inquiry has not been able to establish any compelling evidence of CO POWER's ability to intercede to control DCO HARPER from the inception of Operation Rectangle in September 2007 until his retirement from the States of Jersey Police in August 2008 by which time fatal damage had been inflicted upon the integrity of Operation Rectangle and which would be publicly disclosed on 12 November 2008 as a result of the press conference held by DCO WARCUP and the CO POWER's subsequent suspension.

- 2.9 DCO HARPER's retirement heralded changes which were to expose the inadequacies in the handling and management of Operation Rectangle. DCO HARPER's successor, DCO David WARCUP, appointed in August 2008, and the separately appointed SIO, Detective Superintendent Michael GRADWELL, appointed in September 2008, set about assessing the investigation and quickly concluded that suggestions of homicide were without substance and that the enquiry lacked focus and direction. An independent review of the investigation by the Metropolitan Police Service challenged many of the earlier subjective assessments made by DCO HARPER and which went without critique by CO POWER, the only officer able to supervise DCO HARPER due to the latter's seniority. There were no '*partial remains of a child*' or '*shackles*' or '*cellars*' or '*bath*' or '*blood*'. There was no murder contrary to impressions created and not convincingly challenged.
- 2.10 The new senior officers, with the support of law officers, politicians and State officials, decided to provide an alternative perspective on the 'facts' in a press conference on 12 November 2008. Despite the clear evidence of, at best, misrepresentation in some States of Jersey Police press releases, CO POWER sought to play down the significance of the new revelations and to extol a media approach of a 'drip feed' of facts into the public realm over time. CO POWER's approach created fears in the new senior Operation Rectangle team of the type of cover-up and misrepresentation which CO POWER professed to oppose. CO POWER declined to attend the press briefing and, in so doing, to represent his Force at its lowest point during Operation Rectangle. CO POWER's suspension from duty followed later on 12 November 2008.
- 2.11 This Inquiry has gathered evidence from 94 witnesses and has carefully considered their motivations, where appropriate, in providing their evidence, particularly where they might stand to gain from CO POWER's difficulties. Whilst CO POWER declined to be interviewed by this investigation (on the basis that he was not able to secure appropriate legal representation), he provided a comprehensive 94 page witness statement in response to the large amount of material gathered by this Inquiry and presented to him by way of advanced disclosure. This disclosure was accompanied by our intimation of relevant 'issues' which we invited him to consider and address. We found CO POWER's statement



to be thoughtful, extensive and articulate. He fully and flatly denies any wrong doing on his part. CO POWER suggests that the ACPO/NPIA standards against which we have assessed his performance are not applicable to Jersey having regard to the context of the Island and the Chief Officer's role which he contends is unique from any Chief Constable position in the United Kingdom and CO POWER warns of the danger of equivocating standards applicable in a different jurisdiction. His witness statement helpfully follows the general structure of the terms of reference for Operation Haven and he offers answers to each of the queries raised. We dedicate a section of this Report to a more detailed summary of CO POWER's statement which helps inform our conclusions.

- 2.12 During the course of our investigation, thousands of States of Jersey Police e-mails relating to CO POWER were assessed by Operation Haven personnel. Two, in particular, are noteworthy for their inappropriateness. One on 23 February 2008 (the day of the significant 'find' at Haut de la Garenne) indicates at best, a flippant or dismissive attitude or at worst, a contemptuous attitude towards some elected politicians, but which on either interpretation set a poor example to DCO HARPER who read it. However, one dated 29 February 2008 contains 'joke' comments which are considered simply inexcusable by this Inquiry. This e-mail was sent from the Force e-mail system to a friend and former colleague of CO POWER in the United Kingdom. The inappropriateness of the e-mails is reflected in the charges suggested against CO POWER.
- 2.13 Operation Haven commissioned an independent company with relevant expertise to comment on the effects of Operation Rectangle on the reputation of the States of Jersey Police as measured through media volume and comment during the period when Operation Rectangle was active. It concludes that a positive impression was created of the Force, but a poor one was created of the Island and its institutions.
- 2.14 Whilst by no means the sole determinant of success, Operation Rectangle led to the investigation of 429 allegations made by 210 people and resulted in convictions of 2 defendants for 13 offences at Haut de la Garenne, for which they were sentenced to 2 years imprisonment and 2 years probation, respectively. One person was convicted of 19 offences elsewhere than at Haut de la Garenne and

received 15 years imprisonment. Two other persons await trial. The police costs of Operation Rectangle are estimated to be £6.665 million.

- 2.15 It will be noted that this Report only deals with those terms of reference that relate to supervision, critical incident management and media, but not the part-term of reference that relates to CO POWER's oversight of finance. A separate 'chapter' on that will be produced in due course and subject of a further report. The reason for the delay is that the States of Jersey Police commissioned a separate review of aspects of the financing of Operation Rectangle and which this Inquiry feels it is prudent to review before coming to any conclusions about the performance of CO POWER in supervising the finances allocated to Operation Rectangle.
- 2.16 As far as possible, this Inquiry has pursued lines of enquiry raised by CO POWER. At the time of writing this Report, we have been unable to interview a witness whom CO POWER clearly considers to be important to his case namely, Wendy KINNARD, the former Home Affairs Minister. Therefore, our conclusions bear the caveat that we reserve the right to amend our views and conclusions in light of any relevant evidence which Wendy KINNARD is able to provide when eventually she is interviewed.
- 2.17 Noting the above caveat, this Inquiry has presented the evidence gathered and our conclusions for review by **X** QC and **X** instructing solicitor, **TEXT REDACTED**. Their advice in respect of potential charges against CO POWER in terms of alleged failures in his performance and/or neglect of duty is described later in this Report. We have included their advice because we have assessed CO POWER's performance against United Kingdom standards having regard to the Jersey context and should also assess any alleged failings against the conduct standard which eminent Counsel advises would apply, on the facts presented, in the UK. It must, of course, be a matter entirely for the competent States of Jersey Authority to come to its own view on the evidence, conclusions and findings suggested by this Inquiry and on Counsel's advice.
- 2.18 Between 1 December 2008 and 31 July 2009, Operation Haven has cost the States of Jersey £405,000.

- 2.19 In coming to our conclusions on the performance of CO POWER during Operation Rectangle, this Inquiry has carefully considered the unique context of Jersey in terms of the size of the Force and its Chief Officer cohort, the relative dearth of experience of its Senior Investigating Officers, and the limitations of the resources at its disposal. We have also considered the explanations offered by CO POWER in his statement to Operation Haven especially in relation to the 'political' difficulties of making external appointments to the Force.
- 2.20 We have included these considerations in our assessment of CO POWER's performance against the ACPO/NPIA standards relating to the investigation, management and supervision of suspected cases of homicide.
- 2.21 In addition, we have been careful not to 'indict' CO POWER – a serving officer – for failings which may be attributed to ex-DCO HARPER who is no longer a member of the Force. We consider it likely that had ex-DCO HARPER remained a serving officer a discipline enquiry would have considered his conduct. The conclusions we draw in respect of CO POWER stand on their own merit.
- 2.22 Below, we highlight each of the conclusions drawn from the evidence and provide a synopsis of how each conclusion was reached.
- 2.23 A similar approach has been adopted in respect of recommendations made as a result of our Inquiry.

## **Supervision**

- **Conclusion 1**

- 2.24 **CO POWER's appointment of DCO HARPER as SIO was inappropriate when Operation Rectangle was solely an Historical Child Abuse Enquiry. This became a failure in performance of his duty to appoint an SIO of adequate qualification and experience after 23 February 2008 when Operation Rectangle became a homicide investigation.**
- 2.25 The Murder Investigation Manual is prescriptive regarding the role of Chief Officers in the appointment of SIOs.
- 2.26 DCO HARPER had not undertaken the role of SIO for 16 years before Operation Rectangle and was untrained for the requirements of Operation Rectangle. There

were more appropriate candidates for the role of SIO already available from within the States of Jersey Police albeit, like DCO HARPER, they lacked experience. Their greater appropriateness stems from the fact that each is currently trained.

- 2.27 There was a further option for CO POWER to have obtained assistance from Devon & Cornwall Constabulary to supply a suitably qualified SIO under a Service Level Agreement in existence between the two Forces. This option was considered but not pursued by DCO HARPER. It is not clear from the evidence whether CO POWER was aware of the Service Level Agreement or that option at all.
- 2.28 A number of opportunities arose for CO POWER to ensure an appropriate SIO was appointed to Operation Rectangle but he failed to act on any of them and as the investigation continued, his culpability became a matter of performance failure rather than a mere error of judgement.
- 2.29 The reasons given by CO POWER for appointing DCO HARPER as the SIO include a reluctance within the States of Jersey to accept any appointments made outside of Jersey, a possible link between the professional standards (i.e. discipline) issues that existed in the Force and Operation Rectangle and the need for personal robustness in the SIO to resist political pressure. Also, CO POWER suggests that DCO HARPER had almost overnight become the international 'face' of the enquiry in the media and that CO POWER could not countenance a change of SIO midstream. He appears to suggest that no matter what the deficiency in qualification or the potential effect on Operation Rectangle, it was simply beyond consideration that DCO HARPER could have been replaced by a qualified investigator. This Inquiry does not agree these are sufficiently valid reasons for continuing with an untrained SIO at the helm of such a major inquiry.
- 2.30 The key decision about the appointment of the SIO is not documented in any policy books, day books or pocket notebooks that we have been able to locate. We consider this to be a pertinent omission.
- 2.31 We conclude that CO POWER did not meet the standards required of him in that he failed to ensure he appointed an appropriate SIO to Operation Rectangle; one

who had both the training and experience to be able to perform effectively in the role.

- **Conclusion 2**

- 2.32 CO POWER failed in the performance of his duty to ensure adequate terms of reference were created for Operation Rectangle which were agreed with and adhered to by the SIO.**
- 2.33 Established best practice in respect of the management of any major investigation requires that clear strategic parameters are established at the outset in order to give proper direction to the investigation. CO POWER should have set strategic parameters for Operation Rectangle and agreed terms of reference with the SIO. We have found no evidence that he did either.
- 2.34 The revelation that the *'partial remains of a child'* had been discovered at Haut de la Garenne on 23 February 2008 was a major opportunity for CO POWER to provide clear and unequivocal direction to the investigation. This Inquiry can find no evidence that new or amended terms of reference were established or that CO POWER sought to ensure this was done. Indeed, CO POWER admits he did not know whether any terms of reference for Operation Rectangle existed.
- 2.35 We conclude that there was inadequate supervision by CO POWER and that he failed in the performance of his duty to ensure that adequate terms of reference were either created or adhered to.

- **Conclusion 3**

- 2.36 CO POWER failed in the performance of his duty to maintain adequate records of his supervision of DCO HARPER during Operation Rectangle.**
- 2.37 The Murder Investigation Manual is explicit in respect of the role of Chief Officers in major crime investigation. SIOs should be supervised and records kept of that supervision.
- 2.38 CO POWER's job description placed him under a duty to manage the effective investigation of crime with priority given to those crimes of greatest public concern.

- 2.39 CO POWER was the only person in a position to supervise DCO HARPER and it was the Chief Officer's responsibility to ensure that the Operation was being run to an acceptable standard.
- 2.40 This Inquiry has established and accepts that frequent meetings did take place between CO POWER and his Deputy. However, there were no detailed records kept of any briefings, meetings or other interaction between them and on that basis it is impossible to see any cogent evidence of CO POWER's supervision of DCO HARPER or Operation Rectangle.
- 2.41 This Inquiry concludes that CO POWER's supervision of DCO HARPER was deficient in a number of specific areas. For example; the use of Martin GRIME and his enhanced victim recovery dog; the provenance of Exhibit JAR/6; the relationship with the prosecution lawyers; and the media release in relation to suspects 'A'. In addition, it is a cause of concern to this Inquiry that CO POWER recorded so little of his decision-making. All in all, adequate records were not kept of their meetings and CO POWER's decisions. There is a lack of an auditable document trail to show a structured decision-making process. We have found that CO POWER had not countersigned a single policy decision to show any evidence of his involvement.

- **Conclusion 4**

- 2.42 **CO POWER made inappropriate use of the Force e-mail system.**
- 2.43 There are two examples of e-mail communications from CO POWER which this Inquiry finds to be inappropriate. Firstly, in an internal e-mail sent on 23 February 2008, when making reference to the electronic debate between politicians, he writes '*I think that all of our politicians have approached this investigation with honesty, openness, a desire to find the truth... and a solid determination to put political differences aside in the common interest... and so do my friends the elves and pixies*'.
- 2.44 Given the legitimate concerns of some politicians about the handling of Operation Rectangle, particularly by DCO HARPER, this was unprofessional and sets a poor example to colleague members of the States of Jersey Police who read it. One of

those was DCO HARPER, whom CO POWER was expected by politicians to be challenging about the Deputy's handling of the media.

2.45 The second example is an external e-mail dated 29 February 2008 sent by CO POWER to a friend, 'W' who resides elsewhere in the UK. CO POWER's e-mail says *'according to stories doing the rounds in the pubs, the abuse enquiry is a cover story; we are really selecting the winner of the world hide and seek championships. Or if you prefer what is the difference between a jersey royal and a jersey orphan?? Answer a jersey royal gets dug up after three months'*. This unprofessional comment by the Chief Officer can have no excuse or mitigation and suggests a deeply concerning attitude at such a critical time for his Force and the States of Jersey.

2.46 This Inquiry concludes that in each case, the e-mails sent by CO POWER were inappropriate and particularly so when sent over the Force network.

- **Conclusion 5**

2.47 **CO POWER failed in the performance of his duty to ensure that DCO HARPER maintained an effective working relationship between the prosecution legal team and the police investigation team for Operation Rectangle.**

2.48 It is accepted best practice for a close working relationship to exist between the SIO, his or her investigation team, and the prosecution lawyers appointed to the enquiry.

2.49 The problems that arose between Operation Rectangle and the legal team appointed by the States may be interpreted, in essence, as being personality-based issues between DCO HARPER and the prosecutors. Evidence of these difficulties is plentiful and detailed at length in the Supervision Section of this Report.

2.50 CO POWER was aware of developing problems soon after they arose. He does accept there were difficulties in the working arrangements with the law officers, and to his credit, he consulted with ACPO Homicide Working Group on how to improve the relationship with the lawyers.

- 2.51 We conclude that CO POWER was both over accommodating of his SIO's wishes and commensurately less than accommodating of the legitimate needs of the lawyers. He brokered the expectation of the lawyers by suggesting they should seek to build a relationship and gain favour with DCO HARPER through his support for a particular football team. The lawyers found that a less than a professional or satisfactory basis for developing a relationship with DCO HARPER. Rather, instructions should have been given to DCO HARPER by CO POWER to work effectively and productively with the lawyers.
- 2.52 This Inquiry finds that lawyers were not given appropriate access to material that they required until after the appointment of DCO WARCUP in August 2008. CO POWER was made aware of difficulties on a number of occasions, but we have found no evidence that he ever directed DCO HARPER to allow unfettered access to relevant material.
- 2.53 In June 2008 DCO HARPER publicly criticised the lawyers in the media as a result of a dispute between them over the charging of suspects in custody.
- 2.54 CO POWER was made aware and was required to attend the Attorney General's office as a result of the resulting furore. CO POWER offered little by way of explanation or remedy resulting in the Attorney General considering taking his own action.
- 2.55 This Inquiry has established that CO POWER did make some attempts to guide DCO HARPER's actions but we consider them to be inadequate and below the level of supervision reasonably required to effectively manage DCO HARPER in an enquiry of Operation Rectangle's significance.
- 2.56 It appears CO POWER preferred to try and 'ride things out' until DCO HARPER retired. In doing so, he permitted poor relations with the legal team to continue. We believe the ongoing difficulties between DCO HARPER and the lawyers could and should have been resolved by way of a directive from his supervisor. The only person in a position to do this was CO POWER and he failed to do so.
- **Conclusion 6**
- 2.57 **CO POWER failed in the performance of his duty to prepare for the impact that the searches at Haut de la Garenne would have on public opinion.**



- 2.58 This Inquiry concludes that the decision to dig at Haut de la Garenne was questionable based on the evidence available and DCO HARPER's initial view that there was 'not a shred of intelligence or evidence' to provide the grounds for doing so. Little additional evidence was forthcoming.
- 2.59 No record has been found as to whether DCO HARPER's initial view was subsequently referred to CO POWER for consideration when the decision to search was re-visited. Nevertheless, in all circumstances, this Inquiry believes it was reasonable to conduct the search and we do not attach formal criticism to ex-DCO HARPER or CO POWER for doing so. However, the risks – in terms of public and media speculation about police activity, if reported – should have been predicted and carefully planned for.
- 2.60 We have found no evidence that CO POWER applied his mind properly or at all to the implications of the search prior to its commencement. This Inquiry is left with the impression that CO POWER's passive acceptance of the opinion of the SIO was exacerbated by his own lack of experience. Nevertheless, in his role as Chief Officer, he should have provided strategic guidance to the SIO and ensured the hypothesis proffered for the search would stand scrutiny.
- 2.61 CO POWER asserts that he may not have had all the information he should have and that the decision was not primarily his. The lack of detail contained within Operation Rectangle's policy decisions for searching Haut de la Garenne provides no assistance in establishing whether CO POWER directed or supervised policy in this respect. The suspicion must be that he did not.
- 2.62 The deployment of Mr GRIME and his enhanced victim recovery dog also had a significant effect in terms of media, finance and investigative consequences. CO POWER did raise concerns as to his deployment and the cost of it with DCO HARPER but was all too readily satisfied with the limited explanation provided.
- 2.63 There is a lack of documentary evidence to show any intrusive supervision of the SIO with regard to the continued search. This Inquiry concludes that the actions of DCO HARPER and his management of Martin GRIME went unsupervised for some considerable time.

2.64 This view of this Inquiry is that CO POWER exhibited a naive approach in relation to the search of Haut de la Garenne. Had he considered the possible implications of the search, CO POWER may well have had cause to reflect on the need for a plan to manage the impact. There is no evidence to suggest that he did so.

- **Conclusion 7**

2.65 **The operational performance of the States of Jersey Police was not demonstrably adversely affected during Operation Rectangle.**

2.66 Whilst it is clear that Operation Rectangle was a very expensive operation and had a huge media footprint, this Inquiry has established that it had no obviously adverse effect on other day-to-day operations in the Force and crime reduction and detection performance.

2.67 We have found that Operation Rectangle was not discussed in detail within the scheduled strategic meetings at Force level. However, meeting minutes for March to June 2008 reflect that, despite the demands of the investigation, the ability of the Force to provide a 'normal' policing function was not affected. In July 2008, the matter of the impact of Operation Rectangle on staffing levels was raised. CO POWER responded recognising that supervision, quality control and very careful management would be required for the duration of Operation Rectangle.

2.68 CO POWER acknowledges the tensions between Operations Management and Operation Rectangle in relation to resources. However, open source evaluation of Force crime reduction and detection data does not reveal any drop in performance during the relevant period. CO POWER suggests it that in the main Force Performance was maintained without detriment to the community. Operation Haven has found no evidence to contradict this standpoint.

## **Critical incident**

- **Conclusion 8**

2.69 **CO POWER failed in the performance of his duty to ensure a Gold Group was created following the declaration of the investigation as a critical incident on 13 December 2007 and also following the 'find' at Haut de la Garenne on 23 February 2008.**

- 2.70 This Inquiry finds that the command and control structure for the management of Operation Rectangle did not comply with the standards set out in the relevant professional practice guide and that CO POWER is culpable for the failures of the States of Jersey Police to establish a Gold Group.
- 2.71 It is a recurring theme in their accounts that both CO POWER and DCO HARPER considered it undesirable to establish a Gold Group due to the allegations of establishment collusion, conspiracy and cover-up. However, there were feasible alternatives to Gold Group membership which did not involve those whom CO POWER and DCO HARPER were reluctant to appoint. A Gold Group could have been successfully convened.
- 2.72 The formation of a Gold Group is normal practice in critical and major incidents and DCO WARCUP did precisely that when he took up post following the spirit of ACPO guidance and practice without apparent difficulty. CO POWER would have it that it was at his direction that the Group was set up but on balance, this Inquiry accepts it was at the instigation of DCO WARCUP.
- 2.73 It is a fact that the ACPO Homicide Working Group did not make the important recommendation about a Gold Group within their reports, although we are satisfied the issue was discussed with CO POWER. We conclude that the advice of the ACPO Homicide Working Group in Operation Rectangle was sometimes ambiguous, either in the manner given or interpreted, and this created a false sense of security for CO POWER.
- 2.74 However, this Inquiry does find that CO POWER was ultimately responsible for ensuring a Gold Group was created but that he failed to put one in place for this major enquiry; one which required the full and proper engagement of CO POWER to ensure its smooth running.
- **Conclusion 9**
- 2.75 Whilst this Inquiry accepts that a Community Impact Assessment was prepared commendably by junior officers, CO POWER failed in the performance of his duty to ensure that a CIA appropriate for Operation Rectangle was properly implemented and pursued by the States of Jersey Police.

- 2.76 There can be no question that Operation Rectangle was a critical incident in view of the likely significant impact on the confidence of victims, their families and the community. It was declared as such on 17 December 2007.
- 2.77 DCO HARPER held the view that there was no risk of community tensions and that a CIA was not required since this was only 'technically' a critical incident and countermanded the decision of 17 December 2007. He undertook to review his position as the enquiry progressed but did not do so.
- 2.78 Thus, a CIA was not considered or completed until 19 March 2008 having been recommended by the ACPO Homicide Working Group.
- 2.79 To the credit of various members of the Operations Management Team, the absence of a CIA was raised at their meetings but despite the advice of trained staff within the States of Jersey Police, DCO HARPER chose to progress the investigation without proper regard for their professional advice.
- 2.80 CO POWER accepts he was not familiar with the concept of CIAs and attempts to argue that a CIA was not a matter for his concern, trying to relinquish responsibility to DCO HARPER whom he identifies as a 'Chief Officer' for the purpose of those guidelines. We do not find this attempted abrogation acceptable.
- 2.81. CO POWER and DCO HARPER have both fallen short of the standards expected of them but in this Inquiry's view. CO POWER's position effectively amounts to conceding that he did not know what a CIA was, refusing to consider whether it was of relevance and passing responsibility post facto to DCO HARPER. In our view CO POWER failed to supervise or give guidance to DCO HARPER whilst attempting to absolve himself of responsibility.
- **Conclusion 10**
- 2.82 **CO POWER failed in the performance of his duty to establish a relevant, supported IAG with clear terms of reference.**
- 2.83 Given the resistance from CO POWER and DCO HARPER to the creation of a Gold Group as suggested by the ACPO Homicide Working Group in February 2008, it appears a compromise was reached whereby an IAG was established as an alternative. CO POWER and DCO HARPER agreed that it would perform

some of the functions of a Gold Group, albeit neither had knowledge or experience of Gold Groups or IAGs.

- 2.84 Such a compromise concerns us. This Inquiry finds that the functions and expectations of the IAG recommended by the ACPO Homicide Working Group and particularly how the IAG might fulfil some of the functions normally within the remit of the Gold Group, were never made clear to the IAG members.
- 2.85 Unfortunately, those subsequently appointed as IAG members were given little direction, guidance or support and were unsure of their role and what part they actually had to play. This Inquiry believes that an untrained and inexperienced IAG expected to fulfil additional, unspecified strategic goals normally associated with a Gold Group could never have been effective. The members of the IAG were committed and passionate in their attempts to fulfil their role but the lack of input and clarity experienced by them exacerbated their frustrations and eventually led to a breakdown of trust with the Force.
- 2.86 We are satisfied that CO POWER initiated the establishment of the IAG, although we conclude the execution was half-hearted, 'tick-box' and ineffectual. In addition, the composition of the IAG should have reflected the community affected by the investigation but the selection of individuals identified to form the Group was not necessarily independent giving rise to the risk of the IAG being labelled an 'old boy's network'.
- 2.87 DCO HARPER chose to chair the IAG but this practice does not conform to the standards against which Operation Rectangle is compared. It would be usual for the SIO to brief the IAG but not to chair it. DCO HARPER's concerns of corruption and a lack of independence affected his actions throughout his entire time as SIO, yet despite that neither he nor CO POWER gave consideration to applying either risk assessment or formal vetting processes to the selection procedure for members of the IAG.
- 2.88 It is a common theme raised by members of the IAG that they were lacking in understanding of what function they were supposed to be providing and that members were given little or no support in resolving those issues they raised with CO POWER and DCO HARPER. This Inquiry finds on the basis of the evidence

gathered, that IAG members were entirely justified in feeling as they did and that they were bound to fail to achieve their objectives – advising and challenging the States of Jersey Police in its management of the critical incident, Operation Rectangle.

- **Conclusion 11**

- 2.89 **CO POWER should not be held to account for failing to take timely and effective action to resolve concerns raised by the IAG. The evidence suggest he did take action.**
- 2.90 We have earlier concluded that CO POWER should be called to account for failure in performance of his duty to establish a relevant, supported IAG with clear terms of reference. However, this separate issue is concerned with whether or not he dealt with the concerns raised by the IAG, having been set up in the form they were.
- 2.91 CO POWER encountered difficulties relating to the perception of the IAG by States' members who saw it as a threat, conflicting with their role as elected members. It is also true to say that CO POWER had encountered resistance throughout from the Attorney General who was not convinced of the need for such a body and disputed the relevance it may have to an investigation in Jersey. His concerns become more overt following the publication of a newspaper advert placed by the IAG which was interpreted as a public appeal which might 'contaminate' potential jurors and prejudice future proceedings.
- 2.92 When the Attorney General's views became known it gave rise to complaint from members of the IAG who were annoyed at how they felt they were being misrepresented in their actions. CO POWER responded in recognition that managing the Jersey media was difficult and thanked the IAG for their time and involvement in what he described as a difficult task.
- 2.93 A situation developed where the members of the IAG felt unsupported and were unsure of what their actual role was and this resulted in representations being made to CO POWER who responded to X immediately. He purported to recognise the difficulties the IAG had encountered and 'identified' with their concerns. He thanked them for the effort and support that the group had

shown and recognised their worry that they considered their task to be 'hard' and 'ambiguous', about which there are conflicting views, and the uncertainty as to the appropriate way forward. He also recognised the need for a re-launch and re-affirmed his position that the IAG had an important role to play in his view. He suggested a meeting at which DCO WARCUP would be present and this did subsequently occur.

- 2.94 It cannot be said that CO POWER fully confronted any of the issues necessary in order to restore the IAG's confidence but he had at least taken some action in an environment where support was less than forthcoming from senior colleagues in the States. In all the circumstances, and taking into account our previous conclusion on the subject of the IAG, we do not conclude that he should be regarded as culpable on this point.

- **Conclusion 12**

- 2.95 **CO POWER failed in the performance of his duty to ensure that Operation Rectangle was managed as a multi-agency investigation in accordance with accepted guidance.**
- 2.96 The SIO, DCO HARPER, consciously managed Operation Rectangle as a single-agency enquiry and this was endorsed by CO POWER who contends he did consider the concept of a partnership based approach for Operation Rectangle but both he and DCO HARPER were influenced by their belief in the existence of corruption in the Island. This Inquiry accepts CO POWER's view was honestly held that he felt constrained by fears of corruption. However, a thoughtful and measured approach could have alleviated some or all of his concerns and an officer of CO POWER's experience should have been capable of developing such an approach.
- 2.97 The single-agency approach was in sharp contrast to accepted guidance which recognises a multi-agency strategy as being the most effective and appropriate method of dealing with such allegations. It is essential for partner agencies to critically challenge, advise and bring their own experience and expertise to such an investigation.

2.98 In this Inquiry's view, the limitations of a single-agency investigation were avoidable as other solutions could have been considered. We note and give credit for, the involvement of the NSPCC.

2.99 This Inquiry has seen no properly recorded decision-making processes in Operation Rectangle justifying the rationale for deliberately acting outside best practice guidance, most of which arises from significant cases of child abuse and homicide in the UK.

- **Conclusion 13**

2.100 **CO POWER should not be criticised for failing to commission a major crime review of Operation Rectangle, but should receive advice and appropriate training.**

2.101 The importance of carrying out an independent review of major crime investigations is recognised as good practice throughout the Police Service in the UK. The Murder Investigation Manual is explicit in the purpose and objectives of a review and sets out the timing of when reviews should be conducted.

2.102 It is evident that throughout Operation Rectangle DCO HARPER was disinclined to agree to a review of the Operation despite the opportunities which presented themselves. There cannot be any sensible objection to a review, in our opinion.

2.103 Ambiguity and confusion arose as to the role of the ACPO Homicide Working Group, particularly in relation to their term of reference, '2c; to quality assure the investigation'. This was not a usual function of the ACPO advisers and there is no clarity as to how this term became included. The ACPO Team state they could not have undertaken a review and suggest they also advised the States of Jersey Police that a Review Team conduct a full review. However, not until their last report was completed in June 2008 does a recommendation appear that the Metropolitan Police should provide a review team. It is evident to us, on the balance of the evidence, that CO POWER was reassured that they were providing quality assurance to the investigation and that he relied on that being the case even though that was not one of their functions.

2.104 CO POWER could have been more challenging over the position taken on reviews by DCO HARPER and CO POWER appears to have placed too much reliance on



the 'expertise' of the ACPO Homicide Working Group. He is ultimately responsible for ensuring that a proper review of Operation Rectangle took place but it is accepted that his lack of experience combined with the relative expertise of the ACPO Homicide Working Group created a false sense of security. In these circumstances CO POWER should not be criticised for failing to commission a major crime review but the Inquiry feels he would benefit from training and advice in this area and in a number of the related professional disciplines associated with major crime inquiries.

## **MEDIA**

- **Conclusion 14**

- 2.105 **CO POWER neglected his duty to establish or provide any formal strategic oversight of the States of Jersey Police's media strategy in respect of Operation Rectangle.**
- 2.106 Arguably, no other element of Operation Rectangle had a greater impact on the States of Jersey Police and the Island than the media attention after 23 February 2008. There is no doubt that following the 'find' of a suspicious item on that date, media coverage reached an unprecedented level for the Island of Jersey.
- 2.107 Had a structured communication strategy and strategic co-ordinating process been established, the media would have been better managed. There was no Gold Group or other strategic co-ordinating group in place throughout the time that DCO HARPER was SIO for Operation Rectangle.
- 2.108 The Chief Executive to the Council of Ministers created what was in effect a civilian Gold Group when Operation Rectangle became a homicide investigation which CO POWER recognised was standard good practice. It is inexplicable, therefore, why he did not ensure appropriate structures were in place for the police oversight of Operation Rectangle.
- 2.109 In his witness statement to this Inquiry, CO POWER makes little reference to the strategic management of the media. Yet, without a strategic framework guiding communications activity, major criminal investigations can easily become subject to sensationalist, inaccurate, distorted and unbalanced media reporting, all of

which can have a negative impact upon victims and the confidence vested in the enquiry team by the general public.

- 2.110 CO POWER comments on the existence and formulation of a Gold Group following the appointment of DCO WARCUP, but he offers no explanation in his statement as to what framework was managing or co-ordinating any communication or media strategy before DCO WARCUP's appointment.
- 2.111 CO POWER was responsible for ensuring a strategic co-ordinating body was created for the Operation Rectangle investigation. We can find no evidence that he did so. We conclude he did not consider the implications of failing to form any strategic oversight body in relation to media management.
- 2.112 This Inquiry concludes that CO POWER's management of the media, directly or indirectly, was sufficiently sub-optimal to merit disciplinary proceedings being taken against him for neglect of his duty to establish or provide any formal strategic oversight of the States of Jersey Police's media strategy in respect of Operation Rectangle.

- **Conclusion 15**

- 2.113 **CO POWER neglected his duty to ensure that a documented and updated media strategy existed between November 2007 and February 2008 during the Historic Child Abuse Enquiry, Operation Rectangle.**
- 2.114 Established good practice suggests that both the Historic Child Abuse Enquiry and the post 23 February 2008 homicide enquiry required formulation of considered and well-constructed media strategies. Such strategies would have facilitated professional interaction with the media, maintained confidence in the police within the community, ensured confidence within the investigation team and maximised the opportunities for witness and victim identification.
- 2.115 Although a Policy Book was commenced in October 2007 in relation to media issues, the entries are brief and not a proper substitute for a media strategy. This Inquiry suggests that following the decision to release to the public information that a child abuse investigation was underway, the SIO and CO POWER, as the SIO's supervisor, should each have ensured that a comprehensive media strategy was in place.

- 2.116 Ultimately, responsibility for the effectiveness of the media strategy rests with CO POWER. Any strategy should have identified the need to protect the victims and witnesses from media intrusion, to protect the investigation from prejudicial reporting and have identified the need to minimise any media coverage that could prejudice legal proceedings. It should also have considered the needs of key external stakeholders in order to reduce the potential for discord.
- 2.117 The opportunity existed for CO POWER to make enquiries into the media strategy from the outset and, certainly, from when the operation was made known to the public in November 2007. That he did not, especially in view of the advice he gave to the States after 23 February 2008 recognising there would be significant media management demands upon the Island's government, is inexplicable.
- 2.118 The inevitable conclusion to be drawn is that CO POWER did not follow his own advice and that he failed to ensure that Operation Rectangle was provided with a well constructed and documented media strategy. In the opinion of this Inquiry the media strategy needed to be broader than, but inclusive of, the criminal investigation and that is a wider responsibility than the SIO's. There was a need for co-ordination by CO POWER which we find little tangible evidence of.
- 2.119 CO POWER should have understood the necessity for a media strategy when Operation Rectangle became 'overt' in November 2007 and again immediately after it was declared a critical incident in December 2007 and again after the 'find' on 23 February 2008. He should have ensured that one was compiled swiftly and with the necessary expert input. We find no evidence that he did so.
- **Conclusion 16**
- 2.120 **CO POWER neglected his duty to ensure an appropriate media strategy was in place and being adhered to following the 'find' on 23 February 2008. This strategy should have been regularly reviewed and was not.**
- 2.121 There was a complete absence of a media strategy prior to 23 February 2008 and in the months following, there existed only a poor and sparsely constructed document accompanied by a 'States-Police' protocol established at the apparent suggestion of the Chief Executive to the Council of Ministers.

- 2.122 On 1 March 2008 a media strategy was completed by the Jersey Police Press Officer. It was underpinned by the comment *'this strategy will be constantly reviewed and may be amended to take account of changing circumstances'*. It contains appropriate, adequate, aims and this Inquiry does not criticise them. The issue is that they were either not followed through or were pursued to excess.
- 2.123 The media strategy appeared to be cobbled together rapidly and reactively from a generic document and its major weakness was in not anticipating potential risks and outcomes associated with tactical actions or how these would be addressed.
- 2.124 The media strategy was not completed until 1 March 2008. It did not direct, guide or accord with the actions taken by DCO HARPER and before its completion, a number of significant media releases had been made by the States of Jersey Police. It was not updated after 13 March 2008, demonstrating a failure of the commitment to constantly review the strategy in order to take account of changing circumstances.
- 2.125 The absence of a strategic plan made the management of communications in the context of a high profile major investigation more difficult and created an environment in which media coverage was unmanaged, at times inaccurate and, thereby unhelpful to the investigation. Indeed, DCO HARPER appears to have been singularly responsible for determining what information was divulged to the media, when and by what mechanisms, and how and when to respond to coverage with which he was unhappy.
- 2.126 Within days of the 23 February 2008 'find' at Haut de la Garenne, the States of Jersey Police became subject of criticism for the content and method of the media releases. In light of the political criticism that the Force was attracting in the early weeks in March 2008, along with the advice provided by the ACPO Homicide Working Group and the presence of the communication protocol with the States, CO POWER should have recognised the need for a sophisticated media strategy that would guide the States of Jersey Police through the difficult and intense media attention during this most vulnerable period. Unfortunately, evidence of CO POWER's influence is absent throughout and leads this Inquiry to conclude he failed to intervene and retrieve the media debacle.

- 2.127 Ex-DCO HARPER professes that the media strategy was subject of many discussions between him and CO POWER and that he knew they were 'operating in a hostile environment'. If this is the case there can be no doubt as to the duty of CO POWER to ensure that the strategy created on 1 March 2008 was fit for purpose. It is telling that the issue of the media strategy did not again feature in CO POWER's activities until 25 June 2008 when it did so following a media release by DCO HARPER in relation to the charging of two suspects.
- 2.128 On 30 June 2008 CO POWER did recognise that some action was required from him in respect of media policy after robust challenge by the Attorney General. Sadly, CO POWER seemed to believe that a copy of the ACPO media policy and items from HOLMES 'might do'. This was indicative of a naive detachment from, and an apparent lack of understanding of, the dire implications of the developing media situation.
- 2.129 The Attorney General continued to raise concerns about the content of the media strategy, providing opportunity for the Chief Officer to address this important matter and to satisfy the Attorney General that appropriate measures were in place. Despite CO POWER's assurances, the evidence suggests that he did not do so.
- 2.130 This Inquiry can find no evidence that CO POWER was aware of the media strategy until it was given to him as disclosure material by this Inquiry. If accurate, this is surely the strongest indictment of his failure to manage the media aspects of Operation Rectangle.
- **Conclusion 17**
- 2.131 **CO POWER neglected his duty to supervise the media releases made by the States of Jersey Police to ensure their accuracy and balance or to effectively challenge misrepresentation by the media.**
- 2.132 There were a number of significant events prompting what this Inquiry considers were inappropriate or ill considered media releases: which contained the following phrases, assertions or actions:
- the discovery of the suspicious 'fragment' at Haut de la Garenne on 23 February 2008

- conferences led by DCO HARPER with Haut de la Garenne as the backdrop
  - the States of Jersey Police attempt to clarify previous releases yet still confirming that *'partial remains of what is believed to be a child'* had been recovered
  - the confirmation that partial access to a 'cellar' had been gained
  - the 'cellar' being described as 'an underground room with unrendered walls'
  - the description as 'cellars' the voids under the flooring
  - that police had uncovered what some of the witnesses have referred to as a trapdoor
  - assertions that 'the dog indicated to two different spots within the bath' and that presumptive tests for *'blood'* have given a positive result'
  - Statements that forensic archaeologists searched an area of the cellar rooms three and four and have discovered some more bone fragments and two 'milk teeth' from a child or children.
- 2.133 There is no doubt, in our view, that the States of Jersey Police were misquoted on a number of occasions. CO POWER and ex-DCO HARPER will contend that they did attempt to correct these mistakes. However, the lack of media strategy or strategic oversight from CO POWER made this task much more difficult and created the environment in which misquotation was more likely.
- 2.134 On 26 February 2008, CO POWER reassured the Chief Executive that he (CO POWER) was experienced in media management in a crisis. With this self professed experience, it is hard to understand why CO POWER did not discharge his responsibilities by giving strategic direction to the enquiry in general terms and why he did not specifically moderate the tone of the media releases.
- 2.135 From the outset, CO POWER was asked questions about the releases and what was being reported in the media by Island politicians. It is not unreasonable to conclude that these enquiries were an indication of the reaction to what had been released and should have prompted action from CO POWER to set the record straight and to ensure that DCO HARPER was being appropriately supervised. The only evidence we have been able to find of any action by CO POWER to

address concerns about media reports is an e-mail to the Home Affairs Minister but which was dismissive and complacent in tone.

- 2.136 It was suggested by the Chief Executive and the Home Affairs Minister that future press conferences should be in a more controlled, formal setting. They sought assurance that in future all announcements and responses to questions would be more circumspect to avoid speculation. It was suggested that CO POWER could take the lead, wearing uniform and working from a conference room.
- 2.137 CO POWER responded by e-mail in support of the way his SIO was handling the media and declined the invitation to go before the media, thus providing further evidence that his grip on Jersey's biggest investigation in living memory was inadequate.
- 2.138 On 4 March 2008, CO POWER met with the Attorney General during which a range of issues concerning the Attorney General's belief that the media reporting to date would result in abuse of process arguments, on the basis that a fair trial would be prejudiced, was raised.
- 2.139 CO POWER told him that DCO HARPER was due to retire in a matter of months and that there was a limit to the amount of practical control which he, CO POWER, could exercise. We find this unacceptable. This Inquiry believes that CO POWER should have done all within his authority to modify DCO HARPER's media approach and to provide strategic direction as to how Operation Rectangle should progress, especially in media terms.
- 2.140 This Inquiry can find no evidence that any steps were taken to address media misreporting. In his statement CO POWER suggests little criticism of the content of DCO HARPER's media releases and leaves the impression that he, as Chief Officer, either agreed or condoned their release. Alternatively, he failed to supervise DCO HARPER's work or perhaps had no real grip on the media 'strategy' at all.
- 2.141 The content of the press releases has come under much criticism from media experts, senior police officers and politicians alike. This Inquiry finds that CO POWER made little, if any, effort at 'quality assurance' and allowed the essence of the releases to remain unchecked, even in light of the furore that

surrounded them. CO POWER also failed to 'quality assure' the subsequent coverage from the media as it misrepresented the facts. Minimal challenge or attempts at correction were made and the news media at large were left unfettered in their sensationalism and speculation.

- **Conclusion 18a**

- 2.142 CO POWER neglected his duty to provide strategic oversight of States of Jersey Police media policy following receipt of confirmation that Exhibit JAR/6 was not human bone, as previously portrayed by the States of Jersey Police within its media releases.

- **Conclusion 18b**

- 2.143. CO POWER neglected his duty to correct the content of misleading press releases made by States of Jersey Police following receipt of forensic opinion about the nature of Exhibit JAR/6.

- **Conclusion 18c**

- 2.144 CO POWER neglected his duty to supervise DCO HARPER in relation to his media releases following receipt of forensic opinion about the nature of Exhibit JAR/6.
- 2.145 A letter from Dr X at the Oxford laboratory was sent on 1 May 2008 addressed to DCO HARPER confirming the work carried out on Exhibit JAR/6 and the conclusion that it was not bone but almost certainly wood.
- 2.146 On 5 May 2008, Senator James PERCHARD raised with CO POWER the matter of there being a rumour in existence that stated the skull was not human and that maybe, when the time is right, it would be advisable to put the record straight 'publicly' on this. The response from CO POWER was '*I think that it will be possible to do this as part of a general release relating to the scientific results of more recent finds when these are available*'. Whilst this approach sounds reasonable, this Inquiry can find no evidence that the States of Jersey Police ever did make such a 'general release' prior to the press conference on 12 November 2008.
- 2.147 DCO HARPER would have it that he did not receive Dr X letter of 1 May 2008, but this Inquiry has established that Dr X e-mailed



DCO HARPER a copy of the letter on 17 May 2008. If there had been any room for doubt beforehand, there could now be no doubt that from that time DCO HARPER knew Exhibit JAR/6 was not bone.

- 2.148 Even so, on 18 May 2008, DCO HARPER formulated a press release for circulation which summarised the findings of the examination of Exhibit JAR/6 by the laboratory. He is equivocal in his reference to Exhibit JAR/6 implying that the laboratory had not definitively stated it was not bone and instead focussed on their comment that if there was a need to show definitively what it was it would require further examination.
- 2.149 DCO HARPER recounts in the same press release, details of recent finds – 20 pieces of bone and six children's teeth – which were all found in what he was calling the 'cellar' area. He spoke of expecting the results of forensic tests to date them in the next week stating *'at that stage we will know more about the possibility that there might have been unexplained deaths of children within Haut de la Garenne'*. In this way, he had effectively glossed over the issue of Exhibit JAR/6 and encouraged the very worst impressions in the minds of the public and particularly the media.
- 2.150 Nevertheless, Senator James PERCHARD persisted in his attempts to have the status of Exhibit JAR/6 made subject of a public statement in the Senate. CO POWER merely advised the Home Affairs Minister Wendy KINNARD to comment that many items had been sent for examination, but by the time she came back to him and pointed out that she would be asked exactly when DCO HARPER knew it was not bone, he had left Jersey for a conference on the Isle of Man which may account for the lack of a response from him.
- 2.151 On 20 May 2008, whilst at this conference, CO POWER says that someone told him that the first 'find' was a piece of coconut and that this came as a total *'bolt from the blue'*. In light of the sequence of events outlined above, this Inquiry is sceptical that CO POWER had no inkling of this, especially bearing in mind the existence of daily meetings between himself and DCO HARPER. Nevertheless, it appears that by 20 May 2008 – at the latest – CO POWER accepts that he was now fully aware doubts existed about the nature of Exhibit JAR/6.

- 2.152 CO POWER explains that he had discussions with DCO HARPER and Senator Wendy KINNARD where he sought more information and advised on 'holding lines' to take with the media. He states that he asked DCO HARPER directly about the doubts over the first 'find' and was told that there had been confusing messages coming from the Laboratory, but that DCO HARPER would 'take full responsibility'.
- 2.153 If CO POWER's recollection is correct, he had grounds to suspect that Exhibit JAR/6 was not human, yet permitted or failed to correct DCO HARPER's continuing misleading statements about the scientific evidence being 'inconclusive' rather than present the true situation to the public.
- 2.154 CO POWER's method of dealing with this was to call for a report from DCO HARPER on the matter whilst advising Chief Executive Bill OGLEY and Home Affairs Minister Wendy KINNARD to seek to close down further discussion on the matter and not make further comment on the basis she was waiting for a report on the matter.
- 2.155 This Inquiry concludes this attempt to 'close down further discussions' was unhealthy procrastination. An open and transparent approach would have been to report what was known at that time. CO POWER failed to do so.
- 2.156 Even as late as 8 June 2008, CO POWER was enquiring of DCO HARPER as to the current position in relation to the fragment and asking 'are we accepting that it is not human or do we see the results as inconclusive? DCO HARPER replied '*we see the results now as inconclusive*'. This inaccurate view was not challenged by CO POWER, who we have good reason to believe, knew this was not a fair or wholly truthful stance to maintain and who continued in his failure to effectively supervise DCO HARPER on the issue. If CO POWER was in any doubt, should have sought an independent review. He did not do so and the police and politicians were being misled.
- **Conclusion 19**
- 2.157 **CO POWER created and/or permitted an environment where lack of supervision allowed DCO HARPER to proceed without regard to the effect of his actions on Operation Rectangle. Nevertheless, this Inquiry accepts that**

**CO POWER could not have prevented the media release regarding suspects 'A' on 24 June 2008.**

- 2.158 The events that preceded the suspects 'A' incident are detailed in the body of the Report and are described elsewhere in this summary. They concerned the breakdown in relationships between the prosecution legal team and DCO HARPER as SIO, particularly in relation to the media release made by DCO HARPER on 24 June 2008.
- 2.159 DCO HARPER dictated that media release **TEXT REDACTED** following the release from custody of the suspects 'A'. It was pejorative in tone and sought to make clear that the only reason that the States of Jersey Police were not able to charge suspects was because of the actions of the lawyers to the enquiry. He ignored advice to take time to consider the contents of that release prior to issue.
- 2.160 Unsurprisingly, the media seized upon the issue and pursued with the Attorney General the suggestion that he interfered with case to prevent charges being brought. He in turn requested a written explanation from CO POWER as to why the release was made along with an assurance that similar attacks on the prosecution would not be repeated. He made it clear that the conduct of DCO HARPER had seriously jeopardised current prosecutions describing the release as *'irresponsible and damaging to the criminal justice process in Jersey'*.
- 2.161 CO POWER comments in some detail on the incident in his statement, recognising the impact of DCO HARPER's release and the associated problems it caused. To his credit, it could be argued that CO POWER took action when confronted by the Attorney General. He explains his recognition of a need for a recovery plan and that he engaged in a face to face meeting with DCO HARPER. CO POWER instructed DCO HARPER in his future dealings with the Law Officers and the method by which press releases would now be made. All in all this demonstrated more positive and intrusive supervision than at most other times throughout Operation Rectangle, in our view, evidencing some level of admonishment of DCO HARPER.

- 2.162 It appears to this Inquiry that the relationship between DCO HARPER and CO POWER is central to understanding how the many problems involving DCO HARPER were managed. If one is to believe the regular meetings between the two covered all aspects of Operation Rectangle, including the media releases, then one should expect that CO POWER would be addressing each issue as it arises and that his level of supervision would be commensurate with the cumulative effect DCO HARPER was having on Operation Rectangle.
- 2.163 Had CO POWER ensured firmer control of DCO HARPER, particularly in the area of media management, then it is certainly likely, in the view of this Inquiry, that the entire furore surrounding Operation Rectangle would have been avoided. Nevertheless, this Inquiry accepts that, in this isolated case, CO POWER could not have prevented the media release regarding suspects 'A' on 24 June 2008, and accordingly that he should not be found to be culpable for it.

## **2.2 Recommendations**

- **Recommendation 1**

- 2.2.1 **The States of Jersey Police considers secondments of trained SIO's to United Kingdom forces to ensure that they maintain and enhance their skills level, with a view to obtaining Professionalising Investigations Programme 3 accreditation.**
- 2.2.2 States of Jersey Police have committed to sending their officers to the UK for SIO training and there are currently 6 officers who have completed various aspects of that training. It is in no way intended to have negative connotations for the States of Jersey Police in commenting that the opportunities for those officers to exploit that training and develop their skills is limited. There is a real risk that the time elapsed between attending a training course and being called upon to exercise the skills learnt is so great that the officer could no longer be considered competent. The development of secondments to UK Forces for trained officers would safeguard the investment in their training and ensure that the States of Jersey Police is well placed to respond to major incidents.

- **Recommendation 2**

**2.2.3 The States of Jersey Police ensures that all operations are included within the National Intelligence Model process as outlined by the 'Practical Advice on Tasking and Co-ordinating 2006'.**

2.2.4 Best practice suggests that Operation Rectangle should have been managed and resourced in line with the National Intelligence Model and, in particular, the Tasking and Co-ordinating process. This is a fortnightly meeting of managers and partner agencies whose aim is clearly explained in Practical Advice on Tasking and Co-ordinating 2006, *'the T&CG [Tasking and Coordinating Group] meeting is the central point of the tasking and co-ordination process and is essential for turning intelligence into action. The T&CG makes decisions between competing demands on resources and also provides direction to staff. In addition to managing resources the T&CG will agree the priority with which crime and disorder problems should be dealt. An efficient T&CG will prompt focused activity through the tasking and co-ordination process'*. This appears not to have been applied during Operation Rectangle and it is recommended that future operations are subject of this process in order to reap the benefits it can yield.

- **Recommendation 3**

**2.2.5 The States of Jersey Police reviews the design of policy books to provide for examination by supervisors and should implement policy requiring such supervision to occur.**

2.2.6 It is a common feature that none of the policy books for Operation Rectangle provide any indication of having been examined by CO POWER. This Inquiry accepts that, unlike policy books in use in the UK, the States of Jersey Police policy books are not designed with space for a supervisor to 'sign and check'. The States of Jersey Police may wish to consider revising their policy books to incorporate this element. It is obviously good practice for the SIO's supervisor and/or Chair of the Gold Group to check policy documents so as to be reassured of the SIO's competence and the planned direction of the enquiry. In the view of this Inquiry, this good practice should be made a requirement. It is recommended that the States of Jersey Police review and implement appropriate policy as well as redesigning the policy books in use to facilitate formal recorded examination of them and the decisions contained therein.

- **Recommendation 4**

**2.2.7 The States of Jersey Police gives serious consideration to adopting the ACPO/NPIA Practice Advice on Critical Incident Management 2007 as Force policy, provide training and ensure the policy is well understood at all levels of the Force.**

2.2.8 At places in his statement, CO POWER demonstrates he had some understanding of the concept of critical incident management and suggests that he raised the subject of development and implementation of processes for critical incident management at some time at the Force Executive Strategy Group. However, he concedes that work on this issue did not proceed effectively. We consider that implementation and training in the application of these guidelines is crucial to how States of Jersey Police identify and assess critical incidents. We recommend that the States of Jersey Police adopt the ACPO/NPIA guidance, implementing it and provide training to ensure it is embedded and understood throughout the Force, including Chief Officers.

- **Recommendation 5**

**2.2.9 The States of Jersey Police reviews policy and procedure in respect of the completion of policy books, giving particular consideration as to when they should be used and what should be recorded in them, in line with NPIA Guidance. Training should be given to current and prospective SIO's.**

2.2.10 Policy Books are essential for recording decisions as to why certain actions were or were not taken and why particular decisions were made. Policy Books are essential to demonstrate the integrity of an investigation. Professionally used they are a means by which any manager of the SIO, Chair of a Gold Group, other Chief Officer, or those charged with the review of an investigation can examine the 'heart' of the investigation, hypotheses and lines on which it is run. SIOs and other officers such as media officers and forensic scene managers should also become conversant with the use of policy books in appropriate cases. For these reasons we recommend that the States of Jersey Police review policy and procedure in respect of the use and completion of Policy Books.

- **Recommendation 6**

**2.2.11 The States of Jersey Police reviews policies and procedures in respect of Community Impact Assessments to ensure policy and procedures are fit for purpose.**

2.2.12 The ACPO policy is unequivocal in that following a homicide, a CIA will be completed jointly between the SIO and local uniform commander within 4 hours of the first report. This was not done in the case of Operation Rectangle. DCO HARPER held views that were very different from other trained and better informed officers and CO POWER sought not to involve himself in the matter. The result was that no CIA for Operation Rectangle was ever promulgated across the Force when it was needed and those better qualified than DCO HARPER were ignored in their attempts to remedy the situation. There was a demonstrable lack of understanding at senior level of the purpose of a CIA and its application in an investigation of this nature. For this reason, we recommend that the States of Jersey Police should review their policies and procedures in respect of Community Impact Assessments to ensure they are fit for purpose.

- **Recommendation 7**

**2.2.13 The States of Jersey Police takes the opportunity to establish an IAG in Jersey, based on the UK model and guidance, so that the IAG is able to participate productively in future incidents as they arise and that the States of Jersey Police develop policy and procedure which properly trains and supports IAG members.**

2.2.14 The use of IAGs has become established best practice throughout Police Forces in England, Wales and Northern Ireland. When comprised of members who reflect the make-up of the community in which they live, IAGs can be a valuable resource in the investigation of major crime, particularly in the representation of minority groups where they may highlight sensitive or other issues which would be of importance. For IAGs to be effective, they need to be properly structured with members properly briefed and fully aware of their role. The advantages of developing such a structure in advance of a specific need are obvious. Particularly, it would avoid the diversion of resources away from the investigation in order to establish the IAG, allowing members to become involved and

comfortable in their role and, most importantly bearing in mind the experience of Operation Rectangle, would provide for other interested parties, such as the Law Offices and States' Politicians, to become familiar with the Group and the beneficial function it can perform. When not engaged in critical incident management IAGs perform other valuable functions such as advising on diversity training, the fairness of 'stop and search' and the policing of minority communities. We recommend that the States of Jersey Police give consideration to establishing an IAG in Jersey.

- **Recommendation 8**

TEXT REDACTED - this relates to UK Police body



**3. The Supervision of Operation Rectangle by Chief Officer POWER**

**Pages 60 – 121**

**TEXT REDACTED**

4. **The Supervision of Operation Rectangle as a critical incident by Chief Officer POWER**

**Pages 122 – 193**

**TEXT REDACTED**

5. The supervision of media management in Operation Rectangle by Chief Officer POWER

**Pages 194 – 288**  
**TEXT REDACTED**



## **6. The witness statement of CO POWER and lines of enquiry arising from it.**

### **6.1 Preparing for a taped interview**

6.1.1 In common with most discipline investigations, Operation Haven intended to conduct a taped interview of CO POWER in order to secure and test his account. Perfectly and properly following legal advice, CO POWER declined to be interviewed as is his right under Jersey Law and offered instead to provide a written statement. This is contained in the Evidential Bundle accompanying this Report.

6.1.2 In preparation for the intended interview, an interview plan was written which can also be found within the Evidential Bundle. This is a lengthy document which details all aspects of CO POWER's relevant experience and includes the 'headline' questions we intended to ask CO POWER under the terms of reference for Operation Haven. We suggest this document indicates the depth to which the interviewing officers wished to explore CO POWER's role in Operation Rectangle.

6.1.3 When it was apparent that CO POWER was not available for interview, the prospective interviewing officers from Operation Haven produced a separate document detailing a number of issues which they invited him to address when preparing his statement to the Inquiry. CO POWER agreed to do so.

6.1.4 Throughout this Report, regular reference to the content of CO POWER's statement has been made. The following topics were raised with CO POWER and which this Inquiry considers to be of relevance. They are commented upon in the following Sections of this Report.

- Succession plans – (see Supervision Section 3.2 of this Report).
- The standards the States of Jersey Police work to – (see Background and Context Section 1.8 of this Report).

- The involvement of the ACPO Homicide Working Group – (commented on throughout all Sections of this Report).
- The role of DCO HARPER as the SIO – (see Supervision Section 3.2 of this Report).
- Strategic parameters for Operation Rectangle – (see Supervision Section 3.7 of this Report).
- Meetings between the SIO and CO POWER – (see Supervision Section 3.8 of this Report).
- The relationship between the Office of the Attorney General and Operation Rectangle – (see Supervision section 3.9 of this Report)
- The search of Haut de la Garenne – (see Supervision Section 3.10 of this Report).
- Operation Rectangle as a critical incident/Gold Group/IAG – (see Critical Incident Section 4 of this Report).
- Financial management – further report to be submitted.
- Media Management – (see Media Section 5 of this Report).
- 'Putting the record straight' – (see Media Section 5.8 of this Report).

## **6.2 CO POWER's statement generating further lines of enquiry**

- 6.2.1 Upon receipt of CO POWER's witness statement, a number of additional actions were generated to explore potential further lines of inquiry raised by CO POWER. The majority of matters raised by CO POWER were considered not to provide further opportunity to gather evidence relevant to the terms of reference. However, there are a number of issues raised that are worthy of comment and that do not appear in the aforementioned interview/statement structure.
- 6.2.2 Within his statement, CO POWER makes regular reference to Senator Wendy KINNARD in her role as Home Affairs Minister, and their interaction with respect to Operation Rectangle. CO POWER considers her views to be significant, especially in relation to the

performance of DCO HARPER. He comments '*she appeared at all times, to be strongly supportive*'. Operation Haven has made repeated attempts to obtain a statement from the ex-Home Affairs Minister, but to date, this has not been secured. Efforts continue to obtain Ms KINNARD's statement, although it does not seem likely it will be obtained prior to submission of this Report to the Deputy Chief Executive to the Council of Ministers. It will be forwarded as soon as it is available.

6.2.3 CO POWER has made regular reference to political interference and a possible 'cover up' within the establishment, including the States of Jersey Police. In his statement, he makes reference to an external enquiry conducted by South Yorkshire Police into the actions of members of the States of Jersey Police. Subsequent enquiries made with **OFFICER X** of South Yorkshire Police confirm that following the enquiry they found insufficient evidence to bring a criminal prosecution against any person, although there was a case to answer with respect to disciplinary matters. In addition, the South Yorkshire Police enquiry found no evidence of a 'cover up' or 'political interference'. Operation Haven acknowledges that the South Yorkshire enquiry was not a comprehensive investigation into possible corruption in Jersey, but more simply an investigation into the corrupt activities of some States of Jersey Police members. However, the issue of corruption was raised by CO POWER who considered it to bring a '*new dimension*' to Operation Rectangle and was duly investigated. Operation Haven recognizes CO POWER's honestly held belief.

6.2.4 Frequent reference is also made throughout the statement to the actions and opinions of Senator Stuart SYVRET. CO POWER describes him as '*a person who victims and witnesses would trust*' and that his social and professional contacts and activities created an informal '*Gold Network*'. Operation Haven has made repeated efforts throughout the investigation to obtain a statement from Senator SYVRET, but this has been refused on each occasion. As a result of

the receipt of the statement of CO POWER, a further attempt was made. This was initially refused, though the Senator did intimate that he may wish to comment in the future, with the caveat that the subject matter to be commented on would be his decision. This tended to cover aspects of corruption, other political issues and the actions of senior figures. Whilst a statement from Senator SYVRET is not available, should Operation Haven obtain a written account from him, it will be forwarded when available.

- 6.2.5 A specific action that was raised as a result of the statement from CO POWER was to cross reference the events described within the body of his written statement with his pocket notebook entries following the indication provided by the Chief Officer in his statement that he had made a record of relevant events. A spreadsheet correlating pocket notebook entries to the statement can be found within the Evidential Bundle accompanying this Report. This Inquiry has concluded that although mention of events is made within CO POWER's pocket notebook, the details are scant and often of few words. The accuracy of the account of the events described within the statement cannot be readily supported by reference to the pocket notebooks alone. However, there are some more detailed entries from which inference can be drawn about the accuracy of the recollection described in the statement.
- 6.2.6 One example of the latter can be found within his statement when the Chief Officer refers to *'notebook 07/58 where they commence on pages 20 and 24'*. This refers to briefings made to key figures that CO POWER wished to *'put on a more formal footing'*. The notebook entry about those 'briefings' is enclosed within the Evidential Bundle accompanying this Report and in the spreadsheet. However, it is clear that not all events within CO POWER's statement have a corresponding entry in his pocket notebook. Therefore, this Inquiry concludes that sometimes the Chief Officer made notes and these may support the facts alluded to in his statement, whilst on other occasions there is no corresponding pocket notebook entry to support



the version of events he describes in his written statement. In others, the minimal notes he did make offers little to support the evidence within the statement.

6.2.7 Operation Haven has, where possible, followed-up lines of enquiry raised by CO POWER. In respect of the issue of 'timely warnings' being delivered to key figures, this Inquiry has subsequently pursued this with Chief Executive Bill OGLE. Chief Executive OGLE has commented in a further witness statement that *'I can say that I did not receive timely warnings from Graham POWER regarding significant media demands associated with the enquiry. I do recall him briefing me on the need to secure access to files relating to children who were in the care of the States and who were alleged victims. I recall him asking for my assistance in seeking cooperation for obtaining those files and I agreed to do so. But I was not put on notice that the enquiry was about to "take off" and when I learnt of the initial discovery of the fragment at HDLG, nothing had been done by Graham POWER to put me, or as far as I know, anyone in the States on notice'*. The contradiction between the two accounts is obvious; however verification of either is not possible until enquiries can be made with Wendy KINNARD who was the only other person at the meeting. The value of ascertaining the 'truth' in this matter may not be great. Briefing the key figures in the States of Jersey of the impending increase in profile of Operation Rectangle demonstrates a prescience and supervisory level expected of a Chief Officer. Nevertheless, this Inquiry can see some value in pursuing this action and it will be completed, if possible.

6.2.8 Throughout CO POWER's statement, he directs criticism at ACO WARCUP on a number of issues. He states *'One of Mr WARCUP's problems is that he would not listen to my advice'* and *'I tried to encourage Mr Warcup to concentrate on moving matters forward rather than focusing on the past'*. In contrast, when this view was put to ACO WARCUP, he states in a further witness statement *'Mr. Power asserts in his statement that on a number of occasions he*

*was positive helpful and supportive to me offering what he considered to be support and perhaps painting a picture of an individual who is engaged and interested in what was happening. The relationship was nothing more than functional; indeed on his part it was often patronising and frequently focused on very low level matters. Whenever more serious matters required discussion they were simply passed for my attention without much discussion. TEXT REDACTED*

6.2.9 These narratives indicate the difference in positions between CO POWER and ACO WARCUP and will be relevant to those charged with assessing their relative credibility as witnesses. CO POWER states in relation to a press conference proposed by DCO WARCUP, *'At some stage during this period David Warcup floated the idea of a press conference to 'put the record straight' regarding the enquiry. I definitely saw this as a bad idea'*. At variance with this are the comments of ACO WARCUP who states on numerous occasions that *'it was essential to put the public record straight'*. Opposing views of this nature abound throughout both statements.

6.2.10 This Inquiry has commented on the possible motives that ACO WARCUP may have had in raising concerns over the management of Operation Rectangle (see the Supervision Section 3.3.10 of this Report) and has reported our conclusions.

## **7. List of conclusions**

### **7.1 Supervision**

- Conclusion 1

7.1.1 CO POWER's appointment of DCO HARPER as SIO was inappropriate when Operation Rectangle was solely an historical child abuse enquiry. This became a failure in performance of his duty to appoint an SIO of adequate qualification and experience after 23 February 2008 when Operation Rectangle became a homicide investigation.

- Conclusion 2

7.1.2 CO POWER failed in the performance of his duty to ensure adequate terms of reference were created for Operation Rectangle which were agreed with and adhered to by the SIO.

- Conclusion 3

7.1.3 CO POWER failed in the performance of his duty to maintain adequate records of his supervision of DCO HARPER during Operation Rectangle.

- Conclusion 4

7.1.4 CO POWER made inappropriate use of the Force e-mail system.

- Conclusion 5

7.1.5 CO POWER failed in the performance of his duty to ensure that DCO HARPER maintained an effective working relationship between the prosecution legal team and the police investigation team for Operation Rectangle.

- Conclusion 6

7.1.6 CO POWER failed in the performance of his duty to prepare for the impact that the searches at Haut de la Garenne would have on public opinion.

- Conclusion 7

7.1.7 The operational performance of the States of Jersey Police was not demonstrably adversely affected during Operation Rectangle.

## 7.2 Critical Incident

- Conclusion 8

7.2.1 CO POWER failed in the performance of his duty to ensure a Gold Group was created following the declaration of the investigation as a critical incident on 13 December 2007 and also following the 'find' at Haut de la Garenne on 23 February 2008.

- Conclusion 9

7.2.2 Whilst this Inquiry accepts that a Community Impact Assessment was prepared commendably by junior officers, CO POWER failed in the performance of his duty to ensure that a CIA appropriate for Operation Rectangle was properly implemented and pursued by the States of Jersey Police.

- Conclusion 10

7.2.3 CO POWER failed in the performance of his duty to establish a relevant, supported IAG with clear terms of reference.

- Conclusion 11

7.2.4 CO POWER should not be held to account for failing to take timely and effective action to resolve concerns raised by the IAG. The evidence suggest he did take action.

- Conclusion 12

7.2.5 CO POWER failed in the performance of his duty to ensure that Operation Rectangle was managed as a multi-agency investigation in accordance with accepted guidance.

- Conclusion 13

7.2.6 CO POWER should not be criticised for failing to commission a major crime review of Operation Rectangle, but should receive advice and appropriate training.

### **7.3 MEDIA**

- Conclusion 14

7.3.1 CO POWER neglected his duty to establish or provide any formal strategic oversight of the States of Jersey Police's media strategy in respect of Operation Rectangle.

- Conclusion 15

7.3.2 CO POWER neglected his duty to ensure that a documented and updated media strategy existed between November 2007 and February 2008 during the Historic Child Abuse Enquiry, Operation Rectangle.

- Conclusion 16

7.3.3 CO POWER neglected his duty to ensure an appropriate media strategy was in place and being adhered to following the 'find' on 23 February 2008. This strategy should have been regularly reviewed and was not.

- Conclusion 17

7.3.4 CO POWER neglected his duty to supervise the media releases made by the States of Jersey Police to ensure their accuracy and balance or to effectively challenge misrepresentation by the media.

- Conclusion 18a

7.3.5 CO POWER neglected his duty to provide strategic oversight of States of Jersey Police media policy following receipt of confirmation that Exhibit JAR/6 was not human bone, as previously portrayed by the States of Jersey Police within its media releases.

- Conclusion 18b

7.3.6 CO POWER neglected his duty to correct the content of misleading press releases made by States of Jersey Police following receipt of forensic opinion about the nature of Exhibit JAR/6.

- Conclusion 18c

7.3.7 CO POWER neglected his duty to supervise DCO HARPER in relation to his media releases following receipt of forensic opinion about the nature of Exhibit JAR/6.

- Conclusion 19

7.3.8 CO POWER created and/or permitted an environment where lack of supervision allowed DCO HARPER to proceed without regard to the effect of his actions on Operation Rectangle. Nevertheless, this Inquiry accepts that CO POWER could not have prevented the media release regarding suspects 'A' on 24 June 2008.

## **8. List of recommendations**

- Recommendation 1

- 8.1 The States of Jersey Police considers secondments of trained SIO's to UK forces to ensure that they maintain and enhance their skills level, with a view to obtaining Professionalising Investigations Programme 3 accreditation.

- Recommendation 2

- 8.2 The States of Jersey Police ensures that all operations are included within the National Intelligence Model process as outlined by the 'Practice Advice on Tasking and Co-ordinating 2006'.

- Recommendation 3

- 8.3 The States of Jersey Police reviews the design of policy books to provide for examination by supervisors and should implement policy requiring such supervision to occur.

- Recommendation 4

- 8.4 The States of Jersey Police gives serious consideration to adopting the ACPO/NPIA Practice Advice on Critical Incident Management 2007 as Force policy, provide training and ensure the policy is well understood at all levels of the Force.

- Recommendation 5

- 8.5 The States of Jersey Police reviews policy and procedure in respect of the completion of policy books, giving particular consideration as to when they should be used and what should be recorded in them, in line with NPIA Guidance. Training should be given to current and prospective SIO's.

- Recommendation 6

- 8.6 The States of Jersey Police reviews policies and procedures in respect of Community Impact Assessments to ensure policy and procedure are fit for purpose.

- Recommendation 7

- 8.7 The States of Jersey Police takes the opportunity to establish an IAG in Jersey, based on the UK model and guidance, so that the IAG is able to

participate productively in future incidents as they arise and that the States of Jersey Police develop policy and procedure which properly trains and supports IAG members.

- Recommendation 8

8.8 TEXT REDACTED - this relates to UK Police body



## **9. Legal advice in respect of suggested charges**

### **9.1 Suggested charge**

9.1.2 As Chief Officer of Police for the States of Jersey Police ("SoJP") you failed, between about September 2007 and November 2008 effectively and efficiently to manage and supervise the Operation Rectangle investigation ("the investigation") into alleged child abuse at Haut de la Garenne ("HDLG") and as a consequence thereof you

- i. failed to perform your duties to a satisfactory standard;
- ii. behaved in a manner likely to bring discredit to the States of Jersey Police.

### **9.2 Particulars**

- 9.2.1 1.a) The HDLG investigation was a critical incident that required strategic management by the Chief Officer of Police, for the following reasons:
- 9.2.2 b) It was the biggest policing operation in Jersey in living memory.
- 9.2.3 c) All allegations of institutional child abuse carry a legitimate and intense public interest and necessarily require effective and efficient management.
- 9.2.4 d) In a small and island community like the States of Jersey (SoJ), such an investigation requires sensitive and intelligent planning and management.
- 9.2.5 e) You knew or ought reasonably to have known of the inevitable political sensitivity of such an investigation because of its potentially negative implications for the reputation of the States of Jersey Police, the SoJ and the people of Jersey.

- 9.2.6 2. Despite the propositions in (1) above, you failed to appreciate the significance of the investigation from the outset and you failed strategically to manage the investigation, adequately or at all.
- 9.2.7 3. You failed to establish an appropriate strategic steering group for the investigation (whether "Gold Group" or other appropriate local variant) which group ought to have set appropriate strategic parameters, including strategies for:
- 9.2.8 a) Ensuring the investigation was conducted to a high standard;
- 9.2.9 b) Media management;
- 9.2.10 c) Community impact and confidence.
- 9.2.11 4. In relation to the investigation of Operation Rectangle you failed as follows:
- 9.2.12 a) To appoint a suitably qualified Senior Investigating Officer.
- 9.2.13 b) Properly or at all to supervise the SIO, DCO Lenny HARPER.
- 9.2.14 c) To set or review written terms of reference or any other appropriate parameters for the investigation to cover issues such as forensic strategy, media strategy, investigative strategy and witness management
- 9.2.15 d) To ensure terms of reference were agreed and adhered to by the SIO, DCO HARPER.
- 9.2.16 e) To keep a policy file on the case; alternatively you did not intrusively monitor that kept by HARPER and failed to maintain adequate records of your own supervision of him.
- 9.2.17 f) To ensure proper and effective liaison with the Attorney General's team of lawyers.
- 9.2.18 g) To ensure the investigation was managed as a multi agency investigation in accordance with accepted guidance

- 9.2.19 5. In relation to media management you failed as follows:
- 9.2.20 a) To institute or document or regularly review any or any proper strategy for protecting:
- 9.2.21 i. the investigation from prejudicial reporting or inappropriate journalistic activity;
- 9.2.22 ii. potential witnesses and complainants from media intrusion;
- 9.2.23 iii. the reputation of the SoJP and SoJ from inappropriate media coverage;
- 9.2.24 b) By permitting excessive disclosures to the media you ran the dual risks of prompting abuse of process arguments by prospective criminal defendants and undermining the evidential weight to be attached to complainants' allegations.
- 9.2.25 c) To ensure that press statements from Operation Rectangle distinguished between allegation and proven fact, thereby causing or permitting sensationalist and inaccurate media coverage.
- 9.2.26 d) To monitor and thus exercise any or any proper control over DCO Harper's briefings to the media, thereby causing or permitting the media to publish sensationalist and inaccurate stories in relation to, *inter alia*, "*the partial remains of child*", "*a skull fragment*", "*cellars*", "*shackles*", and "*blood in a bath*".
- 9.2.27 e) To attempt to correct in a timely manner false or sensationalist media reporting, including in relation to the so-called "child's skull" which was not in fact human remains at all, as you knew or ought to have known by June 2008.
- 9.2.28 f) To ensure that an appropriate media strategy was in place and being adhered to following the 'find' on 23 February 2008.
- 9.2.29 g) To provide strategic oversight of the SoJP media policy, following receipt of forensic opinion that Exhibit JAR/6 was not human bone, as previously portrayed.

- 9.2.30 h) To ensure that earlier SOJP press releases were corrected following receipt of forensic opinion that Exhibit JAR/6 was not human bone.
- 9.2.31 i) To supervise the SIO, DCO HARPER in relation the content of his media releases following receipt of forensic opinion that Exhibit JAR/6 was not human bone.
- 9.2.32 6. In relation to community impact and confidence you failed as follows:
- 9.2.33 a) To ensure that the community impact assessment or risk assessment of likely community reaction was properly implemented, performed in a timely fashion and periodically reviewed by you. This failure contributed significantly to the undermining of public confidence in the investigation.
- 9.2.34 b) To appoint an Independent Advisory Group ('IAG'), until advised by the ACPO Homicide Working Group to do so.
- 9.2.35 c) To ensure that the IAG was properly constituted, briefed, given appropriate Terms of Reference, advised, guided and utilised by Operation Rectangle.
- 9.2.36 d) To ensure that the investigation was made part of a multi-agency approach thereby maximising public confidence in the investigation.
- 9.2.37 7. By reason of the matters aforesaid you presided over but did not manage, supervise or control an investigation which ran out of control, and damaged the reputation of the SoJ.

**9.3 Additional suggested charge**

- 9.3.38 8. As Chief Officer of Police for the States of Jersey Police ("SoJP") during the currency of the high profile Operation Rectangle you sent emails on 23<sup>rd</sup> February and 29<sup>th</sup> February 2008 which emails you knew or ought reasonably to have known were offensive and/or likely to bring discredit upon the SoJP.

### 9.3 Particulars

- 9.3.1 1. At 22.12 hours on 23<sup>rd</sup> February 2008 you sent an email to **OFFICER X OFFICER X** and **X** which was, particularly having regard to its political context, inappropriate, sarcastic and unprofessional.
- 9.3.2 2. At 1511 hours on 29<sup>th</sup> February 2009 you sent an email to "W" which was deeply inappropriate in that it contained the following "joke": *"What is the difference between a Jersey royal and a Jersey orphan? Answer: A Jersey Royal gets to be dug up after three months"*.

	Conclusions (Brief Summary)	Relevant paragraph within draft Working Charges
Conclusion 1	Failure in performance of duty to appoint an SIO of adequate qualification and experience.	See paragraph 4 (a)
Conclusion 2	Failure in performance to ensure adequate terms of reference were created and agreed with and adhered to by the SIO.	See paragraph 4 (c) in relation to setting or reviewing terms of reference  See paragraph 4 (d) ensuring that SIO agreed and adhered to Operation Rectangle's terms of reference
Conclusion 3	Performance of duty to maintain adequate records of this supervision of the SIO.	See paragraphs 4 (b) & 4 (e)
Conclusion 4	Failure in performance inappropriate use of the Force email system.	See paragraph 9.3
Conclusion 5	Failure in the performance of duty to ensure SIO maintained effective working relationship between the prosecution legal team and the police investigation team for Operation Rectangle.	See paragraph 4 (f)
Conclusion 6	Failure in performance to prepare for the impact the searches at Haut de la Garenne would have on public opinion.	See paragraph 7
Conclusion 7	No finding of failure in performance.	Not reflected in the draft working charge
Conclusion 8	Failure in performance to ensure a Gold Group was created either post 13 December	See paragraph 3

	Conclusions (Brief Summary)	Relevant paragraph within draft Working Charges
	2007 and/or 23 February 2008.	
Conclusion 9	Failure in performance to ensure that a CIA appropriate for Operation Rectangle was properly and pursued by States of Jersey and reviewed periodically by you.	See paragraph 6 (a)
Conclusion 10	Failure in performance to establish a relevant, supportive IAG with clear terms of reference.	See paragraph 6
Conclusion 11	No finding of failure in performance to support IAG post notification of concerns to GP	Not reflected in the draft working charge
Conclusion 12	Failure in performance to ensure the Operation Rectangle was managed as a multi-agency investigation in accordance with accepted guidance.	See paragraph 4 (g)
Conclusion 13	No charge. Only advice and appropriate training.	Not reflected in the draft Working Charge
Conclusion 14	Neglect of duty to provide any formal strategic oversight of the States of Jersey Police media strategy.	See paragraph 5
Conclusion 15	Neglect of duty to ensure that a documented and updated media strategy existed between November 2007-February 2008.	See paragraph 5(a)
Conclusion 16	Neglect of duty to ensure an appropriate media strategy was in place and being adhered to following 23 February 2008.	See paragraph 5(f)
Conclusion 17	Neglect of duty to supervise media releases by States of Jersey Police to ensure accuracy and balance and to challenge misrepresentation by the media.	See paragraphs 5(e) and (f)
Conclusion 18	Neglect of the duty to (i) provide strategic oversight of media policy post discovery that Exhibit JAR/6 was not human bone; (ii) failing to correct misleading press releases made by States of Jersey Police post that forensic opinion about the nature of Exhibit JAR/6; (iii) failure to supervise SIO in relation to his media releases post his discovery as to the nature of Exhibit JAR/6.	See paragraphs 5(g-i)
Conclusion 19	No charge.	Not reflected in the draft Working Charge

## Appendix 1 – Chronology of Operation Rectangle from 1 September 2007 to 12 November 2008

September 2007	Commencement of Operation Rectangle
1 October 2007	Within DCO HARPER's finance policy file Decision 1 sets out the need to monitor all expenditure and only spend what is operationally necessary.
1 October 2007	Within the main lines of enquiry policy file, <b>OFFICER X</b> records Decision 1 as <i>'Operation Rectangle is a single agency led investigation into historical child sexual abuse involving a number of institutions in Jersey'</i> .
8 October 2007	Within the media strategy policy file under Decision 1, <b>OFFICER X</b> records that a media strategy has been prepared.
19 November 2007	Within the media strategy policy file Decision 3, <b>OFFICER X</b> records the resolution to appoint <b>X</b> to co-ordinate the media for States of Jersey Police.
22 November 2007	The first public statement regarding the investigation is released. This statement sets the investigation into its historic context and states that the police have already made contact with witnesses and victims.
28 November 2007	A statement is released by the States of Jersey Police announcing that they have made contact with around 60 victims and witnesses.
1 December 2007	Within DCO HARPER's finance policy file he records under Decision 3 that all expenditure up to

- £1,000 is to be authorised by **OFFICER X**, and anything over that amount should be authorised by him.
- 13 December 2007 Within the main lines of enquiry policy file, **OFFICER X** states in Decision 6 that the investigation can be categorised as '*Category A+ and a critical incident*'.
- 28 December 2007 Within the main lines of enquiry policy file, DCO HARPER records Decision 8 as '*not to produce a community impact assessment or establish a gold group in terms of the manual*'. In explaining the reasoning for this decision, DCO HARPER records '*although technically a critical incident and Cat A investigation, this is solely because of the context of the island and the size of the force*'.
- Within the main lines of enquiry policy file, DCO HARPER records Decision 9 '*not to instigate external review of investigation unless it becomes a murder/homicide inquiry*'.
- 31 December 2007 By the end of 2007, the expenditure for Operation Rectangle was £44,076.
- 10 January 2008 **X** from LGC Forensics sends a report to the States of Jersey Police detailing a search strategy, highlighting areas where the search should be prioritised based on a number of considerations including topography, vegetation and geology – all areas indicated were outside the building.
- 12 January 2008 Within the main lines of enquiry policy file, DCO HARPER records Decision 11 as '*to discontinue lines of enquiry relating to bones by the*



- kitchen of HDLG under concrete. However, efforts to continue to clarify claims of human remains in grounds'.*
- 18 January 2008 In a document from CO POWER to Steven AUSTIN-VAUTIER, he [POWER] states that he accepts that the Force should follow good practice in financial management.
- 5 February 2008 An initial planning meeting takes place at LGC Forensics. The search strategy is discussed and agreed upon, with a start date of 19 February 2008 being confirmed.
- 11 February 2008 In an e-mail from DCO HARPER to X , he [HARPER] declares his decision not to search the interior of the home.
- 12 February 2008 In an e-mail from DCO HARPER to X , he declares there is no intelligence or evidence to suggest anything untoward took place in any of the rooms at Haut de la Garenne.
- 19 February 2008 Work commences in the grounds of Haut de la Garenne.
- 20 February 2008 Information is received that bones found in 2003 were associated with cloth and a shoe. Concern is subsequently raised about the identification made at the time by local pathologists.
- The decision is made to deploy the Enhanced Victim Recovery Dog and also utilise ground penetrating radar.
- 21 February 2008 Following ground penetrating radar assessment of the stairwell area, excavation of the concrete floor commences – 3 areas are targeted initially.

23 February 2008

0910hrs – Item found by anthropologist  
X and identified on scene as being  
part of a child's skull. This item is then exhibited as  
JAR/6.

0930hrs – Exhibit JAR/6 is presented to the  
Enhanced Victim Recovery Dog which gave an  
indication suggestive of human remains.

1025hrs – Within the media strategy policy file,  
DCO HARPER records Decision 8 as '*to release  
limited information revealing find of possible human  
remains*'.

1045hrs – CO POWER receives a call from  
DCO HARPER telling him about the first 'find'.

1045hrs – A freelance journalist is found in the back  
field of Haut de la Garenne.

1045hrs – DCO HARPER makes the decision to  
release information to the press about the 'find'.

1101hrs – CO POWER e-mails Wendy KINNARD,  
Andrew LEWIS, Bill OGLEY, Frank WALKER (cc  
DCO HARPER) regarding abuse enquiry publicity,  
stating '*all, this is to let you know that we have had  
a well informed media enquiry from the UK in  
relation to the above. In consultation with the  
DCO and in the interests of fair relations with the  
local media an announcement is likely to be made  
soon. The announcement will confirm that acting on  
the basis of information gained during the enquiry  
the investigation team, assisted by experts from the  
UK, have been undertaking a forensic examination  
of the former home at HDLG. This search has  
revealed what appear to be the human remains of a  
child. The search is continuing*'.

1145hrs – DCO HARPER writes out what he wants the press release to contain. This is copied verbatim by **OFFICER X** and reads as follows *'on Tuesday 19 February as a result of information received during the Historic Abuse Enquiry, States of Jersey Police commenced an exploratory search of the former care home at Haut de la Garenne... At 09:30 hrs today, what appears to be potential remains of a child have been recovered. The investigation continues. A press conference is to be arranged in due course and you will receive notification accordingly'*.

1245hrs – CO POWER arrives on site at Haut de la Garenne.

1305hrs – **OFFICER X** begins to circulate press release to local media.

1336hrs – CO POWER leaves Haut de la Garenne.

1400hrs – A press conference takes place on site, during which Exhibit JAR/6 is disclosed as being the potential remains of a child.

1500hrs – Within the media strategy policy file DCO HARPER records Decision 9, to update the media on a daily basis, either by release through Press Officer or by briefing.

1605hrs – **X** receives a phone call from DCO HARPER at Haut de la Garenne asking for mentoring advice

26 February 2008

A statement is made by the Chief Minister to the States, Terry LE-SUEUR committing to provide necessary and efficient resources to the investigation. **ERROR - this should be Frank WALKER**

**OFFICER X** is asked by [REDACTED] to start preparing a CIA in relation to Operation Rectangle. **OFFICER X** suggests that **OFFICER X** look at the Murder Investigation Manual, which contains a section on CIAs.

The States of Jersey Police release a press statement placing specific emphasis on the fact that all that has been recovered so far are the partial remains of what is believed to have been a child.

Within the finance strategy policy file, DCO HARPER records Decision 8 as *'all expenditure incurred forthwith to be done so in accordance with attached document'*.

27 February 2008

The States of Jersey Police issue a press release stating *'we can confirm that this morning, we have gained partial access to the cellar'*.

In response to an earlier e-mail from **OFFICER X** regarding necessity for a CIA, DCO HARPER replies *'not at this time'*.

28 February 2008

**X** advises DCO HARPER on words to use when speaking to the media.

The Council of Ministers make a further statement declaring that they will do everything necessary to support and work with the investigating team.

29 February 2008

CO POWER and **X** sign terms of reference in regard the ACPO Homicide Working Group mentoring/advice team to support Operation Rectangle.

1 March 2008

The media strategy for Operation Rectangle is created.

3 March 2008	<p>Bill OGLEY signs a communications protocol in respect of the Haut de la Garenne child abuse enquiry.</p> <p>A media briefing held at Haut de la Garenne. It is at this briefing that the terminology 'skull fragment' is used as opposed to '<i>partial remains of a child</i>' as previously favoured.</p> <p>The States of Jersey Police issue a press release stating '<i>bones recovered from the south side field have been confirmed as animal bones but a small number are yet to be confirmed as such</i>'.</p>
4 March 2008	<p>CO POWER signs a communications protocol in respect of the Haut de la Garenne child abuse enquiry.</p> <p>The ACPO Homicide Working Group team deliver their first report to the States of Jersey Police.</p>
5 March 2008	<p>A press release by the States of Jersey Police discloses that DCO HARPER is to become full time SIO and so relinquish the other duties of DCO.</p>
6 March 2008	<p>The Council of Ministers re-affirms its full and unqualified support for the police inquiry and its resolve to ensure that police receive all resources necessary to complete a full and thorough investigation.</p> <p>Exhibit JAR/6 is collected by <b>X</b> for transportation to Oxford.</p>
7 March 2008	<p>A States of Jersey Police press release details the positive presumptive testing for 'blood' in the 'cellar' and the presence of a 'bath'.</p>
9 March 2008	<p>A rally takes place in St Helier highlighting public concerns about the way claims of abuse at Haut de</p>

la Garenne have been handled by the Jersey authorities

11 March 2008

A second piece of possible skull is found in trench 003, later exhibited as SJL/1.

In an e-mail from CO POWER to Wendy KINNARD; cc Bill OGLE, regarding Exhibit SJL/1, CO POWER states *'you will be aware that our current media line on the search and finds at HDLG is that we continue to recover bone fragments many of which appear to be animal and some which require further testing. We will seek to hold to this line for the time being. However, you may wish to be aware that we have a strong, as yet unconfirmed, scientific opinion that one item is very likely to be a further part of a child's skull which may or may not be related to the first find. The AG is being made aware. At present we are holding our earlier line in the hope that this will avoid a return of the "circus". However, if asked the right questions then we will feel bound to give truthful answers. Although that has not happened yet. You may wish to think about 'lines'. It might be that the best thing to say is that you are aware of recent developments and that it is appropriate that the enquiry continues to take its course'*.

12 March 2008

**OFFICER X** is tasked by DCO HARPER to prepare a CIA

1435hrs – Call from **X**. From photos sent to **X** and **X** they believe that SJL/1 is human skull. However, this is recognised as being a preliminary identification only.

## Appendix 1

## Highly Confidential – Personal Information

13 March 2008      Inaugural meeting of the Independent Advisory Group, which is observed by **X** and **OFFICER X** from ACPO Homicide Working Group.

The media strategy is updated.

14 March 2008      1710hrs – In an update from LGC Forensics, it is stated that nitrogen levels in the skull fragment indicate insufficient collagen in the bone to date.

1805hrs – A further update is received from LGC Forensics, stating a very low likelihood of extracting collagen from sample. This update further comments that the bone is poorly preserved and therefore likely to be old or in a bad location for preservation.

17 March 2008      In e-mail correspondence between **OFFICER X** and **OFFICER X** it is agreed that the ACPO format for CIA should be used.

18 March 2008      Draft CIA Version 1 submitted via e-mail to **OFFICER X**

19 March 2008      CIA Version 2 completed – this was forwarded via **OFFICER X** to DCO HARPER.

1232hrs – An e-mail is sent from **X** to DCO HARPER which details the history of IAG formation and also explains that *'they are not a watchdog and they are only scrutinising the investigation from a community perspective... They are there purely to advise Gold, the SIO and the police'*.

20 March 2008      1600hrs – **X** is on site at Haut de la Garenne and after examination of SJL/1 **X** confirms that it is not skull.

Call from LGC Forensics. The collagen level in Exhibit JAR/6 is better than originally thought and therefore they have enough material to date.

25 March 2008                      **X**                      **X**                      and  
   **X**                      go to Jersey to consider the progress since the first ACPO Homicide Working Group report.

26 March 2008                      Second ACPO Homicide Working Group report is delivered to CO POWER and DCO HARPER.

The first recorded private meeting of the IAG takes place, convened as the members wished to discuss the issues themselves and establish what they wished to ask.

**X**                      **X**                      and  
   **X**                      attend an IAG meeting.

A report written by                      **X**                      projects the cost for Operation Rectangle up to 30 June 2008 as £1.2 million. This report was e-mailed to the Senior Management Team for Police, including CO POWER.

27 March 2008                      **OFFICER X**                      advises  
   **OFFICER X**                      that the CIA is now a standing item on FMB agenda.

29 March 2008                      A report on carbon dating received from LGC Forensics explains that despite low nitrogen level they would continued with pre-treatment. It further covers that the sample [Exhibit JAR/6] behaved oddly and that the material is either not collagen or very badly degraded.

29 March 2008                      Within the persons of interest policy file, DCO HARPER records Decision 8 as not to adopt a scoring matrix.



## Appendix 1

## Highly Confidential – Personal Information

31 March 2008      0920hrs – Dr      **X**      from the LGC Forensics tells the States of Jersey Police that **X** believes Exhibit JAR/6 is not bone. This view is also shared by Dr      **X**      of the British Museum.

0930hrs –      **X**      from the LGC Forensics re-iterates      **X/X**      thoughts. However, **X** can be seen as still commenting that it could be badly preserved.

1 April 2008      Within the media strategy policy file DCO HARPER records under Decision 11 the need to issue regular updates to the media through the Press Officer.

7 April 2008      **X**      returns to Haut de la Garenne and is briefed on the results from the LGC Forensics. Following this briefing **X** is still confident about **X** initial identification.

8 April 2008      **X**      concludes that Exhibit JAR/6 belongs to a Victorian context.

**X**      undertakes a re-examination of Exhibit JAR/6 and confirms to      **X**      that **X** still thinks it looks like human bone.

1015hrs – The States of Jersey Police issue a press release referring to Exhibit JAR/6 as a skull fragment and also other bone fragments including some which have been charred.

1413hrs –      **X**      e-mails the States of Jersey Police asking whether they have a different opinion than what **X** had told them.

9 April 2008      **X**      undertakes a second re-examination of Exhibit JAR/6 and informs      **X**      and DCO HARPER that **X** is no longer confident that it [Exhibit JAR/6] is human

bone. Although a number of options are discussed regarding further testing, DCO HARPER decides it is not necessary to conduct any more tests as Exhibit JAR/6 falls outside the parameters of the enquiry.

18 April 2008

The States of Jersey Police issue a press release stating *'To clear some confusion which seems to exist, the SoJP would like to clarify the following facts on the fragment of skull found at Haut de la Garenne. We were not able to date the fragment. Therefore we cannot say how old it is or indeed where and how, the person died... We cannot say if the actual death occurred before it was moved to where we found it. It follows therefore that the bone could date from the period just before 1940, the Victorian era, or indeed even earlier if it was moved here from a previous location. In the light of that, it is unlikely that we will instigate a formal homicide enquiry in relation to this bone alone... However, the site of the home must remain the scene of a possible homicide until such time as all of the areas of interest which have been flagged up to us have been excavated and cleared'*.

X records in X. Major Incident Management log 'From . X – milk tooth (canine, human) found in sievings from cellar 3'.

DCO HARPER e-mails CO POWER giving him an update on finds from the cellars, stating *'Graham: Just an update on the latest finds from the Cellars. Two rocks with bloodstains found by dog. Bandage with bloodstains found by dog. Child's milk tooth. Fragment of what could be skull bone, but X not certain. Dog has reacted to it but we will send it to*

*Scotland to have it identified quickly'.*

21 April 2008 DCO HARPER phones X voicing his concerns that the Attorney General wanted to embed a lawyer in the Major Incident Room.

22 April 2008 A States of Jersey Police press release announced that *'forensic archaeologists searched an area of the cellar rooms three and four and have discovered some more bone fragments and two 'milk teeth' from a child or children... the teeth could have come from the same child although further tests will be necessary to try and ascertain if that is the case, and how the teeth might have come to be there'.*

29 April 2008 Sean POWER asked Wendy KINNARD in The States if the remains found were of a child - she replied stating *'the statement made about the fragment of skull on 23rd February 2008 was accurate. It was and continues to be the partial remains of a child. The police have always maintained that they did not know when, where or how the person died. The fact that it was not proved possible to date the fragment of skull does not change the fact of what it was, nor does it remove the possibility that he or she died of foul play... it will remain premature to judge the content of police media statements until the investigation is concluded' – further elaborating 'I am reassured that the correct approach is being adopted... The fact remains that the piece of skull was found in suspicious circumstances in a building where a number of other objects have been found to corroborate extremely serious allegations'.*

1 May 2008 During correspondence between Steven AUSTIN-VAUTIER and CO POWER, CO POWER highlights

the fact that the police were incurring non-budgeted expenditure and would continue to do so until the proposition was passed by the States to provide additional funding.

In an e-mail to **OFFICER X** and others, CO POWER states '*my understanding of the rules is that we should not commit to non budgeted expenditure until the proposition is passed by the States*'.

**X** completes **X** report in respect of Exhibit JAR/6. In it **X** states that the sample was not bone and not human, appearing instead to be more like part of a large seed casing or part of something like a small piece of coconut.

5 May 2008

**X** records in **X** Major Incident Management log that DCO HARPER tells **X** of a second site of potential interest, that of Victoria Towers/Bunkers.

0925hrs – In an e-mail from CO POWER to James PERCHARD, he [POWER] states there is no scientific dispute regarding the fact that Exhibit JAR/6 is human.

1353hrs – DCO HARPER e-mails CO POWER regarding intelligence on the bunker at Victoria Tower.

6 May 2008

CO POWER is present at an IAG meeting.

10 May 2008

During e-mail correspondence between CO POWER and DCO HARPER the expense of Martin GRIME and his perceived amount of downtime is discussed.

12 May 2008

The States of Jersey Police issue a press statement

announcing that five teeth have now been found.

14 May 2008

In an e-mail from DCO HARPER to

**OFFICER X** and others, he [HARPER]

accepts that no expenditure is incurred unless operationally necessary, that governance is exactly the same as in other homicide/major enquiry funding and that all expenditure is monitored.

17 May 2008

DCO HARPER is informed by journalist **X**

that the LGC Forensics state they sent a letter to DCO HARPER covering their concerns about the nature of Exhibit JAR/6. This was apparently not received by the States of Jersey Police.

1052hrs – Confirmation is given by the LGC Forensics that they had sent letter to DCO HARPER. They then agree to e-mail the letter to **X**

1522hrs – An e-mail is sent from DCO HARPER to **X** asking specifically if **X** is comfortable for DCO HARPER to state publicly that Exhibit JAR/6 is not bone to which **X** replies affirmatively.

18 May 2008

Mail on Sunday article is published entitled '*Human Bone at centre of Jersey Children's Home Inquiry is actually a piece of wood or coconut shell*'.

0847hrs – DCO HARPER e-mails **X** with a detailed final draft of the press release in rebuttal to the Mail on Sunday article.

The States of Jersey Police release a three page statement in response to the Mail on Sunday article.

20 May 2008

Dr X states that of the bones sent to X , X cannot identify the fragments as definitely human, but cannot rule out the possibility that they are human. X elaborates to say that human osteonal size and microstructure share characteristics with mid sized mammals such as sheep and goats.

0920hrs – X records in X Major Incident Management log that of the bone fragments sent to X , X states they are pre-1950's.

21 May 2008

A States of Jersey Police press release states that *'of the six [teeth] we have sent to the UK, five of these cannot have come out naturally before death, and only one of those six has signs of decay. The rest have a lot of root attached. We have been told that teeth could come out naturally during the decomposition process'*.

The statement goes on to further announce that *'ten of these bone fragments were found yesterday (in an ashy area of cellar 3) and identified as being human while around 20 were found in the last two weeks. The bone fragments have been identified as being human'*. The statement then explains the need to date the bones and that this could prove *'pivotal to the direction of the enquiry'*. It then adds *'some of the bones exhibit signs of burning, and some show signs of being cut. This means that we could have the possibility of an unexplained death – and evidence of a dead child or children in the cellar. There was a fireplace in the cellar. It does not mean that yet, we are launching a homicide enquiry. That depends on the dates which we*

*receive back on all the bones... What we do not know yet regarding the bone fragments and teeth, is who that person is or how they died'.*

22 May 2008	The Council of Ministers reaffirm the statement made on 26 February 2008 committing to provide all necessary and efficient resources to the investigation.
23 May 2008	Third ACPO Homicide Working Group report is delivered to the States of Jersey Police.
24 May 2008	<p>The States of Jersey Police issue a press release confirming the 'shackles' were found alongside a second pair of what appear to be home made restraints.</p> <p>Within a States of Jersey Police press release, DCO HARPER expresses his opinion regarding Exhibit JAR/6 that although the opinion is now less conclusive, they have not had a definitive contradiction to the original belief.</p>
27 May 2008	Steven AUSTIN-VAUTIER writes to CO POWER asking him to confirm that expenditure being incurred was being controlled within the Finance Directions.
28 May 2008	The States of Jersey Police release a nine page statement setting out the history and progress of the investigation to date.
29 May 2008	<p>Andrew LEWIS takes over responsibility regarding the ongoing Child Abuse Investigation from Wendy KINNARD.</p> <p>A copy of minutes from the Council of Ministers states that ultimate operational responsibility for the investigation remained with the Chief Officer, States of Jersey Police.</p>

## Appendix 1

## Highly Confidential – Personal Information

2 June 2008	<b>OFFICER X</b> informs <b>OFFICER X</b> that DCO HARPER had said that the CIA was not required at present. <b>OFFICER X</b> then tells <b>OFFICER X</b> to put the CIA on hold.
3 June 2008	A proposition for additional funds is lodged for £6 million.
6 June 2008	<b>X</b> , on behalf of the IAG, e-mails DCO HARPER expressing concerns, in particular with media wording.
8 June 2008	In an e-mail to DCO HARPER, CO POWER enquires about the status of Exhibit JAR/6.
9 June 2008	In an e-mail to CO POWER, DCO HARPER states that Exhibit JAR/6 was outside the specified time parameters and that they were interpreting the scientific results as inconclusive.  CO POWER replies to Steven AUSTIN-VAUTIER accepting his responsibilities as Chief Officer and suggesting the establishment of a financial oversight board.
12 June 2008	In a letter to the Chief Minister, Wendy KINNARD confirms that <i>'in respect of value for money and governance, there are strict levels of authority for all expenditure by the inquiry team and the Senior Investigating Officer has confirmed that all expenditure has been necessary to further the operational aims of the inquiry'</i> .
16 June 2008	At the IAG meeting, DCO HARPER states that he was still treating Haut de la Garenne as a homicide scene but not as a homicide investigation.
17 June 2008	CO POWER replies to Steven AUSTIN-VAUTIER stating that he was assured by those in direct control that the appropriate arrangements were in place, but would provide a strong reassurance once



the oversight board had met.

Andrew LEWIS makes a statement in the States saying that it remains the case that there is no definitive scientific finding regarding Exhibit JAR/6. DCO HARPER informs CO POWER that they plan to start work on Site two on 5 July 2008.

Details about how the community can contact the IAG are detailing in a press release issued to the media by X

29 June 2008

A report by DCO HARPER is submitted to CO POWER explaining why he [HARPER] released the press statement after the arrest and subsequent release of suspects 'A'

30 June 2008

Fourth ACPO Homicide Working Group report delivered to the States of Jersey Police.

1 July 2008

The IAG write to DCO HARPER to express their concerns.

7 July 2008

Work at Haut de la Garenne concludes and the effort was moved to site two at Victoria Tower.

9 July 2008

Entry to the Victoria Tower site is gained and work commences.

0820hrs – The States of Jersey Police issue a press release detailing the imminent retirement of DCO HARPER and informing the press of the plans to fill his role of SIO.

21 July 2008

X sends an e-mail to DCO HARPER trying to seek clarification of what was expected of the IAG.

23 July 2008

A Financial Oversight Meeting is held between DCO HARPER, CO POWER, Steven AUSTIN-VAUTIER and X

## Appendix 1

## Highly Confidential – Personal Information

31 July 2008	Steven AUSTIN-VAUTIER writes to Ian BLACK confirming that he had been provided with assurances from CO POWER that appropriate financial controls were in place with regards to the historic abuse enquiry and that the SIO confirms that all expenditure has been necessary to further the operational aims of the investigation.
1 August 2008	CO POWER e-mails <b>X</b> with a suggested statement concerning SIO continuity, stating <i>'in order to establish a long term and resilient command structure for the enquiry and the force the leadership of the enquiry will be re-structured to reflect the distinction between the strategic and policy role, and that of day to day operations'</i> .
2 August 2008	Conclusion of work at Victoria Tower
4 August 2008	David WARCUP takes up DCO position with the States of Jersey Police.  1305hrs – <b>X</b> [on behalf of the IAG] e-mails CO POWER, via <b>X</b> , asking for direction and leadership.  1842hrs – CO POWER replies to <b>X</b> , suggesting a meeting with himself, DCO David WARCUP and Detective <b>OFFICER X</b> to <i>'clear the air and get things back on track'</i> .
11 August 2008	DCO David WARCUP takes responsibility for Operation Rectangle.
13 August 2008	An amended proposition for funding is lodged, the requested sum being increased to £7.5 million.  DCO WARCUP tells <b>X</b> that he is going to initiate a Gold Group. <b>X</b> replies

saying that it was recommended earlier on in the enquiry, but that CO POWER and DCO HARPER said they were not going to have one.

15 August 2008	DCO David WARCUP directs that the States of Jersey Police would use NPIA guidance wherever possible as the standards to be applied to the investigation.
19 August 2008	CO POWER attends an IAG meeting.
21 August 2008	CO POWER e-mails Bill OGLEY stating that with regards Exhibit JAR/6 <i>'My [POWER] understanding is that there is no conclusive scientific finding one way or the other'</i> .
27 August 2008	<p>An announcement is made by the States of Jersey Police detailing the appointment of Detective Superintendent Michael GRADWELL as the new SIO.</p> <p>A meeting takes place between DCO WARCUP, the Attorney General, John EDMONDS, Stephen BAKER, Simon THOMAS and Deputy SIO Alison FOSSEY. This led to the decision being taken to establish a Gold Group for Operation Rectangle.</p>
1 September 2008	The inaugural States of Jersey Police Gold Command meeting was held – present were DCO David WARCUP,

#### OFFICERS X 4, X AND X

8 September 2008	The States of Jersey agree to the amended funding proposition of £7.5 million.
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## Appendix 1

## Highly Confidential – Personal Information

Detective Superintendent Michael GRADWELL starts work as SIO for Operation Rectangle with the States of Jersey Police.

9 September 2008 Gold Group Meeting.

16 September 2008 Gold Group Meeting.

19 September 2008 An e-mail is sent from DCO WARCUP to  
**OFFICER X** asking to reactivate the CIA if it has been deferred.

23 September 2008 Gold Group Meeting.

30 September 2008 Gold Group Meeting.

2 October 2008 DCO WARCUP speaks to CO POWER regarding e-mails concerning ex-DCO HARPER and updates him in relation to the progress of Operation Rectangle including *'the continuing difficulties in relation to the findings at Haut de la Garenne, the fact that the information available was not always correctly reported and not corrected when other evidence emerged... how and when we present findings... the description of issues such as cellars, shackles, the fact that certain lines were suspended and not pursued to conclusion'*.

3 October 2008 Detective Superintendent Michael GRADWELL raises concerns about the misrepresentation of evidence.

A Financial Oversight Meeting is held, attended by CO POWER, Steven AUSTIN-VAUTIER, **X** and Detective Superintendent Michael GRADWELL.

7 October 2008 Gold Group Meeting.

**Appendix 1****Highly Confidential – Personal Information**

8 October 2008	1045hrs – X meets with CO POWER.
	1210hrs – X meets with Detective Superintendent Michael GRADWELL telling him X position had become untenable.
9 October 2008	X calls DCO WARCUP stating that the ACPO Homicide Working Group advised CO POWER and DCO HARPER to have a Gold Group, but they refused.
14 October 2008	Gold Group Meeting.
21 October 2008	Resignation of Home Affairs Minister Wendy KINNARD.
21 October 2008	Gold Group Meeting.
24 October 2008	Audit titled 'Limited Review of Historic Child Abuse Enquiry Financial Controls Home Affairs Department'.
28 October 2008	Gold Group Meeting.
10 November 2008	Gold Group Meeting.
12 November 2008	DCO WARCUP and SIO Michael GRADWELL conduct a press briefing providing details of finds and describing inaccurate information disclosed.
	1110hrs – A meeting is held between Andrew LEWIS, Bill OGLEY and CO POWER where CO POWER is informed of the decision to implement the discipline process against him.



## Appendix 2 – Summary of Operation Rectangle cases

1. Operation Rectangle commenced in September 2007. The operation was established to investigate allegations of historical child sexual abuse amid growing concerns that abuse had been prevalent in certain institutions in Jersey; primarily the former Haut de la Garenne Children's Home and the Jersey Sea Cadets Corps. The terms of reference were to investigate serious indictable offences. Below are some headline outcomes:

- To date, Operation Rectangle has recorded that a total of 210 victims have come forward and made allegations of 429 offences ranging from Common Assault to Rape. The offence dates range from 1947 to 2004.
- Of the 429 allegations, 47 have an element of corroboration. 73 of the total allegations would fall into the category of serious indictable offences and 17 of those have an element of corroboration.
- Of the 429 offences alleged, 214 were indecent acts, of which 53 would be classed as serious indictable offences.
- The remaining 215 offences alleged were physical assaults, of which, 195 were common assaults and would not be classed as serious indictable offences. The remaining 20 allegations were of Actual Bodily Harm (18) and Grievous Bodily harm (2) and were treated as serious indictable offences.
- The 429 allegations were made against 180 different individuals, 23 of whom are deceased. A further 26 individuals have not been identified.
- Of the 73 allegations of serious indictable offences, 30 are alleged to have been committed by persons unknown and 11 offences by persons who are deceased.
- In respect of the remaining 32 allegations, which relate to 35 suspects/persons of interest, investigation files have been submitted for charging advice.

2. The current position regarding these files is as follows:

- Crown Advocates have recommended that 21 files failed to meet the evidential test.
- 10 files still await charging advice.
- Four persons have been charged with offences connected to Haut de la Garenne.

### **Persons charged with offences committed at Haut de la Garenne**

3. Person 'V' was a worker at Haut de la Garenne between 1970 and 1974. He was charged with 22 offences of indecent assault and common assault on a number of child residents at the home and stood trial at the Jersey Royal Court in August 2009. He was found guilty of 8 counts of indecent assault on females and 1 count of common assault on a male. On 21 September 2009, he was sentenced to a total of 2 years imprisonment.
4. Person 'W' was a child resident at Haut de la Garenne in 1973, having been in care since 1964. On 12 May 2009, he pleaded guilty to two counts of gross indecency and two counts of indecent assault on male residents in the home. On 22 June 2009, he was sentenced to two years probation.
5. Person 'X' was a foster parent to a young boy who was a resident at Haut de la Garenne. He has been charged with committing an act of gross indecency on the child and is currently on bail awaiting trial at the Jersey Royal Court.
6. Person 'Y' has been charged with 27 offences of Rape and indecent assault against two young girls between 1975 and 1986. One of the offences relates to a girl who was resident at Haut de la Garenne and the remainder to her friend who was not a resident. He is currently remanded in custody awaiting trial at the Jersey Royal Court.



**Person charged (unconnected to Haut de la Garenne)**

7. Person 'Z' was investigated by Operation Rectangle as part of the wider Child Abuse enquiry. Neither he nor his victims were connected with Haut de la Garenne. He was charged in June 2008 with numerous offences of child sexual abuse committed in Jersey between 1968 and 1982. In two separate trials at Jersey Royal Court, he was found guilty of a total of 5 counts of rape, 13 counts of indecent assault and 1 count of procuring an act of gross indecency. On 21 August 2009, he was sentenced to a total of 15 years imprisonment. This case does not form part of the statistical information previously referred to in this Section of the Report.
8. In addition to those persons charged, a number of referrals have been made as follows:
  - A total of 41 referrals have been made to the Public Protection Unit, States of Jersey Police.
  - Two complaints against a female suspect have been referred to Dorset Police.
  - One complaint of abuse at a Children's home in Warminster was referred to Wiltshire Police.
  - One individual is under investigation by Leicestershire Constabulary.
  - One report has been referred to West Yorkshire Police.
  - One report has been referred to Guernsey Police.

**The cases referred to in this report were up to date at the date of preparation by Wiltshire Police.**



## **Appendix 3**

### **Policy Book Entries**

**Pages 333 – 375  
TEXT REDACTED**

## **Appendix 4**

### **Witness List**

**Pages 376 – 379  
TEXT REDACTED**

## Appendix 5 – Glossary of terms

Acronym	In Full
ACO	Acting Chief Officer
ACPO	Association of Chief Police Officers
ACPOS	Association of Chief Police Officers Scotland
ADCO	Acting Deputy Chief Officer
AG	Attorney General
CC	Chief Constable
CI	Chief Inspector
CIA	Community Impact Assessment
CID	Criminal Investigation Department
CO	Chief Officer
COM	Council of Ministers
CPS	Crown Prosecution Service
CSB	Community Safety Branch
CSM	Crime Scene Manager
DC	Detective Constable
DCI	Detective Chief Inspector
DCO	Deputy Chief Officer
DI	Detective Inspector
DNA	Deoxyribonucleic Acid

Acronym	In Full
SCRG	Serious Crime Review Group
SIO	Senior Investigating Officer
SMT	Senior Management Team
SOCA	Serious and Organised Crime Agency
SOCO	Scenes of Crime Officer
SoJP	States of Jersey Police
TCG	Tasking and Coordinating Group
TOR	Terms of Reference