

I write in connection with your email request for information dated 8<sup>th</sup> December 2017 regarding Angus Macpherson, the Police and Crime Commissioner, and the Home Office.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Following receipt of your request, searches were conducted within the Office of the Police and Crime Commissioner. Your request for information has now been considered and I am able to respond as follows:

You wrote:

Please can you provide under FOI request all correspondence between Angus Macpherson, the Police and Crime Commissioner, and the Home Office, including a letter written to Amber Rudd, the Home Secretary, regarding Operation Conifer, the police inquiry into Sir Edward Heath. In particular a letter written by Mr Macpherson to Ms Rudd in October or November regarding the need for a judicial inquiry into the police investigation.

Please email the information to this address.

Response:

Please find attached to this email as a PDF, all correspondence between the Home Office and the Police and Crime Commissioner.

Rt. Hon. Brandon Lewis M.P.  
Home Office  
2 Marsham Street  
LONDON  
SW1P 4DF

(by email and hard copy)

**Date:** 23<sup>rd</sup> December 2016 **Your ref:**

**Our ref:** AM/CEC/OPCC001

**Reply contact name:**

Dear Minister

As you are aware Wiltshire Police are administering Operation Conifer, the allegations of child sex abuse involving Sir Edward Heath, on behalf of the police service.

On 11th August 2015, Wiltshire Police agreed that they would be the lead force with a single appointed Senior Investigating Officer to ensure that there will be a coordinated approach nationally into the allegations.

In discussion with the whole of the police service and Home Office it was agreed that Wiltshire Police would support existing operations and perform an oversight function ensuring that all information is shared and that any operational activity is overseen, however governance would remain within the Host Force.

Since that date Wiltshire have provided the whole of the service with, on average, 13-15 staff allocated to the investigation. During the last year out of a number of offences, it appears that only 3 were committed in Wiltshire, the rest span across the whole of the country, this highlights the national role being undertaken by Wiltshire Police. The 'new' direct costs incurred for the 15 months to the end of November 2016 can be summarised as below;

	Spend
Police Officer Overtime	£24,190
Support Staff Pay and Allowances	£311,363
Support Staff Overtime	£6,427
Agency Costs	£30,455
Mutual Aid	£61,053
Transport Costs	£34,890
Other Costs	£42,588
<b>Total</b>	<b>£510,966</b>

In addition to this Wiltshire Police have provided Police Officers to the cost of £324,876, hence the total cost is £835,842. With costs per month of circa £65,000, I anticipate that costs will have exceeded £1million by the end of the financial year.

You will be aware of the sustained national media interest in this case and at a recent meeting at the Home Office with Jeremy Oppenheim, it was suggested to Wiltshire Police's Gold Commander ACC Paul MILLS that the Force consider making an application for consideration of central funding. I therefore request that these 'direct costs' of the investigation are reimbursed to Wiltshire Police.

Please let me know of any further information you require and how we resolve this issue.

Yours sincerely

Angus Macpherson  
**Police and Crime Commissioner  
For Wiltshire and Swindon**



Rt. Hon. Brandon Lewis M.P.  
Home Office  
2 Marsham Street  
LONDON  
SW1P 4DF

(by email and hard copy)

Date: 28<sup>th</sup> March 2017

Your ref:

Our ref: AM/VS/OPCC001

**Reply contact name:**

Dear Minister

I refer to my letter dated to you of 23<sup>rd</sup> December 2016 regarding Operation Conifer.

My office has yet to hear back from you as to whether an application for central funding for this operation would be forthcoming.

Please do let me know if we can provide you with any further information in support of Wiltshire Police's application.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Angus Macpherson', written over a horizontal line.

Angus Macpherson  
**Police and Crime Commissioner  
For Wiltshire and Swindon**



Home Office

Office of the  
Police & Crime Commissioner

24 APR 2017

for Wiltshire and Swindon

Rt Hon Brandon Lewis MP  
Minister of State for Policing  
and the Fire Service

2 Marsham Street,  
London SW1P 4DF  
[www.gov.uk/home-office](http://www.gov.uk/home-office)

Angus Macpherson  
Police and Crime Commissioner for Wiltshire and Swindon  
London Road  
Devizes, Wiltshire  
SN10 2RD

CTS Reference: M4200/17  
Your Reference: AM/VS/OPCC001

12 April 2017

*Dear Angus,*

Thank you for your correspondence of 23 December 2016 and 28 March regarding your application for Special Grant for the additional costs of Operation Conifer, investigating the allegations of child sex abuse involving Sir Edward Heath. I am sorry for the unacceptable delay in my response.

I apologise that you have not yet received a direct response to your application. My officials have been in touch with Wiltshire Police to discuss the cost of the investigation. You will also be aware that we referred your application to Her Majesty's Inspectorate of Constabulary (HMIC), who have reviewed it and will provide a view as to whether the levels of resources used are reasonable and proportionate.

I will consider the application carefully alongside HMIC's final report which we expect to receive shortly.

I will inform you of my decision as soon as possible.

*P.P.*   
Rt Hon Brandon Lewis MP

The Home Secretary  
2 Marsham Street,  
London,  
SW1P 4DP

*Copies sent via email and in the post*

Date: 27<sup>th</sup> July 2017

Our ref: PCC/KK/040

Dear Home Secretary,

As you will be aware, Wiltshire Police has been conducting an investigation into allegations that Sir Edward Heath was an alleged perpetrator of offences of child sexual abuse.

The police involvement here commenced in August 2015 with a revelation by a recently retired officer of possible malpractice by police officers and others in the 1990s. This involved an allegation that a prosecution case was dropped lest the accused go public with accusations of child abuse by Sir Edward Heath.

As a result of the IPCC investigation that followed, Sir Edward Heath's name became associated with child abuse allegations. This was compounded when the SIO made a public call for information at the gates of Arundells, Sir Edward Heath's home in Cathedral Close, Salisbury. The location was unfortunate and the Chief Constable has apologised for an error of judgement in that regard by his officer. By that stage, however, a number of allegations had already been made to a number of UK police forces. Wiltshire Police has been acting on behalf of the Police Service nationally since that time, having agreed to take on the investigation of all allegations made against Sir Edward Heath.

Wiltshire Police has followed national guidance from the College of Policing and NPCC in conducting the investigation. There have been two reviews by the national (Operation Hydrant) team and a separate audit by HMIC. The latter was commissioned by the Home Office in order to validate a request for national funding by the force. As far as I am aware, the investigation has been given a clean bill of health by all reviews, and I expect that the investigation will close in autumn of this year.

In accordance with national guidance, there will be a public report that summarises the allegations that have been made. Given the prominence of Sir Edward Heath, I expect this report to generate a huge amount of interest, both domestically and internationally. There will also be a detailed report that the Chief Constable will make available to IICSA.

The Force has recognised throughout the investigation that its role is not to make findings of fact. The Force has been in contact with IICSA during the investigation and sees the Westminster strand as a potential avenue for wider consideration and findings of facts. IICSA have requested a copy of the report, but the Chair has recently written to me to caution that the inquiry may make no findings in relation to Sir Edward Heath. I had suggested the merits of their commissioning a judge

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led review. This generated a response to the effect that, were an independent judge led inquiry to be undertaken, they would wish to see draft Terms of Reference and would find the review helpful. IICSA agree with me that such findings will be required to assuage public opinion. To commission such an inquiry, however, would appear to be beyond the remit of IICSA as currently drafted. I certainly do not have the power as PCC to commission a review of the evidence.

The Chief Constable could commission a review of the investigation and the Henriques reports seem to offer a precedent. However, on examination, it is clear that the first Henriques report was instigated by the DPP to investigate apparent failings of the CPS; the second was instigated by the Commissioner of the Metropolitan Police to investigate possible failings by his own force. The purpose of a review in relation to Conifer would be entirely different. It would be to weigh any evidence uncovered by the investigation and to assist the public to arrive at an informed view as to the likelihood that a former Prime Minister was or was not guilty of paedophile acts. The public will expect a verdict, but providing a verdict is very clearly not the role of the police whether directly or indirectly delivered.

If the allegations have evidential weight, there is clearly an issue of incompetence or corruption at a high level. This must have allowed a future, serving or past prime minister to engage in such activity with apparent impunity. This would, in turn, raise further doubts about his conduct whilst in office. The weight of evidence needs therefore to be assessed and the implications for the apparatus of state, if the evidence is found to be substantiated, must be assessed. If the evidence is found, on review, to substantiate none of the allegations against Sir Edward Heath, this is equally significant. It would lift suspicion that has tarnished both his own reputation and that of the administration in which he served.

The police investigation will conclude only whether or not a level of suspicion existed such that, were he alive, he would be interviewed under caution. This is in keeping with the police role. Had Sir Edward Heath been alive, a longer and broader investigation with a larger team may have been required. A judge led review of the evidence would give a considered opinion on the strength of evidence found to date and on any further investigation that may be required into the activities of Sir Edward Heath.

In following national guidance, Wiltshire Police find themselves in an impossible position:

They must conduct an investigation that focuses on establishing facts that may or may not corroborate the victim's account.

They must conduct an investigation that does not make any judgement on the guilt or innocence of the person accused.

The British public will struggle with this. Publication of the police report will generate as many questions as answers. It will provoke allegations, on the one hand, that the police refusal to name Sir Edward Heath as a paedophile is an establishment cover-up; and on the other, that whilst ostensibly not sitting in judgement, they are irreparably tarnishing Sir Edward Heath's reputation. The police, rather than the victims, will become the story.

My purpose in writing is to ask you to set up an appropriate judge led inquiry (possibly within an extended remit of IICSA) to examine the evidence and, so far as is possible, make findings of fact to a criminal or civil standard in relation to the activities of Sir Edward Heath. These are extraordinary circumstances. The independence of the police is at stake, as is the reputation of a former prime minister and the wider political establishment. I would urge you to act now so that a

considered response can be made to the public outcry that may be anticipated to follow publication of the report in the autumn.

Yours sincerely

Angus Macpherson MBE  
Police and Crime Commissioner for Wiltshire and Swindon





23 August 2017

The Home Secretary  
2 Marsham Street  
London  
SW1P 4DP

*Copies sent via email and in the post*

Dear Home Secretary

With reference to my letter to you dated 27<sup>th</sup> July 2017, I have now been informed of the likely publication date of the Conifer (Public) report. As this date is fast approaching it would be very helpful to have your response to my letter.

I look forward to hearing from you.

Yours sincerely

**Angus Macpherson MBE**  
**Police and Crime Commissioner**  
**For Wiltshire and Swindon**

**Office of the Police and Crime Commissioner**  
for Wiltshire and Swindon



The Home Secretary  
2 Marsham Street  
London  
SW1P 4DP

*Copies sent via email and in the post*

30 August 2017

Dear Home Secretary

I wrote to you on 27th July 2017 in relation to Operation Conifer. The purpose of that letter was to press for an independent judge-led review of any evidence produced by the investigation into allegations involving the late Sir Edward Heath. The police will shortly finish their work, and I understand that the published report will follow national Operation Hydrant guidance. That means it will not draw conclusions as to the likely guilt or innocence of Sir Edward Heath. For the majority of the population, I suspect, a conclusion one way or the other is key. If no conclusion is reached in the report and no mechanism to reach a conclusion is available, they will not consider that a satisfactory state of affairs.

The Wiltshire force is acting not only on allegations within its own area, but for the Service generally, and yet the Wiltshire tax payer is footing the bill. In December 2016 my office made application for Special Grant to cover the full cost of the investigation. Operation Conifer is effectively a national investigation. It is being carried out on behalf of 16 separate forces according to the latest information that I have received. As we approach September, some nine months after the funding request was made, a response would be greatly appreciated.

I apologise for pressing hard on this, but some obvious questions may be anticipated on publication of the Conifer report. "What will happen next?" and "Who is paying for the investigation?" urgently need a Home Office decision.

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Web Site: [www.wiltshire-pcc.gov.uk](http://www.wiltshire-pcc.gov.uk)

Yours sincerely

A handwritten signature in black ink, appearing to read 'Angus Macpherson'. The signature is fluid and cursive, with a large loop at the end of the last name.

Angus Macpherson MBE  
**Police and Crime Commissioner  
For Wiltshire and Swindon**

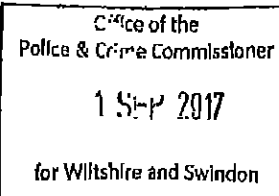
cc: Chief Constable Mike Veale



Home Office

Baroness Williams of Trafford  
Minister of State for  
Countering Extremism

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Angus Macpherson MBE  
Police and Crime Commissioner for Wiltshire and Swindon  
Wiltshire Police Headquarters  
London Road  
Devizes SN10 2DN

CTS Reference: M7546/17  
Your Reference: PCC/KK/040

29 AUG 2017

Dear Angus,

Thank you for your letter of 27 July addressed to the Home Secretary about Operation Conifer. I am replying on behalf of the Minister for Crime, Safeguarding and Vulnerability. I am sorry for the delay.

I fully understand the concerns highlighted in your letter that might arise following the Wiltshire Police publishing their report into Operation Conifer. However, you will appreciate that, as a Home Office Minister, it is not appropriate for me to intervene in individual cases, nor in operational matters such as this, which are rightly the domain of the police.

On the specific point that you have raised in your letter, about a separate Government commissioned judge led inquiry to make findings on the evidence obtained by Operation Conifer, I do not believe this would be appropriate for the Department to consider, given that policing is operationally independent of Government, and it is also the case that there is no basis in law for a trial of facts to take place where the accused is deceased.

As you know, the Government is committed to uncovering the truth, exposing what went wrong in the past and learning lessons for the future. That is why we set up the Independent Inquiry, which has already announced that it is conducting an investigation into allegations of child sexual abuse and exploitation involving people of public prominence associated with Westminster. The Inquiry has said that this investigation will examine high profile allegations of child sexual abuse involving current or former Members of Parliament, senior civil servants, Government advisors, and members of the intelligence and security agencies.

I am afraid I cannot comment on the specific points that you have raised in respect of the Inquiry. The Inquiry operates independently of Government and its independence is crucial to its effectiveness. The Inquiry has terms of reference which make clear the specific areas and scope of the investigations and it is for the Inquiry to determine what it investigates and how it conducts its investigations.

On the matter of who may commission an independent review of Operation Conifer, under s.79 of the Police Reform and Social Responsibility Act 2011, the Secretary of State has issued a policing protocol which Police and Crime Commissioners (PCCs) and Chief Constables must have regard to when exercising their functions. The current protocol is set out in the Policing Protocol Order 2011 (the Order). This may, subject to the relevant PCC seeking their own legal advice, provide scope for a PCC to commission an independent review into a force's particular investigation in order to assist that PCC in their statutory duty of holding the Chief Constable to account. Any such review would need to be done in a manner that does not impede the Chief Constable's operational independence as set out in paragraph nine of the Order.

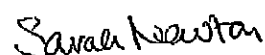
Operationally, the Chief Constable would be able to commission an independent review of Operation Conifer and you will be aware that Her Majesty's Inspectorate of Constabulary (HMIC) recommended, in their report on the Special Grant review of this operation, that Wiltshire Police consider a wholly independent review should the investigation extend beyond June 2017. I appreciate that any such review may not provide the reassurances you are seeking in your letter, and the commission of any such review would be an operational decision for the Chief Constable to make.

I have asked my officials, through the Director of Safeguarding here, to liaise with the Chief Constable and the Senior Investigating Officer on Operation Conifer to see if there is any practicable guidance or advice they can offer them, ahead of the publication of the summary report of the operation.

Thank you again for writing on this important matter.

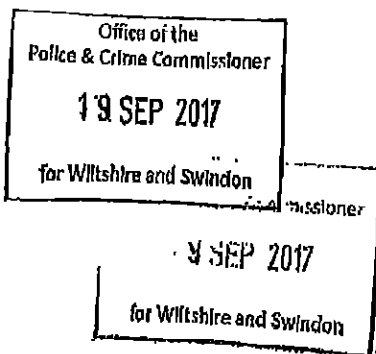


**Baroness Williams of Trafford**





Home Office



Home Secretary

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Angus Macpherson  
Police and Crime Commissioner for Wiltshire and Swindon  
Office for the Police and Crime Commissioner  
London Road  
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18 September 2017

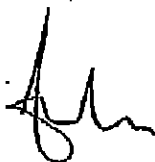
*Dear Angus,*

Thank you for your application for £1.29m of Special Grant funding for the costs of Operation Conifer, the investigation into allegations of child sexual abuse involving Sir Edward Heath.

Tackling child sexual abuse (CSA) and protecting vulnerable people is a top priority for the Government. Therefore, after careful consideration, I have decided to provide Special Grant funding and to waive the usual rule that the force must meet costs equivalent to one per cent of its budget before the Home Office will assist. Instead, I am taking the approach that Ministers have taken to other major CSA investigations and requesting that you contribute 15 per cent of the additional costs.

Therefore, the Home Office will provide up to £1.1m of Special Grant subject to you contributing 15 per cent of the £1.29m additional costs. My officials will work with yours to finalise the exact amount and arrangements for payment.

I trust that this will come as welcome news.

*Best wishes,* 

Rt Hon Amber Rudd MP