

Witness Name: Sir Jonathan Stephens KCB

Statement No: 1

Exhibits:

Dated:

THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE

Witness Statement of Sir Jonathan Stephens

I, **Sir Jonathan Stephens**, will say as follows:-

1. I, Sir Jonathan Stephens, Permanent Secretary in the Northern Ireland Office, 1 Horse Guards Road, London SW1A 2HQ, make this statement.

2. I have been Permanent Secretary of the Northern Ireland Office since 2014. Since 2015 I have had responsibility for the honours system, which role is delegated to me by the Head of the Civil Service. This includes oversight of the Honours and Appointments Secretariat's management of the policy on, and the operation of, the UK honours system. In this role, I am Chair of the Main Honours Committee, the Committee on the Grant of Honours, Decorations and Medals, the George Cross Committee and the Forfeiture Committee. The contents of the statement are within my own knowledge, except where I state otherwise, and are true to the best of my knowledge and belief. Where matters are not directly within my own knowledge, they are based on my discussions with colleagues at the Cabinet Office and documents that I have read, and are true to the best of my knowledge, information and belief.

3. Earlier evidence on the honours system and particularly forfeiture of honours has been provided by the statement given by Helen MacNamara, Director-General of Propriety and Ethics at the Cabinet Office¹. Ms MacNamara's role includes line management responsibility for the Honours and Appointments Secretariat at the Cabinet Office but because of the delegation arrangements in place for oversight of the honours system, I am responsible for both policy and day-to-day operational decisions in the honours system. In my role as Chair of the Forfeiture Committee, I have direct knowledge of the operation of honours forfeiture, including the case of David Hubert Chesshyre, known as Hubert Chesshyre or DHB Chesshyre and as such, and in order to provide the most detailed

¹ [CAB000040 Witness Statement of Helen MacNamara](#), 3 August 2018.

account possible, I felt it more appropriate for me to submit this statement.

4. For clarity, I should also note that I was not aware of the Chesshyre case before it was submitted to the Forfeiture Committee in March 2018 and my comments on the earlier handling of the case are the result of discussions with colleagues at the Cabinet Office and sight of the related papers. I have direct knowledge of events thereafter. I approved advice submitted to the Committee by the Secretariat in advance of the two meetings at which this case was discussed, and chaired both discussions.

5. In this statement I have sought to address the points raised by the Inquiry in its letter dated 25 June 2018 [*sic*; received 13 August 2019] concerning Mr Chesshyre. As requested, I have commented on the matters raised by witness WM-A120 in his statement in so far as they relate to the forfeiture of Mr Chesshyre's honour. I have covered the specific questions raised in the Inquiry's letter:

- clarification of Helen MacNamara's earlier evidence;
- the role of Sir Alan Reid in relation to the initial complaint against Mr Chesshyre;
- any relevant changes to forfeiture processes as a result of this specific case;
- the decision not to publish the forfeiture;
- how the Honours and Appointments Secretariat makes organisations aware of forfeiture;
- and how complainants are informed of the outcome, including the timeframe for informing the complainant of Mr Chesshyre's forfeiture.

6. Recommendations of forfeiture are made via an independent committee process and are approved by the Prime Minister and HM The Queen. As discussed in more detail in Ms MacNamara's witness statement and her oral evidence², the Forfeiture Committee is chaired by me on behalf of the Head of the Civil Service. The other *ex-officio* official member is the Treasury Solicitor. There are three independent members drawn from the chairs of the independent honours committees. The Forfeiture Committee can consider any case in which the recipient of an honour may have brought the honours system into disrepute through their actions or inactions. Hard triggers for forfeiture action to be *considered* are if the recipient has been convicted by the courts with a sentence of three months or more; or where they are censured or disbarred by a regulatory or professional organisation. But the Committee can, and does, consider cases where these hard triggers do not apply.

7. The Forfeiture Committee's remit covers the vast majority of civilian and military honours (for example, in the Order of the British Empire) and some civilian medals. It does not cover military medals, for which separate forfeiture arrangements are in place with the

² [Public Hearing Transcript, 14 March 2019.](#)

Defence Council, under delegated authority from HM The Queen. Some civilian medals have separate forfeiture arrangements established in their Royal Warrants. The Royal Victorian Order, in which Mr Chesshyre's honour was bestowed, has fallen within the remit of the Forfeiture Committee since March 2017. A very small number of honours within HM The Queen's personal gift do not currently fall within the remit of the Forfeiture Committee - those in the Orders of the Garter (maximum 24 members), Thistle (maximum 16 members) and Merit (maximum 24 members). Any forfeiture arrangements for those Orders are for the Royal Household to consider, although the Forfeiture Committee would stand ready to assist in any such circumstance.

8. It may be helpful to comment on the Royal Victorian Order (RVO). The Order recognises personal service to the Monarch and is within the Monarch's personal gift. The award of the RVO is not part of the independent honours committee system through which the vast majority of UK honours are recommended. The Cabinet Office has no direct involvement in the operation of the Order, although the RVO is subject to any high-level policy provisions governing the honours system, most usually recommended by the Committee on the Grant of Honours, Decorations and Medals (the "HD Committee", which is the policy forum for the honours system) and subsequently approved by HM The Queen. I therefore cannot comment in any detail on the operation of the RVO except in respect of forfeiture arrangements since 2017 and the circumstances through which RVO forfeiture cases came within the remit of the Forfeiture Committee (paras 15-16). RVO recipients are typically, although not exclusively, members of the Royal Household.

The issues raised in WM-A120's witness statement

9. In his witness statement, WM-A120 says that he views Helen MacNamara's oral evidence as "misrepresenting the series of events" (para 53b). I do not believe that Ms MacNamara's evidence did misrepresent events, and I have reviewed the written evidence submitted by the Cabinet Office and the transcript of Ms MacNamara's evidence which confirms my opinion. However, I acknowledge that the evidence given was only a partial view of the case of Mr Chesshyre in terms of the Honours and Appointments Secretariat's involvement. As I outline at para 11 below, the Inquiry had not asked the Cabinet Office about the Chesshyre case and therefore the papers submitted by the Cabinet Office and Ms MacNamara's oral evidence were not intended to provide commentary on Mr Chesshyre's case specifically. Those papers that related to Mr Chesshyre were provided proactively because the Cabinet Office considered the content relevant to the Inquiry's investigation and its specific Rule 9 requests. There was no intent to mislead or conceal the circumstances of the case.

10. Further comments on WM-A120's paragraph 53b are below at paras 11 to 14.³

Clarification of previous written evidence by the Cabinet Office and oral evidence by Helen MacNamara

11. For context about earlier Cabinet Office evidence, the written evidence previously submitted was in response to specific Rule 9 requests by the Inquiry. The material provided fell within the Inquiry's search criteria, which included some, but not all, papers relating to Mr Chesshyre's case. Specifically, some papers concerning Mr Chesshyre fell within the scope of the Inquiry's Rule 9 request of 25 June 2018 about information relating to the treatment of sexual abuse in "the award and/or the removal of honours". This applied to Mr Chesshyre's forfeiture because of the circumstances explained below at para 13, namely that this was the first time that the Forfeiture Committee had considered a trial of the facts as a trigger for forfeiture; and that it was partially as a result of this case that forfeiture processes had been reviewed. The material provided did not reflect, nor claim to reflect, the full history of the complaint against Mr Chesshyre and indeed was not intended to, given the focus on meeting the terms of the Rule 9 request. Mr Chesshyre's case was also not among the topics about which the Inquiry had indicated it would cover in oral evidence. As such, although Ms MacNamara had an awareness of, and had been briefed about, the case it was not expected or intended that her evidence would cover the case in any detail. Given the Inquiry's current focus on Mr Chesshyre, we are now submitting a range of documents which we hope will give a fuller account of the case, and which sit within scope of the Inquiry's further request for information.

12. The forfeiture case of Mr Chesshyre as managed by the Honours and Appointments Secretariat and assessed by the Forfeiture Committee was considered on the basis of evidence from the complainant and the official record received from Snaresbrook Crown Court, at which the trial of the facts took place in 2015. These latter papers did not specify that the four indecent assault charges related to acts committed against the same individual, which is why the Forfeiture Committee papers in question referred to children rather than child. We are, however, grateful to WM-A120 for clarifying the precise nature of the charges brought.

13. In Ms MacNamara's evidence, she referred to the "technicality" that Mr Chesshyre's forfeiture did not meet a hard trigger for forfeiture (that is, a conviction leading to a custodial sentence of three months or more or a regulatory/professional censure or disbarment). In using the word technicality, I understand that she sought to confirm the Inquiry Counsel's interpretation (in his question to Ms MacNamara) that the recommendation in the Chesshyre case "represent[ed] the committee adopting a sort of flexible approach in a novel situation and deciding on forfeiture notwithstanding the lack of

³ Witness Statement of WM-A120.

a conviction itself⁴. Ms MacNamara was reinforcing the suggestion from Inquiry Counsel that the Forfeiture Committee had considered the seriousness of the allegations against Mr Chesshyre and the finding of two counts against him, and had determined that these fell within a wider definition of disrepute.

14. This was the first time of which I am aware that the Forfeiture Committee had considered the findings of a trial of the facts. The absence of a criminal conviction required the Committee to consider what weight should be placed on such legal processes and findings compared to the more common criminal trial in which there is a clear prosecution and defence, verdict and sentence. Ms MacNamara's comments here also underlined her earlier evidence about a separate case in which the lack of a custodial sentence in relation to child pornography charges had not prevented a recommendation of forfeiture in recognition of the seriousness of the offence. From my personal knowledge of the Committee's deliberations in the Chesshyre case, this interpretation is accurate and serves to highlight how the Forfeiture Committee approaches serious cases which lack a "hard trigger". I believe that this intent is clear from the line of questioning and from the documents adduced in evidence during Ms MacNamara's oral evidence. For the avoidance of doubt, the Committee concluded that the trial of the facts in this case amounted to an equivalent of a conviction, for the purposes of consideration by the Forfeiture Committee. I regard this as setting a precedent for consideration of any future cases concerning a trial of the facts.

The response of Sir Alan Reid to WM-A120's initial contact regarding the request that Mr Chesshyre forfeit his honours.

15. As explained above, the recommendation of awards in the RVO does not fall within the independent honours committee processes and, at the time of WM-A120's contact with the Secretariat in October 2016, neither did forfeiture of RVO honours. I am therefore not in a position to comment on Sir Alan's involvement at that time. That is a matter for the Royal Household.

16. WM-A120 informed the Honours and Appointments Secretariat on 5 October 2016 that he was dissatisfied with the Royal Household's handling of his complaint against Mr Chesshyre⁵. The Secretariat wrote to the Royal Household on 6 October 2016 to suggest that the Forfeiture Committee should be used to consider the case⁶, and in particular, in recognition of the concerns WM-A120 had raised regarding process. Subsequent ongoing discussions with the Royal Household over the months immediately following that initial

⁴ [Public Hearing Transcript, 14 March 2019, page 94](#)

⁵ COSTEPHENSEXH1 Email exchanges, Head of Honours and Appointments Secretariat with Operations Team Leader, October 2016.

⁶ COSTEPHENSEXH2 Letter, Head of the Honours and Appointments Secretariat to Principal Private Secretary to HM The Queen, 6 October 2016.

letter resulted in agreement in March 2017 that the Forfeiture Committee would in future consider RVO forfeiture cases⁷. Beyond the two initial RVO forfeiture cases which arose at that time (one of which was Mr Chesshyre), no further practical case of which I am aware has arisen. However, the agreement reached in 2017 means that any future complaint against an RVO recipient would fall to the Forfeiture Committee to act as the independent assessor of whether it was a forfeiture matter. The process is for a complaint to be made to the Honours and Appointments Secretariat in writing and the Secretariat would then facilitate and monitor assessment of the complaint via the process outlined at para 18 below. Information is available online about how to make a complaint⁸.

Whether it was appropriate for Sir Alan Reid to consider Mr Chesshyre's complaint in light of their existing professional relationship and what guidance, if any, has put in place should a situation like this arise in the future.

17. I am not in a position to comment on Sir Alan's handling of the complaint against Mr Chesshyre nor the appropriateness of his involvement. At the time, this was a matter for the Royal Household. However, I note for the record that it was agreed that Sir Alan would not represent the Royal Household in relation to this case when it went to the Forfeiture Committee, to avoid any conflicts of interest⁹. As far as I am aware, Sir Alan had no further involvement in the Chesshyre case after March 2017.

18. The current mechanism for managing forfeiture cases is designed to largely eliminate the possibility of personal conflicts of interest affecting handling of cases:

- Cases are managed by the Secretariat which refers complaints to the department or organisation that sponsored the honour in question.
- Until 2018, the referral was made to the honours secretary. Each Government department has an honours secretariat or secretariat which is responsible for coordinating the department's involvement in the honours system, including validation and due diligence checks on nominees, liaising with external stakeholders and submitting approved lists of nominees to the independent honours committees. Administration concerning forfeiture of honours typically sits with this person.
- Referrals are now made to the Permanent Secretary or equivalent head of the organisation. The Permanent Secretary is similarly responsible for the rigour of the assessment and conclusions, and for submitting the case to the Forfeiture

⁷ COSTEPHENSEXH3 and COSTEPHENSEXH4 Email exchanges, Operations Team Leader with Administrator to the Privy Purse, 30 March 2017 and 4 April 2017.

⁸ COSTEPHENSEXH5 <https://www.gov.uk/guidance/having-honours-taken-away-forfeiture>.

⁹ COSTEPHENSEXH3 Email exchanges, Operations Team Leader with Administrator to the Privy Purse, 30 March 2017 and 4 April 2017.

Committee when that process is complete.

- The honours secretary sources and coordinates evidence to investigate the complaint and seeks the Permanent Secretary's agreement to a recommendation to the Forfeiture Committee.
- This formal process involves sourcing hard evidence (such as court records or regulatory findings) and the input of a range of people. On no occasion is the judgement the responsibility of one individual.
- Departments must account to the Secretariat for their assessment of every case.
- The Secretariat then seeks advice, including legal advice, about any case which requires it - most often when a case does not meet one of the hard triggers or when there are unusual circumstances such as potentially precedent-setting cases.
- The Forfeiture Committee itself makes collective decisions and has a majority of independent members to guard against bias and conflicts of interest.
- In unusual, complex and/or high profile cases, a senior figure (such as a Permanent Secretary or Director-General) from the relevant department or organisation may be asked to attend the Forfeiture Committee to provide additional context and to answer any questions arising from the case. As is the case across the honours system, any possible conflict of interest would be recorded - but it would be usual to try to ensure that departmental representative is someone able to speak with knowledge of the case but without personal knowledge of the individual.
- In the hypothetical scenario that a complaint was made against the Secretariat and/or its handling of a complaint, per the Cabinet Office complaints policy¹⁰ it would be handled by someone outside the Secretariat who was not connected to the case or the honours system.

19. In the case of any future consideration of honours in the RVO, the Privy Purse would play a role in compiling the necessary background evidence and context (such as why the honour had been awarded and what the complaint against the recipient was), in place of a Government department. This would draw on the Secretariat's standard guidance (currently being updated) on how to approach possible forfeiture cases and naturally the Royal Household would be subject to the usual commitment (outlined in para 18) to report to the Secretariat on its handling of the case¹¹. Once information had been received, the Secretariat would then use written forfeiture policies and previous forfeiture case histories to provide an assessment of the case for the Forfeiture Committee, including reference to any relevant precedent, and in line with wider practice. This would typically include a recommendation to the Committee, such as whether the case met the criteria for forfeiture or whether further evidence should be sought. In the case of RVO forfeitures, if someone were asked to attend the Forfeiture Committee, that person would be either the Keeper of the Privy Purse or someone else in the Royal Household with

¹⁰ COSTEPHENSEXH6

<https://www.gov.uk/government/organisations/cabinet-office/about/complaints-procedure>

¹¹ COSTEPHENSEXH7 Briefing note for departments - core guidance on forfeiture (2017) and changes to the forfeiture process, February 2019.

knowledge of the nomination or subsequent complaint. Such decisions are made on a case-by-case basis but clearly it is necessary in every case to consider the best source of robust and disinterested advice.

What steps have been taken since this incident to ensure that those responsible for the award and forfeiture understand criminal procedures and the meaning of a “trial of the facts” and any subsequent findings.

20. Forfeiture guidance¹² has been updated to reflect changes in 2018 to the forfeiture policy and process and circulated to Government departments' honours secretariats. The Secretariat held an oral briefing session on changes to forfeiture policy and process in April 2019 at one of the regular series of meetings of honours secretaries. Further new guidance is in preparation and this will underline more explicitly that a lack of a hard trigger in criminal conviction terms still requires careful consideration and that other legal outcomes might carry significant weight in disrepute terms.

Explain how organisations become aware that an honour has been forfeited if there is no publication of the same and the difficulties that this is likely to cause for individuals such as WM-A120 who seek to correct the position.

21. It is the policy that decisions to forfeit honours should be published in the London Gazette. Exceptions are rare. The Forfeiture Committee's decision not to publish Mr Chesshyre's forfeiture was taken at a meeting of the Committee in September 2018 as a reflection of the circumstances of how the case had been handled and, to a lesser degree, in light of Mr Chesshyre's ill health. It is the Forfeiture Committee's clear policy and practice that forfeiture decisions are made public, including those relating to child sexual abuse. It reinforces the point of forfeiture to make public that an honour has been stripped from those whose actions have brought disrepute on themselves and the honours system. Publication of forfeitures is a long-standing arrangement, reflecting that the London Gazette has always been the official Crown record of the honours system. The Forfeiture Committee does, however, consider each case individually and may take appropriate legal advice on handling, including where there might be broader duty of care issues. Such instances of non-publication are not determined with the aim of protecting the reputation of the individual who forfeits.

22. Beyond publication in the London Gazette, proactive publicity of a forfeiture (for example, via a press release or an official statement) is highly unusual and limited to cases involving public figures. I am aware of only two occasions (both before my tenure) on which this has happened: Fred Goodwin and Rolf Harris, both of whose actions

¹² COSTEPHENSEXH7 Briefing note for departments - changes to the forfeiture process, February 2019.

resulting in forfeiture were already the subject of national news.

23. In the rare cases in which a forfeiture is not published, it is still made explicit to the individual that they must cease to make reference to their rescinded honour, including use of post-nominal letters. The Secretariat also makes clear that they will confirm the forfeiture publicly if asked (although not the reason for it) and as it did in the case of Mr Chesshyre¹³.

24. The Forfeiture Committee is not itself an investigatory body and does not decide whether or not someone is guilty or innocent of a particular act. The removal of an honour is a significant symbolic consequence of disrepute but it is not a substitute for legal processes or other forms of justice. The Committee tells the complainant and recipient that an honour has been forfeited and it is usually published in the London Gazette. It would not be feasible or proportionate for the Secretariat to monitor continued usage of honours by all those who have forfeited their awards, nor for third party organisations to be expected to check whether an individual is entitled to make use of an honour - although it is clearly for those organisations to do their own general due diligence when determining whom to employ or with whom they affiliate.

25. Where continued usage of a title post-forfeiture is brought to the Secretariat's attention, further action is taken to remind the individual of their responsibility to cease making use of it. This typically takes the form of further correspondence with the individual and checks to ensure action has been taken to rectify the issue raised.

26. We would not typically expect an organisation such as the Trinity College Yearbook to be responsible for checking whether an honour stands. As such, the absence of a Gazette reference would have been unlikely to have altered the position, in the absence of a decision by the individual or his family to notify others or update such publicly available information. We recognise, however, that the absence of a Gazette reference would hinder the ability of others, including in this case WM-A120, from highlighting the issue with third party organisations should he have wished to do so (although our correspondence with WM-A120 did confirm the position and would have had the same effect as a Gazette reference). Clearly, however, we would not expect this to be the responsibility of those who bring forfeiture cases and would always encourage individuals to highlight cases of continued misuse with the Secretariat.

Paragraph 53b and the evidence provided by WM-A120 about how this matter came to the Honours Forfeiture Committee's attention.

¹³ COSTEPHENSEXH8 Letter of 8 October 2018 confirming outcome of Forfeiture Committee.

27. In his statement, WM-A120 says that he contacted the Honours and Appointments Secretariat in October 2015 following Mr Chesshyre's trial and was informed that honours in the Royal Victorian Order were within The Queen's personal gift, as was their forfeiture. The Honours and Appointments Secretariat has no record of this initial inquiry but the advice given was correct at that time. The Secretariat's first recorded contact with WM-A120 was in autumn 2016 when he wrote to the Secretariat to inquire about the lines of responsibility for honours and forfeiture. In an email dated 5 October 2016¹⁴, WM-A120 explained his dissatisfaction with how his initial complaint to the Royal Household had been managed and sought an independent process for consideration of RVO forfeiture cases. At that time, the Secretariat did not know about whom the complaint had been made nor what the complaint was. That information was only disclosed to the Secretariat when WM-A120's MP wrote to the Prime Minister on 21 December 2016, enclosing a letter by WM-A120 in which he explained his complaint against Mr Chesshyre and the background¹⁵. A condensed timeline setting out the key points of the Honours and Appointments Secretariat's involvement with the case is at Annex A.

28. After agreement on handling was reached with the Royal Household in March 2017¹⁶ following a meeting between the Head of Honours and the Royal Household, the Secretariat was able to start work to process WM-A120's complaint. The initial step was to seek confirmation of the trial of the facts and its outcome, which the Secretariat initiated by requesting a check under the terms of its agreement with ACRO Criminal Records Office¹⁷. It took until July 2017 for details of Mr Chesshyre's trial to be obtained, ultimately from Snaresbrook Crown Court directly. (In retrospect, this may well be because of the difficulty in definitively identifying the defendant, given that the court papers name Mr Chesshyre as "David Chesshire".) Consideration was then given to how the Forfeiture Committee should treat the findings of a trial of the facts, including sourcing legal and policy advice as needed. The case was put to the next Forfeiture Committee meeting, which took place in March 2018. A recommendation of forfeiture was agreed. Following the Prime Minister's approval, HM The Queen's approval - the act which cancelled the honour under the Royal prerogative - was received in May 2018.

The process by which complainants are informed of the outcome of any Honours Forfeiture Committee decision and comment on the delay in informing WM-A120 of the outcome in this case.

29. Usual practice has been to inform complainants that a forfeiture is to be published

¹⁴ COSTEPHENSEXH1 Email to Honours and Appointments dated 5 October 2016 (see footnote 5).

¹⁵ COSTEPHENSEXH9 Letter from Jim Dowd MP to Prime Minister, 21 December 2016.

¹⁶ COSTEPHENSEXH3

¹⁷ COSTEPHENSEXH10, COSTEPHENSEX10A and COSTEPHENSEXH11 Email exchanges Honours Operations Team Leader with ACRO, March to June 2017, multiple dates.

the day before. Following a review of forfeiture processes in 2018, it was agreed that the Secretariat would in future be more proactive about keeping complainants informed about the progress of their complaint and the outcome. The Inquiry has had sight of documents relating to this review previously, and which are annexed again to this statement for ease of reference¹⁸.

30. When The Queen has approved a forfeiture, the Honours and Appointments Secretariat agrees with the Central Chancery of the Orders of Knighthood (part of the Royal Household) a suitable date for publication of the forfeiture in the London Gazette. The Central Chancery then writes to the individual to inform them of the forfeiture, ask for the return of their insignia and inform them that they must stop referring to themselves as holding an honour (including use of post-nominal letters by them or organisations of which they are a part). The Central Chancery writes to the individual before publication.

31. Publication of Mr Chesshyre's forfeiture was proposed for July 2018. The delay in informing WM-A120 that Mr Chesshyre had forfeited his honour was the result of representations made on behalf of Mr Hubert Chesshyre in response to the forfeiture letter¹⁹. These representations protested the forfeiture on the grounds that the case had already been considered and that in the absence of further allegations against Mr Hubert Chesshyre, no other outcome could be reached. The representations enclosed correspondence about the handling of the initial complaint by Sir Alan Reid. The Secretariat had not previously seen this correspondence. This made clear that an assessment had been made of the Chesshyre case, and communicated externally to the Royal Household.

32. Technically Mr Chesshyre's forfeiture had taken place when The Queen gave Her assent in May 2018. The honours system operates under the Royal prerogative and there is consequently no right of appeal to an act by The Queen to bestow or remove an honour. However, the Statutes governing most Orders allow for the restoration of forfeited honours. The Secretariat therefore considered that the Forfeiture Committee should be made aware of the letter and its enclosures, given that it represented new information directly relevant to the handling and fair processing of the case, and that the Committee should have the opportunity to discuss it. Pending formulating advice and awaiting the next planned meeting of the Committee, publication of the forfeiture was suspended. The process of seeking advice and obtaining a view from the Forfeiture Committee (which met in September 2018) caused the delay in informing WM-A120 of the outcome.

33. There were two separate issues under discussion by the Forfeiture Committee at its September 2018 meeting. The first was whether the new information altered the

¹⁸ CAB146_001 Changes to the Forfeiture Process.

¹⁹ COSTEPHENSEXH12 Letter of 2 July 2018 to the Central Chancery of the Orders of Knighthood.

Committee's original recommendation, since enacted, of forfeiture. As highlighted in paragraph 32 above, honours can be reinstated. A potential outcome, not recommended by the Secretariat, was therefore the reinstatement of Mr Chesshyre's honour. The decision of the Forfeiture Committee, notwithstanding the new information, was to uphold the forfeiture²⁰. We did not feel that we should inform WM-A120 of the outcome whilst it remained under discussion by the Forfeiture Committee, in case there was some change to the outcome; and nor did we feel that it was appropriate to share with WM-A120 the facts of the appeal, which was treated in confidence as is all honours correspondence. WM-A120 was informed of the forfeiture on 8 October 2018 once the recommendation of forfeiture had been reaffirmed by the Committee²¹. I appreciate that this may appear a significant delay after the act of forfeiture taking place, but it was exceptional and considered necessary in order to ensure that the decision was fair, in line with wider policy (at that time under review), legally defensible and that further distress was not caused to WM-A120 by a change in position.

34. The second issue considered by the Forfeiture Committee was, in light of its decision to reaffirm the recommendation of forfeiture, and the new information provided on behalf of Mr Chesshyre, whether or not to publish an announcement. The Committee recognised that Mr Chesshyre had previously been informed that the Royal Household would not pursue forfeiture. The Committee determined that, exceptionally, it would not publish, as a reflection of the circumstances of how the case had been handled and which were unlikely to recur, and to a lesser degree, in light of Mr Chesshyre's ill health. The Committee confirmed that Mr Chesshyre would be informed of the outcome, alongside the complainant. The Committee confirmed that any public inquiries would be answered in full and that Mr Chesshyre would be expected to return his insignia and stop using his post-nominal letters in the normal way.

Statement of Truth

I believe that the facts stated in this witness statement are true to the best of my belief.

Signed:

DPA

Dated:

17 September 2019

²⁰ COSTEPHENSEXH13 Extract of the note of the Forfeiture Committee, 19 September 2018

²¹ COSTEPHENSEXH14 Letter to WM-A120 8 October 2018

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EXHIBIT [] / 1

Annex A - condensed timeline of the Chesshyre forfeiture case

DATE	EVENT
October 2016	WM-A120 writes to Honours and Appointments Secretariat stating that he understands the Forfeiture Committee does not have oversight of RVO awards and suggesting an independent process is introduced.
October 2016	Honours and Appointments Secretariat writes to Royal Household suggesting use of the Forfeiture Committee to look at the case.
December 2016	WM-A120's MP writes to the Prime Minister enclosing WM-A120's letter explaining his history with Mr Chesshyre and complaint against him.
January 2017	Honours and Appointments Secretariat writes to WM-A120's MP stating that the Secretariat had written to the Royal Household about the case.
March 2017	Royal Household agreement for RVO cases to be considered by the Forfeiture Committee. Specific agreement that the Chesshyre case should be put to the Forfeiture Committee.
March 2017	Honours and Appointments Secretariat informs WM-A120's MP that the Royal Household has agreed that the Forfeiture Committee should have the remit to consider RVO awards, including Chesshyre's. ²²
March 2017	Honours and Appointments Secretariat initiates checks into the Chesshyre case.
April 2017	Honours and Appointments Secretariat writes to WM-A120, stating case is under active consideration.
July 2017	Certificate of trial outcome received by Honours and Appointments Secretariat.
April to September 2017	Advice sought by the Honours and Appointments Secretariat.
March 2018	Forfeiture Committee agrees to recommend forfeiture.
May 2018	Forfeiture approved by first the Prime Minister and then HM The Queen. Publication in the London Gazette planned for July 2018.
July 2018	brother of Chesshyre writes to appeal against the forfeiture. Publication and informing WM-A120 paused whilst legal advice sought.
September 2018	Forfeiture Committee agrees to uphold the forfeiture but not publish it in the London Gazette.
October 2018	Honours and Appointments Secretariat writes to WM-A120 to inform him of the forfeiture and to brother of Chesshyre to confirm that the forfeiture would

²² INQ004578

	be upheld.
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