# INDEPENDENT REVIEW OF HOME OFFICE FILES 1979 TO 1999

Final Report on material provided to the Home Office in relation to alleged organized child abuse.

HM Revenue and Customs Investigator

June 2013

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#### 1. Executive Summary

- 1.1. In February 2013 the Home Office Permanent Secretary commissioned an Independent Review of all Home Office files from 1979 to 1999 to identify any information received about organised child sex abuse. An experienced investigator from HM Revenue and Customs (HMRC) led the Review with additional oversight provided by HMRC's Director of Criminal Investigation.
- 1.2. In April 2013 the Independent Investigator produced an Interim Report on contacts on child abuse between the late Geoffrey Dickens MP and the Home Office. This Final Report addresses the remaining terms of reference of the Review and covers all relevant material held by the Home Office for the period 1979 to 1999. The Review has not identified any additional material relating to matters covered in the Interim Report.
- 1.3. The Independent Investigator has had all necessary access to Home Office records and has received full co-operation from Home Office personnel.
- 1.4. The Independent Review carried out an extensive analysis of a central database containing details of over 746,000 files for the 1979-1999 period and identified 527 potentially relevant files which had been retained. These 527 files plus 46 personnel files (573 in total) were all physically examined by the Independent Review.

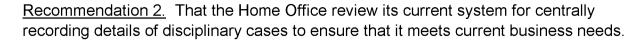
#### Information provided to the Home Office in relation to alleged child abuse

1.5. This work identified 13 items of information about alleged child abuse, including 4 cases involving Home Office staff. Nine of these items of information, including all of the cases involving Home Office staff, were either already known to the Police or were reported to them by the Home Office at the time.

<u>Recommendation 1.</u> The Investigator considers that the remaining 4 items of information are likely to be of limited value, as they are either of doubtful credibility or involve the use of a single profile indicator to identify a potential offender. However it is recommended that the information is passed to the Police for a proper assessment as this falls within their remit.

#### Involvement of Home Office staff

- 1.6. The 4 cases involving Home Office staff relate to offences in the period None of the cases contain evidence of the direct physical abuse of children. The Investigator found no evidence of any connection between the cases, or that Home Office equipment or facilities were used in the offences. All 4 staff were dismissed.
- 1.7. However, there is no central record of the detail of disciplinary offences for the 1979 to 1999 period. It is therefore possible that there may be additional cases of dismissals, or other disciplinary action short of dismissal, which relate to relevant offences and which have not been identified. This also means that there is no central record of any cases where false allegations have been investigated and disproved.



#### Paedophile Information Exchange

1.8. The Review identified 11 centrally recorded files from the 1980s relating to the Paedophile Information Exchange, all of which had been destroyed. The recorded file titles, together with media reports of events at the time, give some indication of the probable contents of these files from which the Investigator has concluded that their destruction was consistent with applicable record retention policies.

#### **Allegation of Historic Child Abuse**

1.9. The Review identified one file containing copies of details of allegations relating to a previous Police investigation into alleged child sex abuse. It is clear that the documents were considered by both Police and Prosecutors at the time but they may have some relevance to an ongoing Police investigation into historic cases of abuse.

<u>Recommendation 3.</u> That material from one file containing details of allegations previously investigated by Police is referred to a current Police investigation into allegations of historic child sex abuse.

#### **Conclusions**

- 1.10. The Independent Investigator is satisfied that the Home Office did pass on to the appropriate authorities any information received about child abuse in the period 1979 to 1999 which was credible and which had any realistic potential for further investigation. The Investigator believes that the risk of any undisclosed material remaining in files from that period is extremely low.
- 1.11. The Home Office took appropriate and proportionate action in the identified cases involving Home Office staff. In the absence of detailed central records of disciplinary cases for the period it is not possible to give an assurance that all relevant cases have been identified. The Investigator found no evidence of any unresolved allegations against Home Office staff or of any related complaints.

#### 2. Introduction

- 2.1. This Independent Review and report was commissioned by the Home Office Permanent Secretary in February 2013 and commenced on 4th March 2013. Full terms of reference are at Appendix A.
- 2.2. The Review was led by HMRC's (the Independent Investigator) reporting directly to the Permanent Secretary. Independent professional oversight on any potential criminal matters has been provided by HMRC's Director of Criminal Investigation.
- 2.3. An Interim Report produced in April 2013 dealt with correspondence, reports or papers from, and to, the former Member of Parliament (MP) Geoffrey Dickens in relation to child abuse, or any related matter.
- 2.4. This Final Report addresses the remaining terms of reference and covers all relevant material held by the Home Office for the period 1979 to 1999.

# 3. Background Developments and Update on Contacts Between Mr Dickens and the Home Office

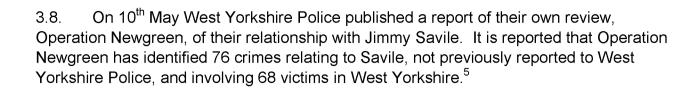
- 3.1. The Interim Report advised that 5<sup>1</sup> files relating to Mr Dickens were still to be examined by the Independent Review and were in the process of being retrieved. Following a search for the files, including approaches to another government department, four of the files are reported as "presumed destroyed" and one as "lost and presumed destroyed".
- 3.2. This is not critical to the review because, as previously reported, the recorded file titles indicated that they were highly unlikely to contain any relevant material two relate to budgets, one to joy-riding, one to compensation for victims of crime, and one to the Myra Hindley case.
- 3.3. The Interim Report and Executive Summary highlighted the potential for the then ongoing search of Home Office files to produce further material relevant to contact with Mr Dickens. No additional material has been found.
- 3.4. The main developments in other ongoing reviews and investigations mentioned in the Interim Report are as follows.
- 3.5. The media continues to report arrests linked to the Metropolitan Police Operation Yewtree enquiry into alleged child sexual exploitation by Jimmy Savile. These include celebrities Jim Davidson, Gary Glitter, Rolf Harris, Freddie Starr, Jimmy Tarbuck, and Dave Lee Travis. Max Clifford was charged on 26<sup>th</sup> April 2013 with 11 indecent assaults against girls and young women.<sup>2</sup>
- 3.6. There have been no reports of further arrests, or any charges, relating to Metropolitan Police Operations Fernbridge or Fairbank since the arrests of 2 men in February 2013 in connection with alleged child abuse in the early 1980s at the Elm Guest House and Grafton Close care home.<sup>3</sup>
- 3.7. On 29<sup>th</sup> April 2013 the Director General of the National Crime Agency published a report on progress of the Operation Pallial review of the Police investigations into abuse in North Wales care homes. The report states that the review has collected "significant evidence of systemic and serious sexual and physical abuse of children whilst in care, at 18 North Wales care homes between 1963 and 1992" and is moving on to investigate allegations against 84 suspects. A man from Ipswich was arrested in relation to Operation Pallial on 23<sup>rd</sup> April 2013 and bailed until the end of July.<sup>4</sup>

<sup>&</sup>lt;sup>1</sup> PCP 92 0003/0001/001/, PN 94 0008/0434/002/, PN 94 0058/0313/001/, VCC 94 0001/0001/188/ and REC 07 0007/0037/319/

<sup>&</sup>lt;sup>2</sup> Mirror.co.uk and Wikipedia.

<sup>&</sup>lt;sup>3</sup> Metropolitan Police Internet Site

<sup>4</sup> soca.gov.uk/news



<sup>5</sup> Westyorkshire.police.uk/jimmysavile

#### 4. Protecting Children from Sexual Abuse - Role of Home Office

- 4.1. During the period 1979 to 1999 the main Home Office responsibilities in relation to dealing with child abuse included criminal law policy relating to sexual abuse, pornography, sexual offences and child abduction as well as the policy relating to criminal procedures, sentencing and support for victims in respect of these offences. The Department, as now, also had responsibility for the oversight of the Police response to investigating reports about these offences being committed as well as policy on powers, procedures and complaints about the handling of individual cases by the Police in England and Wales.
- 4.2. Home Office policy units received correspondence about these matters especially during the development of new policies or during significant public inquiries such as the 1988 Butler-Sloss Inquiry<sup>6</sup> into the handling of the Cleveland child abuse cases, work on the government's response to the 1997 Utting Report on safeguards for children living away from home ("People Like Us") and the Waterhouse Inquiry (1997 to 2000) into abuse in children's care homes in North Wales ("Lost In Care").
- 4.3. The Home Office also received complaints about failure to prosecute, about lenient and harsh sentencing, and about alleged miscarriages of justice in individual cases which had been dealt with by the courts.<sup>7</sup>
- 4.4. Responsibility for investigating allegations of criminality or dealing with information or intelligence about alleged criminality rested with the Police Forces and other law enforcement agencies, such as HM Customs and Excise for illegal importation of child pornography. Complaints about Police investigations in England and Wales were proper to the Police Complaints Board (1977 to 1985) and the Police Complaints Authority (1985 to 2004).
- 4.5. Given its role in child protection issues and for policing in England and Wales, the Home Office did, and still does, receive correspondence from MPs on behalf of constituents and direct from the public which can include specific allegations or information about alleged child abuse.
- 4.6. The Independent Review has been unable to find any written policies or operating procedures, for either the 1979 -1999 period or current day, setting out how this material should be handled. However, the examination of historic files and discussions with current Home Office personnel confirm that the general practice has been to respond advising the individual to pass any information directly to the Police or any complaint about the Police to the relevant authority (currently the Independent Police Complaints Commission), or for the Home Office to copy the material direct to the appropriate authority.

<sup>&</sup>lt;sup>6</sup> CRI 89 0476/0006/048

<sup>&</sup>lt;sup>7</sup> POL 92 1100/0002/007/

#### 5. Home Office Records and Retention and Destruction Policies

- 5.1. The Interim Report briefly described the basic functionality of the Home Office central database of manual files known as the Records Management System (RMSys). An Information Management Services' (IMS) report, commissioned by the Independent Review, now gives fuller details and explains the relevant retention and destruction policies. The IMS report is reproduced in full at Appendix B. A table at Appendix C shows the number of files recorded for the years from 1979 to 1999, and the numbers retained, destroyed or missing. The key points are summarised below.
- 5.2. RMSys currently holds basic details of over 746,000 files for the period from 1979 to 1999. These include files for matters such as the age of consent, and the law on sexual offences and obscene publications which were transferred under Machinery of Government changes to the Ministry of Justice (MoJ). The MoJ was established in May 2007, combining the criminal justice elements of the Home Office with the Department for Constitutional Affairs. Over 156,500 (21% of the total recorded files) are shown as having been transferred to other government departments.
- 5.3. Approximately 278,000 (37% of the total) are shown as having been destroyed. A further 36,434 (5% of the total) are recorded as either "presumed destroyed", "missing" or "not found". These files are all presumed to have been destroyed locally, either by individual file holders or as part of local weeding exercises, without IMS being updated at the time.

#### Retention and Destruction Policies

- 5.4. The earliest available information about Home Office retention and destruction policies relates to the 1982 adoption of the Grigg System. This involved an initial review of records 5 years after their creation to decide whether they could be destroyed immediately, destroyed without further review after an additional set period of retention, or reviewed again 25 years after the closure of the file. During the mid-1980s around 30% of files were destroyed at the 5 year review. From the late 1990s The National Archives (TNA) produced model retention schedules setting out standard retention periods for different classes of generic corporate record. The main changes since then have been the extension by TNA of retention periods for some personnel records.
- 5.5. There is no evidence of any contemporary assurance or audit work to check compliance with retention policies. However, the Home Office carried out the reviews centrally at that time, rather than relying on the file owners. This element of independence does provide a level of assurance that common standards were applied.
- 5.6. There is also more recent evidence of a positive culture to safeguarding records e.g. when the Home Office relocated from Queen Anne's Gate to 2 Marsham Street in 2005 the Departmental Record Officer led a search of the vacated building and confirmed that no records had been left behind.

5.7. From 2006 onwards the Home Office developed more detailed retention and disposal policies and in 2009 generic standards were published on the internal website (Horizon). Managers within business units are responsible for ensuring compliance with the standards and IMS is currently conducting a physical audit of all files at 2 Marsham Street, with plans to extend this to policy areas in the wider Home Office organisation. The audit is more than 70% complete to date but progress is dependent on the availability of resources and there is currently no timescale for completion.

#### Correspondence Files

5.8. Under current retention policies correspondence files should be destroyed after 2 years unless there is a business reason to keep them for longer.

#### Policy Files

5.9. Files containing policy or legislative documents prepared within the Home Office are retained by the originating team and reviewed after 15 years (previously 25 years) at which point they can be destroyed unless they are required by The National Archives or need to be retained for other reasons. Files containing copies of material produced by other Home Office teams or other government departments do not have to be retained as responsibility for these records remains with the originating business area. These provisions also apply to any correspondence within the files.

#### Personnel Records

5.10. Personnel files are generally retained until the data subject reaches an assumed 100 years of age, although historically this has ranged from as low as 72 years. Some elements of the file can be weeded before that date, including security personnel files which should be destroyed 5 years after an employee leaves if at normal retirement age, or after 10 years if leaving before normal retirement age.

#### 6. Search Methodology

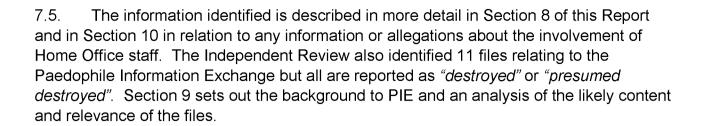
- 6.1. The Interim Report described the 4 Phase approach adopted by the Independent Review to identify potentially relevant files. Phases 1 and 2 had been completed and involved the physical examination of the contents of 426 files identified and produced by the Home Office as being potentially relevant, including those where Mr Dickens' name appeared in the file title. This produced 4 files relevant to contact between the Home Office and Mr Dickens and 9 files with some relevance to the wider review.
- 6.2. Phase 3 involved a wider search of RMSys based on criteria produced by the Independent Review and informed by the results of the first two phases. These included searches for additional subjects such as "children's homes", "care homes" and more named individuals and locations, as well as for "correspondence" files from relevant Home Office teams (where similar files had been found to contain relevant material).
- 6.3. The Phase 3 RMSys searches produced 17 spreadsheets of file titles containing some match to the search criteria ranging from an exact match to named individuals, to file titles containing the words "copies" or "piers" which include the search term "PIE". The 17 spreadsheets, some containing just tens of entries, others tens of thousands, were all analysed by the Independent Review to identify potentially relevant files which had not previously been produced by Home Office searches. A selection of files for the period 2000 to 2013 was also included to test for any misfiling of material from earlier years and to identify any files containing material about historic allegations of abuse falling within the review period.
- 6.4. This work produced a shortlist of 265 additional potentially relevant files of which 164 were then reported as either having been destroyed or presumed destroyed. The remaining 101 files (including 40 for 2000 to 2013) were produced for examination and 3 were found to contain relevant information. One of the 3 is from the 2000 to 2013 period and contains some relevant information about a Home Office employee but not any information, allegation or evidence of child sex abuse. (Paragraph 10.15.)
- 6.5. Overall, the Phase 3 work by the Independent Review identified just 3 more relevant files than the initial Home Office search. Both searches achieved a 3% "hit rate" on files targeted for examination. These results provide a high level of assurance about the quality of the initial Home Office searches and indicate that there is a very low probability that further searches of RMSys for this period will produce any additional files containing relevant material.
- 6.6. Phase 4 involved the identification of specific Home Office units which could hold additional information about more highly classified files, their contents and whereabouts. A meeting with Private Office staff established that no relevant records were held for the 1979 to 1999 period. This appears consistent with established record retention policies under which correspondence files, the most likely source of allegations about child sex abuse and other wrongdoing, can be destroyed after 2 years.

- 6.7. Enquiries with Human Resources (HR) and the Departmental Security Unit (DSU) established that no central records were maintained during the relevant period which could be used to readily identify staff subject to disciplinary or security vetting action in relation to allegations of child sex abuse. A joint exercise carried out within HR and DSU sought to identify cases by reference to dismissals of staff. This exercise produced 197 files relating to the dismissal of staff on disciplinary or other grounds. A joint examination of these files by the Independent Review and a Home Office team identified 4 relevant to allegations of involvement in child sex abuse. (Paragraphs 10.2 to 10.4 & 10.8.)
- 6.8. In addition, Home Office staff examined 102 policy files relating to disciplinary procedures. These did not contain any new information of relevance to the review.

#### 7. Summary of Results

- 7.1. Overall, the Independent Review has physically examined 573 Home Office files and found 20 which had some relevance to the review. These are listed in Appendix E.
- 7.2. Five of the files did not contain any specific information or allegations about child sexual abuse but were relevant to other matters 4 relate to contacts between Geoffrey Dickens and the Home Office, and 1 relates to Sir Peter Hayman.
- 7.3. Fifteen files contained a total of 13 items of information (including some duplication between files and some files containing two or more items). Nine of the items of information, including 4 relating to Home Office staff, were either already known to the Police, or were referred to the Police by the Home Office at the time. (These figures include the information relating to the Dickens' "dossiers", which has been covered in the Interim Report, as one item of information.)
- 7.4. The remaining 4 items of information are of mixed credibility and the Independent Review believes they are likely to be of limited value to the Police. However, only the Police can properly assess this material and the files do not contain any clear evidence that the information was passed to the Police at the time.
  - Item 1:

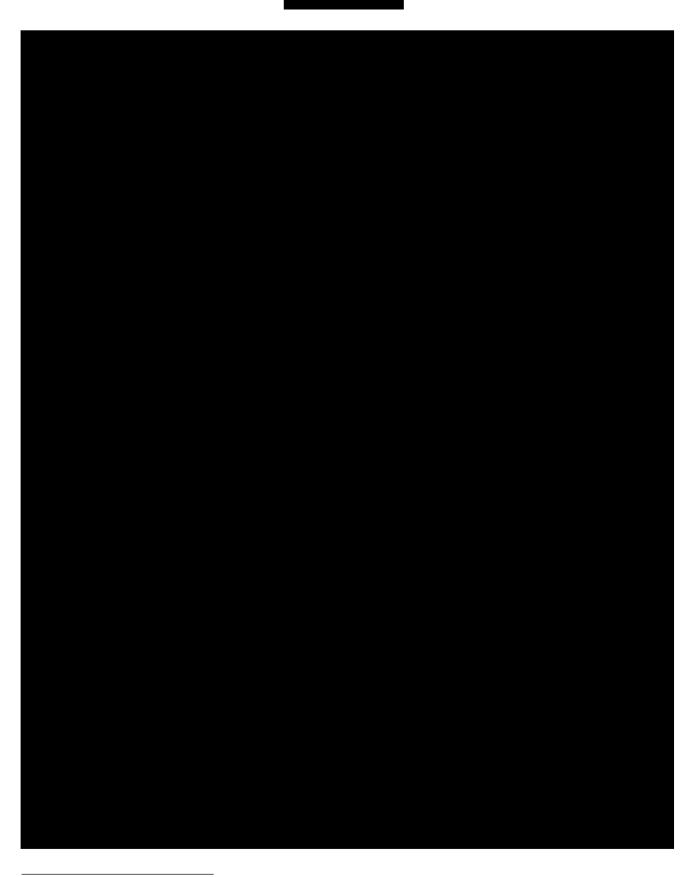
    The information is summarised at paragraphs 8.1 to 8.9 with a detailed analysis at Appendix F.
  - Item 2: Six letters from an individual in 1993-1994 arguing that criminal investigations should not be undertaken in cases where a child had "willingly entered into a sexual relationship with an adult". This could suggest that the writer might be a danger to children. There is no evidence that the Police were made aware of this information. (Paragraphs 8.21 & 8.22.)
  - been involved in child abuse along with convicted paedophile Frank Beck. The alleged link is tenuous of an alleged associate of Frank Beck is supposed to have been a member of the . The writer, who was at the time, also claimed that some Police investigations had already taken place but there is no evidence that the Home Office passed the complete information to the Police. (Paragraphs 8.15 to 8.19.)
  - Item 4: Correspondence in 1996 from a convicted paedophile alleging that others were involved with him in a "paedophile ring" in Mid Wales in the 1980s. The correspondence does not identify any alleged offenders and the information appears to be an extension of lines of defence used by the offender in his trial. It is therefore probable that the Police were already aware of any credible, actionable information from this source but this cannot be established definitively from the contents of the file. (Paragraphs 8.13 & 8.14.)







<sup>&</sup>lt;sup>8</sup> PCP 90 0014/0011/001 & POL 90 1100/0002/010



<sup>&</sup>lt;sup>9</sup> <u>www.walesonline.co.uk</u> 26<sup>th</sup> July 2012

 $<sup>^{10}</sup>$  IC 92 0019/0185/003/, POL 92 2182/0015/003/, CRI 96 0244/0011/002/ and CL 96 0005/0030/002/

<sup>&</sup>lt;sup>11</sup> POL 92 2182/0015/003/



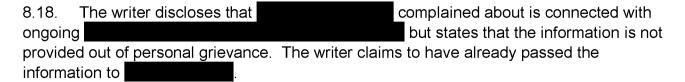
Allegations Linked to the Frank Beck Case in Leicestershire 13

8.15. Frank Beck was convicted in November 1991 of the sexual abuse of children while he worked in children's homes in Leicestershire. He died in prison on 31 <sup>st</sup> May 1994. In May 1995 an MP forwarded to the Home Office a letter dated 13 <sup>th</sup> March 1995 enclosing 11 pages of notes containing allegations and insinuations of child abuse against . The writer, claimed that the of an alleged associate of Frank Beck had been a
8.16. The writer reports that (a), a second had also been previously convicted, a third was deceased and a fourth had been investigated by Police in (b) but not prosecuted. The information about the (a) implies that an outside business activity (c) could be used for child abuse. The latter assessment appears to be based only an overheard conversation in which (a) allegedly made comments to (a) about "(c) about "(c) and a lack of openness about their outside business activity.
8.17. The allegations are basically reports of third party accounts, with the writer referring to "hints", "a lot of talk", "heresay", "anecdotal and based on hearsay" and what individuals are "supposed to have done to someone sexually" or "supposed to have said".

<sup>&</sup>lt;sup>12</sup> PN 94 0049/0057/001/

<sup>&</sup>lt;sup>13</sup> PCP 95 0014/0011/001

<sup>&</sup>lt;sup>14</sup> The Independent 2<sup>nd</sup> June 1994.



8.19. The MP replied to the writer in a letter dated 15<sup>th</sup> May to confirm that the information had been passed to the Home Office. There is no record of any response to the individual from the Home Office, or of whether the material provided had been passed to the Police. The third hand nature of the allegations, the information that Police investigations had already taken place, and the admitted potential for a perception of a personal grievance against one of the alleged offenders, all cast doubt on the value of this information but the Independent Review recommends that it is passed to the Police for consideration for completeness.

### Plea to Her Majesty the Queen<sup>15</sup>

8.20. In March 1992 a letter dated 14<sup>th</sup> February from a member of the public containing an allegation of an indecent assault of a 7 year old girl was passed to the Home Office for response. The Home Office replied on 27<sup>th</sup> April and passed a copy of the letter to the relevant Police Force.

# Identification of potential child sex abuser<sup>16</sup>

- 8.21. In 1993 and 1994 a named individual from Derbyshire sent six letters to the Home Office arguing that criminal investigations should not be undertaken in cases where a child had "willingly entered into a sexual relationship with an adult". The writer argued that the criminal investigation was more likely to harm the child than the "relationship". The Home Office replied to all of the letters in a single, belated response dated 26<sup>th</sup> August 1994 which restated the criminal law and its purpose in protecting children from abusers.
- 8.22. The letters did not contain any information or allegation about instances of possible child abuse but the self-serving arguments they advance indicate that the author is sympathetic to illegal sexual activity between adults and children. There is a risk that this may have been driven by their personal sexual preferences. While this does not in itself indicate that the individual will have committed any criminal offences it could be regarded as a risk indicator and the Independent Review believes that the information should have been passed to the Police for proper assessment and intelligence purposes as a precautionary measure. The relevant file contains no indication of this having being considered at the time and it is recommended that this information is now passed to the Police.

<sup>&</sup>lt;sup>15</sup> CL 93 0005/0032/003/

<sup>&</sup>lt;sup>16</sup> CL 93 0005/0032/003/

## Information about a man approaching boys in London<sup>17</sup>

8.23. In July 1996 an MP forwarded a letter from a member of the public reporting that a man had been seen approaching young boys. The letter said that other witnesses believed that the man was an off-duty policeman. The Home Office replied to the member of the public on 23<sup>rd</sup> August 1996 and advised that they had forwarded the information to the Police.

Alleged sexual assault –					
8.24. In October 1996 a women complained that the Police failed to act in 1980 when she reported an incident in which she had  The women alleged that details					
The Home Office forwarded the letter to the Police on 11th February 1997 and replied to the woman on the same date.					

<sup>&</sup>lt;sup>17</sup> PW 96 0009/0011/001/

<sup>&</sup>lt;sup>18</sup> PW 96 0009/0011/005 and PCP 95 0014/0011/001/

## 9. Paedophile Information Exchange (PIE)

#### Background

- 9.1. Open source material such as Wikipedia and press articles report that PIE was founded in October 1974. It campaigned on behalf of paedophiles and, infamously, argued that the age of consent for sexual relationships should be lowered to four years of age. PIE produced a number of publications during its existence including "Newsletter", "Understanding Paedophilia", and "Magpie".
- 9.2. PIE publications also facilitated contact between paedophiles using a post office box system. This, plus the discovery of a packet containing obscene material on a bus in 1978, led to Police investigations and prosecutions in the 1980s.

#### Police Action Against Members of PIE

- 9.3. Five alleged members of PIE, including chairman Tom O'Carroll, were arrested in June 1978.<sup>20</sup> An initial trial in February 1980 resulted in a hung jury but, following a retrial in January 1981, O'Carroll was jailed for 2 years for conspiracy to corrupt public morals. Three others were cleared of conspiring to corrupt public morals.<sup>21</sup>
- 9.4. Others, including Sir Peter Hayman (a former Home Office employee), were not prosecuted. On 19<sup>th</sup> March 1981<sup>22</sup> the Attorney-General explained that:

"There is no evidence that Sir Peter Hayman has ever sent or received material of this kind through the post.

It has been suggested that Sir Peter Hayman was considered as a possible defendant following the police investigation into the conduct of the Paedophile Information Exchange which led to the recent trial at the Central Criminal Court for conspiracy to corrupt public morals. That prosecution was against persons alleged to have been involved in the management or organisation of PIE. Although Sir Peter Hayman had subscribed to PIE, that is not an offence and there is no evidence that he was ever involved in the management. At the recent trial, whilst there were general references to members of PIE, including, though not by name, Sir Peter Hayman, there was no reference to any material produced by him or found in his possession."

<sup>&</sup>lt;sup>19</sup> Hansard report on debate of Protection of Children Bill 10<sup>th</sup> February 1978.

<sup>&</sup>lt;sup>20</sup> Sunday express 18<sup>th</sup> June 1978.

<sup>&</sup>lt;sup>21</sup> The Gazette Montreal 27<sup>th</sup> March 1981.

<sup>&</sup>lt;sup>22</sup> Hansard.



9.5. On 15<sup>th</sup> July 1982 Geoffrey Arthur Prime, a former employee at GCHQ, was charged with an offence under section 1 of the Official Secrets Act 1911.<sup>23</sup> On 11<sup>th</sup> November the Daily Mirror reported that Prime had originally been arrested in April 1982 for assaulting three young girls. On 15<sup>th</sup> November 1982 in a written answer to a parliamentary question the Prime Minister said:

"I understand that stories that the police found documents in Prime's house or garage indicating that he was a member of the paedophile information exchange are without foundation, and that nothing has been discovered to suggest that he was." <sup>24</sup>

#### The Media and Geoffrey Dickens

9.6. In August 1983 there were calls in the media and from Geoffrey Dickens for the Home Secretary to outlaw PIE. Media reports claimed that the Metropolitan Police Service had submitted reports naming 15 men to the Director of Public Prosecutions and to the Home Secretary.

#### Bremner, Joy and Smith

- 9.7. On 9<sup>th</sup> September 1983 The Times and Daily Mirror reported the arrest on 8<sup>th</sup> September of Steven Adrian Smith (reported to be a Home Office employee), Peter Bremner and David Joy. The Daily Mirror also reported that Police found a computer and a list of names at Smith's home. On 14<sup>th</sup> November 1984 David Joy and Peter Bremner were sentenced to 18 months and 6 months respectively for sending obscene material through the post. Steven Smith had fled to Holland and attempts to extradite him had failed but in December 1991 he pleaded guilty to the charges at the Old Bailey and was sentenced to 18 months.<sup>25</sup>
- 9.8. Reports about alleged involvement in the activities of PIE by Home Office staff are covered in more detail in Section 10 of this report.

<sup>24</sup> Hansard

<sup>&</sup>lt;sup>23</sup> Hansard

<sup>&</sup>lt;sup>25</sup> Press Association 16<sup>th</sup> December 1991.



- 9.9. On 25<sup>th</sup> November 1983 The Express report on the first of Mr Dickens' dossiers claimed that it included information about the abuser of a "boy who worked in the Palace kitchens.....he was then given a job in Canada working for a top diplomat later named in court as a PIE deviant".
- 9.10. Reports in the Daily Mirror and Daily Express on 19<sup>th</sup> and 20<sup>th</sup> January 1984 respectively both claimed that the second dossier handed to the Home Secretary by Mr Dickens contained information about PIE. The Mirror describes a "50-page dossier on the Paedophile Information Exchange". The Daily Express also refers to a "50-page dossier" and goes on to say that "Mr Dickens has also collected information about the publicity methods of PIE".
- 9.11. The Interim Report details the available evidence about the contents of these "dossiers" and action taken, including the Home Secretary's response dated 20<sup>th</sup> March 1984. The only direct reference to PIE in the letter says:

"In other cases there either seems to be inadequate evidence to pursue prosecution, for example the lady who wrote about PIE advertising but did not secure any example of the material complained of, or they have already been dealt with in some way by the courts or the police."

#### PIE Disbanded

- 9.12. On 27<sup>th</sup> June 1984 Geoffrey Dickens introduced his Paedophilia (Protection Of Children) Bill to make membership of PIE and similar organisation an offence but the Bill did not proceed.
- 9.13. PIE is believed to have disbanded in 1984. At his trial in November 1984, PIE leader Peter Bremner is reported as saying that "PIE folded in August of this year". On 29<sup>th</sup> November 1985 during a debate on child abuse, Geoffrey Dickens said:

"We have smashed the organisation known as PIE, the Paedophile Information Exchange. In its bulletin sent out to members it named my Bill, which has had its First Reading, as the reason for winding up the organisation. Some of its members are now in prison. Others have escaped to Holland, but we shall have them." <sup>27</sup>

<sup>&</sup>lt;sup>26</sup> The Guardian 10<sup>th</sup> November 1984.

<sup>&</sup>lt;sup>27</sup> Hansard.



- 9.14. Prosecutions of former PIE members have continued. Reported examples include a two year sentence for David Joy in 1996 after he admitted indecent assaults on children going back to the 1980s. In August 2007 Joy was given an indeterminate prison sentence after pleading guilty to making and possessing indecent images of children which were discovered during a Police search of his home in January 2006.<sup>28</sup> On 12 December 2007 the Court of Appeal ruled the indefinite sentence was inappropriate and he was given a 12 month sentence.<sup>29</sup>
- 9.15. In August 2002 Thomas O'Carroll was imprisoned for smuggling indecent photographs of children. He was freed by the Court of Appeal in November 2002 who believed that his sentence had been unduly influenced by his previous PIE membership.<sup>30</sup> In December 2006 he received a two and a half year sentence for distributing indecent images<sup>31</sup> of children. (Co-accused former priest, Michael Studdert, received 4 years for making, possessing and distributing the images.)
- 9.16. In July 2011 Steven Freeman (Smith) was imprisoned for an indefinite period for possessing images of child abuse.<sup>32</sup> Four other men (John Morrison, John Parratt, Barry Cutler and Leo Adamson) sentenced with Freeman are also named in some media reports<sup>33</sup> as being former members of PIE. Current media reports link PIE members to ongoing Police investigations.

<sup>&</sup>lt;sup>28</sup> MailOnline 13<sup>th</sup> August 2007.

<sup>&</sup>lt;sup>29</sup> The Sun 13<sup>th</sup> December 2007.

<sup>&</sup>lt;sup>30</sup> BBC News 26<sup>th</sup> November 2002.

<sup>&</sup>lt;sup>31</sup> BBC News 20<sup>th</sup> December 2006.

<sup>&</sup>lt;sup>32</sup> BBC News 15<sup>th</sup> July 2011.

<sup>&</sup>lt;sup>33</sup> The Wandsworth Guardian 14<sup>th</sup> May 2011.

#### Home Office Files Relating to PIE

- 9.17. Searches of RMSys identified 11 files relating to PIE but none have been retained. Two files are recorded as "destroyed", 8 as "presumed destroyed" and 1 had been transferred to the Ministry of Justice who report that it has also been destroyed.
- 9.18. The destruction of all of these files is consistent with the Grigg system of file review, which was in place in the Home Office from 1982, and under which files were reviewed and considered for destruction 5 years after they were created. In view of the disbandment of PIE in 1984 and the subsequent convictions of former members there appears to be no reason to have retained any of these files.
- 9.19. The file titles indicate that they cover the period from 1981 to 1987 as follows.

Year	Number of Files	File Title or Summary	Destruction
1981	1	Charles Oxley (Naval) The P.I.E Adrian Stephen Smith And Matters Concerned With HO Security <sup>34</sup>	Destroyed by MoJ at some time after March 2011 (30 years).
1983	1	Paedaphile [sic] Information Exchange <sup>35</sup>	Presumed destroyed – sometime after January 2006 (23 years).
1984	1	Developments Since The Trial Of Members Of The Paedophile Information Exchange Nov 1984 <sup>36</sup>	Destroyed February 2004 (19 years)
1985	7	Private Office files containing correspondence from MPs and members of the public about PIE. <sup>37</sup>	Presumed destroyed – dates unknown.
1987	1	Renewed Campaign Of Correspondence From The Public About P.I.E. <sup>38</sup>	Destroyed March 1994 (7 years)

<sup>&</sup>lt;sup>34</sup> CRI 81 0472/0007/015/

<sup>&</sup>lt;sup>35</sup> CRI 83 0472/0007/067/

<sup>&</sup>lt;sup>36</sup> CRI 84 0472/0007/015/

<sup>&</sup>lt;sup>37</sup> CRI 85 0472/0007/001/, CRI 85 0472/0007/003/, CRI 85 0472/0007/006/, CRI 85 0472/0007/007/, CRI 85 0472/0007/008/, CRI 85 0472/0007/010/, CRI 85 0472/0007/012/

<sup>&</sup>lt;sup>38</sup> CRI 87 0472/0007/002/

- 9.20. Although the detailed contents of the files are not known there is some correlation between the year, file titles and available open source information about events at the relevant period.
- 9.21. The 1981 file "Charles Oxley (Naval) The P.I.E Adrian Stephen Smith And Matters Concerned With HO Security" coincides with the trial of PIE members and reports that Steven Smith took over as chairman of PIE following the conviction of Tom O'Carroll. Charles Oxley subsequently gave more detail about the role of Stephen Smith in evidence in the 1984 trial of Joy and Bremner. (Paragraphs 9.3, 9.7 & 10.21.)
- 9.22. The 1983 file "Paedaphile [sic] Information Exchange" is likely to have related to calls in the media and from Geoffrey Dickens in that year for the Home Secretary to outlaw PIE. Media reports also claimed that the Metropolitan Police Service had submitted reports on PIE members to the Director of Public Prosecutions and to the Home Secretary. Steven Adrian Smith, Peter Bremner and David Joy were arrested in September 1983. (Paragraphs 9.6 & 9.7.)
- 9.23. The 1984 file "Developments Since The Trial Of Members Of The Paedophile Information Exchange Nov 1984". In November 1984, after the trial of Bremner and Joy, there were media reports<sup>39</sup> that Mr Dickens was to meet Home Secretary Leon Brittan on 15<sup>th</sup> November 1984 to press for a change in the law. The Independent Review has found no further information, either within Home Office Files or open source material, to indicate whether this meeting took place. However, Hansard records that on 22<sup>nd</sup> November 1984, in response to a question from another MP, Home Office Minister David Mellor said:

"We will be considering carefully what lessons may be learned from the recent trial of leading members of the Paedophile Information Exchange. My right hon. and learned Friend would prefer to complete that consideration before reaching any conclusion about the adequacy of the existing law protecting children from the sexual attentions of adults."

- 9.24. On 4<sup>th</sup> March 1985 the Times reported that the Home Office had set up a review body to consider compiling a national register of child sex offenders. These developments and the finalisation of the trial of PIE members in late 1984 are likely to account for the 7 correspondence files during 1985.
- 9.25. The 1987 "Renewed Campaign Of Correspondence From The Public About P.I.E." could have been triggered by a number of factors. In January 1987 Geoffrey Dickens introduced the Capital Punishment (Murder of Children) Bill in an attempt to introduce the death penalty for the murder of children.<sup>40</sup> The Cleveland Child Sex Abuse cases also came to a head in 1987, leading to the Butler-Sloss Inquiry.

<sup>&</sup>lt;sup>39</sup> 14th November 1984 The Express.

<sup>&</sup>lt;sup>40</sup> Hansard 13<sup>th</sup> January 1987.

#### 10. Alleged Involvement of Home Office Employees in Organised Child Abuse

#### Dismissals of Home Office Staff

10.1. The search of HR and DSU files identified the dismissal of 4 individuals in relation to relevant offences.



- 10.6. However, having reviewed the available files on the 3 cases the Independent Review has not found any evidence to connect the cases. The arrests are at different times (months or years apart) and there is no reference in any information from the Police to indicate any link between the 3 staff or to suggest that other Home Office staff were involved. All three offences also appear to involve material at the individuals' homes or on their home computers there is no indication that Home Office computers or facilities were involved.
- 10.7. There is also no indication of any connection to Stephen Adrian Smith two of the three joined the Home Office after 1983 when Smith is believed to have been dismissed.

10.8.



- 10.9. In 1983 Leon Brittan was criticised in some media reports for being slow to take action against PIE.<sup>41</sup>
- 10.10. On 27 June 1984, following media reports that a Cabinet Minister was involved in child sex abuse, The Guardian ran a story headlined: "*Brittan named in sex scandal rumour*".

"The Government formally acknowledged last night that the Home Secretary, Mr Leon Brittan, was the Cabinet Minister whose name has been bandied about in the latest set of lurid sex scandal rumours. But it made it clear that the rumours were false and that libel writs would be issued against anyone suggesting otherwise.

...the Private Eye version of the rumours emphatically declared that they were a smear, that they had been investigated and discounted by at least two Sunday newspapers, and that they emanated from disgruntled sources in MI5.

A Home Office source emphasised last night that the Private Eye account had acknowledged that the Home Secretary had been smeared and that there was no truth in the allegation that Mr Brittan had been involved in any kind of sex scandal."

- 10.11. On 8<sup>th</sup> May 1996, during a Commons debate on the death of WPC Yvonne Fletcher, the MP for Linlithgow asked:
  - "..can the House of Commons be told what Ministers said to those members of the Security Service who indulged in what we all know was a smear campaign against the then Home Secretary, Sir Leon Brittan?"

Home Office Minister of State David Maclean replied:

- "..the House will be well aware that it is not the Government's usual practice to comment on speculation, however bizarre or preposterous, about the activities of the intelligence services." 42
- 10.12. The Independent Review has not found any material relating to this matter in Home Office records.

<sup>&</sup>lt;sup>41</sup> The Daily Express 2<sup>nd</sup> September 1983.

<sup>&</sup>lt;sup>42</sup> Hansard 8<sup>th</sup> May 1996.

#### Sir Peter Hayman

- 10.13. Since the submission of the Interim Report it has been established that Sir Peter Hayman worked for the Home Office as Assistant Principal from 1937 to 1939, as Assistant Private Secretary to the Home Secretary from 1941-42, and then as a Principal from 1942 until 1949 (broken by 3 years' war service).<sup>43</sup>
- 10.14. Sir Peter was named in an article in Private Eye on 24<sup>th</sup> October 1980 in connection with the trial of alleged PIE members. He was also named by Geoffrey Dickens in a Parliamentary Question (PQ) in March 1981 following a decision not to prosecute him for allegedly being involved in sending and receiving pornographic material.<sup>44</sup> In a statement on 19<sup>th</sup> March 1991 the Attorney General confirmed at the time that it was not illegal for Sir Peter to subscribe to PIE and that there was no evidence that he had committed a criminal offence. (See Hansard extract at Paragraph 9.4 of this report.)
- 10.15. One Home Office file<sup>45</sup>, marked "Secret", contains details of inquiries undertaken to assess any security implications in relation to Sir Peter's alleged conduct. The reports of the outcome of those inquiries in relation to alleged involvement in child abuse is consistent with the statement made by the Attorney-General. In particular, the inquiries found no evidence that Sir Peter had been involved in the physical abuse of children.
- 10.16. The Independent Review has not found any reference to further allegations about Sir Peter in relation to any form of child abuse.

#### Steven Adrian Smith (aka Steven Freeman)

10.17. A News of the World article dated 15<sup>th</sup> August 1982 names Steven Smith as having worked for the Home Office. Headlined "Child sex boss in Whitehall shock" the piece says:

"The head of Britain's evil child sex group has been working under the nose of Home Secretary William Whitelaw. Home Office security bosses know all about Steven Adrian Smith's links with the Paedophile Information Exchange. But it wasn't until the News of the World found out too that they booted him out."

10.18. The article states that Smith was employed by a firm under contract to the Department of the Environment and worked at Queen Anne's Gate for three years on the computerised heating and lighting system. It claims he did work for PIE in front of colleagues.

<sup>43 &#</sup>x27;Who's Who'

<sup>&</sup>lt;sup>44</sup> Paragraph 3.4 of Interim Report

<sup>&</sup>lt;sup>45</sup> REC 05 0007/0037/249/

- 10.19. On 26<sup>th</sup> August 1983 the Daily Mirror reported that 2 Home Office workers were uncovered as members of PIE and were sacked. It went on to say that several members of PIE had now gone underground and named Peter Bremner, Tony Zalewski, David Joy, Steven Smith, Barry Cutler and Lee Edwards.
- 10.20. On 24<sup>th</sup> November 1983 an article in the Times headlined *"Two year cover-up on dirty pictures"* reports:

"Whitehall mandarins are accused of concealing a civil servant's links with the child sex group PIE. Mr Dickens is demanding to know why police were not called in when pornographic slides of young boys and obscene letters were sent to the civil servant's departmental address."

The article does not name the department concerned.

- 10.21. On 8<sup>th</sup> November 1984 The Guardian reported evidence given by Charles Oxley in the trial of Joy and Bremner. Charles Oxley was a teacher who had infiltrated PIE and attended some of its meetings. He reportedly told the court that members of PIE's executive committee phoned Steven Smith on his Home Office number to arrange their meetings. Mr Oxley also said he believed that Smith kept a list of PIE members in an office at the Home Office.
- 10.22. On December 16<sup>th</sup> 1991 Steven Smith, who fled to Holland prior to the 1984 trial of Joy and Bremner, was jailed for 18 months at the Old Bailey. He admitted publishing an obscene magazine and sending it through the post in 1982. Prosecuting counsel said the magazine was probably published inside the Home Office where he worked as a security-vetted machine supervisor.<sup>46</sup>
- 10.23. In July 2011 Steven Freeman (Smith) was imprisoned again, this time for an indefinite period, for possessing images of child abuse.<sup>47</sup>

#### Was Steven Adrian Smith a Home Office employee?

- 10.24. A DSU computer record contains a Stephen Adrian Smith, date of birth 02/11/1954 but no National Insurance (NI) number, and shows the status of the record as cancelled in 2009.
- 10.25. Combined searches by DSU and HR have failed to locate either a security vetting or personnel file for Smith.
- 10.26. The recorded date of birth for Smith is consistent with the age (56) contained in BBC reports of court appearances in May and July 2011. If this is the same person referred to in press reports, and if contemporary reports are accurate in reporting his dismissal from the Home Office (or another government department) in 1982, the absence

<sup>&</sup>lt;sup>46</sup> The Press Association 16<sup>th</sup> December 1991

<sup>&</sup>lt;sup>47</sup> BBC News 15<sup>th</sup> July 2011.

of any relevant DSU files would be consistent with records retention policies under which security personnel files can be destroyed after 10 years if an employee leaves before normal retirement age. Other historic personnel files are filed and retrieved by reference to the NI number, rather than by name, so it cannot be ascertained whether or not the Home Office ever held a personnel file for this individual.

- 10.27. The absence of the NI number from the security record could be consistent with media reports suggesting that Smith worked for another government department and was simply contracted to work at Queen Anne's Gate, in which circumstances the Home Office would need the individual's security vetting details but not his pay details.
- 10.28. There is also some credibility in the report in the 15<sup>th</sup> August 1982 News of the World article claiming that Smith worked for the Department of the Environment (DoE). The DoE was formed in 1970 from other government departments including the Ministry of Public Building and Works.<sup>48</sup> It therefore took on the portfolio for public buildings which would have included Queen Anne's Gate.
- 10.29. As reported at paragraph 9.19 the Independent Review identified the existence of one relevant file, titled "Charles Oxley (Naval) The P.I.E Adrian Stephen Smith And Matters Concerned With HO Security" <sup>49</sup> which was destroyed by the Ministry of Justice some time after March 2011.
- 10.30. Given the absence of any relevant files the matter cannot be definitively resolved but, given the available information, the Independent Review believes that it is more likely than not that Smith was employed by the DoE and contracted to work at the Queen Anne's Gate building, as reported by at least one newspaper at the time.

<sup>&</sup>lt;sup>48</sup> Wikipedia

<sup>&</sup>lt;sup>49</sup> CRI 81 0472/0007/015/

#### 11. Conclusions and Recommendations

Material provided to the Home Office regarding alleged organised child abuse.

11.1. The Independent Review examined a total of 573 files and found 13 items of information about alleged child abuse, including 4 cases involving Home Office staff. Nine of these items of information, including all of the cases involving Home Office staff, were either already known to the Police or were reported to them by the Home Office at the time.

**Recommendation 1.** The Independent Review considers that the remaining 4 items of information<sup>50</sup> are likely to be of limited value, as they are either of doubtful credibility or involve the use of a single profile indicator to identify a potential offender. However it is recommended that the information is passed to the Police for a proper assessment as this falls within their remit.

Contacts and correspondence between Geoffrey Dickens and the Home Office.

11.2. The Interim Report confirmed that the Home Office did receive information from Mr Dickens in November 1983 and January 1984 about alleged child abuse and that this was properly considered at the time. The further examination of files by the Independent Review has not identified any additional information about contacts between Mr Dickens and the Home Office.

#### Paedophile Information Exchange.

11.3. The Review identified 11 files relating to the Paedophile Information Exchange, all of which had been destroyed. The recorded file titles, together with media reports of events at the time, give some indication of the probable contents of these files from which it can be concluded that their destruction was consistent with applicable record retention policies.

#### Allegations against Home Office employees.

- 11.4. The Home Office does not have a central record of disciplinary matters for the 1979 to 1999 period. A search of HR and DSU files relating to dismissals identified 4 cases in which Home Office staff were dismissed for offences connected with the sexual abuse of children. None of the cases contained evidence of the direct physical abuse of children and there is no evidence of any connection between the cases, or with the case of Steven Adrian Smith. There is no evidence that these staff were involved in the organised sexual abuse of children.
- 11.5. Record retention policies currently require that papers relating to disciplinary action leading to changes to terms and conditions of service are retained until the data subject reaches 72 years of age and that letters of dismissal are kept until the subject reaches 100 years of age. However, this requirement has varied historically such that a

<sup>&</sup>lt;sup>50</sup> Paragraph 7.4.

letter dismissing someone aged 60 in 1979 could have been destroyed at some point from 1991 onwards. This, plus the lack of a distinct central record detailing disciplinary cases, and the fact that the four identified cases all come from the last few years of the period, mean that we cannot be certain that all relevant cases have been identified.

**Recommendation 2.** That the Home Office review its current system for centrally recording details of disciplinary cases to ensure that it meets current business needs.

- 11.6. The Review has been unable to definitively establish whether PIE member and convicted paedophile Steven Adrian Smith was directly employed by the Home Office before his reported dismissal in 1982. However, from the available information, the Review believes it more likely than not that Smith was employed by the Department of the Environment to service public buildings and was stationed at Queen Anne's Gate in that role.
- 11.7. The Review has established that Sir Peter Hayman was a former Home Office employee at the time of the trials of PIE members in the early 1980s. The Attorney General confirmed at the time that, although Sir Peter had subscribed to PIE, he had not committed any offences.
- 11.8. Media reports in 1984 and a reference during a Parliamentary debate in 1996 confirm that rumours in 1984 connecting the then Home Secretary Leon Brittan to child sex abuse were false.

**Recommendation 3.** That material from one file containing details of allegations previously investigated by Police is referred to a current Police investigation into allegations of historic child sex abuse.

<sup>&</sup>lt;sup>51</sup> Paragraph 8.12.

#### APPENDIX A: Terms of Reference.

To review all relevant Home Office files, records and other papers from the period 1979-99 and establish a picture of:

- 1. what, if any, material was provided to the Department in relation to alleged organised child abuse; and
- 2. what, if any, action was taken in relation to such allegations and whether relevant materials were passed to the police or law enforcement body to investigate; and
- 3. whether any member of Home Office staff was alleged or found to be involved or implicated in organised child abuse and what action was taken.

In particular the review should establish a full picture in respect of:

- Correspondence, reports or papers from, and to, the former Member of Parliament Geoffrey Dickens in relation to child abuse, or any related matter;
- Any correspondence, reports or papers received or sent relating to the Paedophile Information Exchange as an organisation or topic;
- Any correspondence, reports or papers relating to any Home Office employee alleged to have been involved or implicated in organised child abuse.
- (i) Where materials or papers or reports cannot be located or accounted for, the review should establish the reasons why they cannot be located and, if destroyed, whether this was within the Government guidance on retention and disposal of files and papers at that time.
- (ii) Consider whether anything found would merit further investigation, including criminal investigation.

The review should provide to the Permanent Secretary:

- By 19th April 2013. An interim report relating to information received from Geoffrey Dickens MP, together with any relevant recommendations or findings, and an executive summary suitable for publication.
- By 31st May 2013. A final report covering the remaining terms of reference, together with any relevant recommendations or findings, and an executive summary suitable for publication.

In relation to point (ii), the review should draw immediately to the attention of the Permanent Secretary (without waiting for the final report) any matters considered to merit police investigation.

# Appendix B: Information Management Services (IMS) Report on Records Management System (RMSys) and Retention Policies

#### RMSys – the Home Office records management file tracking system

- 1. The Home Office uses the RMSys database to record details of all paper files created across headquarters (HO HQ), and policy files generated by the former UK Border Agency. Entries are also made for paper files migrated into the department through machinery of government changes; similarly, records are maintained of files exported to other government departments (OGDs) to support transferred functions. Current holdings, including missing files, are recorded in the live database; details of transferred or destroyed files are held in an archive area. Entries have to be manually transferred to the archive, an exercise which is carried out quarterly, so it is possible that there are files in the live database that have recently been destroyed or transferred.
- 2. The most commonly used fields on RMSys are:
  - File number\*52
  - File title\*
  - Security classification\*
  - Date of file registration\*
  - Date of first paper\*
  - Review type
  - Next action due
  - Details of holder (including name, business unit and directorate and physical location)†53
  - Details of previous file movements†
- 3. Searches can be conducted on any field; the most common searches are run on file numbers (either full or partial), file title and holder name. The display of search results is limited in the database (a static list) but interrogation of RMSys using an SQL (Structured Query Language) function can produce complex search outputs that can be easily manipulated. SQL dates back to the early 1970s and searches must be exact there is no "fuzzy" functionality.
- 4. There are no plans to further upgrade RMSys as work is now underway to replace it altogether.

<sup>52 \*</sup> Mandatory field

<sup>&</sup>lt;sup>53</sup> † Automatically populated

#### RMSys technical details

- 5. RMSys is a DOS based File Tracking System. In simple terms, DOS based systems are generally several years old, using only keyboard inputs; Windows style (not necessarily Microsoft) technology is considered to be the industry standard in this millennium. This does not, however, mean that RMSys is faulty; on the contrary it continues to operate in the way expected when commissioned. It holds details of files in both on and off-site storage (at a warehouse facility in Derbyshire run by TNT) albeit the latter functionality is via a manually initiated daily update of a report from TNT's O'Neil database that records movements in and out of the TNT archive stores. OGDs have a variety of file tracking systems some are still using technology of this vintage, however, most are working through programmes to replace them.
- 6. Because of its age, RMSys has gone through several upgrades and improvements over the years. In 2009, a large project was carried out to add file titles to the system where none were present; concurrently, a technical upgrade was completed to allow bulk download, amendment and upload of entries to either improve or add extra metadata. The most recent was to ensure that the database worked with our latest desktop upgrade.
- 7. The biggest problem with RMSys remains the quality of the historic data. Whilst it is now accepted that accurate and descriptive metadata is a crucially important element in any system, this fact was not always recognised during the late 1990s and early 2000s when paper files managed on RMSys formed the corporate memory of the Home Office.
- 8. Additionally, staff can always keep files in their office space whilst being worked on and can request any older file back from the archives. Previously there was not a time limit put on the loan of these files, with the consequence that many were destroyed when staff left or units closed etc, instead of being returned to the archives which then made the information on RMSys inaccurate. Regular contact is now maintained with file holders after one month of the file being on loan.
- 9. An initiative last year reconciled the department's RMSys database with TNT's O'Neil database in order to improve the accuracy of the data. IMS is currently conducting physical audits of all cupboards in 2 Marsham Street (2MS) to check for lost/missing files. Each business area will receive a short report explaining findings, risks and making recommendations for improvement. There is currently no plan to produce an overall report. The audit is more than 70% complete to date but progress is dependent on the availability of resources and there is currently no timescale for completion.



- 10. From a Civil Service-wide perspective, existence of retention and disposal schedules has been varied and implementation of them even more so. The Public Records Act 1958 was designed to address some of the issues and resulted in the Grigg system of file review, which consists of a first and second review process (see below). Responsibility for setting model retention schedules sits with The National Archives (TNA). These cover standard record types that are created in all departments, such as personnel files, private office papers, finance and audit papers, project records etc; they are for guidance only and departments are free to divert from them to suit their own business requirements. The model retention schedules have been available since the late 1990's and have remained fairly stable during that time; only the retention period for personnel files has been substantially altered (by extension) during that time.
- 11. Retention and disposal in the Home Office appears to have been non-existent prior to 1982, at which point, the Grigg system was fully introduced "as an initial step towards adopting a uniform records administration policy". Grigg, named after the committee that devised it, involved a first review of all records 5 years after they were opened, with a view to destroying some immediately, storing others which would be destroyed without further examination after a set period, and referring the remainder to a second review, 25 years after closure of the file (which usually occurred at, or no later than, the first review point). Records show that in the mid-1980s, on average, 30% of files were destroyed immediately, 60% were given a future destruction date and 20% were retained for second review with 90% of these ultimately being destroyed.

#### Reviews and Audits

- 12. The Home Office had both first and second review teams who examined files and decided the appropriate disposal category for each file, or run of files. This was resource intensive and following an assessment of record store transactions which showed that on average only 2% of files were accessed once they had been archived attempts were made to put more stringent disposal schedules in place. Generic standards for policy files (all 2<sup>nd</sup> review), finance files, training files and PQs and ministers' cases were created although RMSys only shows that the latter two sets were destroyed in two large batches in 1992-93 and in 2002 (see (2) under Files "presumed destroyed" or "not found").
- 13. No evidence of file audits or audits of compliance with retention policies has been found.
- 14. From 2006 onwards the situation began to improve with gradual increase of retention and disposal schedules being added to paper file series; coverage now stands at over 90% and will extend to 100% during 2013. These schedules are agreed with heads of units and local record advisers and allow IMS to manage files without further reference to

<sup>&</sup>lt;sup>54</sup> RS 93 0179/0181/001 – proposals for disposal schedules for first review

<sup>&</sup>lt;sup>55</sup> RS 84 0023/0028/001 – Record of files examined; quarterly report; Archives Section

business areas; schedules are reviewed on a 3 yearly cycle. In 2009, new generic standards were published on Horizon following consultation with 14 heads of profession across the department. Retention schedules have been added to RMSys, allowing for regular annual destruction programmes to take place. A physical file audit is currently being carried out which among other outcomes will allow us to assess whether disposal schedules are being effectively implemented. It is unlikely to provide any insight as to whether files are being destroyed before retention periods have elapsed.

#### Tables of background data (Appendices C & D)

- 15. The table at Appendix C shows the combined total of all files recorded on the "live" and "archive" databases of RMSys for each of the years 1979 to 1999 based on the file prefix. The file prefix indicates the year in which the file was produced for central recording and this could be some time after the date of the first document in the file.
- 16. RMSys also shows almost 33,000 files recorded as being registered in 1900. It has not been possible to ascertain exactly the reasoning for this but it is believed to have been a precautionary measure to mitigate against potential Y2K issues. The files in this category are therefore likely to date from the last 2-3 years of the 1990's or specifically to 2000. Only 37 are recorded as having being retained over 32,600 have been destroyed and around 200 are recorded as transferred to Other Government Departments.
- 17. The background data at Appendix D was produced by running the following search terms on both the live database and archive database:
  - Child abuse
  - Child sex abuse
  - Child sexual abuse
  - Paedophile
- 17. Most of the terms were run using abbreviated forms to reduce the risk of relevant entries being missed as a result of misspellings on the system e.g. paedophile was run as "PAED" and then results relating to paediatrics, orthopaedics etc, were removed. The totals were given per year of file registration in both live and archive areas; a breakdown has then been provided of numbers retained (i.e. still with the department), destroyed, missing or transferred to an OGD (including transferred to The National Archives for release to the public). Due to the duplicate nature of the search terms (i.e. "child" and "abuse" are repeated in the next two search terms), there will be some double counting of results; in the live database totals this was reduced as far as possible through additional searching and sifting, but this is a resource intensive exercise and was not continued into the archive database due to time restrictions.

#### Files "Presumed Destroyed" or "Not Found"

- 18. Files allocated these classifications in RMSys fall into distinct categories. Where we have reason to believe that action was taken to destroy a file but have no record on RMSys to demonstrate this, we mark and date the file as "Presumed destroyed"; it effectively means that IMS has a reasonable degree of confidence that the file has been destroyed without an update to the system being made. Examples of these would be:
  - Files that have been examined as part of the historic review process and agreed with The National Archives (TNA) as unsuitable for permanent preservation; the file still shows on RMSys but cannot be located in either on or off-site storage.
  - Parliamentary Question files these have a retention period of 2 years, after which they are destroyed, the rationale being that both question and answer are recorded in Hansard and any significant input from policy units should be held on policy files. Long serving IMS staff remember large numbers of these files being destroyed to provide a "quick win" as part of a destruction exercise to reduce holdings. Substantial volumes are booked out to two individuals the first set in 1992-3 to a member of the Juvenile Victims Unit, the second in 2002 to a member of Record Management Service (RMS the predecessor unit to IMS), this latter was almost certainly part of the file reduction work.
  - During the Home Office relocation from Queen Anne's Gate (QAG) to 2 Marsham Street in 2005, it appears that large volumes of files were destroyed by business units as part of their preparations for the move. No reference to RMS was made, and many files remain booked out to staff working in QAG. RMS staff conducted a search of the building, once vacated, to ensure no files had been abandoned no files were found. Efforts are made to track down the staff members or business units to whom the files are logged out to but it is rare that this actually turns up the material. Many files in this category will be amended to the 'Presumed destroyed' status following completion of the file audit of all HO HQ units currently being undertaken by IMS.
  - Where a generic retention period has passed and it is therefore likely that a file has been destroyed locally without updating RMSys (ministers' cases, transactional finance files, correspondence files)
  - Where a significant proportion of files under a single file theme have been destroyed and the remaining files cannot be located, it is assumed that these have also been destroyed.
- 19. Files that are assumed to be transferred are those that do not fall into the above category and are filed under a prefix that has been transferred to an OGD during a machinery of government change e.g. the CHN (Children's' Department) file series. If, when requested, no trace of the file can be found at the OGD, the file can be recorded either as presumed destroyed or not found, depending on what is suggested by the file movement history on RMSys.



- 20. The numbers of files in existence for each year increase dramatically from the late 1970s, the result of a number of factors:
  - Until the 1990s local registrars were responsible for management of their unit's files, including file creation, filing of papers, weeding (regular removal of short term reference documents), and disposal of files at the first review point (see Retention and disposal standards and review of files, paragraph 10). As the registry system was dismantled across Whitehall in the 1980s and 1990s (part of wider cost saving measures), this systematic review and disposal of files disappeared.
  - Limited retention and disposal schedule coverage and poor application: very few file series were covered by schedules stating how long records should be kept for and what should happen to them at the end of that period. There has been very little implementation of schedules until the last three years.
  - The historic review programme: public record bodies, including the Home Office, are required to review their records and either transfer them to TNA or make alternative arrangements for their disposal (usually destruction) by the time they are 30 years of age. Files created in 1982 or earlier have been reviewed and only those selected for TNA remain in HO holdings; some work has begun on files up to 1991, with several thousand files already destroyed in line with retention standards.
- 21. Fluctuations in file numbers for each year are not unusual in a large government department; they tend to be caused by changes in the organisational structure simply a greater or lesser number of business units or the extent of the legislative programme. For example, 1998 shows a significant spike in the number of files created but the main large collection is the Legal Adviser's Branch records. The legislative programme for the year included devolution bills, the Criminal Injuries Compensation Bill, the Freedom of Information Bill and amendments to the Data Protection Act and the Human Rights Act. Multiple challenges in the European Court of Human Rights also increased file holdings. The significant reduction in 1999 coincides with the introduction of desktop PCs in the department; although a print to paper policy<sup>56</sup> continued until 2005 when a structured corporate file plan was rolled out.

#### Conclusion

22. The quality of data contained in RMSys and the department's ability to track its paper files has increased greatly over the last 5 years but a good deal of work remains to be done. IMS continues to make improvements to its file tracking processes and systems whilst mitigating their limitations.

<sup>&</sup>lt;sup>56</sup> All business records created electronically should have been printed to paper files in the absence of a National Archives accredited digital repository for storing information.