

Operation Marble

The IPCC's investigation into Wiltshire Police's handling of an allegation regarding the Right Honourable Sir Edward Heath, MBE, KG.

Independent investigation report

IPCC Reference: 2015/044764

Investigation information

Investigation name:	Op Marble
IPCC reference:	2015/044764

IPCC office:	Birmingham
Lead investigator:	James Aston
Case supervisor:	Eve Bridgewood
Commission delegate:	Guido Liguori

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Introduction

The purpose of this report

- 7.1
1. The lead investigator, James Aston, was appointed by the IPCC to carry out an independent investigation into an allegation that in 1994 Wiltshire Police caused a criminal prosecution to fail. It was alleged this was done as the defendant had threatened to tell the press she supplied former Prime Minister, the Right Honourable Sir Edward Heath, MBE, KG (Sir Edward) with young boys for sex, if the trial went ahead.
 2. This is his report for the commission. It summarises and evaluates the evidence, refers to relevant documents and where necessary makes factual findings. In its conclusions the lead investigator will give his opinion on
 - Whether a criminal offence may have been committed by the relevant office holder.
 - Whether he recommends referring the relevant office holder to the Crown Prosecution Service for criminal offences.
 - Whether any of the relevant office holders involved may have breached the standards of professional conduct.
 - Whether he recommends any of the relevant office holders have a case to answer for misconduct or gross misconduct, or no case to answer
 3. On receipt of this report, the commission will decide whether to make a referral to the Crown Prosecution Service (CPS) or relevant appropriate authority.

The investigation

Terms of reference

- D2
4. The terms of reference for this investigation were approved by Associate Commissioner Guido Liguori on 10 July 2015. The terms of reference specific to this investigation are:

To investigate the circumstances around the outcome of an historical court case relating to a Myra Ling Ling Forde in February 1994. More specifically:

- a) What was the outcome of the case and did the comment made to a former senior officer, by Forde's solicitor, at the court proceedings have any bearing on the outcome.
- b) The actions taken by Wiltshire Police once they were made aware of the comment, relating to Sir Edward's exploitation of young boys, at that time.

To identify whether any subject of the investigation may have committed a criminal offence and, if appropriate, make early contact with the Director of Public Prosecutions (DPP). On receipt of the final report, the Commission delegate shall determine whether the report should be sent to the DPP.

To identify whether any subject of the investigation, in the investigator's opinion, has a case to answer for misconduct or gross misconduct, or no case to answer.

Criminal offences under investigation

5. The criminal offences considered in this investigation were as follows:
 - a. Perverting the course of justice - Any act or a course of conduct tending and intending to interfere with the course of justice will amount to an offence. Failing to prosecute in certain circumstances can amount to such an act.
 - b. Misconduct in a Public Office - If a public officer wilfully and without reasonable excuse or justification neglects to perform any duty they are bound to perform by common law or statute, then they are guilty of the common law offence of misconduct in a public office.

Summary of the evidence

6. During this investigation a volume of evidence was gathered. After thorough analysis of all the evidence, I have selected the evidence I think is relevant and answers the terms of reference for my investigation. As such, not all the evidence gathered in the investigation is referred to in this report.
- 7.1 7. In March 2015, Wiltshire Police made a referral to the IPCC. The referral stated that the force had been informed by a former senior officer that a criminal court case may have been dropped in 1994 to protect Sir Edward from an allegation he was involved in child sexual exploitation.
8. The referral detailed that in August 1992 the former senior officer was involved in an undercover police operation at an address in Salisbury. The occupant of the address was a Myra Ling Ling Forde and it was suspected she was managing and running a brothel at the premises.
- S2 9. At the time, the former senior officer was a detective constable and acted as an undercover operative who went to the address to gather evidence of any activities and demonstrate Ms Forde was willing to offer sex for sale. The operation was successful and Ms Forde was arrested and charged with keeping a brothel.
10. In February 1994 the case was listed to be heard at Winchester Crown Court. The former senior officer has said prior to the trial starting he was approached by a person he believed to be Ms Forde's solicitor and told that if the case were to proceed the defendant, Ms Forde, would notify the media that she had '*been supplying young boys*' to Sir Edward, who was

resident in Salisbury. The former senior officer recalled this conversation took place in the waiting area of the court. This conversation was not recorded in his PNB or CID diary. He stated that as he was only a junior detective at the time and it was not his case, he felt out of his depth and not in a position to make a decision about whether or not he should recommend to the prosecution barrister to drop the case.

11. The former senior officer, who had since retired from the service, provided the information to Wiltshire Police in July 2014. He said he was reminded of the incident after watching a television programme about historical child sexual abuse involving politicians. It was at the time of significant media interest around Jimmy Savile.
12. When interviewed about his allegation by both Wiltshire Police and the IPCC, the former senior officer confirmed he was the undercover officer who went to the brothel equipped with recording devices to conduct enquiries. His actions at that time are recorded in the statements he provided. He said following the operation he did not play any part in the case file preparation and his next involvement was at the trial in February 1994.
13. He said he could only remember some of the officers who had been involved in the investigation. They were Detective Inspector Gary Chatfield, Police Constable Richard Kirven and Detective Constable Ray Lewis. He believed D/Insp Chatfield authorised the covert tactics, and the two constables were involved in support, but he could not be sure who oversaw the investigation or who the officer in charge was.
14. In his account to Wiltshire Police the former senior officer stated that he attended court with PC Kirven and PC Christopher Bevan, but when he gave his statement to the IPCC he said he did not think this was correct, even though the two names were recorded in his pocket notebook (PNB). He said his recollection was that he was the only officer in attendance at court and he did not remember collecting anyone else on his way there as stated in his PNB. His PNBs and CID Diaries from that time are still in existence as he chose to keep them himself rather than handing them in.
15. Following the approach from the defence, he said he went to an office within the court building and telephoned Salisbury Police Station. He does not remember who he spoke to but believes he would have asked for D/Insp Chatfield, as he was his Inspector and he thinks he oversaw the case. He said if he was not there he would have asked for a message to be passed to him explaining the threat Ms Forde had made to expose Sir Edward. Again this is not recorded in his PNB or CID Diary.
16. The former senior officer told the IPCC that following the information being passed to a supervisor no trial took place. He believed the inference being that the Crown Court trial was vacated to protect Sir Edward from allegations of child sex abuse. The former senior officer remembers the case being adjourned but is unable to recall how long after the phone call the case was adjourned. The only indication of time he was able to give was from his CID Diary which stated he arrived at court at 9:55am and left at 4pm.
17. He said he does not remember discussing this information with any other

PNB/1,
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S2

officer at court, which, for him confirmed his belief that he was the only officer present. He said he does not remember discussing the case with the prosecution barrister or CPS, but he thinks he would have told them.

18. The former senior officer remembers that the court case did not go ahead on that day and as far as he remembers there was no further action taken. He said he was never called back to court and never gave evidence in this case at any future hearing. He also said he was never informed of any outcome. He said he never had any further dealings with Ms Forde.

19. He said that he never followed up what happened as the case did not occur on his area and he felt the comment was more significant than the case. He says at that time there were rumours about Sir Edward's sexuality.

D43
20. Following the allegation from the former senior officer, checks were conducted to locate the paperwork relating to the case. The court case papers are no longer available as they have been destroyed in line with the Crown Court retention policy. The papers would only have been kept for seven years, as the case fell outside the remit of the permanent retention criteria. The court was only able to supply the names of the prosecution and defence barristers and a recorded result that Ms Forde was bound over in the sum of £100 for twelve months. The reasons for the bind over are not recorded.

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D12
21. Wiltshire Police conducted a search for any documents they held relating to the case and were also unable to locate the case papers for this investigation. The IPCC was informed that this again was due to the case not falling into a category where the papers were required to be retained and they would have been destroyed after seven years. The Wiltshire Police retention policy in effect at the time stipulated that the files would only need to be retained for seven years. Wiltshire Police have informed the IPCC that there is no record available confirming that the documents were destroyed.

22. The retention policy would also have been in effect for officers' PNBs and CID Diaries. The only reason we still have the former senior officer's documents is due to him choosing to retain them himself.

23. As part of the investigation Wiltshire Police were asked to search what information they held relating to any allegations linked to an Edward or Ted Heath. Having conducted the checks they were unable to identify any material related to allegations or investigations against him.

S5
24. It was identified that Matthew Scott, a barrister from Pump Court Chambers in Swindon, was the defence counsel for the 1994 case against Ms Forde. He was instructed by Richard Griffiths and Co solicitors who represented Ms Forde. When he was spoken to by the IPCC he stated the case against his client was dropped due to the prosecution having difficulty with their witnesses. After seeing the IPCC press release, but prior to being interviewed Mr Scott had a conversation with the instructing solicitor. He said they believed that one of the witnesses had refused to either leave the court cells or refused to leave the prison, where she was being kept for an unrelated matter and another witness had also failed to attend court.

25. Mr Scott said he did not remember any media activity around the court

room and did not remember hearing any mention of his client threatening to name Sir Edward as being a man who committed offences against children.

D51 26. Mr Scott said he did not recall speaking to any police officers connected with the case and did not recall any names of officers that may have attended the trial. He added it was possible he did speak to the officer in the case (OIC). He had seen the letter in The Times newspaper written by His Honour Judge (HHJ) Nigel Seed QC, who was the prosecution barrister during the trial and did not dispute his recollection.

S4,
S4a 27. Mr Nigel Holt was the representative from Richard Griffiths and Co Solicitors in attendance at Winchester Crown Court on 10 February 1994. He recalled the case was concerned with running a brothel but prior to the trial starting it became apparent that many of the prosecution witnesses had not turned up. He said he was unable to remember how many witnesses were unavailable but he recalled one witness being held in custody refusing to testify against Ms Forde.

28. Mr Holt stated that both the prosecution counsel and Mr Scott went to see the witness in the court cells. He said he was later informed that due to a lack of witnesses the case was discontinued. He said he did not remember talking to any officers but as they all waited in the same place it is possible he did, but he is not able to remember any topics of conversation.

29. Mr Holt said he cannot recall any conversation with Ms Forde (either subject to legal privilege or not) where Sir Edward was mentioned. He did not recall hearing Ms Forde talk to any other person about Sir Edward.

30. Mr Holt said he was not surprised by press attendance at court as it was a brothel case and Ms Forde was well known locally.

D51 31. Prior to speaking to the IPCC, HHJ Seed wrote a letter to The Times newspaper in response to a press release by Wiltshire Police on the 4 August 2015. A copy of the letter was shown to HHJ Seed by the IPCC and he confirmed it was a complete and unedited print of his letter.

S15 32. HHJ Seed said he recalled that he was fully briefed by the CPS about the case and had at least a couple of weeks to prepare it. He did not have a junior and was the only barrister for the prosecution. He is unable to recall who the representative from CPS was.

33. HHJ Seed said he recalled the case was due to be heard at Winchester Crown Court in one of the smaller courts on the mezzanine level under the main courts. He said that these courts had a public waiting area outside the court. He did recall there being a lot of people outside the court and the number seemed disproportionate to the case. He said he was told that as well as local reporters there were also members of the press from London present. He said he was told by the OIC, though he cannot recall who this was, that the media interest was because it was expected that if Ms Forde gave evidence she was going to say she supplied 'Rent Boys' to Sir Edward. He said he understood this to mean male prostitutes and not underage boys. He said he did not believe the comment was true and thought the officer felt the same. He said he thought it was a comment made by a desperate woman trying to avoid a trial. HHJ Seed said he was not swayed in his conviction on the case which he and the officer thought

was strong. He said he felt Ms Forde was '*grandstanding, as she was a notorious liar*'. He also said he felt the '*threat was just a throw away comment from a desperate woman*'. HHJ Seed said he did not know where the officer heard the information as he never said but HHJ Seed said he got the impression it came from a reporter.

34. HHJ Seed said he thought there were at least three police officers present at court and he had a vague recollection that one of them was female, but he could not be sure. He said it was only when he got into the court room that it became apparent to him that there was an issue with the witnesses. He said two of them were missing and had not attended court and the third was refusing to leave the court cells having being produced from prison where she was on remand for an unrelated matter. He said efforts were made to get the witnesses to court to testify, but these were unsuccessful and without them he felt the case could not proceed.
35. HHJ Seed stated the decision to offer no evidence was his, he also said he did consult the officer who attended court (who he believed to be the former senior officer) but said the decision was made due to insufficient evidence to allow for a prosecution. He added the comment about Sir Edward would have played no part in that process. He said he had never met him and he would not have spared his blushes. He said that if there had been a chance he could have run the case he would have done so. He said the comments of defendants were immaterial to him when he was prosecuting them. He made the decision because without the witnesses all the prosecution had was "*a bag of used condoms and the police recording of an initial conversation with a prostitute*".
36. The IPCC spoke to former Detective Inspector Gary Chatfield, who has now retired having reached the rank of Detective Chief Superintendent. He said that between 1989 and 1991 he was a Detective Inspector for Salisbury. Although he believed these dates to be correct he requested that they be confirmed by Wiltshire Police where he spent his entire police career. Wiltshire Police have confirmed he was still in post as a D/Insp for Salisbury in 1992 when the investigation and arrest of Ms Forde took place but he had left prior to the trial in 1994.
37. Mr Chatfield commented that whilst at Salisbury he shared an office with Detective Inspector Paul Ford and reported to Detective Chief Inspector Steve Higgs. When he left Salisbury it was to transfer to the Regional Crime Squad. Though he later returned to Salisbury on promotion.
38. Mr Chatfield said he did remember an operation in relation to Ms Forde running a brothel. He said he remembered still working at Salisbury when she was arrested, but did not recall being there when the matter came to trial. Mr Chatfield confirmed he did not receive a phone call about the trial not going ahead and was not left any message alleging Ms Forde had asked for the case to be dropped or she would make an allegation against Sir Edward. He said he had no recollection of any mention of Sir Edward or the allegations against him. He said he was of the opinion that if this had been mentioned to him he would not have forgotten it. Mr Chatfield stated that had he been given such information he would have recorded it and dealt with it. He said he would also have given the information to Special Branch. He further added that if this information was known to officers he

S14

would have expected to have been made aware of it when he returned as Detective Chief Superintendent.

- S3 39. Retired Detective Chief Inspector Steven Higgs worked at Salisbury police station at the time of the trial of Ms Forde on the 10 February 1994. Mr Higgs was able to use his detectives diary from the time to aid his recollection. Mr Higgs stated that he did not receive a phone call relating to Ms Forde or Sir Edward on that day. He further added that he never received any documentation about any allegation against Sir Edward. Mr Higgs asserted if he had been informed of any such allegation he would have recorded details of it in his detectives diary, which he had not done.
40. Mr Higgs stated that he had never heard any allegation concerning Sir Edward during his service as a police officer and added that if he had he would have ensured it was investigated and would also have spoken to the former senior officer in person to get the full account.
- S16 41. In 1994, retired Superintendent Paul Ford was a Detective Inspector based at Salisbury divisional headquarters. Mr Ford confirmed that in 1994 he was the D/Insp responsible for the rural areas of the division and also responsible for the child protection unit. He said he did know of Ms Forde at that time, but never met her. He said he did supervise an investigation the following year in 1995 when she was successfully prosecuted for engaging children in prostitution. He was not directly involved in the investigation and again never met her. He said he was never informed about or became aware that Ms Forde had made any allegation about Sir Edward, and if he had been he would have spoken to his divisional commander.
- S7 42. Retired Detective Inspector John Mason was based at Salisbury Police Station at the time of the court trial of Ms Forde. He said that whilst he was aware of the case he had no involvement in it. He said he did not receive any phone call relating to a threat made by Ms Forde.
- S8 43. Chief Inspector Richard Kirven was a constable in 1992 at the time of the investigation into Ms Forde. He said his involvement in the case was as part of the support group who provided surveillance of Ms Forde's address. He said he remembered the investigation and recalled at the time of the police raid there were three prostitutes present, who the police intended to call as witnesses. He said two of these were female and one was male. He also said that as the investigation progressed, the support group tried to keep in touch with the witnesses to encourage them to give evidence at court. This proved difficult due to the chaotic lifestyles they led. CI Kirven said he did not remember attending court but was aware that the case was dropped due to witnesses either not attending or refusing to give evidence. CI Kirven said he did remember rumours at the time that if Ms Forde was convicted she would provide information to the press that would result in embarrassment to certain persons. He said he never heard Sir Edward's name being mentioned. He said he did not know where the information came from and did not believe it was presented by the defence as leverage to drop any of the charges. He said he believed it was just a rumour.
44. During the surveillance stage of the operation CI Kirven recalled the team gathered information about people leaving Ms Forde's address. He said this was done in order to gather intelligence and evidence relating to the

offences under investigation. He said that other than one member of the military, whose details they were never able to obtain, these persons were not of any prominence or celebrity. He said some of these people were married and he believed that the comment rumoured to have been made by Ms Forde referred to embarrassment to the married men who had attended her address.

45. CI Kirven said he did remember Ms Forde being ‘*a bit of a fantasist*’ who he said liked to make out she was high up in the criminal fraternity, which he said may have impressed young people, but he said this had no credence amongst law enforcement agencies.

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D53

46. Ms Forde declined to be interviewed by the IPCC or Wiltshire Police in relation to their respective investigations. She did however give interviews to several reporters for both national and local press. Ms Forde stated via her solicitor that Sir Edward was not a client of hers and she never threatened to expose him as a client if the court case went ahead. She further stated she never met Sir Edward or supplied him with any prostitutes.

47. However, in a later interview with a newspaper Ms Forde stated she had supplied male escorts to Sir Edward. She added that these were males over 21 years of age. In 1995, Ms Forde was again charged with brothel and prostitution related offences. On that occasion the trial did go ahead and she was convicted and sent to prison. During that trial there is no evidence she threatened to release information about Sir Edward or her other clients. As far as can be ascertained until her interview with a newspaper published on 12 August 2015 she had never told the media about Sir Edward being a client.

Analysis of the evidence

48. In order to reach conclusions it was necessary for me to analyse the evidence. In doing this, I considered whether I could determine any objective truths from the evidence. In other words, any independent evidence that I could rely upon to decide what happened. I also considered whether any version of events obtained during the investigation was inherently implausible or significantly undermined by other evidence.

D2

49. The terms of reference in this case had two points which needed to be satisfied. The first of these was whether or not the outcome of the case was influenced by the comment the former senior officer says was made to him by Ms Forde’s solicitor.

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S15

50. The witness testimonies from both the prosecuting and defending barristers, and the defence’s instructing solicitor, support the conclusion that the trial against Ms Forde was stopped by the prosecution due to their witnesses not attending court or refusing to give evidence. HHJ Seed has stated that the decision not to continue with the case in 1994 was his and his alone. He did this because without the witnesses he was not able to prove the case and the comment concerning Sir Edward played no part in the decision making process.

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51. The origins of the comment itself are more ambiguous. The former senior officer believes he was told it by the defence solicitor, but this is denied by the attending solicitor Mr Holt. HHJ Seed stated he thought the comment was made by a journalist. CI Kirven referred to a comment, without mention of Sir Edward and believed it was just a rumour that was very general. He believed the “certain people” he had heard in a comment, was referring to married men who had been to the brothel. Ms Forde herself refused to be interviewed by the IPCC or the police, but did deny making any threat when she was interviewed by the press. She also denied that she supplied under age boys to Sir Edward, but did say she had supplied male prostitutes over the age of consent to Sir Edward on four occasions.
- D46,
D50,
D53
52. It is my opinion that on the balance of probabilities the evidence supports a conclusion that the 1994 case, against Ms Forde, was not stopped due to her alleged comments about Sir Edward.
53. The second strand of the investigation was to assess what action Wiltshire Police took once they were made aware of the comment, relating to Sir Edward’s exploitation of young boys.
- S2
54. As previously stated the origins and nature of the threat alleged to have been made is unclear. The former senior officer stated he told someone at Salisbury police station about the allegation. He thought he spoke to Mr Chatfield or at least asked for a message to be passed to him but could not identify who he spoke to. Mr Chatfield had no knowledge of this comment prior to the IPCC investigation and it is believed he had joined the Regional Crime Squad before the case came to court, therefore, he would not have been in a position to receive the call.
55. This investigation has spoken to other officers and former officers who at that time could have been in a position to take the call. None of them remember taking the call or ever being made aware of the allegation against Sir Edward. As the former senior officer cannot recall who he spoke to and did not record the details in his PNB or detectives diary, it is difficult to conclude that Wiltshire Police were aware of the allegation, other than the former senior officer knowing.
- PNB/1,
D40
- S15,
S8
56. Although HHJ Seed and CI Kirven stated they were aware of a threat, HHJ Seed thought it had come from a reporter and CI Kirven believed it was a more general threat to release information about Ms Forde’s married clients. The knowledge regarding an allegation against Sir Edward was very vague and was not supported by any named victims.
57. It is my opinion that on the balance of probabilities Wiltshire Police were not aware of the allegation involving Sir Edward. It is therefore difficult to see how Wiltshire Police could have been expected to investigate an allegation they were unaware of. If any learning is to come from this it would be that officers who receive such allegations should have a duty to ensure they are correctly passed on to those who are in a position to investigate them. They should also ensure a record is made of it formally in their PNB and or in any other recoverable and auditable format.
- D10
58. It is also a fact that Ms Forde was later tried and convicted of similar offences to those she was at court for in February 1994. There is no

evidence of her trying to use the same threat again during the later court case. The fact Ms Forde also never carried out this threat casts doubt over whether it was made in the circumstances remembered by the former senior officer.

- S2 59. The former senior officer believes he did make the call to Salisbury police station from court and that by telling a senior officer about the allegation or passing a message to tell a senior officer about it he had fulfilled his duty.
- S2,
PNB/1,
D40 60. There are no records available identifying a call from the former senior officer to any other employee of Wiltshire Police. The only evidence to support he did this is his statement, as he did not record it in his PNB or detectives diary. It is not possible to show Wiltshire Police had any knowledge of the allegation against Sir Edward beyond him. All of the officers interviewed have stated that if they had been made aware of the allegations, they would have ensured an investigation followed, regardless of the status of the alleged offender.
61. There is no evidence that any officer within Wiltshire Police knew of these allegations other than the former senior officer.
62. It is my opinion that Wiltshire Police can not have been expected to investigate an allegation they appear to have been unaware of.
63. It is also my opinion that if the former senior officer did call Salisbury police station in the manner he described he would have discharged his duty to ensure the allegation was known about by the relevant department. He should however have recorded the information and his actions. He did not do this. Recording the information would have created an audit trail which would have removed any ambiguity over who had knowledge of the allegations and any actions taken.

Conclusions

64. Below, I have set out my conclusions for the commission delegate to consider.
65. These conclusions are my opinions, based on the evidence obtained during the investigation.
66. It is my opinion that on the balance of probabilities the evidence detailed above supports a conclusion that the 1994 case, against Ms Forde, was not stopped due to her alleged comments about Sir Edward.
67. There is no identified evidence that any officer within Wiltshire Police knew of these allegations other than the former senior officer.
68. It is my opinion that Wiltshire Police can not have been expected to investigate an allegation they appear to have been unaware of.
69. On receipt of my report, the commission delegate must decide if there is an indication that a criminal offence may have been committed by any person under investigation.
70. If they decide that there is such an indication they must decide whether it is

appropriate to refer the matter to the CPS.

71. Having analysed all the evidence, it is my opinion that there is no indication that any person mentioned in this report committed a criminal offence or breached the standards of professional behaviour.

Operation Marble

The IPCC's investigation into Wiltshire Police's handling of an allegation regarding the Right Honourable Sir Edward Heath, MBE, KG

Independent investigation report

IPCC Reference: 2015/044764

Independent investigation report
Appendices

Appendix 1: The role of the IPCC

The IPCC carries out its own independent investigations into complaints and incidents involving the police, HM Revenue and Customs (HMRC), the National Crime Agency (NCA) and Home Office immigration and enforcement staff when the seriousness or the public interest require it.

The IPCC is also responsible for investigating any allegations of criminal conduct made about an Elected Local Policing Body, such as Police and Crime Commissioners (PCCs) or the Mayor of London.

We are completely independent of the police and the government. IPCC commissioners by law may never have worked for the police.

Commissioners provide oversight in these cases, providing strategic direction and scrutinising the investigation.

The investigation

At the outset of an investigation a lead investigator will be appointed who will be responsible for the day to day running of the investigation. This may involve taking witness statements, interviewing subjects to the investigation, analysing CCTV footage, reviewing documents, obtaining forensic and other expert evidence, as well as liaison with the crown prosecution service (CPS) and other agencies.

They are supported by a team including other investigators, lawyers, press officers and other specialist staff.

Meaningful updates are provided to stakeholders both inside and outside the IPCC at regular intervals.

Throughout the investigation, a series of reviews and quality checks will take place.

The IPCC often makes early contact with the crown prosecution service (CPS) and are sometimes provided with investigative advice during the course of the investigation however we are asked by the CPS to keep any such advice confidential.

Final reports

Once the investigator has gathered the evidence they must prepare a report. The report must summarise the evidence, refer to or attach any relevant documents and give the investigator's opinion about whether a criminal offence may have been committed.

The report must then be given to the commissioner who will decide if a criminal offence may have been committed by any of the subjects of the investigation and whether it is appropriate to refer the case to the CPS for a charging decision.

The commission delegate will also decide whether to make individual or wider learning recommendations for the police.

Criminal proceedings

If there is an indication that a criminal offence may have been committed by any subject of our investigation the IPCC may refer a subject to the crown prosecution service. They will then decide whether to bring a prosecution against any person. If they decide to prosecute, and there is a not guilty plea, there may be a trial. Relevant witnesses identified during our investigation may be asked to attend the court. The court will then establish whether the defendant is guilty beyond all reasonable doubt.

Publishing the report

After all criminal proceedings relating to the investigation have concluded, and at a time when the IPCC is satisfied that any other misconduct or inquest proceedings will not be prejudiced by publication, the IPCC will publish its investigation report.

Further redactions might be made to the report at this stage to ensure that individuals' personal data is sufficiently protected.

Appendix 2: People referred to in this report

The IPCC categorises people in three different ways:

- **Subjects** of the investigation (people whose conduct was the subject of the investigation).
- **Witnesses** (people who gave evidence for the investigation). This includes **significant witnesses** (people who saw or heard or otherwise witnessed a significant part of the incident).
- **Experts** (people with expertise in a particular area who were instructed by the IPCC to provide their expert opinion)

Not everyone spoken to during the course of the investigation is referred to in this report. This report makes reference to the following people:

Witnesses

Ref	Name	Role	Type of witness	Interviewed
S2	Former senior officer	Police officer at court	Witness	Yes
S3	Steven Higgs	DCI for Salisbury at time of court case	Witness	Yes
S4	Nigel Holt	Defending solicitor	Witness	Yes
S5	Matthew Scott	Defending barrister	Witness	Yes
S7	John Mason	D/Insp at Salisbury at time of court case	Witness	Yes
S8	Richard Kirven	Member of the original surveillance team who worked on the case.	Witness	Yes
S14	Gary Chatfield	Police officer the former senior officer thought he called	Witness	Yes
S15	Nigel Seed	Prosecuting barrister	Witness	Yes
S16	Paul Ford	D/Insp at Salisbury at time of court case	Witness	Yes

Appendix 3: Evidence and documents referred to in this report

Throughout this investigation a volume of evidence was obtained and reviewed. Not all the evidence gathered during the investigation has been referred to in this report. This report makes reference to the following relevant evidence:

Ref	Evidence	Details	Obtained
7.1	Initial referral from Wiltshire Police to the IPCC	Sets out the background to the case	18/03/15
D10	Review of initial information, 1992-1994 investigations	Makes mention of 1994/1995 case where Forde was convicted on 21/06/1995 for exercising control over prostitutes and keeping a disorderly house	22/06/15
D11	Report of review of 1994 Forde investigation paperwork	Makes mention that reviewed papers do refer to the senior former officer but that relevant file is not attached to reviewed papers. Report also details result of 1994 case but not reasons for acquittal and bind over.	22/06/15
D12	Report detailing no sign of 1992 investigation within 2008 investigation papers	Report confirming the 1992 case papers were not stored with the 2008 case papers	22/06/15
D40	Copy of Detective officers diary of former senior officer	Records attending court for trial but does not detail the allegation against Sir Edward or calling Salisbury police station.	07/08/15
D43	Copy of court result for Forde's 1994 case	Details who the counsels were, the 12 month bind over and the fact the papers were destroyed after 7 years	07/08/15

D46	Copy of Salisbury Journal article dated 05/08/15	Former brothel owner hits back over allegations she was at the centre of Ted Heath Scandal	07/08/15
D50	Press association article dated 05/08/15	Sir Edward Heath: Ex-Brothel keeper denies accusing him of child abuse	07/08/15
D51	Copy of letters to the editor, The Times 06/08/15	Letter to the Editor of The Times from His Honour Judge Nigel Seed QC	07/08/15
D53	Copy of The Sun article dated 12/08/15	Exclusive: Madam tells how Ex-PM ordered sex.	13/08/15
D66	Copy of The Telegraph article dated 07/08/15	Myra Forde said nothing about Ted Heath. The Police shouldn't have, either.	13/08/15
PNB/1	PNB of former senior officer	Does not record any detail of the court case or the allegation against Sir Edward	19/08/15