

Operation Alice

Closing Report
September 2014



METROPOLITAN
POLICE

TOTAL POLICING



1 Introduction

- 1.1 On Wednesday 19th September 2012, there was an incident in Downing Street involving the **Rt. Hon Andrew Mitchell MP** and police officers from the **Metropolitan Police Service Diplomatic Protection Group (DPG)**. The incident was first reported in **The Sun Newspaper** on Friday 21st September 2012 and has been widely referred to as 'Plebgate.' In the following days, there was considerable media coverage about this incident and the following week, on Tuesday 24th September 2012, **The Daily Telegraph Newspaper** published an article containing an item which it claimed was a leaked copy of the police 'log' detailing what Mr Mitchell had allegedly said to the officer on the gate. An investigation was undertaken by the **Directorate of Professional Standards - Specialist Investigations (DPS-SI)** to find the source of this apparent leak under the operation name **Operation Alice**.
- 1.2 On Thursday 13th December 2012 the MPS and subsequently DPS-SI were made aware by Government officials of an email that had been sent to the **Rt. Hon John Randall MP**. This email appeared to be sent to him from a constituent by the name of **Keith Wallis** on the 20th September 2012. Officers from the DPS made some basic enquiries and quickly established that Keith Wallis was a serving Met Police officer from the DPG. At no time did PC Wallis declare to Mr Randall that he was a serving MPS officer.
- 1.3 A review of the CCTV provided to the DPS, clearly discredited the account given by Wallis in his email to Mr Randall; there was no trace of anyone matching his description on the CCTV or acting in the manner he described. A decision was made to arrest Wallis for Misconduct in a Public Office, in relation to the emails he sent and because it was considered that he may well be behind the original newspaper leak. An out of hours warrant was obtained, and officers from DPS SI attended his home address and he was arrested on Saturday 15th December 2012.
- 1.4 It was also apparent that PC Wallis had been approached by journalists from the **Channel 4-Dispatches programme** about his involvement in the sending of the emails to Mr Randall. This programme aired on 18th December 2012, with a follow up programme on 21st February 2013.
- 1.5 Over eleven hundred statements have been taken in the course of this enquiry. The majority are from DPG officers who were on duty on the 19th September 2012 and the following days. These statements were sought to assist the enquiry in respect of a possible conspiracy amongst officers and to pursue the leaking of information to the media. Because of the logistical implication of the large numbers of statements to be taken, officers were asked to respond to a series of pre-formatted questions. The questions asked the officers to give details of their duties over the 19th-21st September 2012, how they became aware of the Downing Street incident, whether they had seen any official documentation about the incident, did they know Keith Wallis and had they been contacted by the press in relation to the incident.
- 1.6 All officers subject to investigation were attached to SO6 - Diplomatic Protection Group.

- 1.7 This Report is not intended to be an entirely comprehensive account of the investigation. Nor does it purport to be a full account of the history of the matter as a whole. The terms of reference set out by the IPCC were for the MPS to conduct a supervised investigation which was wide ranging and broadly speaking to go where the evidence takes it. The MPS did conduct a comprehensive investigation which collated in excess of 1,100 statements. It is not practicable, nor is it necessary, to set out in this report the detail of all these accounts together with all the investigative strands of the investigation. Instead the report is an account of the principal aspects of the police investigation, with particular emphasis on those aspects that resulted in criminal prosecution and misconduct charges. For this reason, the Report inevitably provides only a summary of some other aspects which, although undertaken in full, are only of limited relevance to the central narrative of the investigation.

2 Terms Of Reference

- 2.1 This matter was referred to the Independent Police Complaints Commission on 17th December 2012 who decided that the matter should be subject of a supervised investigation. The terms of reference for the investigation were agreed as follows:

1. Identify the source of the information to The Sun and The Telegraph Newspapers and whether this emanated from the MPS.
2. If the source of information did emanate from the MPS, to establish who leaked it and how it was done.
3. Alternatively, if the source of the leak was via a third party, establish who that was and how it was done.
4. To investigate the circumstances surrounding the police officer's claim to have witnessed the incident in Downing Street.
5. To establish if there is any evidence of a conspiracy between this officer and any other person.
6. To investigate the allegations made by the Rt. Hon. Andrew Mitchell in his statement that police lied in the police log dated 19th September 2012.
7. Establish what, if any criminal or misconduct offences are apparent.
8. To progress this investigation to wherever the evidence takes it.
9. Establish if there is any organisational learning as a result of this investigation.

3 Background

- 3.1 On Wednesday 19th September 2012 at about 7:35pm, there was an incident at the gates of Downing Street involving the Rt. Hon Andrew Mitchell MP (the then Government Chief Whip) and officers from the DPG. CCTV coverage from several cameras recorded this incident in detail but there is no accompanying audio record of the conversations that took place. All of the timings in the following paragraphs are taken from the various CCTV recordings. (See next section.)
- 3.2 Mr Mitchell, who was riding a pedal cycle, cycled up to the inside of the gates from number 9 Downing Street and during a conversation which lasted approximately thirty-four seconds, requested to exit through the main security gates. His request was refused by **Police Constable (PC) Gillian Weatherley**, one of the Diplomatic Protection Group (DPG) police officers on post there, for reasons relating to security. Mr Mitchell continued to demand that the main gates be opened for him. Another officer, **PC Toby Rowland**, refused his demands and explained the reasons for not opening the gates. PC Rowland escorted Mr Mitchell to the side pedestrian gate and opened it for him, which took about 14 seconds. There was an exchange of words just inside the side gate, what was said is disputed by Mr Mitchell and the officer.
- 3.3 Central to the dispute is whether or not Mr Mitchell called the officer a 'pleb.' PC Rowland says that Mr Mitchell said to him, *'Best you learn your fucking place. You don't run this fucking government. You're fucking plebs.'* Mr Mitchell says he muttered, *'I thought you guys were supposed to fucking help us.'* PC Rowland's assertion that he then warned Mr Mitchell under the Public Order Act is accepted by Mr Mitchell and was partially overheard by **Officer 1 DPG** (now retired) and PC Weatherley. The disputed dialogue between Mr Mitchell and PC Rowland was not overheard by PC Weatherley or Officer 1 DPG or the other officer present **Officer 2 DPG**. Mr Mitchell left the scene after adding that he would take the matter further.
- 3.4 Also disputed is PC Rowland's account of who witnessed Mr Mitchell's alleged behaviour. PC Rowland stated there were several members of the public who did and were *'visibly shocked.'* The Dispatches programmes which Mr Mitchell took part in challenged this assertion.
- 3.5 PC Rowland returned to the other officers and related to them what had allegedly been said. This conversation lasted for approximately forty-six seconds prior to PC Rowland entering the police box by the main gates.
- 3.6 Nineteen seconds later, whilst still in the police box, PC Rowland appeared to be making a phone call. He continued with this call whilst facilitating the exit through the pedestrian gate of a single male before returning to the box where he remained for a further two minutes when the footage ends.
- 3.7 PC Rowland's telephone call records for that evening show that at 7:37:23 pm - he called the number for the Base Sergeant at Apex House. The call lasted for 3 minutes 41 seconds.

- 3.8 **Officer 3 DPG** , a police sergeant, confirmed that he received a phone call from PC Rowland between 7pm and 8pm and that PC Rowland told him he had given Mr Mitchell a public order warning after he had sworn at him and called him a *'fucking pleb'*.
- 3.9 After the incident, PC Rowland completed a pocket book entry and emailed an account of the incident to several people who were mostly supervisors, however PC Weatherley also received a copy which she printed off and took home with her. Officer 2 DPG and Officer 1 DPG also completed notes. These officers later completed statements as part of the leak investigation.
- 3.10 In interview PC Rowland stated that he telephoned Officer 3 DPG and made his initial notes of Mr Mitchell's comments in the police box at Downing Street after confirming Mr Mitchell's identity, but is not sure in which order he did this. He also said that they were relieved on post at 8:10pm and he completed his notes of the whole incident and his email *'log'* at Apex House. His email was sent at 9:22pm.

4 Investigation

4.1 CCTV

Exhibit CS/1 - Downing Street Cameras 1 and 2

Cameras positioned inside Downing Street show the officers at the gate when Mr Mitchell approached. PC Rowland and Mr Mitchell walk to the side gate before Mr Mitchell exited the gate and the officer returned to his colleagues. One member of the public appeared to be watching closely outside the gate and two female members of the public walk past .

4.2 Exhibit CS/1 - Foreign and Commonwealth Office (FCO) Camera

Camera positioned outside the gate pointing directly towards the floor immediately outside the gate. It does not capture any of the incident or Mr Mitchell. It does show a potential witness.

4.3 Exhibit DLS/1 - Government Security Zone Camera (Whitehall opposite Downing Street)

Mr Mitchell is seen approaching the inside of the gates before conversing with the officers. He then walks to the gate slightly ahead of PC Rowland and exits towards Parliament Square. One male stands very close to the gate as Mr Mitchell exits and his attention appears to be on Mr Mitchell. At the same time, two female members of the public are walking towards Parliament Square (From right to left).

In interview PC Rowland identified these three people as the members of the public who were 'visibly shocked.' PC Rowland said he looked this male in the eyes and at the same time he was aware of the two female members of the public seen walking towards Trafalgar Square.

It was pointed out that these two women appear to be looking away from the incident toward the camera and their attention was not on Mr Mitchell. He maintained that this was his perception of the events as they happened in real time.

- 4.4 Exhibit DLS/3 - Government Security Zone Camera (Rear of Downing Street)
This shows the events from the same direction as Downing Street Cameras 1 and 2 but from further away.
- 4.5 Key statements are outlined below:
Statement of Rt.Hon Andrew Mitchell MP
- Mr Mitchell provided a statement on the 3rd January 2013. Mr Mitchell described the events at the gates of Downing Street on the 19th September 2012. He described feeling emotionally drained after a long day and said that he was late for a speaking engagement. He cycled up to the main gates where there were two or three police officers on duty and asked for the gates to be opened. An officer (presumably PC Weatherley) refused to open them and said that he had to leave by the pedestrian exit. Mr Mitchell responded, *'Please open the gates, I am the chief whip, I work at no.9.'* The officer replied, *'No, you have to get off your bike and wheel it out.'* Mr Mitchell said, *'Look, I have already been in and out several times today. Please open the gates.'* The officer refused.
- 4.6 Mr Mitchell complied with the officer's request and wheeled his bicycle across the pavement and out through the pedestrian entrance. Mr Mitchell said that as he did so he muttered the words - *'though not directly at him [PC Rowland], I thought you guys were supposed to fucking help us.'* The officer said, *'If you swear at me I will arrest you.'* Mr Mitchell cycled off, saying that he would pursue the matter the following day.
- 4.7 The following day it became apparent that the press were aware of the incident. It was arranged that Mr Mitchell would apologise to PC Rowland, which he did over the phone.
- 4.8 Mr Mitchell denied using the phrases, *'Best you learn your fucking place. You don't run this fucking government. You're fucking plebs.'* Mr Mitchell maintains throughout his statement that he did not utter the above phrases. This was widely reported in the media.
- 4.9 Mr Mitchell went on to describe how he was told by John Randall MP about the email from a constituent who claimed to have witnessed the incident at Downing Street. Mr Mitchell said that he *'was devastated by this news as he knew it was completely untrue'...*and that he *'knew something truly terrible was taking place - namely the organisation of a stitch up based on a lie.'*
- 4.10 On the 11th June 2013, Mr Mitchell completed a further statement in which he confirmed his accusation that PC Rowland and PC Wallis were lying in their assertion of his use of what he described as the *'three toxic phrases.'*
- 4.11 Mr Mitchell states that he made notes of the events at the gate, after his conversation with the Prime Minister on 20th September 2012 and before he met with **Sir Jeremy Heywood** on Tuesday 25th September 2012. These notes were discarded. Mr Mitchell subsequently drafted a *'timeline,'* between 12th-18th November 2012, which was the basis of an article that was later published by The Sunday Times on 23rd December 2012.

4.12 **Statement of PC John Tully**

PC John Tully gave a statement to this enquiry on Friday 21st December 2012. PC Tully is the Chairman of the Metropolitan Police Federation. Part of PC Tully's role is to deal with the media which he does on a regular basis.

4.13 On Saturday 22nd September 2012, PC Tully received two phone calls from **Craig Woodhouse**, a reporter from The Sun Newspaper. During the first call he was asked for general comments in relation to the Downing Street incident but in the second call later that day Mr Woodhouse indicated that The Sun had possession of some sort of police document related to the incident.

4.14 On Sunday 23rd September 2012, PC Tully received a telephone call from **Tom Newton Dunn**; Political Editor of The Sun. Mr Newton Dunn said that he was in possession of a police document. He emailed the document to PC Tully and invited him to comment on whether he thought it was a genuine police document. PC Tully refused to comment. The emailed document, exhibited by PC Tully appeared to be a copy of the account of the Downing Street incident written by PC Toby Rowland. The content of the email was the same as PC Rowland's report; however there were slight spelling and grammatical discrepancies. This email was published in The Daily Telegraph on Tuesday 25th September 2012, in an article by the political editor, **Robert Winnett** and was widely referred to as the police 'log'. On the email that PC Tully received there were no details of its origin.

4.15 **Statement of Sir Jeremy Heywood, Cabinet Secretary**

In September 2012, Sir Jeremy Heywood was asked to give advice to the Prime Minister regarding the conduct of the Chief Whip Andrew Mitchell during the Downing Street incident. Sir Jeremy became aware of the incident after receiving an email from Chris Martin the Prime Ministers' Principal Private Secretary on the evening of the 19th September, shortly after the incident.

4.16 Sir Jeremy was asked by **Yvette Cooper MP**, the Shadow Home Secretary to investigate whether Mr Mitchell had breached the ministerial code of conduct. Before responding to her, he made contact with The Metropolitan Police Commissioner **Sir Bernard Hogan-Howe**. Sir Bernard 'assured' Sir Jeremy that at that time there was no intention to take any further action against Mr Mitchell in light of the fact Mr Mitchell had apologised personally to the officer concerned and the officer had accepted the apology.

- 4.17 On Friday 21st September 2012, John Randall MP alerted No 10 to the email that he had received from one of his constituents, Keith Wallis. Mr Wallis claimed to have witnessed the incident at the Downing Street gates and heard Mr Mitchell use the words alleged to have been used by the officer. A meeting was held on 24th September to discuss this; those present included the Prime Minister, his political advisors, Chris Martin and Sir Jeremy Heywood. The content of Mr Wallis' email was compared against those accounts given by Mr Mitchell and the Officer. Upon receipt of a second email from Mr Wallis on 24th September, supported by the confirmation that the author was indeed a '*genuine constituent*', concerns grew. If there was truth in the content of the email, then it indicated that Mr Mitchell would have lied to the Prime Minister and would therefore have no choice but to resign. Sir Jeremy was asked to conduct an investigation on behalf of the Prime Minister to see whether the content of the emails were true.
- 4.18 On Tuesday, 25th September 2012, Sir Jeremy spoke with John Randall. Mr Randall confirmed that he had conducted checks and that he could confirm Mr Keith Wallis was indeed a genuine constituent. Sir Jeremy requested that Mr Randall organise a meeting with Mr Wallis in order to obtain a full account from him. Mr Wallis refused. Sir Jeremy had viewed the CCTV of the Downing Street incident but without meeting Mr Wallis Sir Jeremy was unable to conclude definitely if he had indeed been present outside the gates at the time of the incident.
- 4.19 On the same day, Sir Jeremy visited Mr Mitchell at his North London home. Mr Mitchell '*appeared very clear in his own mind what had happened. He maintained that he had not used the language as reported but accepted that he said something like "You guys are supposed to f*cking help us".*' Sir Jeremy stated that Mr Mitchell denied threatening the officer with words such as "you haven't heard the last of this". Sir Jeremy informed him that an email had been received which appeared to support the account provided by the officer, Mr Mitchell's account did not differ even after Sir Jeremy told him of the 'independent witness'. Sir Jeremy made some '*sketchy notes*' during his conversation with Mr Mitchell and referred to these notes whilst providing this statement to police to ensure that his recall of what Mr Mitchell said to him was accurate.
- 4.20 Mr Mitchell informed Sir Jeremy that he had received an email that morning from another person purporting to be an 'independent witness'. The author of the email, **Member of Public 1**, was not happy to be contacted regarding what he had seen. There was mention of the author being present and filming the incident on his phone, he stated that the police had requested that the footage be deleted immediately as filming was prohibited outside Downing Street. Having viewed the footage, Sir Jeremy was confident that there had been no such discussion between a police officer and a male at the location. This incident could not have taken place even in the blind spot as all of the police officers are visible on the footage. Sir Jeremy concluded the email from Member of Public 1 to be a hoax. He was later contacted by police and admitted that he had not been present. A statement was taken to this effect.

- 4.21 Following a meeting between Mr Randall and Mr Wallis on 26th September 2012 and further analysis available to him of the CCTV, Sir Jeremy was confident to report back to the Prime Minister; he concluded the veracity of the emails to be unreliable. The Prime Minister *'made the decision not to contact the police regarding the investigation'*. Sir Jeremy had already been informed that there was to be no further action taken against Mr Mitchell and therefore it did not seem necessary at that time. Sir Jeremy *'presumed that if the Police felt it necessary'* then they would contact him *'in the course of the on-going leak investigation'*.
- 4.22 Following Andrew Mitchell's resignation on Friday 19th October 2012, it became clear that Mr Mitchell *'was not going to let the matter rest'* as he wanted to clear his name and be exonerated of any wrong doing. Mr Mitchell requested that he be *'allowed to access'* the CCTV of the incident. Sir Jeremy sought legal advice regarding Mr Mitchell's request as he was *'unsure if Government CCTV could be made publically available for security reasons'*. *'Mr Mitchell was eventually invited in to Downing Street to view the CCTV footage'*.
- 4.23 In his statement, Sir Jeremy Heywood said that *'during mid November'* he *'contacted Cmsr Hogan-Howe again regarding the incident'*. Sir Jeremy explained that *'Mr Mitchell was not letting the matter go'* and asked for advice'. Sir Jeremy asked if Mr Mitchell should complain directly to the Commissioner or whether it would be more suitable to contact the IPCC. The Commissioner responded by letter on 3rd December 2012, advising that Sir Jeremy *'keep any evidence safe in case it was needed at a later stage'*.
- 4.24 The letter from the Commissioner detailed that at that time the Met Police had no live investigation into this matter and that the matter between Mr Mitchell and the officers on the gate was closed. It did ask that evidence be kept safe if needed at a later stage.
- 4.25 Sir Jeremy contacted Mr Mitchell, who was at that time in contact with journalists regarding the whole incident, and advised him that he should make a complaint rather than a TV programme. As a result of Mr Mitchell's *'persistence'* Sir Jeremy contacted the Commissioner again on the 12th December 2012. It was at that time that Sir Jeremy *'made available the information which he deemed to be relevant to the incident on the 19th September, this included the two emails from Mr Wallis to Mr Randall as well as the un-redacted CCTV footage'*.
- 4.26 Sir Jeremy has never had sight of the actual police *'log'* itself.
- 4.27 Sir Jeremy does not have any personal knowledge of Mr Mitchell having previously been rude to any police officers.
- 4.28 **Statement of Mr Chris Martin, Prime Ministers Principal Private Secretary**

In his statement, Mr Martin detailed how he was made aware of the incident involving Mr Mitchell and his subsequent dealings with the incident over the following days.

- 4.29 Mr Martin was told about the incident by **Civil Servant 1**, in a phone call late on Wednesday 19th September. He met with her the following day and made notes about the comments that Mr Mitchell was alleged to have used.
- 4.30 Later that day, Mr Martin and Civil Servant 1 met with **PS Jonathan Norton** where the police response to the incident was discussed. PS Norton did not show Mr Martin a copy of the police email 'log.'
- 4.31 At 12:03pm, on Thursday 20th September 2012, Mr Martin received an email from Civil Servant 1 informing him that Mr Mitchell had made a further attempt to exit Downing Street by the main gates that morning. He was again directed to the pedestrian exit and left without incident.
- 4.32 Mr Martin later accompanied PS Norton to meet Andrew Mitchell at no 9 Downing Street. Mr Mitchell wanted to apologise for what had been said but disputed the exact language he was *'alleged to have used.'* Mr Martin made notes of this meeting and exhibited a copy. The note stated *'Apology to PC sergeant "end of long day, don't recall but I want to apologise for what was said"'*.
- 4.33 On Friday 21st September 2012, Mr Martin was patched into a phone call where Mr Mitchell apologised to PC Rowland. The officer thanked Mr Mitchell and commented that in twenty years police service, he had never received an apology. Again, Mr Martin exhibited his notes of this conversation.
- 4.34 Mr Martin went on to detail his knowledge of the emails received from Keith Wallis.
- 4.35 Mr Martin did not have any knowledge of any other incidents where Andrew Mitchell has used derogatory language.

4.36 **Statement of Civil Servant 1, Head of Security and Business Continuity**

On the 19th September 2012 at about 8:15pm Civil Servant 1 was informed by PS Jonathan Norton via the telephone that an incident had occurred at the front gate of Downing Street. Civil Servant 1 was told that on leaving Downing Street, the Chief Whip Andrew Mitchell had approached the main gates of Downing Street on his push bike and requested that the gates be opened to allow him to leave through them on his bicycle. The DPG Police officers on duty at the time then directed Mr Mitchell to use the smaller pedestrian side gate next to the main gates. Mr Mitchell protested and used offensive language in his protest to a Police officer. The Police officer then warned Mr Mitchell under section 5 of the Public Order Act. Civil Servant 1 was then made aware that the officer concerned had written down what had happened on an email that was to be submitted to the DPG Senior Management Team.

- 4.37 Due to the nature of this incident, Civil Servant 1 contacted Chris Martin and let him know. Sergeant Norton agreed to contact Civil Servant 1 later with more details about this incident from the officer's email.

- 4.38 The following day, PS Norton informed Civil Servant 1 that Mr Mitchell had allegedly said to the officer, *“Best you learn your fucking place, you don’t run this government, you fucking plebs”* and that the officer was quite upset about this.
- 4.39 Civil Servant 1 later met with Mr Martin and PS Norton. Civil Servant 1 was not shown the email from the Police officer who was on duty regarding this incident on the 19th September 2012 detailing what happened.
- 4.40 Civil Servant 1 was made aware of a previous incident with Mr Mitchell by her predecessor Civil Servant 2. This was around July 2011. It was explained to Civil Servant 1 that there had been issues surrounding Mr Mitchell’s access to Downing Street on his bike. On this occasion Mr Mitchell arrived at the back gate and a Police officer wouldn’t let him in as he did not recognise him. Mr Mitchell then complained to **Civil Servant 2** and during their conversation had sworn about the incident.
- 4.41 As a result of this incident PS Norton sent an email out to Police officers to remind them to be able to recognise cabinet ministers when they requested access to Downing Street. It is a requirement for all officers in the DPG to be aware of and be able to recognise all Cabinet Ministers by their faces. Cabinet reshuffles make it harder for officers to remember who the ministers are but instances like this are rare.
- 4.42 Civil Servant 1 has not personally heard Mr Mitchell use derogatory words or comments to other members of staff.
- 4.43 Civil Servant 1 states that following this incident nothing has changed to the procedures of access to Downing Street. The policy of no cycles remains in force and the only exception to this is when a bicycle is following a car. This is aimed at reducing the number of times the gates are open. The policy is in place for security reasons.
- 4.44 **Statement of Civil Servant 2**
- Civil Servant 2 gave his statement in relation to his previous role as Head of Security and Business Continuity at 10 Downing Street and previous meetings with Andrew Mitchell. Civil Servant 2 held this post from 2006 until 2011.
- 4.45 Civil Servant 2 stated there were very few incidents or issues about entry to Downing Street but is aware of two occasions when Andrew Mitchell MP was inconvenienced when trying to enter the road for cabinet meetings.
- 4.46 The first was between March 2011 and May 2011. Mr Mitchell stated that he was unhappy that he had been to the back gate of the ‘L’ shaped road and been denied entry and sent to the front gate. At the time Mr Mitchell was Secretary of State for International Development. He stated that he did not wish to make a big deal of the incident but didn’t want to see it repeated. Civil Servant 2 believed that Mr Mitchell used the word *‘fucking’* in the conversation but this was in relation to the incident and was not aimed at an individual. Civil Servant 2 believed he said something like *‘they should have fucking known who I am’*. The language did not bother Civil Servant 2 as it was not aimed at him.

- 4.47 The second incident was between May and June 2011 and was again at the back gate of Downing Street. A Cabinet Minister had been let through with his protection officers but Mr Mitchell on his bike was refused access. Mr Mitchell was deeply unhappy about the refusal and stated that 'if it happens again tell them I'll write to the Commissioner and make a formal complaint;' he pointed out that this was the second occasion and it was *'becoming ridiculous'*. Again Mr Mitchell swore but Civil Servant 2 could understand his frustration.
- 4.48 In the autumn of 2011 it was decided that cyclists should not go through the front gate. This was for security reasons. Though this policy was written down Civil Servant 2 expected the officers based at Downing Street to exercise their discretion and judge each situation on its merits. The change in policy was promulgated via the Cabinet Office to departments but Civil Servant 2 doubted that individual ministers would have been made aware of the changes.
- 4.49 **Statement of Civil Servant 3**
- Civil Servant 3** was informed of the incident involving Andrew Mitchell by email on 19th September 2012. On 20th September 2012, Civil Servant 3 had a pre-arranged meeting with Tom Newton Dunn, the political editor of The Sun. At the end of their discussions, Tom Newton Dunn said, *'What about Mitchell?'* Civil Servant 3 said he was quite evasive with his answers and didn't provide any information about the alleged incident. Tom Newton Dunn said *'they had the story. He didn't reveal the source and seemed uncertain in his questioning to me.'*
- 4.50 Civil Servant 3 met with Andrew Mitchell and informed him of the conversation with Tom Newton Dunn. Mr Mitchell was emphatic that he had not used the word *'pleb.'*
- 4.51 **Statement of Civil Servant 4 Security Operations Manager**
- Civil Servant 4** first became aware of the incident involving Andrew Mitchell on the 19th September at about 8:30pm when he received a call on his mobile at home from PS Norton.
- 4.52 When Civil Servant 4 arrived at work, just after 8:15am on Thursday 20th September 2012, the first phone call he received was from Andrew Mitchell's team. They arranged to meet at 8:30am.
- 4.53 Civil Servant 4 walked across to 9 Downing Street where he was then introduced to Andrew Mitchell. During the meeting Mr Mitchell commented on a number of occasions about how supportive he was of the police and that they "do a good job". He referred to the previous incident which had occurred at the back gates of Downing Street over a year ago. Civil Servant 4 acknowledged that he was aware of this incident and had discussed this with his boss and Head of Security at the time, Civil Servant 2.

- 4.54 Andrew Mitchell then stated that he had wanted to exit via the main gate of Downing Street with his bike and immediately after saying this he made further positive comments about the police and re-iterated his support for them. He asked Civil Servant 4 if he thought it was going to be achievable for him to exit the Downing Street compound via the front gate with his bike. In reply to this, Civil Servant 4 stated that he would speak to Civil Servant 1 and Sergeant Norton about this issue.
- 4.55 Mr Mitchell then made a comment along the line that a person in uniform working in a high profile location can at times result in the power going to their heads. Mr Mitchell seemed quite happy at the conclusion of the meeting.
- 4.56 **Statement of Civil Servant 5 - Custodian**
Civil Servant 5 was on duty at the time of the incident inside number 10. Civil Servant 5 recalls that at some point between 7pm and 10pm a police officer that he knows as Toby came to the house and wanted to speak to the officer on the front door post, who was **Officer 4 DPG**. One of the officers asked to see a photograph of the Chief Whip. Civil Servant 5 knew that the Chief Whip was Andrew Mitchell. Civil Servant 5 went to the control room to look for a photo but was unable to find one amongst the ministers' photos. The officers then went outside to speak.
- 4.57 **Statement of Civil Servant 6 - Custodian**
Civil Servant 6 was on duty with Civil Servant 5 and corroborates his statement as above.
- 4.58 **Statement of PC Gillian Weatherley**
PC Weatherley completed two statements for this investigation. The first statement, which is unsigned, was a basic statement about the incident with Mr Mitchell. The second statement dated 16th January 2013, included a lot more detail about the incident. (PC Weatherley was later arrested as a consequence of her second statement, in relation to disclosure of information to **PC James Glanville**.)
- 4.59 She stated that she was on duty at the front gates of Downing Street and explained her role at that post. She was looking out through the gates when Officer 1 DPG addressed someone behind her. He said, *'You'll have to use the side gate sir.'* She turned round and saw Andrew Mitchell on a pedal cycle. He stopped 4-5 feet in front of them. Mr Mitchell said, *'I'm the Chief Whip from number 9, can you open the gate?'* PC Weatherley replied, *'Sorry sir, pedal cyclists have to use the side gate.'* Mr Mitchell replied, *'I'm the Chief Whip, I've come in and out of these gates today, can you open the gate.'* PC Weatherley perceived his manner as condescending and bullying. PC Weatherley said, *'I appreciate that sir, however we are instructed that pedal cyclists have to use the side gate, if you have a problem with that please feel free to take it up with the head of security for the street.'*

- 4.60 PC Rowland then intervened and Mr Mitchell got off his bike and walked with him towards the side gate around the police box. PC Weatherley took a couple of steps towards the other officers and then heard PC Rowland say, *'Please don't swear sir or I will have to arrest you'*. She did not hear any conversation prior to this. Officer 1 DPG said, *'I think he's just sworn at Toby'* and stepped toward the pedestrian gate. She saw Mr Mitchell exit the pedestrian gate and then through the secure waiting area. There were several members of the public outside, one female was looking at Mr Mitchell and appeared to be shocked.
- 4.61 PC Rowland came back and said, *'He just called us fucking plebs and we should know our fucking place.'* PC Weatherley was shocked and surprised. The officers agreed that they would have to complete notes and that PC Rowland would have to report the matter. They discussed whether to complain about Mr Mitchell but said that they would, only if all were in agreement. PC Rowland said that the incident had been dealt with and to leave it at that. PC Weatherley made notes in her pocket book.
- 4.62 PC Weatherley stated that she received PC Rowland's email of the incident and printed off two copies. She said that, *'the two copies have stayed in my possession and nobody else has had access to them.'* She said that she had not passed on any details of this incident to anybody in the press or media.
- 4.63 PC Weatherley stated she did not know PC Wallis and denied that there was a conspiracy amongst officers against Mr Mitchell.
- 4.64 **Statement of Officer 1 DPG (Retired)**
- Officer 1 DPG retired from the MPS on 10th October 2012 but completed a statement on 17th December 2012. He was on duty outside the main gates of Downing Street on the evening of 19th September when he saw Mr Mitchell cycle up to the gates. He indicated that Mr Mitchell should use the side gate as this is the standing instruction. Mr Mitchell said, *'I'm the government Chief Whip; I've been out this way three times today.'* PC Weatherley stated that this was due to the incorrect actions of other officers. Mr Mitchell, who appeared to Officer 1 DPG to be furious, dismounted and moved towards the side gate.
- 4.65 Officer 1 DPG then heard PC Rowland's voice from behind the police box, he said, *'Please don't swear at me.'* Officer 1 DPG told his colleagues and moved towards the outside of the pedestrian gate in time to see Mr Mitchell walk off. PC Rowland repeated to him what Mr Mitchell had allegedly said to him, *'learn your fucking place, that we don't run this fucking government'* and *'that we were 'fucking plebs.'* PC Rowland stated that Mr Mitchell's parting words were, *'you haven't heard the last of this.'*
- 4.66 Officer 1 DPG completed his notes independently of the other officers. He did not receive PC Rowland's email but did read PC Weatherley's copy before giving it back to her.
- 4.67 Officer 1 DPG does not know PC Wallis.

4.68 In a further statement dated 3rd April 2013, Officer 1 DPG said that PC Weatherley told him about and showed him a copy of PC Rowland's email on the night of the incident. He did not see the email after this but did see a version of it *'that looked very similar in The Daily Telegraph, the following week.'*

4.69 On the night when PC Glanville was arrested, the 31st January 2013, Officer 1 DPG spoke to PC Weatherley on the phone, he said to her, *'how could he possibly have been involved, I'm not sure he was even on duty that night, he couldn't have had Toby's email'*. PC Weatherley said to him, *'he did have it; I took a picture of it on my phone and sent it to him.'* Officer 1 DPG was upset and angry and told her she must tell **Chief Superintendent Tarrant**. She replied that she had already decided that she would the following day.

4.70 **Statement of Officer 2 DPG**

Officer 2 DPG also completed a statement on 17th December 2012. He was on duty at the gates with PC Weatherley when he saw Mr Mitchell come out of number 9 Downing Street. Officer 2 DPG did not know who Mr Mitchell was. He was on or pushing a bicycle when he approached them and Officer 1 DPG directed him to the side gate.

4.71 PC Weatherley said he would have to use the side gate as it was a security risk to open the main gates. Mr Mitchell was arguing with PC Weatherley but Officer 2 DPG turned away as he felt that she was dealing with him. He said that he was the Chief Whip. PC Rowland then politely asked the man to use the side gate. The Chief Whip then began arguing with PC Rowland. Officer 2 DPG did not get involved and did not hear everything that was being said. From his demeanour and the way he wore his helmet, Officer 2 DPG formed the opinion that the Chief Whip may have been drinking. After Mr Mitchell had left, he heard from his colleagues that he had called them; *'fucking plebs.'* The incident was discussed widely on their return to base.

4.72 **Statement of PC James Glanville**

PC Glanville completed a witness statement on 22nd December 2012 in response to the questionnaire issued to DPG officers. He stated that he became aware of the Downing Street incident when it was talked about during his refreshment break on 19th September. He also says *'I have not contacted or been contacted by the press in relation to this incident'*.

4.73 **Statement of Officer 3 DPG**

Officer 3 DPG was the Base Sergeant at Apex House on 19th September 2012. Sometime between 7pm and 8pm, Officer 3 DPG received a phone call from PC Rowland informing him that he had just given a public order warning to a man claiming to be the Chief Whip. PC Rowland said that the man had tried to cycle out of the main gates at Downing Street and when advised that he couldn't, had sworn at him and called him a *'fucking pleb.'* The man had also said that he was going to complain about the officer's actions. Officer 3 DPG then spoke to Officer 1 DPG who corroborated PC Rowland's account and also said that the man was Andrew Mitchell, the Chief Whip. Officer 3 DPG advised the officers to make comprehensive notes in their pocket books and informed the night duty Inspector.

4.74 **Statement of Police Sergeant (PS) Jonathan Norton**

PS Norton completed statements about his meetings at Downing Street with Civil Servant 1 and Chris Martin. During the meetings he informed them verbally about the incident between Mr Mitchell and PC Rowland but did not produce the printouts of PC Rowland's email.

4.75 PS Norton completed a further statement on 12th April 2013 detailing his knowledge of policies that existed in respect of the access and egress of cyclists to and from Downing Street.

4.76 He confirmed that prior to his appointment as the Downing Street Liaison Sergeant in 2010, a directive was sent out by **Civil Servant 7** of the Downing Street Internal Security Team that no cyclists were to enter through the vehicle gates at Downing Street. This was for reasons of security in that the gates are large and cumbersome and therefore take longer to open and close. This created a greater risk that an intruder or unauthorised vehicle could enter Downing Street. All DPG officers are aware of this policy.

4.77 However, PS Norton went on to say that Cabinet Ministers who required urgent access to Downing Street were afforded some leeway and that officers could use discretion in respect of high profile individuals who required access. This process was formalised in June 2011 so that Cabinet Ministers were allowed unfettered access to Downing Street. He did not believe that the same applied to Cabinet Ministers who wished to exit the gates as there would be no urgent need to see the Prime Minister.

4.78 PS Norton then detailed his knowledge of incidents involving Andrew Mitchell that were brought to his attention by **Officer 5 DPG** and **Officer 6 DPG**.

4.79 In March 2012, a dedicated pedal cycle entry for Downing Street staff was opened on Horseguards Parade. The entrance was closed in April 2012 and reopened on 11th September 2012. DPG officers and cyclists with passes were informed by email.

4.80 PS Norton was informed by officers that following the incident with PC Rowland on 19th September, Mr Mitchell had again attempted to gain access and egress through the main gates at Downing Street but had been refused by officers on duty.

4.81 On 21st September, an email was sent to all officers reiterating the cycle policy.

4.82 **Gate Officers Statements**

Further statements were sought from any other DPG officers (i.e. apart from those that have already given statements regarding the incident on 18th) that dealt with Mr Mitchell or other ministers' comings and goings on bicycles at the front entrance at Downing Street, since the beginning of September up until 19th, including during the course of that day.

4.83 **Officer 7 DPG** stated that he was posted to the front gates of Downing Street between 6am and 8am on 19th September, when he was directed by another officer to admit Mr Mitchell to Downing Street via the main gates.

- 4.84 **Officer 8 DPG** described a similar incident around the same date but does not recall the exact date.
- 4.85 **Officer 9 DPG** stated that he refused to allow Mr Mitchell to exit through the gates at 10:15am on 20th September. He described Mr Mitchell's demeanour as rude.
- 4.86 **Officer 10 DPG** stated that on a date unknown, he allowed a Cabinet Minister to exit Downing Street through the main gates on her pedal cycle, as there was a 'scrum' of media reporters around the side gate. He did so to prevent any injury to her or someone else.
- 4.87 **Officer 11 DPG** remembered two occasions in September, where Mr Mitchell cycled out of Downing Street whilst the main gates were already open to allow a vehicle to exit.
- 4.88 Around a week prior to the 19th September, Officer 11 DPG saw Mr Mitchell come through the pedestrian gate with his cycle into Downing Street. Mr Mitchell remarked, *'I'm coming through that gate next time'* as he pointed at the main gates. Officer 11 DPG told him he was not allowed and Mr Mitchell asked, *'Why?'* Officer 11 DPG told him it was policy. Mr Mitchell demanded to know who to speak to about it and Officer 11 DPG told him to speak to **Officer 12 DPG**, who was the Downing Street liaison Inspector. Mr Mitchell repeated his name and office and then carried on into Downing Street.
- 4.89 **Statement of Officer 13 DPG**
- Officer 13 DPG** completed a short initial statement dated 5th October 2012 about a similar incident at the front gates of Downing Street that took place on Tuesday 18th September, (the day before the incident with PC Rowland) where Mr Mitchell had cycled up to the gates and demanded to exit through the main vehicle gates. Mr Mitchell was directed to the side gate but said, *'I am the government Chief Whip and I will be leaving via these gates. I have been in and out of these gates three times today and I will be leaving this way, thank you.'* The main gate was opened for Mr Mitchell. Officer 13 DPG sent an email to his supervisor informing him of the incident.
- 4.90 The following night, 19th September 2012, Officer 13 DPG was again on duty and spoke to PC Rowland about his altercation with Mr Mitchell. This conversation took place at 8.20pm according to Officer 13 DPG. He then forwarded his email to PC Rowland. PC Rowland also copied Officer 13 DPG into his email.
- 4.91 On 18th December 2012 and 11th February 2013, Officer 13 DPG completed two further statements in which he recalled more detail about the incident on 19th September 2012. Officer 13 DPG was posted with PC Glanville but did not recall discussing the incidents with Mr Mitchell with him at any point. He was also asked about some text and telephone contact with PC Glanville, which he explained related to him selling him a pedal cycle.

4.92 **Statement of Officer 14**

Officer 14 works in the SO1 Specialist Protection Command. Officer 14 wrote a statement about two visits to Africa he had made in April and August 2011 where he had been responsible for guarding Mr Mitchell. Officer 14 described a number of negative interactions with Mr Mitchell during both trips. Mr Mitchell though did take the protection team to dinner and after the visit sent a letter of thanks.

4.93 **Protection Officers Debrief Reports**

Debrief reports from SO1 officers who have accompanied Mr Mitchell on foreign trips have been reviewed. Several reports described Mr Mitchell as co-operative and supportive of police.

4.94 **Statement of Rt Hon John Randall MP**

Mr Randall gave a statement on Monday 17th December 2012. His statement detailed the evidence in relation to the events involving Keith Wallis and has been detailed more fully below; see **Persons under Investigation - PC Keith Wallis (5.24)**.

4.95 In summary, Mr Randall received an email from PC Wallis claiming that he was a member of the public sightseeing in London with his nephew, and that he had witnessed Mr Mitchell swearing at a police officer at the gates of Downing Street. He was able to quote directly the language used by Mr Mitchell which compared exactly to the phrases noted by PC Rowland.

4.96 Mr Randall was tasked by Sir Jeremy Heywood to make contact with Keith Wallis and determine whether he was a credible witness. Mr Randall received a further email from Wallis, spoke with him on the phone and met with him and his nephew to explore his account. Mr Randall concluded that there appeared to be 'an air of truth' in Mr Wallis's story.

4.97 Mr Randall voluntarily handed over his mobile phone to be downloaded. Text conversations between him and PC Wallis were found.

5.0 Persons under Investigation

5.1 **PC Toby Rowland**

5.2 PC Rowland was on duty at the side gate at the front of Downing Street on 19th September 2012, when Mr Mitchell rode to the inside of the main gates and asked to be let out through the gates. PC Rowland showed Mr Mitchell to the side gate and there was an exchange of words, which is disputed. On 6th January 2013 PC Rowland was served with a form informing him of the allegations made by Mr Mitchell.

5.3 PC Rowland has received ten public complaints from 1994 until June 2014. None of these cases were proven. None of these cases are for dishonesty.

5.4 PC Rowland - Notes and Email

PC Rowland made initial notes of the words used by Mr Mitchell in his pocket book whilst still at Downing Street. He completed his pocket book entry and sent an email report of the incident to supervisors and fellow officers back at Apex House. The email was timed at 9:22pm.

5.5 Interview of PC Rowland

PC Rowland was interviewed twice under Police Misconduct Regulations in relation to Mr Mitchell's allegations that he did not use the phrases which PC Rowland attributed to him in his report.

5.6 On the first occasion, PC Rowland repeated the events as written in his pocket book and email. He said, *'Whilst on duty there, at that post, I was dealing with a person entering via the front pedestrian gate to Downing Street regarding an ongoing function that was happening. On my return to the main vehicle gates I saw a male who later identified himself as the Government Chief Whip and who I subsequently confirmed was Mr Andrew Mitchell. He was stationary on a pedal cycle speaking to PC Weatherley. Mr Mitchell was demanding to be let out of the vehicle gates into Whitehall. I explained to Mr Mitchell that he must use the pedestrian gates. I repeatedly said to Mr Mitchell, "I'm more than happy to open the side pedestrian gate for you sir, but its policy that we are not to allow cycles from the main vehicle entrance". I further added that if the policy changed I was more than happy to allow use of the vehicle gates, but up to that point that he must use the pedestrian gates.'*

5.7 Mr Mitchell repeatedly stated he was the Chief Whip and he would use the main vehicle gates but on being told that no other officer would open the gates for him he went to the side pedestrian gate with PC Rowland. As they neared the gates PC Rowland could see as usual several members of the public directly in front of the fence opposite the pedestrian gate. As they got to the gate, Mr Mitchell said *'Best you learn your fucking place, you don't run this fucking Government, you're fucking plebs'*. PC Rowland said he could see that several members of the public were visibly shocked by this outburst and that he was alarmed by this abuse directed at him by a senior member of the government and the language used. PC Rowland said to Mr Mitchell, *'Please don't swear at me sir, if you continue to, I will have no option but to arrest you under the Public Order Act'*. Mr Mitchell remained quiet, but as he cycled off said, *"You haven't heard the last of this"*

5.8 PC Rowland went on to describe that he thought Mr Mitchell appeared agitated and that he was demanding to be let through the gates. He said that the officers were calm and polite throughout their dealings with Mr Mitchell and that the reasons for not opening the main gates for him were explained.

5.9 PC Rowland said that they were quite close to each other when Mr Mitchell swore at him and that he was adamant that Mr Mitchell had used the words, *'Best you learn your fucking place, you don't run this fucking Government, you're fucking plebs.'* PC Rowland said that he wasn't familiar with the word *'pleb'* prior to this incident.

- 5.10 PC Rowland was asked why he had warned Mr Mitchell under the Public Order Act and said, *'Because he was swearing in a public place where there were members of the public who showed a visible reaction to that and whilst I am aware that under the Public Order Act you don't have to warn, I think it's the right thing to do, to warn someone that they adjust their behaviour and if they can do that then I've done my job.'* PC Rowland was asked to describe the members of the public in more detail but was unable to.
- 5.11 PC Rowland was asked about his perception of Mr Mitchell saying, *'You haven't heard the last of this,'* and said that he thought he would make a complaint to the police senior management or Downing Street.
- 5.12 PC Rowland said that he had his pocket book with him and noted the phrases that Mr Mitchell had used whilst still on post. He also went to number 10 to confirm Mr Mitchell's identity and phoned the Base Sergeant to inform him of the incident. On being relieved, he completed his notes and report within an hour of the incident and sent his email at 9:22pm.
- 5.13 PC Rowland then described how Mr Mitchell had apologised to him for the incident in a later telephone call. PC Rowland also described the effect on his family life of the subsequent press intrusion he had experienced. PC Rowland states that he accepted the apology and believed that was the end of the matter.
- 5.14 PC Rowland maintained his account of events was truthful and accurate and denied that Mr Mitchell's account of events as set out in his statement was true. PC Rowland did not know PC Wallis and did not recall discussing the incident with him.
- 5.15 In the second interview, PC Rowland was shown the Downing Street CCTV footage in detail and he was asked to talk through what had happened and exactly where the exchange with Mr. Mitchell took place. He gave a full account and stated that Mr. Mitchell began swearing at him as they were on the pavement walking towards the inside and shortly before they reached the pedestrian gate. PC Rowland gave Mr. Mitchell a public order warning as he opened the gate, after Mr. Mitchell swore at him. Mr. Mitchell then said, *'You haven't heard the last of this'* from outside the gate.
- 5.16 PC Rowland was asked to point out on the CCTV which members of the public were the ones which he quoted in his notes as being *'visibly shocked.'* He indicated that it was the male with the rucksack, who appeared to follow the officer and Mr Mitchell as he exited the gate. PC Rowland said he had looked this male in the eyes and at the same time he was aware of the two female members of the public seen walking towards Trafalgar Square. It was pointed out that these two people appear to be looking away from the incident toward the camera and their attention was not on Mr Mitchell. PC Rowland said that he had looked out as Mr Mitchell was swearing and had seen these people in his *'periphery vision'* and perceived their reaction. He formed the opinion he needed to warn Mr Mitchell about his behaviour; *'I remember making eye con. I remember thinking at that moment I'm going to have to do something'*. He maintained that this was his perception of the events as they happened in real time.

- 5.17 PC Rowland was asked about his movements after the altercation. He could not recall where he had finished his notes and sent his email 'log' when back at Apex House. He could not remember who he spoke to, other than his Sergeant and Inspector and did not recall any detail about PC Glanville or PC Weatherley. He was not aware of any conversation about going to the press and again denied there was any conspiracy amongst officers.
- 5.18 PC Rowland was asked about contact with PC Weatherley in the days after the incident and stated that they had been in touch by phone as the story broke in the media for mutual support.
- 5.19 PC Rowland's recall during the second interview was limited in places, particularly around his movements on his return to Apex House but his recollections around the incident central to this enquiry remain unchanged. His account is supported by the notes/report that he completed very soon after the incident.
- 5.20 Mr Mitchell's aide memoir was first drafted between 12th and 18th November 2012. In this he admits to swearing in his conversation with PC Rowland and acknowledged that the officer warned him about his behaviour. In the course of the enquiry, a number police officers came forward to give statements about occasions where Mr Mitchell has been rude or abrupt.
- 5.21 Mr Mitchell said in his own statement that as he was exiting the pedestrian gate of Downing Street that, *'I think I said that I would pursue this matter further the next day.'* However, Sir Jeremy Heywood said in his statement that when he met with Andrew Mitchell, *'he denied threatening the officer with words such as you haven't heard the last of this'*.
- 5.23 PC Rowland was not asked to account for why he sent his email to colleagues other than his supervisors, however, it is likely that he sent it to Officer 13 DPG because he had in turn sent PC Rowland an email about his incident with Mr Mitchell the previous day and to PC Weatherley because she was also closely involved in the incident on the 19th September 2012.
- 5.24 **PC Keith Wallis**
- 5.25 PC Wallis was off duty and at his home address in Ruislip when the incident with Mr Mitchell took place. PC Wallis later sent an email to John Randall MP and PC Susie Johnson, falsely claiming to be a witness to the incident.
- 5.26 On Thursday 20th September 2012, at 9.52pm, Keith Wallis, a resident of Ruislip Middlesex, sent an email to his local constituency MP, the Rt. Hon John Randall, who coincidentally was the Deputy Chief Whip. The email was sent from PC Wallis's private email address and he used his real name and home address. In the email, PC Wallis stated that he was sightseeing near Downing Street with his nephew, when he saw someone who he recognised as Andrew Mitchell at the main gates. He then heard Mr Mitchell shout very loudly at the police officers guarding the gates, *'You fucking plebs!'* and *'You think you run the fucking country,'* as well as other obscenities. PC Wallis praised one of the officers, who he said spoke calmly to Mr Mitchell, who then left. At no time in this email or during any of the subsequent contact with Mr Randall, did PC Wallis mention that he was a police officer.

- 5.27 Mr Randall read PC Wallis's email on Friday 21st September 2012 and replied to him the following day. He asked him to make contact. Mr Randall then obtained Wallis's home telephone number and left several messages over the following days. On Monday 24th September 2012, at about 8pm, Mr Randall called the number and it was answered by Keith Wallis. He confirmed that he had sent the email and they discussed the Downing Street incident. Mr Randall specifically asked PC Wallis if he had heard Mr Mitchell use the word '*pleb*' and he confirmed that he had. PC Wallis denied knowing anybody within the press or the police. Later that night, Mr Randall received another email from PC Wallis in which he apologised for not getting in touch earlier and said that he was a driver. He reiterated that Andrew Mitchell used the word '*plebe*' (SIC). Mr Randall next spoke to PC Wallis some days later and told him that people from the Cabinet Office were keen to interview him about what he had witnessed. PC Wallis refused and said that as a chauffeur he drove a number of famous people and therefore wished to retain his anonymity.
- 5.28 On Wednesday 26th September 2012, Mr Randall went to PC Wallis's home address in Ruislip unannounced. They discussed the incident in the hallway quietly because PC Wallis did not want his wife and son to overhear, however he said his wife was furious with him for sending the email.
- 5.29 On Thursday 27th September 2012, Mr Randall viewed a still image taken from CCTV of the incident at Downing Street; he did not consider that it was PC Wallis.
- 5.30 On Friday 19th October 2012 Andrew Mitchell resigned from his post as Chief Whip.
- 5.31 On Thursday 6th December 2012, PC Wallis telephoned Mr Randall and said that he had been contacted by **Michael Crick** and **Phillip Braund** (journalists) on the telephone and that they had called at his home address. PC Wallis was angry that they had managed to get hold of his emails and his details. Wallis said that they had told him that Andrew Mitchell had given them the emails. Mr Randall told PC Wallis that he should contact the police and PC Wallis remarked that he disliked the police because they were always stopping him whilst he was driving.
- 5.32 On Saturday 15th December 2012, Mr Randall met with PC Wallis and his relative, **Member of Public 2**, in the car park of his furniture store in Uxbridge. Mr Randall asked them about their movements on the 19th September 2012 and they detailed where they had been and what they had done. Mr Randall commented in his statement, that there seemed to be an air of truth about what PC Wallis told him. He did not detail exactly what Member of Public 2 said.

5.33 Arrest of PC Wallis

On the evening of Saturday 15th December 2012, PC Keith Wallis was arrested at his home address on suspicion of committing misconduct in a public office. His arrest came about after information about the emails sent to Mr Randall was passed from Downing Street officials to the Metropolitan Police. Officers from the DPS made some basic enquiries and quickly established that Keith Wallis was a serving Met Police officer from the DPG. His house was searched and his computers and mobile phone were seized.

5.34 Interview of PC Wallis

In interview at Heathrow Police Station, PC Keith Wallis maintained he was in Whitehall with his nephew and that he had witnessed the incident in Downing Street between Andrew Mitchell and the DPG officers. He gave an account of his movements that day and admitted sending the emails to Mr Randall. PC Wallis stated that he told PC Susie Johnson about the incident the following morning at work but denied talking to the press. He conceded that maybe he should have informed a supervisor about what he had seen but stated that he had sent the email as a private person as he had been off duty when he had seen the incident. PC Wallis stated that he had given his occupation in the emails as a chauffeur so that it didn't look like he had colluded with the on duty officers. He stated that he had never spoken to the officers involved and had not seen their notes. PC Wallis said that Mr Randall had turned up at his home address and asked him to meet with a member of the cabinet but that he didn't wish to take the matter any further. PC Wallis went on to say that he had been pursued by Michael Crick and Phillip Braund, who had been to his house and written to him several times. (Letters from Michael Crick were found during the search of his home address.)

5.35 It was then put to PC Wallis that there was an extremely good CCTV recording of the incident and that he was nowhere to be seen on the footage. After a short break and further consultation with his solicitor, PC Wallis admitted that he had lied about witnessing the incident and that he had not been there at all but he stated that he had been drinking in Whitehall at the time of the incident. When PC Wallis had gone into his place of work at the offices of the DPG the next day and whilst on duty as a constable, he overheard people in his office (not the officers involved with Mr Mitchell) talking about the incident and was incensed. He then fantasised about the incident and convinced himself that he was there with his nephew and had seen the incident. PC Wallis was very unclear about what he said to his nephew about witnessing the incident and the meeting with Mr Mitchell, however he was adamant that he had not colluded with any other party and that he had acted alone.

5.36 Second Interview of PC Wallis

PC Wallis returned on bail at Heathrow Police Station on Wednesday 17th April 2013 at Heathrow Police Station. He was seen by the Forensic Medical Examiner who decided that he was unfit to be interviewed. A statement was completed regarding this examination of PC Wallis.

- 5.37 PC Wallis sent the email to a colleague, **PC Susie Johnson**, asking for her opinion. PC Johnson replied that she thought it was a good email and that he should send it, and that she would keep it quiet.
- 5.38 Supporting Evidence
Subsequent cell site location work undertaken positioned PC Wallis' mobile phone as being in the North West London/ Middlesex area on the evening of 19th September 2012.
- 5.39 The CCTV evidence covering the Downing Street incident where it is apparent that Mr Wallis was not present as he described in his email was seized and exhibited.
- 5.40 PC Wallis's Apple computer was examined by the DPS High-Tech Crime Unit. The email he sent to Mr Randall titled - *'Disappointing Behaviour!'* was found and exhibited. The exhibit shows the email in incremental stages of being written.
- 5.41 The complete email he sent to Mr Randall titled - *'Disappointing Behaviour!'* was found and exhibited. The receipt of the email was exhibited by Mr Randall.
- 5.42 PC Wallis sent the same email to PC Susie Johnson from his iPhone and this is evidenced.
- 5.43 Text conversations between PC Wallis and John Randall MP found on PC Wallis' phone and vice versa were found and evidenced.
- 5.44 An analysis of the communications data relating to PC Wallis and PC Rowland, PC Weatherley, Officer 1 DPG, Officer 2 DPG, PC Glanville, Officer 14 DPG, Officer 16 DPG and PC Johnson was undertaken. There was no contact between PC Wallis and these officers over 19th and 20th September 2012.
- 5.45 Member of Public 2
- 5.46 On Wednesday 19th December 2012 at 8:03pm, Member of Public 2 was arrested for an offence of intentionally encouraging or assisting an offence (Section 44 Serious Crime Act 2007) at his home address. His computer and mobile phone were also seized and submitted for forensic examination.
- 5.47 Member of Public 2 was taken to Charing Cross Police Station where he was interviewed on tape. He related that he had been asked by his uncle (PC Wallis) to help him out. They had met up and discussed this on Friday 14th December 2012. PC Wallis told him that he had sent an email to his local MP about the incident in which Andrew Mitchell had sworn at the police and that he had witnessed the incident. He said that he was being followed and harassed by the press. PC Wallis asked Member of Public 2 to help him by meeting his MP, John Randall. Member of Public 2 says that he was unsure about the situation because he didn't follow politics and knew nothing about the incident prior to meeting his uncle on the Friday but he agreed to help. He said that he didn't know whether his uncle had been a witness to the incident or not.

- 5.48 On the following day, his uncle showed him the email and they drove to Ruislip to meet John Randall. PC Wallis said that Mr Randall was going to help him with the press.
- 5.49 When they met with Mr Randall, he asked them questions about their 'visit' to Downing Street and asked them where they had stood. There appeared to have been a conversation about CCTV cameras and their coverage during which PC Wallis managed to convince Mr Randall that they were out of shot of the cameras. Member of Public 1 said that his uncle's occupation as a police officer wasn't mentioned and that this was because he did not want Mr Randall to think that the police were 'ganging up' or conspiring against Andrew Mitchell.
- 5.50 Member of Public 2 said he believed that his uncle was there but he knew that he himself wasn't and that he had lied to help his uncle who was under pressure and that his uncle had talked about killing himself. He knew what he had done was wrong and now wishes he had said no. He had not spoken to his uncle since the meeting but knew from his cousin (Wallis's son) that his uncle had been arrested and now believed that his uncle wasn't present at the 'Plebgate' incident. Member of Public 2 did not know how he had got the information to include in the email but he did not know of any other police officers being involved. He said that PC Wallis had not put him under pressure or paid him to be involved.
- 5.51 Supporting evidence
- 5.52 The Apple computer belonging to Member of Public 2 was examined, nothing of relevance was found other than Google searches related to Andrew Mitchell.
- 5.53 Member of Public 2 Blackberry mobile was also examined. A text message conversation was found in which Member of Public 2 said to Keith Wallis, '*Hi Uncle Kief, (SIC). If you still need help, I'm willing to help out. Just let me know what need you would need of me. I can meet you after work if you want.*'
- 5.54 An analysis of telephone data established that there was no telephone contact between Member of Public 2 and PC Wallis and PC Rowland, PC Weatherley, Officer 1 DPG, Officer 2 DPG, PC Glanville, Officer 14 DPG, Officer 16 DPG and PC Johnson over 19th and 20th September 2012.
- 5.55 Cell site data for Member of Public 2 indicates that on the evening of 19th September 2012 his mobile phone was located in the North Finchley area.
- 5.56 **PC Susie Johnson**
- 5.57 Initial Interview of PC Johnson
- On Tuesday 18th December 2012, PC Susie Johnson attended the DPS offices at Empress State Building and was interviewed under caution. PC Johnson had not previously completed a statement for this enquiry. She was due to complete a statement when her involvement with PC Wallis was discovered through a trail of emails.

- 5.58 PC Johnson stated that she knew PC Wallis from working in the same office. They worked on different teams but admitted they got on okay as colleagues. She said that she organised the lottery syndicate for the office so that was how she knew PC Wallis's email address.
- 5.59 PC Johnson became aware that there was an incident of some sort at Downing Street on 19th September 2012, when she was contacted by an officer who required their supervisor's phone number. When she got into work the next day, the whole office was talking about it. She knew the officers involved but did not talk to them directly. She did not see any notes connected with the incident.
- 5.60 PC Johnson agreed that she had received an email from PC Wallis late in the evening on the 20th September 2012, detailing his witnessed account of the 'plebgate' incident and that she agreed that he should send it to his MP. She thought that Andrew Mitchell's behaviour was disgusting and therefore the issue should be raised. She stated that although she discussed the incident with other officers in the office, she did not discuss it directly with PC Wallis but wasn't sure whether or not he was present during the office discussions. She agreed that she would keep the email to herself and consequently had not discussed the email with him since, until Wednesday 12th December 2012 when he stopped her at work and told her he was being pursued by the press. There had been some further email contact in reference to the media coverage and when PC Wallis asked PC Johnson whether she knew Sue Grey, who worked for the cabinet office.
- 5.61 PC Johnson was adamant that she believed that PC Wallis was telling the truth in his email. In hindsight, she conceded that she should have told PC Wallis to inform a supervisor that he had witnessed the 'Plebgate' incident but just thought because he was off duty at the time it was not important.
- 5.62 Supporting evidence
- 5.63 PC Johnson voluntarily surrendered her mobile phone and personal computer for forensic examination. Evidence of her email contact with PC Wallis was found on her mobile phone by the DPS High-Tech Crime Unit.
- 5.64 The telecommunications data in respect of PC Johnson was obtained. Over the 19th-20th September 2012, the only DPG officer that PC Johnson was in contact with was Officer 4 DPG. This contact consisted of one call of 35 seconds on 19th September and several text messages over both days.
- 5.65 **PC James Glanville**
On Thursday 31st January 2013 PC James Glanville was arrested on suspicion of committing the offences of Misconduct in a Public Office and Perverting the Course of Justice. His arrest came about as the result of the initial analysis of the mobile telephone records from The Sun Political Editor, Mr Tom Newton Dunn, which showed a series of contacts by text and voice calls between the two over several days. PC Glanville's locker and his home address were searched. His mobile phone and computers were seized and have been submitted for forensic examination. He was taken to Belgravia Police Station and was interviewed in the presence of his solicitor.

- 5.66 His interview spanned over five interview tapes and the following is a summary of the replies he made to the questions put to him.
- 5.67 PC Glanville explained that he was night duty on the 19th September 2012 when he became aware that there had been an incident involving Andrew Mitchell at Downing Street earlier on in the evening. He also found out then that Officer 13 DPG had been involved with a similar incident the day before with Mr Mitchell that he had reported.
- 5.68 PC Glanville stated that there was about six or seven officers in a writing room and they were all discussing what had happened. He said that PC Rowland and Officer 13 DPG were both present but he can not recall who else. PC Rowland was repeating what had happened to all those in the room. PC Glanville then went on to say that he was appalled by the way in which ministers treat police officers. He was very clear that he did not see an email, print any of or was handed any, in relation to the incident. Although he was aware that PC Rowland was at an 'Aware' terminal during the discussion but he was unable to see what he was writing or viewing.
- 5.69 Later that evening, he believed around 1am, he 'Googled' The Sun newspaper on his phone and rang their number and related to them the story regarding the events at Downing Street. The phone records for PC Glanville show that he actually called The Sun general number at 9.20pm. (Considering that PC Rowland's email was timed at 9:22pm, this reflects that PC Glanville contacted The Sun during or very shortly after the incident was being discussed by officers at Apex House.)
- 5.70 He finished duty and went home to sleep during the day, but when he woke up he found a missed call from Tom Newton Dunn, which he duly returned. He again recounted the incident to him and was asked a list of questions, in particular he remembered being asked if Mr Mitchell was drunk and did he call the officers 'Morons.' Tom Newton Dunn assured him that he had done the right thing. After this there was a series of phone calls between the two parties.
- 5.71 PC Glanville stated that he last had contact with Tom Newton Dunn on the 22nd September 2012, whilst driving to the airport alone to go on holiday with a friend. On this occasion he said that Tom Newton Dunn again reassured him that he had done the right thing and that he should buy the paper on Monday. During his time away in Sicily, PC Glanville used his friend's mobile phone to make calls home to his wife, as the call roaming facility on his own phone was not activated.
- 5.72 On his return to the UK the following week, he was surprised and shocked by the media interest, and became nervous. He had a further conversation with Tom Newton Dunn, and again he was reassured that he had done the right thing and that he had just confirmed what Tom Newton Dunn already knew.
- 5.73 PC Glanville emphatically denied taking any payment for the information he had provided to The Sun.

- 5.74 He went on to say that the interest in the incident began to dwindle and that he tried to put it all behind him, until the events in late December. When he along with all the DPG officers was asked to provide a statement, he began to panic and was in a *“terrible place”*. He considered approaching the federation but decided against it. After a few days of considering his options he provided a statement on the 22nd December 2012. He admitted that this was a false statement.
- 5.75 He was questioned further in relation to colleagues he had called, such as PC Gill Weatherley, and the nature of those conversations. He insisted throughout that he acted alone and that no other officer knew of his actions. He claimed that he was friendly with his team but does not socialise with them outside of work, but was probably closest to Officer 13 DPG, who has bought a car and a bike off him in the past.
- 5.76 He was also asked further questions regarding the email or log, at which point he requested a break and after further consultation he answered *‘no comment’* to any further questions.
- 5.77 Following the arrest of PC Gillian Weatherley, PC Glanville was re-interviewed at Belgravia Police Station on Monday 11th February 2013. He gave a prepared statement in relation to the email log and would not answer any further questions.
- 5.78 In his prepared statement he admitted that during his contact with Tom Newton Dunn on 20th September 2012, he was asked whether he had any paperwork to confirm what he *‘was saying in relation to Mitchell. I said that I did not. I rang Gill at 18:44 and I was asking if she was okay... During this conversation, I did ask her if there was any paperwork and asked her to send it to me to read. She then sent me a picture of a document describing the incident...I forwarded this on to Tom.’*
- 5.79 PC Glanville said that he *‘barely read’* the document and did not realise that it was PC Rowland’s *‘log.’* Because it was published in The Daily Telegraph and not The Sun, he did not believe that it was the same document that he had passed on. PC Glanville said that he regretted the amount of media interest that occurred but still believed that the public had a right to know how a senior politician was treating police officers in such a derogatory manner.
- 5.80 PC Glanville maintained that PC Weatherley was not aware that he was in contact with a reporter.
- 5.81 Supporting evidence
- 5.82 An examination of PC Glanville’s phone was carried out by the DPS High-Tech Crime Unit. Images of PC Rowland’s email were recovered and are evidenced.
- 5.83 PC Glanville’s computer was examined. Nothing relevant was found.
- 5.84 The telecommunications data in respect of PC Glanville was applied for. PC Glanville’s phone call to The Sun Helpdesk number at 9:20pm on 19th September 2012 was found. The call lasted for 712 seconds.

- 5.85 On 20th September 2012, PC Glanville had extensive contact with Tom Newton Dunn by text and voice call between 12:45pm and 10:32pm. Tom Newton Dunn called PC Glanville at 6:26pm in a call that lasted for 557 seconds. PC Glanville then called PC Weatherley at 6:44pm for 575 seconds and then Tom Newton Dunn made a second call to PC Glanville at 6:54pm which lasted for 296 seconds. PC Weatherley then sent PC Glanville a Multi Media Message (MMS) at 7:01pm. The contact between Tom Newton Dunn and PC Glanville after 7:01pm is by a series of text messages.
- 5.86 On 21st September 2012, Tom Newton Dunn called PC Glanville once only at 4:05pm. The call lasted for 554 seconds.
- 5.87 On 22nd September 2012, there were two calls between them of 19 seconds and 611 seconds.
- 5.88 Their contact over this three day period amounts to six voice calls and ten SMS messages.
- 5.89 There were no MMS messages sent between PC Glanville and Tom Newton Dunn.
- 5.90 The only DPG officers that PC Glanville had contact with were PC Gill Weatherley and Officer 13 DPG.
- 5.91 **PC Gillian Weatherley**
- On Friday 1st February 2013, contact was received from the management team at the DPG who stated that PC Gillian Weatherley wished to provide further information as a result of the arrest of PC Glanville. PC Weatherley was arrested and cautioned for Misconduct in a Public Office at 2:06pm to which she made no reply. She was taken to Belgravia Police Station and later interviewed, in the presence of her solicitor. Her locker and home address were searched and mobile phone and computer equipment seized.
- 5.92 PC Weatherley told the interviewing officers that she was contacted by PC Glanville, whilst he was at work and she was at home on the 20th September 2012 and they discussed the Downing Street incident. He wanted to know what had happened and what had been said, because everyone had been talking about it. The conversation, which lasted for 9 minutes and 58 seconds, moved on to the email and he asked to see it; she was reluctant but eventually agreed to send it to him but for his eyes only. She then sent it to him by picture text message.
- 5.93 PC Weatherley thought nothing of it as she trusted and respected him. She stated she had no idea that he was in contact with the press and had no idea that he was going to pass it on to anyone else. She said that she thought the idea of leaking to the press was disgusting and she would never have agreed to it.
- 5.94 When the email appeared in the press she didn't think it was linked to PC Glanville as she knew that several people had been seen the email and they or others could have leaked it.

- 5.95 On the evening of 31st January 2013 she received a call from Chief Superintendent Tarrant to inform her that an officer had been arrested, but he didn't name them. Again she didn't think anything of it until she received a text from retired Officer 1 DPG (who was on the gate at Downing Street with her on 19th September) he told her that it had been Jim (James Glanville) that had been arrested. It was only then that she realised the implications of her sending that picture text message. She considered calling Mr Tarrant that night but decided against it and contacted **Officer 17** Police a Federation representative.
- 5.96 She was adamant that she did not know that PC Glanville was in contact with any journalists and she certainly wouldn't have sent it had she known. She had not been offered or received any payments as a result of sending the picture text. She never discussed her conversations with PC Glanville with anyone else within the DPG, in particular PC Rowland.
- 5.97 In relation to PC Wallis, she didn't know him, but may have recognised him by sight, but had never worked with him, and had no idea that he had contacted his MP.
- 5.98 When challenged about the contents of her previous witness statement that refer to the emails not leaving her possession, she claimed that they hadn't physically done so and therefore she hadn't lied in her statement. It was pointed out that she had been aware of the extensive investigation into the leaking of the email and that this had also looked at the electronic trail and therefore her statement was inaccurate. She disagreed.
- 5.99 Examination of PC Weatherley's mobile phone showed that activity had been deleted around the date of the 19th September 2012. A comparison of billing records and messages found on her mobile phone was undertaken by an analyst. It was not possible to recover the image of the 'log' that she sent to PC Glanville, however her billing records show that she sent a Multi Media Message (MMS) to him at 7:01pm on 20th September 2012.
- 5.100 PC Weatherley was further interviewed at Belgravia Police Station on Thursday 18th April 2013. She was interviewed about the following activity found on her mobile phone.
- 5.101 On 21st September 2012 at 6:50pm, a text message was sent from PC Weatherley's mobile phone number to **Officer 18** that read, *'This will make you feel better, I'm the officer that stopped the chief whip leaving Downing St in Wednesday. He didn't swear at me but Toby that let him out the side gate. I could topple the Tory government x'* (SIC).
- 5.102 PC Weatherley explained that she had been friends with Officer 18 since they had joined the police service together over twenty years ago. She said that the reference to toppling the government was just banter between friends and that there was often banter between DPG officers in this vein as they regularly dealt with high profile individuals. (A statement was taken from the Officer 18 that confirmed their relationship and her knowledge of the texts.)

- 5.103 On 21st October 2012 at 6pm, a text message was sent from PC Weatherley's mobile phone number to 'Nick' that read, *'Not today but I'm at the front gates tomorrow so I still have time to bring the government down thanks for no graffiti'*.
- 5.104 PC Weatherley explained that 'Nick' was a neighbour of hers who had been doing some renovation work for her at her house. This text was part of a friendly conversation that was similar in nature to the one with Officer 17. PC Weatherley denied that these texts showed any sinister motive on her part in relation to her conduct under investigation.
- 5.105 On 21st September 2012 at 6:56pm, a text message was sent from PC Weatherley's mobile phone number to Officer 1 DPG that read, *'just spoke to [Officer 17] fed are not letting it go they feel he has lied about swearing at us. He needs us to write statements detailing what happened when Toby showed him out ie your comments about "he just swore at Toby" x'* (SIC).
- 5.106 PC Weatherley said that this text related to what she had been told by Officer 17, the DPG federation representative. She stated that they did not supply statements to him and as far as she was aware nothing was ever done.
- 5.107 On 22nd September 2012 at 1:26pm, a text message was sent from PC Weatherley's mobile phone number to an unknown number that read, *'the car was press, just had a sun reporter knock on my front door, shitting myself x'*
- 5.108 On 22nd September 2012 at 1:29pm, a text message was sent to PC Weatherley's mobile phone number from an unknown number that read, *'no way!! Well you know it's not me I dost know where you live!!'* (SIC)
- 5.109 PC Weatherley confirmed that these texts were part of a conversation with PC Glanville. She said that she had been talking to him whilst he was at the airport waiting for a plane, when a car had pulled up outside her house. She had rung off so that she could go and see who was in the car. When it transpired that the people in the car were journalists from The Sun, she had sent the first text to PC Glanville. He sent the second text in reply. She again denied that she was aware that PC Glanville was in contact with The Sun newspaper.
- 5.110 It was put to PC Weatherley that she had deleted texts from her mobile phone from around 19th September 2012 and she said that this was her cleaning her phone in a general sweep rather than just specific texts around this date, she denied that this was suspicious.
- 5.111 Supporting evidence
- 5.112 PC Weatherley's phone was examined. Recovered text messages were evidenced.
- 5.113 PC Weatherley's computer was examined. The text message which refers to toppling the government was also found on her computer.

- 5.114 The telecommunications data in respect of PC Weatherley was applied for. The telephone contact between PC Weatherley and PC Glanville over 19th-23rd September 2012 was evidenced. Apart from this, PC Weatherley had been in contact with PC Rowland, Officer 1 DPG, Officer 3 DPG and Officer 17. There was no evidence of direct contact with Tom Newton Dunn, The Sun or any other journalist.
- 5.115 **Mr Tom Newton Dunn**
Tom Newton Dunn is the Political Editor of The Sun Newspaper. He wrote a series of articles reporting the Downing Street incident involving Mr Mitchell, the first of which was published on Friday 21st September 2012. Tom Newton Dunn also sent a copy of an email purporting to be a copy of PC Rowland's report of the incident (passed to him by PC Glanville) to PC John Tully asking him to comment on its veracity.
- 5.116 Contact was made with Tom Newton Dunn through his solicitors and he made a prepared statement to this investigation.
- 5.117 In his statement, Tom Newton Dunn stated his views on the responsibilities of the press to publish such articles as he did in relation to Mr Mitchell and his professional obligation as a reporter in relation to his sources. He stated that, *'In my opinion this was an example of good faith whistle-blowing about misconduct by a senior politician which was rightfully exposed publicly.'*
- 5.118 Tom Newton Dunn refused to give any information at all which might identify his source but stated that neither PC Rowland nor PC Weatherley were the source of his information. He stated that no payment was made or offered in connection with his stories.
- 5.119 **Supporting evidence**
- 5.120 The telecommunications data in respect of Tom Newton Dunn was applied for and evidenced.
- 5.121 **Officer 15 DPG**
Whilst statements were being taken from the DPG officers. An officer who had already completed a statement came forward to say that the statement he had submitted was not entirely accurate and that he wished to be interviewed. **Officer 15** DPG was interviewed under caution on Sunday 23rd December 2012. Officer 15 DPG seemed largely uncertain about events. It appeared he was under considerable stress and at the time of interview was short of sleep.

- 5.122 In summary, he stated that on 19th September 2012 he had been on a static post on an Embassy with **Officer 16 DPG**, when they had been told about the '*Plebgate*' incident by an officer from Apex House who had relieved them at their post. They had then resumed a mobile patrol and passed on their knowledge to other officers at the Saudi and American Embassies and at a post in Connaught Square. At the American Embassy an officer of Asian appearance (PC Wallis is also of Asian appearance) said to them that he was so disgusted by the incident that he was going to write to his MP and say that he and his nephew had witnessed the altercation. Enquiries were made to locate the officers on these posts on the evening of 19th September 2012. There were ten officers, all of whom had previously provided statements, who were re-interviewed. None of them recalled having a conversation with Officer 15 DPG or Officer 16 DPG. However, it was confirmed that PC Wallis was not on duty at any of these posts. Officer 15 DPG also stated that Officer 16 DPG said several times that he was going to contact The Sun Newspaper.
- 5.123 Officer 15 DPG admitted to having some contact with the BBC over the incident but was extremely vague about what this contact was. He indicated that it was some sort of '*blog*' comments but also stated that he had an email back from the BBC saying that they would not use his information.
- 5.124 Officer 15 DPG's phone and computer were examined and no evidence of any contact with the BBC or the press was found.
- 5.125 Officer 15 DPG attended the DPS offices on Tuesday 23rd April 2013 with his solicitor and Federation Rep for a further interview. However due to a fit note from his GP, he was examined at length by a police Forensic Medical Examiner (FME). The FME deemed him unfit for interview at this time and was unable to give any sort of time frame as to when he would be fit.
- 5.126 Supporting evidence
- 5.127 The telecommunications data in respect of Officer 15 DPG was applied for and exhibited. The only DPG officer that Officer 15 DPG had been in contact with by phone was Officer 16 DPG. There was no contact with PC Rowland, PC Glanville, PC Weatherley or any other Downing Street officer. There was no evidence of contact between Officer 15 DPG and Tom Newton Dunn, The Sun or any other member of the press who featured in this investigation.
- 5.128 **Officer 16 DPG**
- Officer 16 DPG was interviewed under caution on Monday 24th December 2012. He denied any contact with the media over the incident, denied saying that he would contact The Sun but admitted that he may have made a throwaway comment such as, '*I'm going to contact my informant at Channel 4.*' Officer 16 DPG denied having had any contact with the press and did not recall having any conversations with other officers on the evening of the 19th, as reported by Officer 15 DPG. Officer 16 DPG's phone and computer were examined and no evidence of any contact with The Sun or the press was found.

5.129 Supporting evidence

5.130 The telecommunications data in respect of Officer 16 DPG was applied for and exhibited. The only DPG officer that Officer 16 DPG had been in contact with by phone was Officer 15 DPG. There was no evidence of contact with PC Rowland, PC Glanville, PC Weatherley or any other Downing Street officer. There was no evidence of contact between Officer 16 DPG and Tom Newton Dunn, The Sun or any other member of the press who featured in this investigation.

5.131 Summary of exhibits

The personal computers and mobile phones have been seized from all of those persons who have been interviewed criminally, i.e. PC Wallis, PC Johnson, Member of Public 2, PC Glanville, PC Weatherley, Officer 15 DPG and Officer 16 DPG.

5.132 The MPS AWARE systems for all officers have been viewed and nothing of evidential value was found.

5.133 Telecommunications Evidence

MPS Staff 1 has carried out an analysis of the communications data in this case and has produced a detailed statement relating to telephone contact between persons of interest to this investigation.

5.134 Financial Enquiries

Enquiries into the financial status of PC Keith Wallis, PC Gillian Weatherley and PC James Glanville did not reveal any suspicious third party payments.

5.135 The evidence detailed above was submitted in a report to the Crown Prosecution Service on the 28th March 2013 and subsequently the 30th April 2013.

6 Further information received 21st May 2013

6.1 On Tuesday 21st May 2013, **The Rt Hon David Davis MP** wrote to **Ms Deborah Glass, Deputy Chair of the Independent Police Complaints Commission**. In his letter, he quoted from a legal document originating from The Sun newspaper which had been lodged at court in defence of the civil case being brought against them by The Rt Hon Andrew Mitchell MP. This letter was passed to the MPS on 4th June 2013. (Mr Mitchell declined to provide police with a copy of The Sun Newspapers' defence statement which necessitated a request by the MPS to the High Court for disclosure of the document.)

6.2 The quote read as follows:

*'The second caller spoke to another reporter, **Vince Soodin**, between 0800 and 0845 on 20 September 2012. She described herself as a tourist. She did not seek nor was she offered payment. She did not leave a name or number but described how she had been at Downing Street the previous night and had heard the Claimant saying to police officers, 'You're fucking morons - you think you run the country, well you don't.'*

- 6.3 Mr Davis went on to surmise that the '*female tourist*' was actually a police officer or someone put up to it by a police officer and that the information provided was false.
- 6.4 As a result of this information from the IPCC, an application was made for records of incoming calls to The Sun news desk number (020 7782 4100) for the period 7:30am-9am. This application produced five telephone numbers, all of which were researched for connections with the MPS. One number was identified as the switchboard number for **Hinchingbrooke Hospital in Cambridgeshire**. It was established that Officer 15 DPG's wife Member of Public 3, was employed at that hospital.
- 6.5 **Arrests**
Officer 15 DPG was arrested for the offence of Misconduct in a Public Office at 9:07am on Saturday 15th June 2013 in Gravesend, Kent. Whilst in custody at Ebbsfleet Police Station, Officer 15 DPG was seen by healthcare professionals and deemed unfit to be interviewed.
- 6.6 **Member of Public 3** was arrested for assisting an offender at 7:36am. She was taken to Huntingdon Police Station in Cambridgeshire and interviewed.
- 6.7 **Interview - Officer 15 DPG**
Officer 15 DPG was previously interviewed under caution as part of this investigation on Sunday 23rd December 2012. (See paras 5.121 - 5.125) He is one of the few people in the whole enquiry to use the word 'Morons', which is quoted in The Sun newspaper article
- 6.8 **Interview - Member of Public 3**
Member of Public 3 was interviewed at Huntingdon Police Station. Member of Public 3 was asked if she had made the call to The Sun on the morning of the 20th December 2012. She denied making the call.
- 6.9 **Statement of Member of Public 4**
Member of Public 4 is the associate director of IT at Hinchingbrooke Health Care Trust and is responsible for IT issues including the hospital telephone system. He recalled in his statement that on the 23rd September 2012, the hospital moved from an analogue telephone system maintained by Siemens to a digital system maintained by Cisco. However, he was able to find on tape the telephone data from 20th September 2012. The data was searched and a telephone call to the number 0207 782 4100 was found on the file. This call was the 2020th call of the day, which Member of Public 4 believed would have been made before 9am. Member of Public 4 believed the retrieved data would show the extension in the hospital from which the call was made but he was no longer able to interpret the data. Member of Public 4 copied the data to a USB stick which he produced as an exhibit.
- 6.10 **Telephone System**
Enquiries were made with Siemens in order to identify from the data on the exhibit, which extension within the hospital the call to The Sun was made from. Siemens were unable to assist but the extension was later identified by **Member of Public 5** from Hinchingbrooke Hospital.

6.11 Phone Records

Phone work and cell site analysis in relation to Member of Public 3's phones was undertaken and evidenced.

6.12 Officer 19 DPG

Following a review of data retrieved from mobile phones seized during this investigation, it became apparent that **Officer 19 DPG** had sent an image to PC Keith Wallis and others via a mobile phone application called Whats App. The image was of the front page of The Sun Newspaper from Friday 21st September 2012, showing the headline coverage of the incident involving Andrew Mitchell MP. It was sent at 3:40am on Friday 21st September, when Officer 19 DPG was on duty deployed on a hospital guard.

6.13 On Wednesday 19th September 2012, Officer 19 DPG was on duty at Downing Street from 6am - 4pm and on Thursday 20th September 2012 he was on duty again at Downing Street from 6pm - 4am. On Friday 21st September 2012, he was on duty on a hospital guard from 8pm - 7am.

6.14 Officer 19 DPG completed a statement for the Op Alice enquiry on 19th December 2012. Significantly, he stated that he had first become aware of the incident involving Andrew Mitchell when he was at home with his family. He admitted that he knew PC Keith Wallis but said, *'I have not spoken to Keith since leaving the North sector office in March 2012.'*

6.15 Completed phone billing work identified that Officer 19 DPG exchanged up to fifty text messages with PC Wallis between 21st September 2012 and 13th December 2012.

6.16 On Tuesday 25th June 2013, Officer 19 DPG was interviewed under criminal caution at the DPS offices, Empress State Building.

6.17 Officer 19 DPG stated that he did not wish to add or alter anything in relation to his statement dated the 19th December 2012. He confirmed his phone number on the Orange network.

6.18 He stated that he worked with PC Keith Wallis at the beginning of 2012 while Officer 19 DPG was on recuperative duties. He stated that PC Wallis was a work colleague and not a friend and that they have not spoken since he left the desk. He denied having knowledge of the incident at Downing Street until the press reported it. He stated that he sent the pictures of The Sun out to several people within the DPG as *'gossip'*. He stated that PC Wallis was one of many that he sent it to, but can't remember who exactly.

6.19 When presented with the record of text messages he had exchanged with PC Wallis he stated that he was surprised with this figure and couldn't account for any of them.

6.20 He was asked if he thought his statement had been accurate when he stated that he hadn't spoken to PC Wallis since March but had been making contact via SMS and Whats App. He stated that he thought communication was only by the spoken word and no other way. When challenged, he stuck to his belief that he was not being ambiguous and had answered what had been asked of him.

- 6.21 It was pointed out that only six days prior to his statement he texted PC Wallis. Officer 19 DPG was questioned about whether he declined to disclose these texts because PC Wallis was 'toxic' at the time; he stated that was not the case and he was being honest throughout.
- 6.22 Officer 19 DPG denied stretching the truth and claims that any contact with PC Wallis was innocent and not relating to the Downing Street incident.
- 6.23 The file of evidence relating to Operation Alice was submitted to the Crown Prosecution Service on 27th June 2013.

7 Further evidence received Tuesday 2nd July 2013

- 7.1 On Tuesday 2nd July 2013 further evidence was obtained from Hinchingsbrooke Hospital that the telephone extension used to call 'The Sun' newspaper on Thursday 20th September 2012 emanated from the office of **Member of Public 6**, a Medical Nurse. Enquiries linked Member of Public 6 to PC Susie Johnson. PC Johnson had been previously interviewed in relation to her involvement in this matter.
- 7.2 On Wednesday 3rd July 2013 at 10:50am PC Johnson was arrested at Buckingham Gate police offices on suspicion of Misconduct in a Public Office, contrary to Common Law. One mobile telephone in her possession was seized.
- 7.3 The same day at 11:23am, Member of Public 6 was arrested at Hinchingsbrooke Hospital on suspicion of Intentionally encouraging or assisting an offence contrary to Section 46 Serious Crime Act 2007. One mobile telephone in her possession was seized as well as a USB stick and a work laptop computer. It was noted that Member of Public 6 worked alone and was allocated her own office, which was locked each evening. She had sole access to the telephone in the office.
- 7.4 The home address of PC Johnson and Member of Public 6 was searched and two laptop computers and a computer hard-drive were seized from there.
- 7.5 **Interview of PC Susie Johnson**
- PC Johnson was previously interviewed under caution as part of this investigation on Tuesday 23rd December 2012. (See paras 5.56 - 5.61)
- 7.6 After her arrest, PC Johnson was taken to Belgravia Police Station. Following disclosure she was interviewed under criminal caution. She gave a prepared statement in which she denied any wrongdoing and claimed to have no knowledge of any female contacting 'The Sun' in relation to the Andrew Mitchell incident. PC Johnson subsequently refused to answer any questions put to her.
- 7.7 **Interview of Member of Public 6**
- Member of Public 6 was taken to Thornbrooke Police Station in Cambridgeshire. Following disclosure she was interviewed under caution and made no comment to all questions put to her.

7.8 **Interview of Officer 4 DPG**

Officer 4 DPG was on duty at Downing Street at the time of the incident with Mr Mitchell.

7.9 Following a review of telephone data retrieved from mobile phones seized during this investigation, it became apparent that Officer 4 DPG had been in contact with PC Susie Johnson on the 19th and 20th September 2012.

7.10 Officer 4 DPG completed two previous statements for this enquiry. He did not mention any communication with PC Johnson.

7.11 On Wednesday 31st July 2013, Officer 4 DPG was interviewed under criminal caution at the DPS offices, Empress State Building. He stated that PC Johnson was a work colleague and that they worked in the same office and had the same supervising Sergeant (PS Norton). Officer 4 DPG said that he had PS Norton's number now but was not sure if he had it at the time of the incident. Officer 4 DPG said that PC Johnson was the sort of person that you would call for information and didn't recall definitely but imagines that he would have told her what happened.

7.12 Officer 4 DPG said that because of a previous incident, PS Norton had asked to be informed of any incident that happened at Downing Street at any time.

7.13 Officer 4 DPG denied being in contact with the press other than in the normal course of his duty at Downing Street and denied any knowledge of PC Johnson or anyone else being so. He also maintained he had no knowledge of PC Keith Wallis.

7.14 **Statement of DC Laura Nelson**

Detective Constable Nelson, of Operation Alice, explained the layout of Member of Public 6's office and her being the sole user and detailed her arrest and seizure of exhibits.

7.15 **Statement of Member of Public 5**

Member of Public 5 completed a statement that explained the interpretation of the technical data that locates the extension number of call the call to The Sun (01480 *****). He produced a printout of the data as an exhibit.

7.16 **Phone Records**

Relevant call data was obtained.

7.17 **Forensic Examinations**

TPR/29

Iphone 4 owned by PC Susie Johnson. The examination of this handset and found that PC Johnson had listed Member of Public 6 as an abbreviation; the following number was stored within the contact:

Work hunt x ****	01480 *****
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- 7.18 There were no relevant text messages found, there was one relevant call. On Thursday 20th September 2012 at 8:20 am (UTC), the handset attributed to PC Johnson called the landline attributed to Member of Public 6 at her place of work, the call is detailed below:-

Date	Type	Time	Recipient	Length of call
20/09/2012	Outgoing Voice	08:20:00	01480 *** **	00:06:35

- 7.19 No link to Officer 15 DPG or his wife Member of Public 3 was found on the handset.

7.20 LAN/030713/1

Iphone 4 belonging to Member of Public 6. The text messages listed below were retrieved. Nothing further of interest was found.

Date	Type	Time	Contact Name	Contact Number	Content
17/10/12	SMS Incoming	17:02:54	Mum	+447554*** ***	'Just listening 2 news the andrew Mitchell business hasnt gone away yet still calling 4 him 2 go.'
17/10/12	SMS Outgoing	17:04:08	Mum	+447554*** ***	'Funny that cos put news on just as Susie text say she might be on.'
17/10/12	SMS Incoming	17:04:47	Mum	+447554*** ***	'On which channel.'
17/10/12	SMS Outgoing	17:07:21	Mum	+447554*** ***	'Not sure have bbc on but just been Downing Street so don't think go back so probably not on.'

7.21 RJG/4

A Toshiba Laptop taken from the home address of PC Johnson and Member of Public 6. No relevant evidence found other than general comments and searches on the Downing Street incident.

7.22 RJG/5

A Dell Laptop taken from the home address of PC Johnson and Member of Public 6.

In the "Parsed search queries" of the results following information found with an associated date with it as follows:

- Andrew Mitchell 20/09/2012.
- The Sun 20/09/2012.
- Michael Crick 13/12/12.
- Sue Gray, Downing Street 11/10/12
- Steve Bach, Downing Street 14/12/12

7.23 In the "Browser Activity" results information found referenced as follows:
Sun.com. (this had no date attached).

7.24 In the "Chrome Cashe Records" results the following photographs were located with an attached date:

- Andrew Mitchell on the 13/12/12, and
- Michael Crick on the 13/12/12.

7.25 In the "Chrome/360 safe Browser carved" results the following dated information was found:

- Michael Crick 13/12/2012.

7.26 In the "Safari History" the following referenced information was located:

- Sue Gray Downing Street
- Steve Bach Downing Street photographer

7.27 In the "Safari history carved" the following referenced information was located:

- The sun.co.uk (no date)
- The sun.co.uk 20/09/2012 21:35:33
- The sun.co.uk 20/09/2012 21:37:56

7.28 Further searches on the following key words linked to the investigation that hadn't appeared in previous search showed the following results:

- Andrew Mitchell (Same material identified as outlined above)
- Michael Crick (same material identified as outlined above)
- Pleb/ plebgate (appears to be data linked to the stories)
- Keith Wallis (appears to be contact information dated 11/05/2012 and modified on the 27/09/2012)
- Officer 15 DPG (No results)

7.29 FTK software - Located in the graphics section a photograph of Andrew Mitchell and numerous photographs of Michael Crick. In the index search section of this software the following references which had the results:

- Mitchell/Andrew Mitchell (52 hits),
- Crick/Michael Crick (866 hits),
- Keith Wallis (52 hits)
- Pleb/ plebgate (2 hits)
- Officer 15 DPG (no hits)

7.30 The following information was extracted from what was found from the search on "Andrew Mitchell", as follows:

- *"Telegraph Paper is saying speculation that Andrew Mitchell will resign or b sacked watch this space" (with reply)*
- *"Yes press were camped out yesterday down there! Don't mess with the DPG! Hahaha!"*

7.31 The following extract was also located with a large body of information in this RJG/5 exhibit:

- *"2012 is Mitchell being pushed out by his colleagues? As impact of 'Plebgate' lingers at the conservative party conference, rumours sweep the conference hall that the chief whip Andrew Mitchell is about to resign"*

This last extract was also located within a large body of information:

- <http://www.thesun.co.uk/sol/homepage/news/politics/4549265/Andrew-Mitchell-insults-police-at-Downing-Street-by-calling-them-fing-Plebs.html.thesun.co.uk>

7.32 RJG/6

Mac Hard Drive from the home address of PC Johnson and Member of Public 6. Examined by DC Hyde of the DPS HTCU. Nothing of relevance found.

7.33 SED/310713/001

Iphone belonging to Officer 4 DPG. Initial viewing for SMS messages on 19 - 20th September 2012. On both dates the search tools identified only text messages between Officer 4 DPG and his partner. None identified between Officer 4 DPG and PC Johnson. The data stored within the handset predated the 19th September 2012, it was concluded that these text messages had been deleted from the handset.

Relevant text SMS message documented between 19 - 20th September 2012:

Date	Type	Time	Contact Name	Contact Number	Content
19/09/12	SMS Outgoing	19:11:26	Emma	+447854* *****	Sorting out what could turn into major prob lol not for me though x
19/09/12	SMS Incoming	19:26:34	Emma	+447854* *****	Ok I'll leave you to it lol x
19/09/12	SMS Outgoing	20:07:02	Emma	+447854* *****	Done what I can't do now so it's up to segts to sort out in the morning lol x
20/09/12	SMS Outgoing	22:10:26	Emma	+447854* *****	<p>One of the cabinet government ministers that I've had a run in with before got ump with being told to use pedestrian gate with his pedal cycle, told one of our guys 'you don't run the country we do your all a punch of fucking Plebs</p> <p>In front of a load of public, the officer warned him if he swears again he will nick him!</p> <p>I've been told by Friend in the press office of number 10 it will be on front pages unless they can block and might have to resign lol x</p>



7.34 A file of evidence was submitted to the CPS on 5th August 2013.

8 Further information received in July 2013 from Mr Andrew Mitchell and Mr David Davis

- 8.1 On 4th July 2013, **Detective Superintendent Steve Williams**, Senior Investigating Officer of Operation Alice, phoned Andrew Mitchell MP in response to an email. Mr. Mitchell asked if all the police officers arrested were police constables. Mr Mitchell intimated that they may have a police whistle blower. He said it may be *'tittle tattle'* and he would pass it on once he got to the bottom of it. There then followed an exchange of emails and letters in order to fix an appointment to discuss this possible new information.
- 8.2 Mr David Davis contacted **Deputy Assistant Commissioner Gallan** on 15th July 2013 requesting a meeting with police but declined to state the nature of the meeting. After two days, clarification was obtained that Mr Davis had, he believed, new information. On 23rd July 2013, officers from the DPS met with Mr David Davis, who explained that lawyers acting for Mr Mitchell had gained information from a middle ranking police officer who had heard from a senior police officer that an officer who worked 'at the house,' had reportedly said that after the incident on the 18th September 2012 that, 'we can stitch him up and bring down the government.'
- 8.3 On 9th September 2013, Mr Davis wrote a letter titled, '*Statement by Rt Hon David Davis PC MP.*' In this letter, Mr Davis that he had met with an officer who told him that Sergeant Norton was the officer who said that '*we can stitch him up*' and that Sergeant Norton arranged for the word '*plebs*' to be inserted into PC Rowland's account and for '*bogus corroborations.*' Mr Davis was asked to identify this officer but has refused to do so. Mr Davis's information was assessed and submitted as an intelligence record.
- 8.4 It was decided to review information provided by the Rt Hon David Davis MP. Specifically to establish the veracity of the following points which Mr Davis had alleged in his letters to the MPS:
1. *The genesis of the Downing Street incident was on the night before the now infamous exchange. On that night Mr Mitchell also insisted on being let through the main gate. Following this a Sergeant Norton, who I understand was the Downing Street Liaison Officer at the time, said to the other officers, 'Right, we can stitch him up.'*
 2. *The next evening, after the incident, I am told that PC Toby Rowland's account did not contain any reference to 'plebs.' That was added in by Sergeant Norton, it is said. It would appear that it was Sergeant Norton who orchestrated the bogus 'corroborations.' (There are a number of circumstantial matters - common use of language, references to Mr Mitchell's 'difficult day' which reflected a conversation between Mr Mitchell and Sergeant Norton - which add plausibility to Sergeant Norton being at the centre of the conspiracy.)*
 3. *I note that Sergeant Norton was transferred from his post shortly after the incident.*

8.5 **Summary**

On Tuesday 18th September 2012 at about 6:30pm, there was an incident at the gates of Downing Street where Andrew Mitchell MP was initially refused permission to exit through the main gates on his pedal cycle. The officers relented and Mr Mitchell was allowed through the gates. The incident was reported on email to Officer 12 DPG (The Government Security Zone Sector Inspector) by Officer 13 DPG and in a separate email to his reporting Sergeant, **Officer 20 DPG**.

8.6 The following evening, on Wednesday 19th September 2012 at 7.35pm, there was another incident at the gates of Downing Street between Mr Mitchell and the officers on duty, PC Toby Rowland, PC Gillian Weatherley, Officer 1 DPG and Officer 2 DPG . PC Rowland reported in his pocket book and an email that Mr Mitchell had said to him, '*Best you learn your fucking place. You don't run this fucking government. You're fucking plebs.*' Mr Mitchell says he muttered, '*I thought you guys were supposed to fucking help us.*' PC Rowland's assertion that he then warned Mr Mitchell under the Public Order Act is accepted by Mr Mitchell and was partially overheard by Officer 1 DPG (now retired) and PC Weatherley. The disputed dialogue between Mr Mitchell and PC Rowland was not overheard by PC Weatherley or Officer 1 DPG or Officer 2 DPG. Mr. Mitchell left the scene after adding that he would take the matter further.

8.7 PC Rowland stated that he telephoned Officer 3 DPG and made his initial notes of Mr Mitchell's comments in the police box at Downing Street after confirming Mr Mitchell's identity but was not sure in which order he did this. He also said that they were relieved on post at 8:10pm and they returned to Apex House by bus. He completed his notes of the whole incident and his email 'log' there. His email was sent at 9:22pm.

8.8 Officer 3 DPG confirmed that he received a phone call from PC Rowland between 7pm and 8pm and that PC Rowland told him he had given Mr Mitchell a public order warning after he had sworn at him and called him a '*fucking pleb*'. PC Rowland's telephone call records for that evening show that at 7:37 pm - PC Rowland called the number for the Base Sergeant at Apex House. The call lasted for 3 minutes 41 seconds.

8.9 Telephone call records show that PS Jon Norton was contacted and informed of the incident by Officer 4 DPG by text between 8:10pm and 8:21pm and by voice call at 8:26pm. Officer 4 DPG was on duty at Downing Street at the time of the incident. Officer 4 DPG remained on post until 10pm. Officer 4 DPG also had contact with PC Susie Johnson prior to speaking to PS Norton to obtain PS Norton's number, and again after speaking with PS Norton. Telephone records also show that PS Norton did not have direct contact with PC Rowland until 7:17pm on 20th September 2012.

- 8.10 On Thursday 20th September 2012, PS Norton went with Chris Martin (the Prime Minister's Principal Private Secretary) to meet Mr Mitchell at Downing Street in order that he could apologise for his alleged behaviour during the incident with PC Rowland. During the meeting he apparently used phrases such as him having *'a bad, stressful or difficult day.'* It was alleged that similar phrases used by PC Keith Wallis in an email sent to John Randall MP on the evening of 20th September 2012 were as a result of PS Norton's *'orchestration' of a conspiracy to stitch Mr Mitchell up.'*
- 8.11 **Correspondence from Rt Hon David Davis MP**
On 2nd September 2013, Mr Davis wrote to the Director of Public Prosecutions, **Mr Keir Starmer**. In that letter he stated that he had been introduced by *'a lawyer involved in the Mitchell case to a middle ranking police officer who had approached them on a privileged basis. This officer said that they had heard an account of the incident from their senior officer that differed somewhat from that in the public domain.'*
- 8.12 According to this officer, following a similar incident involving Mr Mitchell on 18th September 2012, Sergeant Norton said to other officers, *"Right, we can stitch him up."*
- 8.13 The next evening following the incident with PC Rowland, Mr Davis said he was told that PC Rowland's account did not include any reference to 'plebs. *'This was added in by PS Norton and it would appear that he also arranged bogus 'corroborations.'*
- 8.14 Mr Davis highlighted *'a number of circumstantial matters - common use of language, references to Mr Mitchell's "difficult day" which reflected a conversation between Mr Mitchell and PS Norton - which added plausibility to PS Norton being at the centre of the conspiracy.'*
- 8.15 Mr Davis noted that PS Norton was transferred from his post shortly after the incident.
- 8.16 Following this letter being passed to this investigation, Mr Davis was asked to provide a statement in respect of the above information and also disclose the identity of the officer he had met. Mr Davis refused to identify the officer and then wrote a letter titled *'Statement by Rt Hon David Davis PC MP.'* He detailed the information given to DCI Neligan, Deputy Senior Investigating Officer for Operation Alice, on 23rd July 2013 however he also said that he had agreed to meet the officer on the basis that he was not told their name and that their information would be protected as privileged information. He also said that the lawyer had given him permission to discuss this.
- 8.17 Apparent differences in the information that Mr Davis provided were pointed out to him, he disagreed that there were any differences. However, Mr Davis agreed that the information was 'second or third hand' and he was *'unsure of its reliability.'*

8.18 **Statement of DCI Tim Neligan**

On the morning of 23rd July 2013, Mr Neligan met with David Davis MP in order to discuss some information in relation to the Operation Alice investigation. Mr Davis said that he had received information from a lawyer who was acting for Mr Mitchell in his civil action against The Sun Newspaper. The lawyer did not want the information to be passed on to the police and was unaware that Mr Davis was doing so.

8.19 Mr Davis went on to say that he was told by the lawyer that a 'middle ranking police officer' had spoken to him and stated that he was told by a '*senior police officer*' that the start of this matter was in relation to an incident between Mr Mitchell and the police at the gates on the night before the 19th September. Mr Davis said that Mr Mitchell was not aware of what that incident was about. Mr Davis stated that the police officer said there was an officer that '*worked at the house*' who said: '*we can stitch him up*'. Mr Davis took '*the house*' to mean No10 and that the officer may be Sergeant Jon Norton. Mr Davis said that the information was provided by the police officer to the lawyer on 'a privileged basis'. Mr Davis stated that he did not know the identity or rank of either the '*middle ranking officer*' or the '*senior officer*'.

8.20 **Statement of DI Emma White**

DI White accompanied DCI Neligan to meet with Mr Davis and provided a statement that corroborates the one outlined above. DI White also stated that Mr Davis felt the officer '*at the house*' may be Sergeant Norton because he was the officer that Mr Mitchell had apologised to in lieu of PC Rowland and that during their meeting Mr Mitchell had told PS Norton that he had been under pressure and had had a difficult day and that this phrase or something similar had appeared in an email sent by PC Keith Wallis to John Randall MP. Mr Davis therefore assumed that PS Norton had passed this information to PC Wallis.

8.21 Mr Davis also said that the officer that provided this information had not witnessed the incident and neither had the senior police officer who had told him. At no time during the meeting did Mr Davis make mention that PS Norton had told or persuaded PC Rowland to use the word "*pleb*". Mr Davis was asked about the source of this information; however he was unable to provide any further details, such as where or when this was said, or who was present when it was said. He was unable to explain what he meant by the terms '*middle ranking*' or '*senior police officer*'. DI White subsequently submitted an intelligence report.

8.22 **Statements of PS Jon Norton**

Sergeant Norton completed five witness statements during the course of this enquiry. In his statements, he detailed when he had received emails from PC Rowland and **Officer 21 DPG** and Officer 13 DPG and what he did with those emails. He also detailed meetings that he had at Downing Street with Civil Servant 1 and Chris Martin (Prime Minister's Principal Private Secretary) on 20th September 2012 and what he told them.

- 8.23 PS Norton also completed a more detailed statement in which he said that he had been at home on 19th September 2012, when he received a phone call from Officer 4 DPG at about 8:10pm. Officer 4 DPG told him about the incident involving Andrew Mitchell MP, that Mr Mitchell had sworn at PC Rowland after being denied egress from Downing Street and that PC Rowland had threatened to arrest him for a public order offence. PS Norton said that he was not made aware of the specifics of the conversation between PC Rowland and Mr Mitchell. PS Norton rang Civil Servant 1 after this call to tell her of the incident but did not give her the specific language used until the following morning.
- 8.24 PS Norton completed two more statements. The first related to the cycle policy for Downing Street and previous historical incidents involving police officers and Mr Mitchell. The second statement detailed a meeting with Andrew Mitchell on the afternoon of 20th September 2012 at about 2:30pm. Mr Mitchell was keen to speak with PC Rowland in person but because he wasn't on duty this did not happen until the following day. Mr Mitchell denied using the words that had been attributed to him and said he had used words similar to, *'You're supposed to be here to fucking help us.'* He also said that he was not looking to take any action against any officer. PS Norton pointed out that the officers had complied with the cycle policy, at which Mr Mitchell said he would revisit the policy in the future as he wished to cycle out through the main gates and that he had been allowed to use the main gates the previous day.
- 8.25 **Statement of Officer 13 DPG**
- Officer 13 DPG completed a statement with regard to the incident with Andrew Mitchell on 18th September 2012. Officer 13 DPG says that he was on post on the inside of the vehicle gates at Downing Street when Mr Mitchell cycled up to the inside. Officer 13 DPG asked him to leave by the side pedestrian gate. Mr Mitchell said, *'I am the government chief whip and I will be leaving by these gates. I have been in and out of these gates three times today and I will be leaving this way, thank you.'* **Officer 22 DPG** then commented that it would be easier to let him through and the gates were opened for Mr Mitchell. At 12:48am Officer 13 DPG sent an email about the incident to Officer 12 DPG and later to Officer 17 DPG.
- 8.26 At about 8:20pm the following evening, Officer 13 DPG was at Apex House when he was informed by PC Toby Rowland that he had also just had an incident with Mr Mitchell. Officer 13 DPG recounted the details of his incident and forwarded his email to PC Rowland, Officer 1 DPG and Officer 21 DPG at 8:45pm. The tracking of Officer 13 DPG's email shows that PC Rowland did it until 9:23pm, which was after he had sent his email regarding the incident that night. PC Rowland sent him an email about his incident on the 19th September 2012.

8.27 **Statement of Officer 23 DPG**

Officer 23 DPG was posted to the area in between No 10 Downing Street and the front gate and was relieved of his duty at 8pm. At 7:50pm, Officer 23 DPG swapped his posting with PC Gillian Weatherley who had previously been positioned at the front gate. Officer 23 DPG was now posted alongside Officer 2 DPG and PC Toby Rowland. He recalled a conversation about what had happened and says *'I can't remember the exact words of what was said but it was explained in a round about way there had been a verbal exchange between PC Rowland and Andrew Mitchell at the gate of Downing Street and that he had sworn and called him a pleb. He then rode out of the side gate.'*

8.28 **Statement of Officer 24 DPG**

Officer 24 DPG was posted to the search point from 8:15am to 8:15pm and he confirmed that he was on the same bus as PC Rowland on the way back to Apex House along with Officer 1 DPG, Officer 2 DPG and PC Weatherley. He stated that it became apparent that there had been an incident involving Andrew Mitchell *'and that he had tried to get out of the vehicle gate and was refused exit and he called PC Toby Rowland a fucking pleb.'*

8.29 **Statement of Officer 25 DPG**

At around 8.15pm **Officer 25 DPG** was in the base room at Apex House when he heard PC Toby Rowland and PC Gill Weatherley speaking to Officer 3 DPG about the incident with Andrew Mitchell. He heard PC Rowland say that Mr Mitchell had called them *'fucking plebs.'*

8.30 **Statement of Officer 21 DPG**

Officer 21 DPG was the duty Inspector at the time of the incident on 19th September 2012. At around 8pm, Officer 21 DPG was phoned by Officer 3 DPG who explained that PC Toby Rowland had been called a *'fucking pleb'* by Mr Mitchell during an incident at Downing Street. PC Rowland called Officer 21 DPG between 8pm and 9pm and gave him a more detailed account. PC Rowland also sent him an email at 9.22pm which he read at about 10:15pm. Officer 21 DPG forwarded the email to **Chief Inspectors Barrett and Connors** of the DPG, Officer 12 DPG and PS Norton.

8.31 **Statement of Officer 12 DPG**

Officer 12 DPG was the Government Security Zone Inspector at the time of the incident with Mr Mitchell. Officer 12 DPG was annual leave on the 19th and 20th September 2012 (confirmed by duty states) so only became aware of the incident with Mr Mitchell when he read his emails on Friday 21st September 2012. He received an email on the matter from at least four individuals, one of whom was PC Rowland. Officer 12 DPG spoke to PS Norton who confirmed that he had liaised with Downing Street and that the matter had been resolved. Officer 12 DPG states that he did not speak directly to PC Wallis about this matter but that there was *'a considerable amount of office banter'*, where they both worked, around the date of the incident.

8.32 **Statement of Civil Servant 4**

Civil Servant 4 is the Security Operations Manager at Downing Street. Civil Servant 4 recalled that he first became aware of the incident involving Andrew Mitchell when he received a phone call from PS Norton at about 8:30pm (Billing shows calls from police hut in Downing Street at 8:42pm and 8:59pm) on 19th September 2012. Civil Servant 4 said that PS Norton told him that Mr Mitchell had called an officer a pleb and sworn at him. The officer had threatened to arrest Mr Mitchell.

8.33 **Statement of Civil Servant 1**

Civil Servant 1 is the Head of Security and Business Continuity at Downing Street. Civil Servant 1 said that she spoke to PS Norton by phone at about 8:15pm (Billing shows calls from police hut in Downing Street at 8:42pm and 8:59pm) on the 19th September 2012 and he told her that Mr Mitchell had used offensive language to an officer who gave him a warning under the Public Order Act. The officer was going to write an email about what had happened before the end of his shift. PS Norton agreed to contact Civil Servant 1 with further details the following morning. Civil Servant 1 in turn informed Chris Martin as above and said that she did not know any further details. She agreed to update him after PS Norton had called her in the morning.

8.34 Civil Servant 1 received a further call from PS Norton at 8:10am the following morning. During the call, PS Norton relayed the content of the police officer's email. Civil Servant 1 asked PS Norton what language Mr Mitchell had used and PS Norton said, *'best you learn your fucking place, you don't run this fucking country, you're fucking plebs.'* Civil Servant 1 updated Chris Martin at about 9am. At 10am she met with PS Norton and Chris Martin.

8.35 **Statement of Chris Martin**

Chris Martin is the Prime Minister's Principal Private Secretary. Mr Martin related that he was informed of the incident by Civil Servant 1 but they did not discuss what language was used by Mr Mitchell until the following morning. (Mr Martin sent an email to Sir Jeremy Heywood that does not contain any specific language.) However, Mr Martin said that he was briefed by Civil Servant 1 the following morning on the specific language and believed that she had been informed of this by PS Norton the previous evening.

8.36 Mr Martin accompanied PS Norton to meet Mr Mitchell later that day and made a note that Mr Mitchell said, *'End of long day, don't recall but I want to apologise for what was said.'*

8.37 **Statement of Officer 26 DPG**

Officer 26 DPG a Chief Inspector completed a statement regarding PS Norton's application and acceptance for his current role. He said that he approved the vacancy and sought expressions of interest by 3rd August 2012. Three officers expressed an interest with one ultimately withdrawing leaving two officers for the one post. PS Norton was one of those officers and had applied for the position in order to develop his skills further within the Partnership Portfolio. PS Norton was interviewed for the role on 6th September 2012. The officers conducting the interview process selected PS Norton for the role of South Sector Deputy and informed him of this fact on the 8th September 2012. PS Norton subsequently took up the post of South Sector Deputy on 5th November 2012. Officer 26 DPG also provided evidence in the form of an email trail to support this timeline.

8.38 **Interview of PS Jon Norton**

PS Norton was served with a form informing him of the allegation on Wednesday 25th September 2013. He replied, *'Given the absurd nature of the allegation, I agree to waive the ten day window to respond. In the spirit of cooperation, at this stage, I also waive my right to legal representation.'*

8.39 In interview, PS Norton was asked about his education and qualifications. He said that he was aware of the word '*pleb*' and explained what he understood to be its meaning.

8.40 PS Norton had previously served as a PC and A/PS on Camden Borough from when he left training school in November 1999 through to August 2003. He was on the same team as PC Rowland and was the Acting PS on PC Johnson's ten week street duties course. He then moved on promotion to Hackney Borough, and then went to the DPG in February 2007. On joining the DPG, he was posted to a team, which was the same team as PC Rowland. He moved to the post as Downing Street Liaison Officer where he subsequently ran the recruitment process on behalf of Officer 12 DPG when PC Johnson was recruited. He stated that she was selected as she was the best candidate.

8.41 PS Norton related that the relationship between himself and PC Rowland was purely a professional PS/PC relationship only.

8.42 PS Norton was selected to the DPG South Sector Deputy role on 8th September 2012, prior to the incident on 19th September 2012. He moved to this post in November 2012. This was a normal career progression move.

8.43 PS Norton had an MPS mobile phone but also used his private mobile in connection with work for reasons of better reception and because there were no cost implications as he had unlimited minutes on his tariff. He had upgraded his phone since the incident so there were no texts still on his phone from that time. PS Norton said that he had downloaded '*Whats app*' but deleted it without using it.

- 8.44 PS Norton stated he was at home on evening of 18th September 2012 and did not become aware of the incident with Officer 13 DPG and Andrew Mitchell until he opened an email on the morning of 20th September 2012. This was the email sent by Officer 13 DPG forwarded to him by Officer 21 DPG. He also was sent the email written by PC Rowland about the incident on the evening of 19th September 2012. The email traffic and read receipt support PS Norton's account.
- 8.45 He was also at home on the evening of the 19th September 2012, when he phoned Officer 4 DPG in response to a text. He was told that PC Rowland had been sworn at by Andrew Mitchell and he had given a public order warning in response. He was not told of the specific language allegedly used by Mr Mitchell and first became aware of this when he opened PC Rowland's email on the morning after. PS Norton did not speak directly to PC Rowland and he didn't ask Officer 4 DPG to pass a message to him. He said that he did not speak to PC Johnson or any of the other officers on duty that night. He also did not contact any of these officers by any other means.
- 8.46 PS Norton then spoke with Civil Servant 1 and Civil Servant 4 from Downing Street. He said that he did not tell them the specifics of the language allegedly used by Mr Mitchell. It was put to PS Norton that the statement of Civil Servant 4 said that he had told him that Mr Mitchell had used the word '*pleb*' on the phone and he insisted that Civil Servant 4 was mistaken.
- 8.47 The following morning, PS Norton went to Downing Street and had meetings with Civil Servant 1 and Chris Martin. He quoted verbatim from PC Rowland's email what was alleged to have been said by Mr Mitchell. In the afternoon, between 2pm - 2:30pm, PS Norton met with Andrew Mitchell so that he could apologise. During the meeting, he remembered Mr Mitchell saying he had a difficult day or something similar. PS Norton returned to Apex House at approx 3pm and remembered discussing it in the office on his return, although he can't remember who was present. He did not recall having a direct conversation with PC Wallis.
- 8.48 PS Norton said that his relationships with PC Rowland, Officer 2 DPG, PC Weatherley, PC Johnson and Officer 1 DPG were purely professional relationships. He said that he only knew PC Keith Wallis from April 2012 when they moved to the same office. He did not know PC James Glanville.
- 8.49 PS Norton has not heard the word '*morons*' quoted by anyone, he was not aware of any contact with press by others and he was not aware of the identity of the officer who may be David Davis's informant.
- 8.50 PS Norton declared that he had no political affiliations, was not in the police pension scheme and that he had never been a federation representative.
- 8.51 PS Norton emphatically denied the allegations against him.
- 8.52 **Telephone Data**
Telephone subscriber data for PC Rowland shows that he called the Base Sergeant's number for approx three minutes at 7:37pm.
- 8.53 There was no contact between PC Rowland and PS Norton before 7:17pm on 20th September 2012.

- 8.54 There was evidence of contact as accounted for between Officer 4 DPG and PS Norton at 8:21pm on 19th September 2012 from telephone records. Officer 4 DPG had PS Norton stored as a contact on his personal mobile phone.
- 8.55 Before and after his call with PS Norton, Officer 4 DPG was in contact with PC Johnson.
- 8.56 There was one phone call made by PS Norton to PC Susie Johnson on 23rd September 2012.
- 8.57 The only telephone contact between PS Norton and PC Wallis was on 14th November 2012.
- 8.58 Cell site data for PC Wallis on 19th September 2012 showed that he was in Central London early in the morning but moved out to North West London later in the morning, and was in the region of his home address in the evening.
- 8.59 Although PC Johnson was on duty until 8:30pm on 19th September 2012, cell site data showed her being in the region of Edgware/Mill Hill at about 8:20pm. This was apparently consistent with her train journey home.
- 8.60 A file of evidence was submitted to the CPS on 4th October 2013. The file was submitted to the CPS in order for them to assess it against previous evidence already submitted.
- 8.61 As a result of consulting with the CPS it was decided to seek the services of an expert witness in speech to consult regarding the length of time that PC Rowland and Andrew Mitchell MP would have been engaged in conversation and how this compared with the time that they can be seen to be engaged in proximity on the CCTV. Mr Allen Hirson, Senior Lecturer in Phonetics & Forensic Speech Scientist, City University London was found through the NCA expert witness database.
- 8.62 Mr Hirson provided two statements which detailed his findings and his expert opinion on the conversation and timings of at the gate. He states:

'In Summary, my considered opinion is that the conversation reported by PC Toby Rowlands [sic] on the 19th September 2012 within the period 19:33:39 and 19:34:57 shown on the CCTV footage might have taken place in around 13.7 seconds. (this calculates time allows for pausing but excludes overlapping speech). At a 'moderately fast speech rate' the required duration would be 11.8s and if the speech was 'fast' this material would have been produced in around 11.1s.'

9 Criminal Case Outcomes

- 9.1 On Tuesday 26th November 2012, the Crown Prosecution Service charging decision was announced. Their decision in relation to each individual is detailed as follows:

- 9.2 **PC Toby Rowland**
- 9.3 Insufficient evidence to show that he had committed any criminal offence.
- 9.4 **PC Keith Wallis**
- 9.5 Charged with the offence of Misconduct In a Public Office contrary to Common Law.
- 9.6 **Particulars of Offence**
- Keith Wallis between the 19th day of September 2012 and 16th December 2012 wilfully and without reasonable excuse or justification misconducted himself when the holder of a public office, namely a police constable in the Metropolitan Police Service, in that he falsely claimed to have witnessed an incident dated 19th September 2012 and arranged for his nephew to support his false claims.
- 9.7 Keith Wallis pleaded guilty to the above offence at the Central Criminal Court. On Thursday 6th February 2014 he was sentenced to 12 months imprisonment.
- 9.8 **PC Susie Johnson**
- 9.9 Insufficient evidence to show that she had committed any criminal offence.
- 9.10 **PC James Glanville**
- 9.11 Insufficient evidence to show that he had committed any criminal offence.
- 9.12 **PC Gill Weatherley**
- 9.13 Insufficient evidence to show that she had committed any criminal offence.
- 9.14 **Officer 15DPG**
- 9.15 Insufficient evidence to show that he had committed any criminal offence.
- 9.16 **Officer 16 DPG**
- 9.17 Manifestly no case.
- 9.18 **Officer 19 DPG**
- 9.19 Insufficient evidence to show that he had committed any criminal offence.
- 9.20 **Officer 4 DPG**
- 9.21 Insufficient evidence to show that he had committed any criminal offence.
- 9.22 **PS Jon Norton**
- 9.23 Manifestly no case.

- 9.24 **Tom Newton Dunn**
- 9.25 Insufficient evidence to show that he had committed any criminal offence.
- 9.26 **Member of Public 6**
- 9.27 Insufficient evidence to show that she had committed any criminal offence.
- 9.28 **Member of Public 3**
- 9.29 Manifestly no case.
- 9.30 **Member of Public 2**
- 9.31 Insufficient evidence to show that he had committed any criminal offence.

10 Misconduct Proceedings - Summary

- 10.1 **PC Toby Rowland**
- 10.2 Insufficient evidence to show that he had committed any misconduct offence.
- 10.3 **PC Keith Wallis - Details of Allegation**
- 10.4 PC Wallis faced a gross misconduct hearing in relation to breaches of The Standards of Professional Behaviour for Police Officers relating to Honesty and Integrity, Confidentiality, Orders and Instructions and Discreditable Conduct.
- 10.5 **Findings**
- 10.6 PC Wallis admitted gross misconduct in relation to these allegations at a special case hearing chaired by **Assistant Commissioner Byrne** on Wednesday 26th February 2014.
- In relation to the allegation that he had breached Orders and Instructions, a final written warning was given.
- In relation to the further allegations he was dismissed without notice.
- 10.7 **PC Susie Johnson - Details of Allegation**
- 10.8 PC Johnson faced a gross misconduct hearing in relation to breaches of The Standards of Professional Behaviour for Police Officers relating to Honesty and Integrity, Confidentiality, Challenging and Reporting Improper Conduct and Discreditable Conduct.
- 10.9 **Findings**
- 10.10 At a Gross Misconduct Hearing on the 20th and 21st May 2014 the panel found that PC Susie Johnson had breached the Standards of Professional Behaviour in respect of: Honesty and Integrity, Confidentiality, Challenging and Reporting Improper Conduct and Discreditable Conduct. The panel imposed a sanction of Dismissal from the service.

- 10.11 **PC James Glanville - Details of Allegation**
- 10.12 PC Glanville faced a gross misconduct hearing in relation to breaches of The Standards of Professional Behaviour for Police Officers relating to Honesty and Integrity, Orders and Instructions, Confidentiality, Duties and Responsibilities and Discreditable Conduct.
- 10.13 Findings
- 10.14 PC Glanville accepted his actions and the breaches of standards of professional behaviour amounted to gross misconduct at a special case hearing chaired by AC Byrne on Wednesday 26th February 2014. He was dismissed without notice.
- 10.15 **PC Gill Weatherley - Details of Allegation**
- 10.16 PC Weatherley faced a gross misconduct hearing in relation to breaches of The Standards of Professional Behaviour for Police Officers relating to Honesty and Integrity, Orders and Instructions, Confidentiality, Challenging and Reporting Improper Conduct and Discreditable conduct.
- 10.17 Findings
- 10.18 PC Weatherley contested the allegations at her hearing on Monday 28th April 2014 but the case was found to be proven under all headings. The panel chaired by **Commander Bennett** decided her behaviour amounted to gross misconduct and she was dismissed without notice.
- 10.19 **Officer 15 DPG - Details of Allegation**
- 10.20 Officer 15 DPG faced a local misconduct meeting in relation to breaches of The Standards of Professional Behaviour for Police Officers relating to Discreditable Conduct and Orders and Instructions. This related to claims made in his interview which were misleading and required resources to be diverted from other lines of enquiry in order to verify his claims.
- 10.21 Findings
- 10.22 On 9th December 2013, Officer 15 DPG admitted the above allegation and was given a final written warning.
- 10.23 **Officer 16 DPG - Details of Allegation**
- 10.24 No case to answer was found against Officer 16 DPG. However Officer 16 DPG required advice and guidance around comments he made around contacting the press. He was dealt with by way of management action.
- 10.25 **Officer 19 DPG - Details of Allegation**
- 10.26 Officer 19 DPG faced a gross misconduct hearing in relation to breaches of The Standards of Professional Behaviour for Police Officers relating to Honesty and Integrity, Orders and Instructions and Discreditable conduct.

- 10.27 Findings
- 10.28 Officer 19 DPG's Gross Misconduct Hearing concluded on the 23rd May 2014. After considering all of the documentation, submissions and evidence from live witnesses, the panel found that the allegations were 'not proven'.
- 10.29 **Officer 4 DPG - Details of Allegation**
- 10.30 Officer 4 DPG faced a local misconduct meeting in relation to breaches of The Standards of Professional Behaviour for Police Officers relating to Orders & Instructions. This relates to the fact that in two statements to the DPS, Officer 4 DPG, failed to disclose in either statement any contact with an officer who was on duty at the gate at the time of the incident.
- 10.31 Findings
- 10.32 On 20th January 2014, Officer 4 DPG denied the above allegation at a local misconduct meeting. The matter was proven and he was given a final written warning.
- 10.33 **PS Jon Norton**
- 10.34 Insufficient evidence to show that he had committed any misconduct offence.

11 Further Information of Relevance

- 11.1 **Letter of complaint**
- 11.2 Civil Servant 2 wrote to Officer 12 DPG on the 7th June 2011 to complain formally about DPG officers refusing access to Downing Street to Cabinet ministers or failing to recognise them in a reasonable amount of time. Civil Servant 2 wrote that *'members of HM cabinet are entitled to unfettered access to Downing Street any time day or night and at any entry point'*. PS Norton emailed DPG officers on the 7th June 2011 reminding them that *'all members of the cabinet are allowed unfettered access to Downing Street, at all times, by whatever entrance they choose'*. Both these communications relate only to entry to Downing Street not egress.
- 11.3 **Meeting with Member of Public 7**
- 11.4 **Member of Public 7**, a former elected councillor stated in 1993 while in a meeting, Mr Mitchell used the word *'plebs'* to describe Member of Public 7. This account has not been corroborated.
- 11.5 Member of Public 7 was asked to give a formal statement to police to cover the events that he had detailed but declined.

11.6 **SO17 Palace of Westminster patrol reports**

11.7 As the result of enquiries made in pursuance of an unrelated enquiry, a number of Patrol Reports were discovered that detailed incidents in 2005 and 2006. These reports are submitted where officers become involved in significant incidents with MPs. In these reports officers had described encounters with Mr Mitchell that they felt necessary to bring to the attention of their management team, whilst carrying out their duties at The Palace of Westminster.