

Ellison Review – Walton, Lambert and Black

An investigation into the circumstances surrounding a meeting between A/Detective Inspector Richard Walton and an undercover officer on 14 August 1998

Independent investigation report

Investigation information

Investigation name:	Walton, Lambert and Black
IPCC reference:	2014/023874

IPCC office:	Birmingham
Lead investigator:	Steve Bimson
Case supervisor:	
Commission delegate:	Sarah Green, Deputy Chair

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Introduction

The purpose of this report

1. I was appointed by the IPCC to carry out an independent investigation into the circumstances of a meeting between Acting Detective Inspector Richard Walton and an undercover officer on 14 August 1998.
2. This is my report for the Commission. It summarises and evaluates the evidence, refers to relevant documents and where necessary makes factual findings. In its conclusions the lead investigator will:
 - give my opinion about whether the subjects of the investigation have a case to answer for misconduct or gross misconduct, or no case to answer.
 - identify for the Commission whether the performance of any subject of the investigation may have fallen below the standard expected of them
 - identify for the Commission any lessons which may need to be learned by any organisation related to the investigation and any recommendations which it may wish to make in consequence.
 - provide the Commission with sufficient information, and if appropriate express a view about whether it should refer any subject of the investigation to the CPS.
3. On receipt of this report, the Commission will send it to the Metropolitan Police Service as appropriate authority which must then advise the IPCC what action it will take in response to it. If the IPCC does not agree with the Metropolitan Police Service, it may make recommendations and ultimately directions about what action to take. The Commission will also decide whether to make a referral to the Crown Prosecution Service (CPS).

Background information about the Ellison Review

4. Stephen Lawrence was murdered on the evening of 22 April 1993. The circumstances of the murder and the subsequent police investigation were reviewed by the Macpherson Inquiry, which reported in 1999.
5. In 2012 the Home Secretary established an Independent Review, to be undertaken by Mark Ellison QC (The Ellison Review), amongst the Terms of Reference for the Ellison Review was:

‘What was the role of undercover policing in the Lawrence case, who ordered it

and why? Was information on the involvement of undercover police withheld from the Macpherson Inquiry, and if it had been made available what impact might that have had on the Inquiry'

6. The Ellison Review identified that a meeting had taken place on 14 August 1998, between an undercover officer and Acting Detective Inspector Richard Walton. Richard Walton was, at the time, working on the Metropolitan Police Service (MPS) Lawrence Review Team and was involved in the preparations of the MPS final submission to the Macpherson Inquiry.
7. The Ellison Review, published in March 2014, made a number of findings in respect of this meeting, and the MPS referred the conduct of officers involved to the Independent Police Complaints Commission on 07 April 2014. The matter was declared subject of an IPCC Independent Investigation on 22 May 2014

The investigation

Terms of reference

8. The terms of reference for this investigation were initially approved by IPCC Deputy Chair, Sarah Green, on 13 June 2014. The terms of reference were amended and approved on 15 September 2014. The terms of reference specific to this investigation are:
 1. To investigate
 - a) The actions and intentions of Mr Lambert and Mr Black in arranging a meeting between Acting Detective Inspector Richard Walton, from the MPS Lawrence Review Team, and an undercover officer deployed close to the Lawrence family in August 1998.
 - b) The actions and intention of Mr Walton in attending a meeting with an undercover officer deployed close to the Lawrence family in August 1998.
 - c) What other senior officers, if any, were involved in sanctioning the meeting and their reasons for doing so.
 - d) What information was obtained by Mr Walton and how this was used to influence the MPS final submission to the Stephen Lawrence Inquiry.
 - e) What information was provided by Commander Richard Walton during interview to the Review (The Ellison Review) in October 2013, and the reasons for any discrepancies in his evidence when interviewed in February 2014.
 2. To identify whether any subject of the investigation may have committed a criminal offence and, if appropriate, make early contact with the Director of Public Prosecutions (DPP). On receipt of the final report, the Commission shall determine whether the report should be sent to the DPP.

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

4. To consider and report on whether there is organisational learning, including:
 - whether any change in policy or practice would help to prevent a recurrence of the event, incident or conduct investigated;
 - whether the incident highlights any good practice that should be shared.

9. Following consultation with Interested Parties, an amendment to the terms of reference was made on 15 September 2014 as follows:
 - 1(c) was amended to:

What other senior officers, if any, knew about or were involved in sanctioning the meeting and what were the reasons and circumstances for this.

Subjects of the investigation

10. The appropriate authority referred this investigation to the IPCC because in their opinion there was an indication that the police officers listed below may have:
 - (a) committed a criminal offence, or
 - (b) behaved in a manner which would justify the bringing of disciplinary proceedings

11. Any police officer whose conduct is under investigation is categorised as a subject of the investigation. A notice of investigation must be served on all subjects, informing them of the allegations against them.

12. They must also be informed of the severity of the allegations. In other words whether if proven they would amount to misconduct or gross misconduct.

13. The following people have been categorised as subjects of this investigation:

Name	Role	Severity	Date notified	Interviewed
Richard Walton	Commander	Gross Misconduct	30 July 2014	19 December 2014
Colin Black	Ex-Chief Superintendent MPS Special	Gross Misconduct	12 August 2014	18 December 2014

	Branch			
Robert Lambert	Ex-Detective Inspector, Special Demonstration Squad, MPS Special Branch	Gross Misconduct	11 August 2014	16 December 2014
N35	Ex-Detective Superintendent MPS Special Branch	Gross Misconduct	12 May 2015	04 June 2015
N34	Ex-Detective Chief Inspector, Special Demonstration Squad, MPS Special Branch	Gross Misconduct	14 May 2015	24 September 2015

Policies, procedures and legislation considered

14. The Standards of Professional Behaviour were examined in relation to this incident, in order to ascertain whether they were complied with. The Standards for the two dates of this incident were examined, those in place at the time of the meeting in 1998 and those in place when Richard Walton was interviewed by the Ellison Review. The details of the standards are as follows.

15. The Police (Discipline) Regulations 1985.

D203

Regulation 4(1), Schedule 1, sets out the Discipline Code, which identifies Discreditable Conduct as:

'...offence is committed where a member of a police force acts in a disorderly manner or any manner prejudicial to discipline or reasonably likely to bring discredit on the reputation of the force or of the police service'.

D202

16. The Police (Conduct) Regulations 2012

Regulation 3, Schedule 2, sets out the Standards of Professional Behaviour. It identifies:

Honesty and Integrity as:

'Police officers are honest, act with integrity and do no compromise or abuse their position'.

Discreditable Conduct as:

'Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty'.

Summary of the evidence

17. During this investigation a volume of evidence was gathered. After thorough analysis of all the evidence, I have selected the evidence I think is relevant and answers the terms of reference for my investigation. As such, not all the evidence gathered in the investigation is referred to in this report.

The details of people referred to in this report are included in the attached appendices.

Information from Ellison Review

- D11 18. The Ellison Review reported in March 2014. This review had a wide remit of reporting on 'Possible corruption and the role of undercover policing in the Stephen Lawrence case'. As part of the review, evidence was taken from N37, a police officer who had worked as an undercover officer and who provided evidence that his tasking was to obtain information to 'smear' the Lawrence family campaign.
19. N37 was, at the time of his deployment, part of the Metropolitan Police Service Special Demonstration Squad (SDS). He was among a number of ex-SDS officers who were interviewed by the review, evidencing their role in the management of undercover officers and as frontline undercover officers.
20. One of those officers, N81, provided evidence to the review on the tasking that they were working towards. The Ellison Review stated;
- 'We are satisfied that N81's undercover deployment was consequent upon the primary 'public order' remit of SDS's work. Like other deployments in the squad, it was a case of devising a means of entry to a group with potential for fomenting or participating in public disorder; and an organic deployment thereafter, including, where appropriate, moving from one group to another.*
- N81 was well-placed in one of the groups that associated itself with, and tried to build relations with, both the Lawrence family and other groups during the Public Inquiry. N81 is adamant that there was no tasking at any stage into the Stephen Lawrence family campaign, but it is clear to us that N81's reporting nevertheless touched on the Lawrence family and its campaign'.*
21. The Ellison Review goes on to make a finding in relation to the work of N81 and their deployment as follows (p-227):
- 'The fact that the SDS had an undercover deployment in a group that got close to the Lawrence family campaign, at the centre of which was a family grieving over a murdered son and alleging inadequacy in the MPS response to that murder at a contentious Public Inquiry, should, in our assessment, have raised concerns in the SDS management and led to a careful consideration of:*
- *Whether it was proportionate and appropriate for that undercover deployment to continue whilst the Public Inquiry was in progress; and*

- *Whether those dealing with the Public Inquiry on behalf of the MPS should be informed of the situation, with a view to giving advice as to whether any disclosure might be required to the Inquiry Chairman.*

It does not appear that any such consideration was given to these factors by the SDS management’.

- D172 22. During the course of the work of the Ellison Review, a file note was uncovered, dated 18 August 1998, which referred to a meeting having taken place on 14 August 1998, between N81 and Acting Detective Inspector Richard Walton. Detective Inspector Robert Lambert, a member of the management team within SDS, was also present and produced the file note.
23. The key parts of this file note are as follows:
‘It was a fascinating and valuable exchange of information concerning an issue which, according to DI Walton, continues to dominate the Commissioner’s agenda on a daily basis.’
‘An in-depth discussion enabled him to increase his understanding of the Lawrence’s relationship with the various campaign groups.....this, he said, would be of great value as he continued to prepare a draft submission to the Inquiry on behalf of the Commissioner’.
‘DI Walton explained the three main areas that his team is addressing;
 1. *How to respond to the charge of institutionalised racism....*
 2. *How to handle the second stage of the Public Enquiry....*
 3. *How to regain the confidence of the black community..’*
24. The note bears the name of DI Lambert, and is dated 18.8.98, it is circulated to detective sergeants within the SDS, it is seen and minuted by Detective Chief Inspector N34:
‘An excellent meeting and a good example of the strides N81 has made over the last 12 months’.
- D157 25. The Ellison Review reports that this file note was found with other SDS Operational Strategy Reports from 1998/1999. The file note formed part of one report prepared in early September 1998 by DCI N34. The Strategy Report makes reference to the meeting between N81 and DI Walton:
‘...N81’s unique insight into the behind the scenes machinations of the Lawrence campaign has also proved invaluable to A/DI Walton who is currently attached to the Stephen Lawrence review team. At a recent SDS meeting, N81 was able to give A/DI Walton a first-hand briefing on the case and offer some sound advice....’
‘...regular reporting to C squad and additional discreet briefings to A/DI Walton when necessary.’
26. This document was minuted by Detective Superintendent N35 and then passed to Special Branch Operations Commander Colin Black, who provided a minute dated 14 September 1998, as follows;
‘Thank you. These papers confirm that SDS is, as usual, well positioned at the focal crisis points of policing in London. I am aware that (DI Walton) of CO24

receives ad hoc off-the-record briefings from SDS. I reiterated to him that it is essential that knowledge of this operation goes no further. Would not wish him to receive anything on paper.....'

27. The Ellison Review explored how the meeting between N81 and A/DI Walton came about and who requested it. DI Lambert stated in his response to potential criticism in the draft Ellison Review report, that this meeting had been arranged at the request of his senior management within SDS, the request had come to Commander Special Branch and was delegated down to him. The purpose was for A/DI Walton to be in a position to brief the Commissioner. On that basis DI Lambert felt he could not be criticised.
- S2a 28. Operation Herne interviewed N81 in August 2013 in which N81 described the meeting taking place, but stated that N81 believed that A/DI Walton was an official from the Home Office. N81 describes the content of the meeting as follows:
- 'The official asked me generic questions about the campaign such as the mood on the streets and the impact of (N81's group) around the Stephen Lawrence inquiry, the black community and the churches.'*
29. When interviewed by the Ellison Review, N81 described the meeting as very unusual, and when read the contents of the file note created by DI Lambert, N81 described the note as being true, *'but N81 no longer had a clear recollection of all that was discussed'*.
- S2 30. An interview with N81 was sought during the course of this IPCC investigation. Eventually an agreement was reached that N81 would respond to a series of questions provided by the IPCC.
31. N81 stated that N81's memory of the meeting with Richard Walton was very poor. It was unusual in that N81 did not meet many people outside of the SDS in these circumstances. However, N81 also stated that N81 was not concerned about the meeting and considered it to be completely valid.
32. N81 could not recall how long before the meeting N81 had had the request to attend, but thought it was not more than a week. N81 believed that it was Robert Lambert who made the request to N81. N81 cannot now recall the purpose that was given for the meeting.
33. N81 recalled the meeting was at Robert Lambert's house and that there was no-one else at the meeting other than Richard Walton, Robert Lambert and N81. N81 stated that N81 told Operation Herne that N81 believed that Richard Walton was an official from the Home Office. This was N81's perception.
34. They talked about 'policy stuff' that had little to do with N81's day-to-day role as an undercover officer. N81 had a very faint memory that N81 was asked to give N81's view on what the police could do to improve its relationship with the black community. N81 recollected talking about the 'black churches' because N81's group was making efforts to infiltrate black church groups.
35. N81 could not recall if N81 was told that Richard Walton was preparing a submission to the Lawrence Inquiry. N81's perception of the meeting now was that they discussed the troubled police relationship with the black community. Any discussion about the Lawrence's would have been in terms of the effect of

the Inquiry on the police and community relationships.

36. N81 emphasised that N81 was not targeting the Lawrence family and N81 did not have any facts relating to the inner plans of the Lawrence campaign. N81's recollection of the meeting was about police relationships with the black community, it was not about N81's undercover role.
37. N81 could not recollect any information provided to N81 by Richard Walton. N81 said that the flow of information was from N81, giving N81's perspective, to Richard Walton, rather than an exchange of views. This was the only occasion N81 met Richard Walton.
38. ██████████, Head of Special Branch at the time of the Inquiry stated that he had no knowledge of the meeting having taken place – his permission was not sought and he would not have given it if asked. He would have taken this matter to his manager Assistant Commissioner Veness.

D172

39. A/DI Walton is now Commander Richard Walton, still a serving officer within MPS as the Head of Counter Terrorism. He was interviewed by the Ellison Review in October 2013. Prior to this interview the file note prepared by Robert Lambert which detailed the meeting between Richard Walton and N81 was disclosed to Richard Walton. Richard Walton described a conversation that he had had with Colin Black, his recollection had been assisted by the documents disclosed to him. He described this conversation as taking place in 1998, either in person or on the phone and a discussion about ensuring intelligence from SDS was passed on, he describes Colin Black as saying:

'We need a conduit to ensure that anything we pick, particularly from SDS, can be fed in to support your reinvestigations of Lawrence, of ██████████ and ██████████ ██████████...We need to be absolutely certain that John Grieve got the whole story and the whole picture. And as you know Richard, we have got good coverage.'

40. Richard Walton stated that he could not recall the meeting with N81 when first questioned about it by Operation Herne, but again the disclosure had reminded him of some of the detail. He goes on to say:

'...I did attend, I don't think I knew it was Bob Lambert's personal address... but anyway, it was an address in ██████████...I think it was a Sunday, and of course, I knew Bob Lambert because of my six years in Special Branch...so this would have been Colin Black, I am presuming would have talked to Bob Lambert...so Bob knew me, I knew him, so he called me up. I don't know how the meeting came about. I can't recall the detail. I remember seeing an individual that Bob Lambert introduced me to, but I can't visualise that person.'

41. Richard Walton was questioned about the arrangements for the meeting and asked whose idea it was to go and see this undercover officer, he states:

'I can't remember who exactly...but I think it might have come from their end, I think it may have been that I bumped into Bob at some stage... Yes as I say it is a long time ago, but I think it might have been a chance meeting with Bob Lambert where he would have said something like, "Well if it helps, do you want to...would it help to meet the actual operative in the field?", I think it might be that. I think I said "yes Bob, that would help because it would allow me to contextualise what is actually going on out there because we are getting all sorts of feeds and to speak to a person actually in the field would probably be as good

as it gets”.

42. Richard Walton goes on to describe how helpful the disclosed document had been in assisting his recollection. He states;

‘I don’t really dispute anything around that. In fact it prompts a lot about me meeting this individual. It is pretty much as I recall it, but only having been prompted by it...’

He is questioned about the value of the meeting and agrees as follows:

‘...the reporting here talks about great value and all the rest of it... I don’t really dispute that. I suppose it is a fraction strong from my recollection, but I remember the meeting being helpful, particularly around (N81’s group and another group) because there were genuine concerns around them...’

43. The questioning of Richard Walton continues to try to identify the reasons behind his attendance at the meeting. It is suggested to Richard Walton, that the remit of the SDS is around Public Order considerations, yet his remit is to do with the Stephen Lawrence Review Team, which did not have a public order remit. Richard Walton broadens this out to community tension concerns, but then points out that the timing of the meeting is important as he felt the meeting would have been of more benefit to him moving to a role in CO24, rather than any role he may have had within the Lawrence Review Team. There was extensive discussion about the role that Richard Walton was in at the time. Richard Walton suggests that it was at the end of his time on the Stephen Lawrence Review Team (SLRT) and that he was ‘transitioning’ into his CO24 role. CO24 was the newly formed Racial and Violent Crime Task Force. It was established during the summer months of 1998. Richard Walton did eventually transfer to CO24.

44. In terms of the reason for the meeting, Richard Walton states:

“...I think it was legitimate to see that individual to give some context, and to actually, probably some reassurance that it wasn’t worse than we thought...”

45. Questioned about the Lambert file note, Richard Walton agrees with the content, and in particular the points raised as 1,2,3 – How to respond to institutionalised racism, the second stage of the public inquiry and how to regain the confidence of the black community – “ *...that is all correct. That would have come from me, because, of course, as I said, the thrust of my Lawrence Review Team role was absolutely those things.*”

46. It was put to him that the note suggests he is still doing the submission and he replies:

“Yes,. That is the submission that I’m referring to, yes. That is the only thing that I wrote. That is fine...in terms of the file note, I don’t dispute any of that....”

47. The discussion then moved to some of the intelligence that had been gathered by undercover officers, including some personal information about Doreen (now Baroness) and Neville Lawrence. Whilst Richard Walton could not recall seeing this information, he described that it would now be considered to be collateral intrusion, “*...which is something that we are aware of now, perhaps more than we were then I guess...*”

48. Mr Ellison pointed out:

“..you had the ability to shape your own presentation with the benefit of that intelligence..”

Which meant that the MPS could present themselves in a particular way, without others, including the Inquiry, knowing about how they arrived at that position.

49. Richard Walton was then informed of the potential criticism to be made of him in the Ellison Review report and he provided a written response to that potential criticism. He made the following points:
- He had been a uniformed sergeant at the time of his work on the SLRT and was not promoted to DI until March 1999.
 - That he recalled speaking with DI Lambert in August 1998, he thought in the lift lobby at New Scotland Yard, and that DI Lambert having heard that he had been working in the SLRT suggested it would be helpful for him to meet an undercover officer who could shed light on the race issue emanating from the Lawrence investigation and Inquiry. Richard Walton had complied with this request, but had never seen the note of the meeting until his first interview.
 - Richard Walton now said that the note *“..was a mixture of truths and half-truths.....The word I would use about the record is perhaps embellished...”*
 - That he had done no further work on the MPS submission once he had moved to CO24. The submission was presented to the Inquiry on 18 September 1998, but had been finished some weeks prior to that.
 - Richard Walton had had only one oral briefing and saw no other written material from SDS officers.
 - He had never seen any intelligence regarding personal and tactical information about the Lawrence family and no information of this nature was provided to him during the meeting.
 - He recalled meeting with Commander Black during September 1998, when he had already started on CO24 (Racial and Violent Crime Task Force)
 - He has little awareness of the correspondence route set up by Commander Black.
 - He felt he had no responsibility to disclose the presence of the undercover officer in a group close to and interacting with the Lawrence family, as he had no role in SO12 or Special Operations at that time.
50. Richard Walton was provided with another opportunity to be interviewed by the Ellison Review, and this took place on 03 February 2014. The Ellison Review report describes the significant points from this re-interview as follows:
- Richard Walton stated that he had never been an A/DI on the SLRT so from this felt he must have part of CO24.
 - He now believed that he had started or was just about to start on CO24. He felt it was improbable that he was on the SLRT when he met the undercover officer.
 - The team that had drawn up the final submissions was separate to the presenting side and so was not involved in any of the tactical decisions made in relation to this. Richard Walton felt it was more legitimate to see the

undercover officer as part of the new team (CO24). *“There was a legitimacy to the meeting that there wouldn’t have been if he had been part of the Lawrence Review Team.”*

- He had gone to meet an undercover officer with ‘awareness’ of the race hate scene in London. He did not know that the officer had coverage of the Lawrence family. *‘He would not have gone to the meeting if he had thought that’.*
 - His meeting with the undercover officer was part of his CO24 role.
 - He did not know what documents would evidence his move to CO24 and the exact date.
 - Richard Walton said that the Ellison Review could not show that he was working on the MPS submissions at that time or that he had received any personal information about the Lawrence’s at the meeting.
 - He could not remember speaking with any senior officer prior to the meeting or after it.
 - There were inaccuracies in the file note, there was no mention of the Lawrence family at the meeting, he had not told anyone at the meeting what his role was.
51. Deputy Assistant Commissioner John Grieve was also interviewed by the Ellison Review with a view to establishing a timeline as to when Richard Walton made the transition from SRT to CO24. Mr Grieve was able to say that Richard Walton was not working for him at the time of the meeting in August 1998, but he may have been later. Mr Grieve provided no information on any knowledge of the meeting taking place, but since Richard Walton was not working to him at the time of the meeting, then no knowledge would be expected.
52. Mr Ellison interviewed Lord Condon, MPS Commissioner at the time of this meeting taking place, and there is no suggestion that Lord Condon had any knowledge of this meeting taking place or any information that came from that meeting. Lord Condon stated *‘There can be no justification for anything which is a sort of them and us tactical advantage over the Lawrence’s in any way’.*
53. Lord Stevens, who was Deputy Commissioner at the time of the meeting, was also interviewed by the Ellison Review. In response to the description of the meeting taking place, Lord Stevens replies *‘It is totally unacceptable...’.* Mr Ellison describes that some of the information passed back was of a personal nature about the Lawrence’s and tactics and Lord Stevens further stated *‘No, I would find that incredible and I would find that unacceptable in any circumstances, to be frank’.*

Relevant findings from the Ellison Review

54. The Ellison Review report made a number of findings which are relevant to this investigation:
- *“...for a meeting to then be arranged to enable an in-depth discussion to take place about the Lawrence’s’ relationship with groups, seeking to support their campaign, in order to help inform the MPS submission to the Public Inquiry, was, in our assessment, a completely improper use of the*

knowledge the MPS had gained by the deployment of this officer.”

- *“The meeting was apparently sanctioned at a high level of SDS management. Mr Lambert has claimed that he was asked to arrange it by senior management within the SDS. We also note that a file note he made was sent to the Detective Chief Inspector acting at the time. From a later file note that he made in September 1998, it would also appear that Special Branch Operations Commander was aware of the meeting.”*
- *“In so far as we can discern, it appears , therefore, that the SDS management thought that it was a good idea to have the meeting because it might be useful to the MPS in dealing with the Inquiry, and because it might fulfil part of the ‘wider remit’ that the SDS was seeking to serve at this time.”*
- *“Nobody seems to have considered how opening such a channel of communication would be viewed by the Inquiry or the public, if it became known, in the context, of the MPS’ opposition to the Lawrence family case at the Public Enquiry”*

55. The Ellison Review summarises Richard Walton’s position in respect of the meeting with N81 as ‘..less than straightforward to establish and somewhat troubling’. The Review then identified a number of areas where Richard Walton’s answers caused concern:

- In October 2013, Walton largely signed up to the accuracy of the SDS documents created close to the time of the meeting. Producing narrative answers to questions such as ‘How did the meeting come about?’ He provided detailed answers on how the meeting with N81 was relevant to his work on the SLRT and the justification on a public order basis.
- After notification of potential criticism, Walton was interviewed again in February 2014. He said that what he had said in October 2013 had been wrong, he had tried to be helpful and had accepted the accuracy of the notes that he had been presented with, but he had no recollection of events. Walton now firmly believed that he had been working within his CO24 role and was no longer on the SLRT. He challenged the accuracy of the SDS file note.
- The Ellison Review found the file note to be a more accurate version of the events at that meeting, having been written just days after the meeting.
- N81’s proximity to the Lawrence family campaign and N81’s intelligence was the background to any insight N81 could offer.
- In October 2013, Walton agreed with the file note. The Ellison Review found it difficult to understand how a senior officer would profess to have had his memory refreshed by the SDS file note and give detailed narrative answers about the arrangements and content of the meeting and the consistency with his SLRT role.
- As well as agreeing, he then challenged some of the detail, such as he had not raised the black community and the black churches with N81. This suggested he did have some recollection of the meeting. He stated he had no recall of the correspondence route set up with CO24.
- Walton attended a meeting of the Lawrence Inquiry Part 1 Submission Team on 13 August 1998, in which the submission that he had prepared had been discussed.
- Mr Grieve believed Walton was still working to Bob Quick (SLRT) at the time of the meeting.

- There was no clear indication of when Walton left the SLRT. Walton believed he was 'transitioning'.
 - The Ellison Review found Richard Walton's changed recollection to be unconvincing.
56. Further findings were made specifically about the actions of Richard Walton:
- "We find that on a balance or probabilities, on 14 August 1998, DI Walton was not so completely detached from the Lawrence Review Team, that his visit to see this undercover officer was concerned only with another function in CO24".
 - "...we accept that the meeting was not his (RW) idea, but a request from a more senior officer in the SDS. We also accept that he agreed to the meeting without any detailed knowledge of the actual role and intelligence gathered by the undercover officer".
 - "...Mr Walton may well have simply taken up the invitation without realising that he was going to meet an undercover officer who was positioned close to the Lawrence family campaign."
 - "...these events suggest a degree of naivety on his part, rather than a coherent plan to achieve some real advantage..."
 - "Mr Walton does not remember asking anyone about whether he ought to go to the meeting, or telling anyone that he had been..In so far as we have been able to enquire, no one has indicated that they knew about him going".
 - "We have found no evidence that what Mr Walton discovered from N81 at the meeting was actually incorporated into or used towards the final submission made on behalf of MPS"
 - "...on 14 August 1998 during a break between the end of the evidence received by the Public Inquiry and final submissions being presented, a meeting took place between an undercover officer deployed into an activist group engaged with the Lawrence family campaign and an MPS officer appointed to assist the MPS in formulating its submission to the Inquiry. In our view such a meeting was wholly inappropriate."
 - "Given the contested issues at the Public Inquiry as to the honesty, integrity and openness of the MPS, and the disputes as to the true causes of the seriously flawed investigation of Stephen Lawrence's murder..... It would have been seen as the MPS trying to achieve some secret advantage in the Inquiry from SDS undercover deployment".
 - "There was no conceivable 'public order' justification for this meeting. Nor was there any other discernible benefit, and certainly none that could possibly outweigh the justifiable public outrage that would follow, if the fact of the meeting had been made public when the Inquiry resumed in September 1998. In our opinion, serious public order of the very kind so feared by the MPS might well have followed."

Referral to the IPCC

57. As a result of the findings made in the Ellison Review, the Metropolitan Police Service (MPS) made a referral to the IPCC on 07 March 2014, which identified

the actions of Richard Walton in attending the meeting with the undercover officer as potentially 'Discreditable Conduct' (under the 1985 Regulations) in that it had the potential of '*...undermining the inquiry and public confidence.*'

- D201
58. The referral also included detail that Mr Walton potentially provided inconsistent accounts to the Ellison Review, which was considered to potentially be an 'Honesty and Integrity' issue, under the Police Reform Act 2002.
 59. A second referral was received from the MPS, 07 April 2014 highlighting the action of Robert Lambert and Colin Black, again, both subject of mention in the Ellison Review. This referral was in respect of the actions of the two officers in arranging the meeting between Mr Walton and the Undercover officer, which again had the potential of '*...undermining the inquiry and public confidence.*'
 60. The IPCC investigation into these matters was declared independent on 22 May 2014.
 61. As the investigation progressed, the IPCC identified two further officers within the management structure of the SDS at the time of the meeting, Detective Chief Inspector N34 and Detective Superintendent N35. Both featured in the file notes relating to the meeting with the undercover officer. The IPCC requested MPS to refer the conduct of the two officers to be included in this investigation. This referral was made by the MPS on 25 February 2015.

Other Investigations – Operation Herne

- D63
62. Operation Herne, led by Chief Constable Mick Creedon, examined the activities of the MPS Special Demonstration Squad. The report published in July 2014 focused on SDS reporting on a number of Justice Campaigns. Operation Herne had previously reported on the allegations made by N37. The report in March 2014, concluded that there was no witness or documentary evidence supporting the allegations of N37.
 63. With the Ellison Review, Operation Herne examined the role of N81 and the meeting that took place with A/DI Richard Walton. Operation Herne was critical that the meeting took place and expressed concern at the information provided during the meeting. They recommended further investigation.
 64. The Operation Herne report of July 2014 made clear the following:
 - N81 was engaged on a long term covert infiltration into the target organisation which they were tasked to do by MPS Special Branch. It was assessed that the group was involved in, or had the potential to be involved in serious public disorder.
 - It is clear in both the Trinity (Operation Herne) and Ellison reports that there was no evidence found that N81 was tasked to infiltrate the Stephen Lawrence family or any other family campaigning for justice. Their focus was on their target group.
 65. The Operation Herne report (July 2014) further stated that they confirmed that N81 was never directly or indirectly asked or tasked by anyone at any level in the MPS to do anything in relation to the Stephen Lawrence family or campaign. They were not tasked or directed at any stage into any Justice Campaign. N81 never met Neville or Doreen Lawrence, nor attended their home or even spoke

to them during this deployment.

66. The report also recognises that much of the intelligence collected was obtained by attending public meetings where the information was being discussed in a public forum. The information was, therefore, already in the public domain.

Specific areas of terms of reference

67. The report will now consider the evidence available in respect of each of the terms of reference, I will then analyse the evidence and arrive at recommendations for each area of the investigation.

Terms of reference 1: To investigate

a). The actions and intentions of Mr Lambert and Mr Black in arranging a meeting between acting Detective Inspector Richard Walton, from the MPS Lawrence Review Team, and an undercover officer deployed close to the Lawrence family in August 1998.

c). What other senior officers, if any, knew about or were involved in sanctioning the meeting and what were the reasons and circumstances for this.

68. These terms of reference must now include consideration of the roles of N35 and N34 in respect of their intentions in arranging the meeting between Richard Walton and the undercover officer.
69. Some documentary evidence existed of this meeting, which was referred in the Ellison Review report.

File note prepared by Robert Lambert (Doc 4012)

- D172 70. This note was provided to the investigation by Operation Herne, forming Doc 4012, which was disclosed to Mr Walton prior to his first interview with the Ellison Review.
71. This document contains the file note produced by Robert Lambert of the meeting with the undercover officer. The note is produced by Robert Lambert on 18 August 1998, the meeting having taken place on 14 August. It identifies the two individuals involved as N81 and Richard Walton. N81 was the undercover officer who was subsequently provided with the nominal identification of N81. The file note stated that Richard Walton was working on the SLRT He noted that the two individuals talked about the Lawrence Inquiry from their own perspectives. Robert Lambert described the exchange as *'..a fascinating and invaluable exchange of information...'*
72. Robert Lambert described that the discussion allowed Richard Walton to increase his understanding of the Lawrence's relationship with campaign groups *'..as he continued to prepare a draft submission to the enquiry on behalf of he commissioner'*.
73. Robert Lambert goes on to describe three areas that are being addressed by Richard Walton and his team:
1. How to respond to the charge of institutional racism – where Robert Lambert

details that the team is likely to admit the essence of this criticism, but is trying to change the terminology to include phrases such as 'unconscious racism' and 'a lack of understanding of black culture'. He also notes that this acceptance of the criticism will shock many serving officers.

2. How to handle the second stage of the Public Enquiry – Robert Lambert notes that Richard Walton talked about plans for the Commissioner to attend public forums, and N81 pointed out the vulnerability of particular venues. Robert Lambert notes discussion around what tactics would be best used as a response by MPS.
3. How to regain the confidence of the black community – Robert Lambert noted that Commander Grieve was now in charge of post-Lawrence black community relations and hoping to move on to a more positive relationship with the black community. N81 talked about the enormity of this task, particularly with some parts of the community.
74. The meeting ends with Richard Walton highlighting the concerns of the Home Office about the wider implications of the Lawrence case, and the potential for public disorder.
75. This note is dated 18 August 1998, and submitted by Robert Lambert to his then manager, N34.

Folio 3A – SDS strategy documents 1998/1999

- D157
76. This document begins by referencing a briefing note prepared by Robert Lambert which examines [REDACTED] involvement in the Stephen Lawrence campaign, and [REDACTED] groups in relation to racist incidents in London. This entry is made by DCI N34 on 03 September 1998, and is directed to Detective Superintendent Colin Black (OCU Commander – effectively Head of Special Branch). This is a [REDACTED] note.
 77. Robert Lambert includes the following passage in this briefing note:

'In addition to providing valuable public order intelligence for 'C' Squad, N81's unique insight into the behind-the-scenes machinations of the Lawrence campaign has also proved invaluable to A/DI Richard Walton, who is currently attached to the Stephen Lawrence review team. At a recent SDS meeting N81 was able to give A/DI Walton a first-hand briefing on the case and offer some sound advice (e.g. that the Commissioner would be ill-advised to attend a public forum at Lambeth Town Hall as previously planned). In terms of the Metropolitan Police's long term strategy of seeking to rebuild damaged relations with the black community, N81 was able to comment authoritatively on the enormity of the task generally, and in N81's own local area [REDACTED], specifically.'
 78. There is no specific date on this briefing note, other than September 1998. The N34 entry is dated 03 September, so the briefing note must predate this.
 79. The document passed from N34, via Detective Superintendent N35 (signed 10 September 1998) to Detective Superintendent Colin Black, who makes the following entry on 14 September 1998:

'Thank you. The papers confirm that SDS is, as usual, well-positioned at the focal crisis points of policing in London. I am aware that DI Richard Walton of

CO24 receives and had off-the-record briefings from SDS. I have reiterated to him that it is essential that knowledge of the operation goes no further. I would not wish him to receive anything on paper...

80. The document then passed back to Detective Superintendent N35 (14 September 1998), eventually returning to DCI N34, who made an entry, dated 21 September 1998:
- '...We agreed that the papers of this file would be retained in SDS.'*
81. The purpose of the document is identified in the initial entry by N34, *'to outline SDS performance and targeting strategy in two key areas'*. The briefing note prepared by Robert Lambert identifies the contribution of the SDS operatives in these areas and he, in particular, refers to the meeting with Richard Walton. The description of the meeting here is consistent with his file note prepared just after the meeting. Again there is mention that N81 can give insight into the Lawrence campaign and also that Richard Walton is currently attached to the Lawrence Review Team.
82. The document passed through layers of management to reach the Head of Special Branch, Colin Black. He picked up on the briefing to Richard Walton, but described him as being from CO24, rather than the SLRT. This entry also emphasised the secrecy of this contact by stating that he has emphasised that knowledge of the operation goes no further and he would not wish Richard Walton to receive anything on paper.
83. Colin Black is the highest ranking officer who can be shown to have had sight of this document. It is then passed back through N35 to N34, the final entry suggests the papers were filed in SDS.

Other evidence

84. The Ellison Review followed a 'Maxwellisation' process towards its conclusion, in that if any individual was to be subject of potential criticism, the Review would write to that individual, setting out the potential criticism, allowing the individual the opportunity to respond to the potential criticism.
85. This process was followed with Robert Lambert. In a letter, dated 23 January 2014, the Ellison Review informed Robert Lambert that he was to be subject of criticism in the review. That criticism (in terms of the remit of this IPCC investigation) was that Robert Lambert had arranged the meeting between Richard Walton and N81, *'an officer working within an activist group associated with Stephen Lawrence's family. Richard Walton was, at the time, working on the MPS team preparing a response on behalf of the MPS at the Inquiry'*.
86. The potential criticism also included that there was no justification for intelligence *'that included personal and tactical elements regarding the Lawrence family and their approach, being provided to an MPS officer working on the MPS case to be presented to the Inquiry'*.
87. Robert Lambert responded to this criticism, via his representative, as follows:
- 'Bob was told that the purpose of the meeting was so that Richard Walton could fully brief the Commissioner. The request came to Commander Special Branch*

- D193 *and was delegated down to Bob. Bob was not given any limitations as to what should be covered in the meeting – Richard Walton would ask questions and N81 would answer them. The note referred to is Bob’s brief summary of what took place for his/his boss’ records*
- Bob does not recall and therefore cannot agree that personal and tactical elements were discussed during that meeting – his note does not disclose that such material was provided in Bob’s presence.’*
88. A similar letter was written to Colin Black. The Ellison Review informed Colin Black of potential criticism within the review. This criticism focussed on the meeting between Richard Walton and N81 and suggested to Colin Black ‘Given your senior role in SDS management at the time, we believe you may merit some degree of personal criticism for allowing such a meeting to take place’.
- D196 89. Colin Black initially responded to this criticism on 03 February 2014, and pointed out ‘The idea, for example, that I could ‘allow’ a meeting to take place looks like it fails to grasp roles and responsibilities where the SDS was concerned. Similarly, it is simply wrong to refer to me as a ‘senior SDS officer’.
- D194 90. Colin Black wrote a second letter to the Ellison Review on 11 February 2014 and included in this ‘My dealings with SDS during my time in Special Branch could pretty much be written on the back of the proverbial postage stamp. As a unit it had a direct line to senior Met Police officers, of higher rank than anyone in SB..’ Mr Black did accept at times he was part of the ‘senior ‘line’ command’.
- D195

IPCC Subject interviews

Robert Lambert

91. Robert Lambert was a Detective Inspector in the MPS Special Branch (MPSSB) in 1998. He has now retired from the police service. He was served with a Regulation 16 Notice on 11 August 2014, which identified the allegations which had been assessed as potentially gross misconduct.
- D42 92. The Notice served on Mr Lambert set out that in 1998 Mr Lambert was a Detective Inspector (DI) in the MPSSB and responsible for the management of officers deployed in the Special Demonstration Squad (SDS), who would work undercover. Mr Lambert arranged the meeting between A/DI Walton and the undercover officer, who was deployed into one of the groups seeking to influence the Lawrence family campaign.
93. Mr Lambert was aware that A/DI Walton was seconded to the MPS Lawrence Review Team, which was preparing final submissions on behalf of the Commissioner of the MPS, to the Stephen Lawrence Inquiry. The meeting was arranged to allow information to be passed from the undercover officer to A/DI Walton, which could then be used by the MPS in preparing the final submission.
94. Arranging the meeting at this time had the potential to seriously undermine public confidence in the police service
95. Mr Lambert was interviewed on Tuesday 16 December 2014 and answered all questions put to him.
96. Robert Lambert stated in interview that he believed the request to arrange the

meeting had come from senior management. He was unable to recall who the request had come from. He believed, when he had been previously interviewed by Operation Herne, that Colin Black was part of the senior management, and from what he had also read, this seemed most likely, however, he was unable to recall any detail now.

Y2

Y2a

97. Robert Lambert stated that he felt that the request to arrange the meeting was lawful and legitimate. He had no thought that the request was in any way inappropriate. Robert Lambert described the context of the request as follows. N81 was reporting intelligence from N81's target group infiltrating the Stephen Lawrence campaign and this had been ongoing from before this request. If N81 was with N81's target group and they attended a meeting of the Stephen Lawrence campaign, then that would be reported through the normal channels. The reporting by N81 was known throughout the senior management.
98. Robert Lambert was unable to provide any detail on who requested the meeting but he stated that he could completely rule out the possibility that he organised the meeting of his own volition. This was not something that would happen.
99. He stated that he had been asked to arrange other meetings between undercover officers [REDACTED]. He also arranged meeting for C squad officers and undercover officers, but again he could not give any detail of who would have requested those meetings.
100. His role at the time was as an Operations manager, assisting the Detective Chief Inspector with managing operational deployments.
101. Robert Lambert was asked about the rationale for the meeting taking place, and he referred to the File Note. He felt that a significant part of the rationale was to allow the person making the request to gain an insight into what was happening in the area where the undercover officer is active, this was '*...offering Richard Walton the insight, enabling N81 to emphasise what N81's target group, what they were about... to give a little more understanding about their strategy for infiltrating the campaign*'. Robert Lambert stated this understanding was prompted by the file note and his knowledge of N81's role. It was not based on any recollection of any conversation that he had.
102. The request was for Richard Walton to meet N81. He had no knowledge of any other meetings being arranged and any recollection he had was based on the file note.
103. When questioned about Richard Walton's role at the time, Robert Lambert stated that it was clear to him that the meeting was to be arranged in the context of the Stephen Lawrence case. His recall of this was based on the file note. He could not recall the detail of how he arranged the meeting with Richard Walton.
104. Robert Lambert arranged the meeting to take place at his own flat, where he lived at the time. This was not an unusual practice and he had used his home address on previous occasions, for other, non-related meetings.
105. Robert Lambert stated that he was given the impression that Richard Walton had asked for this meeting. He did not recall any discussion with Richard Walton about what was to be discussed at the meeting.
106. He recalled the meeting lasted about two hours but without the file note he did not feel he would recall much of the detail. He considered that this was an

D172

'important' meeting but this rationale was about operational security rather than a Stephen Lawrence campaign link.

107. Robert Lambert was questioned about the role of N34 in these arrangements. He stated that he would not have been asked to arrange a meeting and exclude N34 from knowledge of it. He also accepted that N34 could have been involved in the management request.
108. Robert Lambert was unable to recall if he had made notes during the meeting. The file note did allow Robert Lambert to recollect that much of N81's reporting was on N81's interest group and their interest in the Stephen Lawrence campaign and *'my broad understanding was that that was the reason Richard Walton wanted this meeting'*.
109. Robert Lambert could not recall much further detail beyond that contained within the file note and stated that the issue around Lambeth Town Hall would have been reported through the normal intelligence channels. This meeting was not a substitute for that process. He felt that the information flow was generally from N81 to Richard Walton.
110. Robert Lambert could not recall briefing any of his management team on the meeting. He would have expected there to have been some verbal briefings on the day, but he could not recall any in detail. He described the purpose of the file note as putting the meeting on record and providing a brief summary for his management and colleagues. He would, unless N34 was not on duty, have briefed N34 on the meeting. He could not recall any discussion that this meeting was to be considered 'secret', but that would have been his understanding.
111. The accuracy of the file note was discussed and Robert Lambert described that as a summary, picking out the key points then he did feel it was accurate, but it was never meant to be a detailed record, and it was an internal SDS document.
112. Robert Lambert was questioned about Richard Walton's background as having previously been a Special Branch officer. Robert Lambert did have some knowledge of Richard Walton but had not worked directly with him. He could not recall any conversations about Richard Walton's background, but he did form the view that Walton's background in Special Branch, was a consideration in his involvement in this meeting.
113. Robert Lambert stated that he had no basis to think that this meeting was 'underhand'. He believed he would have sought clarity of the requirements for the meeting and the detail, but cannot now recall the detail of the discussion he had. He could not recall how Richard Walton's role in the Stephen Lawrence Inquiry fitted into the rationale for the meeting, but he was satisfied that it did.
114. He stated that much of N81's reporting was gathered from public meetings so he did not feel there was an issue with Richard Walton having this information. The 'tactical elements' criticism, would cover other intelligence being reported by N81, not just intelligence at this meeting. It would also include intelligence being provided through legitimate channels from other sources.
115. Robert Lambert was asked about the timing of the meeting and the potential risks that that caused. He stated that he did not have any considerations that this meeting added to any risk at the time. He had confidence in his senior management that the risks and disclosure would be dealt with appropriately.

- D192 116. Robert Lambert was then asked about the flow of information in the meeting as the file note suggested it was from Richard Walton to N81, yet he had said it was the other way. He responded to this by saying that those who would have read the file note would have been aware of the issues that N81 was involved in, whereas the points raised by Richard Walton would not have been so well known.

Colin Black

117. Colin Black was a Commander in the Metropolitan Police Service Special Branch in 1998. He has now retired from the police service. He was served with a Regulation 16 Notice on 12 August 2014 which identified the allegations that had been assessed as potentially gross misconduct.
118. The notice served on Colin Black set out that in 1998 he was a Commander within the Metropolitan Police Service Special Branch (MPSSB), and responsible for the management of all officers deployed within Special Branch, including officers deployed within the Special Demonstration Squad (SDS) who worked undercover.
- D36 119. In August 1998, he was involved in authorising and arranging a meeting between Acting Detective Inspector (A/DI) Richard Walton and an undercover officer who was deployed into one of the groups seeking to influence the Lawrence family campaign. He was aware that A/DI Richard Walton was seconded to the MPS Lawrence Review Team, which was, at that time, preparing a final submission on behalf of the Commissioner MPS, to the Stephen Lawrence Inquiry.
120. This meeting was arranged to allow information to be passed from the undercover officer to A/DI Walton, which could be used by the MPS for preparing the final submission to the Stephen Lawrence Inquiry. Authorising and arranging this meeting at that time had the potential to seriously undermine public confidence in the police service.
121. Colin Black was interviewed on Thursday 18 December 2014 and answered all questions put to him.
122. Colin Black was asked to identify his role within MPS Special Branch during 1998. He stated that he was the Head of Operations. Under his command were a number of squads covering areas such as Counter terrorism, Domestic extremism, International terrorism and others. One of these areas was S squad, which was run by a detective superintendent, believed to be N35. He was responsible for a number of departments, for example, Surveillance, Technical Support and one of these departments was the SDS. There was then either a detective chief inspector or detective inspector in operational charge.
123. He stated that he had little day-to-day contact with operational officers. His areas of responsibility were strategic areas around budgets, staffing and policy. He would only know what was happening within a unit, if it was brought to his attention by a superintendent, or if he had visited a unit to speak with staff.
124. He stated that he had no recall of the meeting between Richard Walton and N81. Due to the secrecy around SDS, he did not think meetings with undercover officers were taking place.

125. Colin Black stated that Richard Walton was working directly for the Commissioner, so he did not think he would be asked to authorise the meeting. He did not recall being asked to authorise this or being told, that it was happening.
126. He stated that he was aware of Richard Walton having worked in Special Branch, but he could not recall any conversation with him. He could not recall any conversation with Richard Walton about this meeting.
127. Colin Black stated he had no knowledge of the meeting between Richard Walton and N81 prior to it taking place. He only became aware afterwards. He had no recollection of having been told about the meeting, but accepted that he did know, because of the note that he had written. He cannot recall when he knew about the meeting.
128. He stated that he could not recall seeing any intelligence around the Stephen Lawrence Inquiry. He felt he may possibly have been aware of Richard Walton's role in relation to Stephen Lawrence, but he confirmed that he had no memory of any conversations with Richard Walton about the meeting with the undercover officer and no memory of a conversation with Richard Walton about the Stephen Lawrence Inquiry. He could not recall any direction that Special Branch were given in relation to intelligence relating to the Stephen Lawrence Inquiry. He stated that he had little operational input and that tasking of sources did not come to him for approval.
129. Colin Black was questioned on the circumstances of the meeting between Richard Walton and the undercover officer, the timing of the meeting, the role that Richard Walton was fulfilling and the role of the undercover officer. Colin Black did not believe there was anything inappropriate in the meeting taking place. He strongly disputed that N81 was tasked 'into' or 'close' to the Lawrence family. He strongly disputed that the meeting was inappropriate.
130. Colin Black was questioned in relation to the Robert Lambert file note. He stated that he did not recall anything from his entry on the file note. He could not recall why he talked about 'ad hoc briefings' and he presumed he had been told about this. He confirmed that he must have thought Richard Walton was in CO24. He interpreted his minute as a post event wrap up, highlighting some work that had been completed. He interpreted some of the document (*'..essential knowledge of the operation goes no further, don't receive anything on paper..'*) as him putting conditions on the meeting, but this could not be the case as it was after the meeting has taken place. He emphasised that there was nothing in his note that suggested he had knowledge of the meeting before it took place.

D172

N35

131. N35 was a Detective Superintendent in the MPSSB in 1998. He has now retired from the Police Service. He was served with a Regulation 16 notice on 12 May 2015, which identified that the allegations had been assessed as potentially gross misconduct.
132. The notice served on N35 set out that in 1998 he was a Detective Superintendent in the MPSSB, and responsible for the management of officers deployed within Special Branch, including officers deployed within the Special

Demonstration Squad (SDS) who worked undercover.

- D199
133. In August 1998, he was involved in authorising and had knowledge of a meeting between Acting Detective Inspector (A/DI) Richard Walton and an undercover officer who was deployed into one of the groups seeking to influence the Lawrence family campaign. He was aware that A/DI Richard Walton was seconded to the MPS Lawrence Review Team, which was, at that time, preparing a final submission on behalf of the Commissioner MPS, to the Stephen Lawrence Inquiry.
134. This meeting was arranged to allow information to be passed from the undercover officer to A/DI Walton, which could be used by the MPS in preparing the final submission to the Stephen Lawrence inquiry. Authorising and arranging this meeting at that time had the potential to seriously undermine public confidence in the police service.
135. N35 provided a response to his Regulation notice on 12 May 2015 in which he stated:
- 'I did not authorise the August 1998 meeting arranged by Detective Inspector Robert Lambert. Furthermore, I had no knowledge of it at the time and to the best of my recollection, I was not aware of it subsequently.'*
- D155
136. He goes on in the response to describe that he recalled a meeting with Colin Black (then Detective Chief Superintendent), in which Colin Black told him about a liaison he had established between Special Branch and CO24. He stated he had no recollection of the 'ad hoc' briefings to Richard Walton and he saw nothing untoward in Special Branch providing assistance to CO24.
137. N35 was interviewed on Thursday 04 June 2015 and answered all questions put to him.
138. N35 initially gave an overview of his career. He stated that he had been in Special Branch Ports Unit in 1995, and in September 1997, transferred to S Squad. The SDS was a small part of his responsibility and he considered it to be a self-contained unit. N35 never served on the SDS, he retired in 2003, still on S Squad.
- Y4
139. N35 stated that he would have had little operational involvement with undercover officers, he believed that a lot of SDS issues were taken straight to Colin Black. He very rarely met with undercover officers, this was the remit of the Detective Inspector and Detective Chief Inspector.
140. He would not have seen all tasking, but he could not recall any conflict over any tasking. The DCI and DI from SDS would periodically come to New Scotland Yard for meetings and they would update either Colin Black or himself. There were no regular meetings with SDS staff.
141. N35 stated that he never knew Richard Walton. He could not recall ever having a conversation about him or with him. He did not recall ever meeting Richard Walton or speaking to him.
142. N35 was questioned about his recollection of the Stephen Lawrence Inquiry and he stated that his only knowledge was what he saw in the media, and it was considered to be more of a CID issue and not a Special Branch issue. These were quite separate departments. He stated that at general superintendent level,

there was little interest in the MacPherson Inquiry.

143. N35 stated that he had dealings with N37, and he felt that the views being expressed by N37 now, were N37's alone. He felt that N37 had had ample opportunity to raise the issues about the Lawrence's and undercover officers at the time, that N37 did subsequently, but N37 never did.
144. N35 stated that he had no knowledge of the arrangements for the meeting with Richard Walton and the undercover officer. He accepted from the minute sheet that he later had knowledge of it. He recalled a conversation with Colin Black about a correspondence route to CO24, but did not recall the Colin Black minute at all. He did not think undercover officers met anyone outside of Special Branch.
145. N35 did not recall the Robert Lambert file note. Having read it now, the note did not concern him as the Lawrences were not being targeted. He stated the meeting with Richard Walton took place without his knowledge. He could not recall any conversations about the meeting.
146. He was unable to say if this Intelligence Summary was a one off document or not. He stated that if he had been concerned when he learned of the meeting he would have raised it with Colin Black. He had no recall of raising this. He did not agree with the Ellison Review 'spy in the Lawrence family' conclusions. The intelligence gathering was around the groups not the Lawrence family.

N34

147. N34 was a Detective Chief Inspector in the MPSSB in 1998. He has now retired from the police service. He was served with a Regulation 16 notice on 14 May 2015 (via his representative), which identified that the allegations had been assessed as potentially gross misconduct.
148. The notice served on N34 set out that in 1998 he was a Detective Chief Inspector in the MPSSB, and responsible for the management of officers deployed within Special Branch, including officers deployed within the Special Demonstration Squad (SDS) who worked undercover.
149. In August 1998, he was involved in authorising and had knowledge of a meeting between Acting Detective Inspector (A/DI) Richard Walton and an undercover officer who was deployed into one of the groups seeking to influence the Lawrence family campaign. He was aware that A/DI Richard Walton was seconded to the MPS Lawrence Review Team, which was, at that time, preparing a final submission on behalf of the Commissioner MPS, to the Stephen Lawrence Inquiry.
150. This meeting was arranged to allow information to be passed from the undercover officer to A/DI Walton, which could be used by the MPS in preparing the final submission to the Stephen Lawrence inquiry. Authorising and arranging this meeting at that time had the potential to seriously undermine public confidence in the police service.
151. N34 was interviewed on 24 September 2015 in the presence of his legal representative. He declined to answer any questions put to him during the interview. N34 subsequently provided a statement, under the misconduct caution

D200

(for retired officers), which was received by the IPCC on 14 October 2015.

- Y5 152. In his statement, N34 set out some of his past career, in that he joined Special Branch in [REDACTED] and worked as an [REDACTED] from [REDACTED] to [REDACTED]. He was promoted to detective chief inspector in 1997 and transferred to the SDS in mid- 1998. Robert Lambert was working to him as a detective inspector. N34 retired in 2001.
- S1 153. N34 stated that the first time that he was asked to recall the meeting between Richard Walton and the undercover officer was in May 2015, by the IPCC. He did not have a clear recollection of the circumstances surrounding the meeting, but what he would say in his statement was a reconstruction based on the documents disclosed to him.
154. He had no recollection of how this meeting came to be arranged or who initiated it. He had no recollection of being involved in making a request to Robert Lambert to arrange this meeting.
155. He was shown the Robert Lambert file note and the SDS Intelligence Update September 1998. He had no recollection of these documents, but accepted that he must have read the documents, as he had initialled the file note. He accepted that he must have read the Robert Lambert file note on 18/8/98, but he had no recollection of signing it.
- D172 156. He referred to the SDS Intelligence Update September 1998 (Colin Black file note). He accepted that he must have read this file note, but he had no recollection. He did not consider this to be suggestive of anything inappropriate taking place.
157. N34 stated, having read the disclosed statement of the undercover officer that he agreed with the comments of the officer in that the officer was not tasked into the Stephen Lawrence Campaign or the family. He states that there was no operation to undermine the Stephen Lawrence campaign, and he believed that allegations suggesting this were misconceived.
- S2a 158. He further stated that while he was in SDS, no-one considered whether it was appropriate or proportionate to continue undercover deployment in a group that got close to the Lawrence family, or disclosure to a Public Inquiry. It did not occur to N34 that the meeting between Richard Walton and the undercover officer could have been seen as inappropriate while the Public Inquiry was in progress. He stated that disclosure of the role of an undercover officer would only have been considered in extreme circumstances. He finished by stating that there was not an attempt to spy on the Lawrences.

Richard Walton

159. Commander Richard Walton is still a serving officer in MPS. He was served with a Regulation 16 Notice on 30 July 2014, detailing allegations which had been assessed as potentially gross misconduct.
160. This notice set out that Commander Walton was an Acting Detective Inspector (A/DI) in 1998 and seconded to the MPS Lawrence Review Team, which was responsible for drawing up the final submissions on behalf of the MPS Commissioner, for the Stephen Lawrence Inquiry.
- D38 161. In August 1998, A/DI Walton attended a meeting with an undercover officer, who

had been deployed into one of the groups seeking to influence the Lawrence family campaign. The undercover officer could have been in possession of information which had the potential to influence the MPS submission to the Stephen Lawrence Inquiry. Attending this meeting had the potential to seriously undermine public confidence in the police service.

162. Commander Walton was then interviewed by the Ellison Review in October 2013 and February 2014 about his recollection of the meeting. In the second interview, in February 2014, Commander Walton changed his recollection of the meeting. Providing different accounts had the potential to mislead the Ellison Review and potentially undermine public confidence in the police service.
163. Commander Walton was interviewed on Friday 19 December 2014, when he answered all questions put to him.
164. Richard Walton began the interview with the IPCC by stating that to date he had been interviewed twice by the Ellison Review, he had now read the Operation Herne and Ellison reports. He wanted to co-operate fully with the IPCC Independent investigation.
165. In terms of this section of the report, the only aspect of the Richard Walton interviews that is relevant is that Richard Walton was asked if he briefed anyone on the content of the meeting, and he stated that he could not recall if he did or if he did not.
166. This interview will be discussed in more detail later in this report.

Y1
Y1a
Y1b
Y1c

Analysis of the evidence

167. In order to reach conclusions it was necessary for me to analyse and evaluate the evidence. Where I have needed to make factual findings I have applied the “balance of probabilities” standard of proof. In deciding whether something is more likely than not to have occurred, I have had regard to all of the available evidence and the weight to be attached to it.
168. Since this case was one subject to special requirements I am required only to form an opinion about whether there is a case to answer for misconduct or gross misconduct for each subject. In doing so I will not reach findings of fact that would be conclusive of misconduct or gross misconduct which may take place – these findings should be left for any subsequent misconduct hearing or meeting. For retired officers there can be no misconduct hearing or meeting.
169. The key independent evidence about the meeting is the file note produced by

Robert Lambert on 18 August 1998 and the September Intelligence Summary which bears comments from N34, N35 and Colin Black.

The Robert Lambert File Note

- D172
170. This note contains a large amount of detail of an area that it would perhaps be expected that Robert Lambert would not have detailed knowledge about. In his role at the time, he would, undoubtedly, have been aware of the ongoing work by the SLRT, and that there was a further submission to be made to the Inquiry. But he would not be expected to have knowledge of a large amount of detail.
 171. It is my assessment that the note highlighted the significant impact he believed SDS had made on an ongoing, current issue for MPS at that time. It demonstrated that the undercover officer had been tasked to the heart of a current issue, and that tasking could potentially have had enormous benefit for MPS in their interaction with the MacPherson Inquiry.
 172. The note described an exchange of information, and that there was a significant flow of information from Richard Walton to the undercover officer. If the briefing was to be for Richard Walton, it would potentially be expected that more detailed information would have been provided to him. Significantly, Richard Walton, described the three key areas that were causing most concern for the SLRT.
 173. The file note is put together by Robert Lambert, most likely for internal use only within SDS, to inform SDS senior management of the success of this interaction with Richard Walton. To inform them [REDACTED] that the SDS had achieved something significant. The evidence suggested that briefings with external stakeholders were rare events.
 174. The fact that it was apparently not commonplace for these briefings to take place would add to the significance of this exchange of information.
 175. The openness of the report by Robert Lambert suggested that he saw nothing sinister or underhand in this meeting taking place and the file note did not suggest at all that the meeting was inappropriate. There was no consideration in the note as to whether there was to be any disclosure that this meeting had taken place. Lambert reported the facts to his management, aware that he was working in an environment of extreme secrecy.

D157

The Colin Black file note (DOC 1784)

176. The message about what took place at the meeting was consistent, in that there was an exchange between an undercover officer and a representative from the SLRT. There was consistent detail, in relation to the advice about the vulnerability of the Commissioner attending Lambeth Town Hall. The detail entered here tends to support the accuracy of the initial briefing note, albeit, they are prepared by the same individual. The detail of this meeting appeared not to be the main thrust of this document. The detail was included to add weight to the importance of the work and contribution made by SDS operatives.
177. The note passed through a number of individuals in the management chain and there was no questioning of the legitimacy of the meeting, how it came about, who asked for it to take place, whether it was part of an ongoing tasking. It suggested only positive outcomes from the linking of the undercover 'behind-the-

scenes' knowledge and Richard Walton, who was engaged in the work of the SLRT.

178. Within the SDS Management environment there appeared no suggestion that this meeting may be inappropriate in any way, nor badly timed in view of the ongoing MacPherson Inquiry. At Colin Black's position within MPS, it would be expected that he would have knowledge of the ongoing position with the MacPherson Inquiry. A meeting had taken place with an individual who was not a stakeholder, nor involved in the tasking of the undercover officer. The meeting would have been out of the ordinary, which would have been evident to all those who were receiving this briefing note, yet there is no questioning of the legitimacy of it. There is no suggestion that the fact the meeting had taken place would be disclosed at any stage. All of those in this management chain are working under the expected secrecy of the SDS environment, with these documents being filed within that same environment.
179. This evidence demonstrates in unequivocal terms that:
 - The meeting with N81 took place on 14 August 1998
 - Those involved in the meeting were N81 and Richard Walton.
 - Robert Lambert put the arrangements in place for this meeting.
180. Robert Lambert in interview under caution said that he had been asked to arrange this meeting by 'senior management'. He was unable to say who, exactly, had asked him to do this. He thought it was unlikely that he would have been asked to arrange this meeting and exclude N34, who was his first line supervisor. The meeting took place in Robert Lambert's home (at that time), which was not an unusual practice. The practice of 'tasking' officers, meeting directly with undercover officers was not unheard of, but was not common practice.
181. Robert Lambert believed the request to hold this meeting had come from the SLRT end, he believed he would have sought some clarification on the detail of the meeting, but he was unable to recall now what this detail was, or how Richard Walton's role in the SLRT figured in the rationale for the meeting.
182. Robert Lambert did not consider whether the meeting may or may not have been inappropriate. He understood that much of N81's intelligence was gathered from attending public meetings, so Robert Lambert did not see that there could be any issue with Richard Walton having access to this intelligence.
183. He stated he was tasked by his own 'senior management' to arrange the meeting, he made notes of the content of the meeting and reported upon it within the SDS environment. His file note was subsequently circulated among other SDS officers, commented upon by supervising officers, and ultimately subject of favourable comment by Head of Operations within Special Branch, Colin Black.
184. Robert Lambert could not provide any detail on how the arrangements for the meeting were put in place.
185. Colin Black was the Head of Operations within Special Branch at the time the meeting between the undercover officer and Richard Walton took place. The September Intelligence Summary (first entry dated 03 September 1998) demonstrated that he had seen the file note produced by Robert Lambert. Colin Black stated that he had no knowledge of the meeting taking place at the time,

- but accepted from his comments that he must have known afterwards.
186. As Head of Operations within Special Branch he was in a strategic role and he would not have expected, nor did he have, day-to-day contact with operational officers. If this meeting was being arranged, he would not have expected to have been consulted on it.
 187. The file note which he created demonstrated knowledge of the meeting after it had taken place. He denied that he was involved in authorising or allowing this meeting to take place. Robert Lambert stated in interview that the request to arrange this meeting had come from 'senior management'. Robert Lambert was unable to say who made this request. He knew and had regular contact with those in the management chain above him, N34, N35 and Colin Black.
 188. There is no evidence that Colin Black had knowledge of the meeting or its arrangement prior to it taking place.
 189. Colin Black had no recollection of any conversations with Richard Walton about this meeting or the Stephen Lawrence Campaign. Colin Black did not accept that the meeting between the undercover officer and Richard Walton was inappropriate.
 190. N35 was the Head of S Squad, which included the SDS. He stated that he had little day-to-day contact with operational undercover officers, this contact was managed by Robert Lambert and N34. He could not recall any conversations with or about Richard Walton. He had no memory of the meeting with Richard Walton taking place and he could not recall any conversations in respect of this meeting.
 191. N35 did not recall the Lambert file note and he was unable to say if the Intelligence Summary was a one-off document or not. He accepted that he had later knowledge of the file note as he had initialled it.
 192. The file note did not cause N35 any concerns as he did not consider that SDS were targeting the Lawrence family, they were targeting interest groups, as such, he did not consider that the meeting between the undercover officer and Richard Walton was inappropriate.
 193. The Colin Black file note demonstrated that N35 had knowledge of the meeting after it had taken place. There is no documentary evidence that suggests that N35 could have prevented this meeting taking place, or had knowledge of it prior to it occurring. Robert Lambert did not suggest that N35 directed him to arrange the meeting, albeit, N35 formed part of the 'senior management' of the SDS. The file note entry by Colin Black referred to the file note being sent back to N35, and the suggestion is that the file note was filed within the SDS.
 194. N34, at the time of this meeting, was a detective chief inspector within the SDS environment, he was a direct supervisor of Robert Lambert. He stated that he had no recollection of making a request to Robert Lambert to arrange this meeting. Lambert stated that he would not have been asked to arrange a meeting and to exclude N34 from knowledge of it. Robert Lambert did not specifically name N34 as the source of the request, but stated that he could have been involved in the chain of command.
 195. N34 chose to answer 'No Comment' to all questions put to him and he subsequently provided a statement under the misconduct caution (for retired

officers), covering the areas of the interview questions. This effectively meant that N34's answers to questions and his recollection of events about this meeting could not be properly challenged in an interview.

196. N34 accepted that he saw the Lambert file note on 18 August 1998 that he initialled the document, but he had no recollection of it. N34 stated that the undercover officer was not tasked into the Stephen Lawrence Campaign or Lawrence family and that at no stage did he consider the meeting between the undercover officer and Richard Walton to be inappropriate.
197. The documentary evidence confirmed N34's knowledge of the meeting just four days after it had taken place. Yet there is no evidence that he was involved in authorising or making arrangements for the meeting to take place. Significantly, he is not named by Robert Lambert, even though he must have had a very close working relationship with him.

Conclusions

198. Below, I have set out my conclusions for the appropriate authority and Commission to consider.
199. These conclusions are based on the evidence obtained during the investigation and summarised above.
200. If there are to be court or disciplinary proceedings it will be for the relevant tribunal in those proceedings to make final determinations. For example, where I conclude that person subject to the investigation has a case to answer for gross misconduct, this does not amount to a legal determination that there has been gross misconduct. If a charge is then brought by the appropriate authority a misconduct hearing will hear the evidence, and make its own findings about whether the charge is proved or not. For retired officers there can be no misconduct proceedings.
201. I have made factual findings, where appropriate, by applying the balance of probabilities test to the evidence. In other words, I have decided whether it is more likely than not that the fact alleged occurred.
202. After reviewing my report and considering my recommendations, the Commission will decide whether any organisational learning has been identified that should be shared with the organisation in question. They may also recommend or direct, unsatisfactory performance procedures.

Robert Lambert

203. Robert Lambert provided no evidence on who asked him to arrange this meeting. His evidence that the request came from the SLRT end is at odds with the evidence provided by Richard Walton. Lambert provided no detail on how the arrangements for the meeting were put in place. Whilst Lambert had arranged meetings for tasking officers and security service officers previously, the request for a meeting with an officer from the SLRT should have caused him to question the validity of the request.

204. He was aware in vague terms of Richard Walton's role on the SLRT. Robert Lambert should have been aware that there was a danger that had knowledge of the meeting entered the public domain, there could have been serious consequences for the public perception of the force. Robert Lambert's actions had the potential to bring discredit on the reputation of the force.
205. There is no suggestion from those interviewed that Robert Lambert would have acted of his own volition in bringing this meeting about. Robert Lambert, himself, dismisses this as a suggestion. There is, however, no evidence to link other members of the SDS to any of the arrangements for this meeting.
206. The original MPS justification for the deployment of SDS officers was to prevent public disorder although there is evidence that this remit had been widened in 1997¹ both Lord John Stevens and Lord Condon, in their evidence to the Ellison Review, accepted, as Ellison concluded, that using SDS officers to achieve some (secret) advantage when making submissions to the MacPherson Inquiry from SDS undercover employment which had access to the Lawrence family's circles, would cause justifiable public outrage. In the investigator's opinion, if the fact of the meeting had been made public when the Inquiry resumed in September 1998, serious public order of the very kind so feared by the MPS might well have followed.
207. At the time of the meeting in August 1998 police disciplinary offences were set out in the Discipline Code contained in Schedule 1 to the Police (Conduct) Regulations 1985. Paragraph 1 set out a disciplinary offence where an officer behaved in a manner reasonably likely to bring discredit on the reputation of the force or the police service.
208. **It is the investigator's opinion that had Robert Lambert still been a serving officer, a reasonable misconduct panel or meeting properly directed could find that on the balance of probabilities that he had behaved in a manner likely to bring discredit on the reputation of the police service. It is therefore my opinion that there is a case to answer for Robert Lambert in respect of misconduct. Robert Lambert was a mid ranking officer within the SDS at the relevant time, his own evidence is that he was asked to arrange the meeting by a senior officer. It is clear that he reported on the meeting to his senior officers in an open and transparent manner and his superiors were pleased that it had taken place. That there was no recognition of the impropriety of holding the meeting may reflect poorly on the culture of the SDS, which is a matter for the Herne Investigation and the Public Inquiry to be led by Lord Justice Pitchford. However it is accepted that Robert Lambert was acting with the knowledge and (on the balance of probabilities) at the request of his superiors, albeit that it has not been possible (see below) to identify who in his chain of command asked him to arrange the meeting. For this reason it is the Investigator's opinion that this potential failing would not have been so serious as to justify dismissal and the recommendation is, therefore, one of misconduct only.**

¹ Operation Herne Report 2 paragraph 15.1

Colin Black

209. Colin Black was in a strategic role within Special Branch. The evidence available shows he had knowledge of the meeting after it occurred and he could not, therefore, have prevented it taking place. There is no positive evidence that he knew of it beforehand although Richard Walton's evidence in his first interview with the Ellison Review was that he had had a conversation with Colin Black in which he was asked if he was comfortable receiving intelligence relating to SDS, This may suggest that the meeting was instigated by him. However Richard Walton's own evidence is that he cannot be sure that this was before the meeting.
210. Therefore there is insufficient evidence available to find that Colin Black was involved in authorising or arranging the meeting between Richard Walton and the undercover officer. Although he was undoubtedly aware of it after it had taken place, the Discipline Code did not require that officers reported improper conduct, as they are required to do so now.
211. **It is the investigator's opinion on the basis of the evidence available, that a reasonable misconduct panel or meeting properly directed could not find on the balance of probabilities that there had been a Breach of the Discipline Code and so there is no case to answer in respect of Gross Misconduct.**

N35

212. N35 was in a strategic role, with little day-to-day contact with undercover officers. The evidence available in terms of the file note and the Intelligence Summary, only suggest that he had knowledge of the meeting after it had taken place. He was, however, part of the senior management within the SDS management structure. As set out above the Discipline Code at that time did not require that he reported improper conduct.
213. There is insufficient evidence that he was involved in authorising or making the arrangements to put this meeting in place.
214. **It is the investigator's opinion on the basis of the evidence available, that a reasonable misconduct panel or meeting properly directed could not find on the balance of probabilities that there had been a Breach of the Discipline Code and so there is no case to answer in respect of Gross Misconduct.**

N34

215. With such a close working relationship between Robert Lambert and N34, it is inconceivable that Robert Lambert would have been able to make the arrangements for this meeting to take place without some knowledge on the part of N34.
216. However, to make a positive recommendation in respect of N34, there must be evidence that demonstrated that he had knowledge of the meeting prior to it taking place. The evidence available is that he knew about the meeting from Robert Lambert's file note, four days after the meeting had take place.
217. However the documentary and witness evidence available is insufficient for a

tribunal to be able to infer, that he incited, encouraged or was knowingly an accessory to the meeting being arranged

218. **It is therefore the investigator's opinion on the basis of the evidence available, that a reasonable misconduct panel or meeting properly directed could not find on the balance of probabilities that there had been a Breach of the Discipline Code and so there is no case to answer in respect of Gross Misconduct.**
219. I am satisfied, on the balance of probability, that the meeting between N81 and Richard Walton was initiated within the SDS. The evidence available from Robert Lambert suggested that he was instructed to put the meeting in place by 'senior management'. He was unable to identify or recall who instructed him. Robert Lambert stated that he would not have been asked to arrange the meeting and exclude N34 from any knowledge of it and N34 could have been involved in the chain of command.
220. In terms of positive evidence, the only officers who can be shown to have been involved in making the arrangements for this meeting are Robert Lambert and Richard Walton. No other officers can be linked to knowledge of the meeting until after it had taken place, so no officer 'senior' to Robert Lambert, could be proved to the required standard to have had any influence on the situation. The documentary evidence available demonstrated that N34, N35 and Black all became aware that the meeting had taken place. All said they were unable to provide any recollection of having seen the documentation discussed, but all accepted that they were aware as they have put comment or initials on the documents. Neither N34, N35 nor Black considered the meeting to be inappropriate.
221. Richard Walton cannot recall seeking any advice or guidance on attending the meeting and cannot recall briefing anyone after the meeting.
222. The file note entry made by Colin Black, he felt suggested a 'pat on the back' for those involved. The correspondence route he then set up, was a route for intelligence to flow into CO24, and this again would be after the meeting had taken place. The documents demonstrated that they remained within SDS.
223. Unfortunately, as set out above, although the investigator accepts, on the balance of probabilities that Robert Lambert was asked by someone in senior management to arrange the meeting, it is not possible to establish, to the required standard of proof which individual(s) that was.
224. It is the investigator's opinion based on the balance of probabilities, that there is no evidence available that any senior officer outside of the SDS knew about this meeting before or after the meeting.

Terms Of Reference:

To investigate 1;

b). The actions and intention of Mr Walton in attending a meeting with an undercover officer deployed close to the Lawrence family in August 1998.

d). What information was obtained by Mr Walton and how this was used to

influence the MPS final submission to the Stephen Lawrence Inquiry.

225. Documentary evidence that is relevant to this aspect of the investigation includes:

D89

Department of Legal Services, minutes of meeting held 08.00am, 13 August 1998

226. These are the minutes of a meeting of The Lawrence Inquiry Part 1 Submission, 08.00hrs, 13 August 1998. This is a meeting of a strategic group, chaired by Assistant Commissioner Johnston, with other senior officers present and representatives from the MPS Solicitors Department and Counsel. The minutes suggest this meeting was to discuss the preparation of the written submissions to the Inquiry.
227. The minutes suggest the discussion focussed on themes for the oral submissions of:
- Race/Corruption/Re-iteration of an apology
228. A suggestion from Lead Counsel is that the oral submissions should focus on the following areas:
- Race/Corruption/The Way Forward.
229. Lead Counsel is also recorded as commenting;
- 'Race – NSY submission is excellent.'*
230. Richard Walton is not recorded as being at this meeting.

D92

Department of Legal Services, minutes of a meeting held at 09.30am, 13 August 1998

231. This appears to be a follow-on meeting from the above, in the same room. Counsel are present, Superintendent Quick and DS Sutherland, who had all been at the previous meeting, but significantly, A/DI Richard Walton was also now present.
232. The minutes suggest this meeting focussed on agreeing a structure for the submissions and records that Superintendent Quick talked about the three areas of: Race/Corruption/Competence.
233. A/DI Richard Walton was not noted as speaking at any stage in the meeting but was recorded as being present. There is nothing in the minute to suggest that A/DI Walton was not performing a role on the Stephen Lawrence Review Team.

D188

Department of Legal Services, minutes of a meeting held at 4pm, 07 August 1998 (from Ellison Team)

234. These are minutes of an earlier meeting, of the group present at the meeting described at paragraph 215. Richard Walton was present at this meeting.
235. The minutes again reflect a debate at a strategic level as to the approach with the oral and written submissions still to be made to the Inquiry.

Metropolitan Police Service Submission to Part 1 of the Inquiry into the Matters Arising from the Death of Stephen Lawrence (September 1998) Chapters 15 and 19 – Race and Issues of Race.

236. This document contained the two chapters that Richard Walton drafted for the SLRT. Chapter 15 was entitled Race and Chapter 19 was entitled Issues of Race. The content of the two chapters are discussed in the Analysis section of this part of this report.

IPCC Subject Interview

Richard Walton

237. Commander Walton was interviewed on Friday 19 December 2014, when he answered all questions put to him.
238. Richard Walton began the interview with the IPCC by stating that to date he had been interviewed twice by the Ellison Review, he had now read the Operation Herne and Ellison reports. He wanted to co-operate fully with the IPCC Independent investigation.
239. He stated that he was trying to put forward an accurate account, but he could not now be sure of what he could properly recall or what he was now re-constructing in his mind having other information available to him. He was asked to comment by the Ellison Review on documents that he had not previously seen. He believed that he had acted with integrity throughout.
240. Richard Walton recalled conversations with Robert Lambert and Colin Black but could not recall when they occurred. He believed that he may have got these the wrong way around in his initial interview with the Ellison Review.
241. Richard Walton described himself as being the ‘expert on Race issues’ within SLRT. There had been some public order issues at times during the public parts of the Inquiry. Richard Walton stated that that was the context of the time when he had the meeting with Robert Lambert. He believed that there was a public order, public disorder remit and they were the grounds for the meeting.
242. Richard Walton stated ‘*The precise reason for the meeting, I don’t think I have any recollection of it being explained to me as such, but I was familiar with Special Branch work, I understood their remit...to gather intelligence on threats to public order*’.
243. He stated that he responded to a request from Robert Lambert to meet the undercover officer, and this was in a context of race, community disorder, and community tension.
244. Richard Walton that he could not recall the content of the conversation with Robert Lambert. It was a request from a more senior officer to attend the meeting, it was not Richard Walton’s idea.
245. He could not recall where the meeting with Robert Lambert took place, but from his perspective, it was a ‘chance’ meeting. His best recollection was that the meeting was in the foyer at New Scotland Yard.
- Y1d 246. Richard Walton was asked to provide detail of the conversation he had with Robert Lambert. He referred to a page of his initial interview with the Ellison Review to provide his best recollection of the meeting and what was said. He

stated in that interview, Robert Lambert said *"Well if it helps, do you want to..would it help to meet the actual officer"*, and Richard Walton replied, *"...It would allow me to contextualise ...what is going on out there...we are getting all sorts of feeds.."*

247. He could not recall any other conversations with Robert Lambert to make any arrangements to put the meeting in place. He could not recall the timing of the meeting with Colin Black. Richard Walton was adamant that Robert Lambert instigated the meeting.
248. Richard Walton stated that he had met with other undercover officers during his time on Special Branch, so this was not unusual for him and not a unique situation. It was pointed out to Richard Walton that he was in a different role on the SLRT in comparison to his Special Branch role, which he agreed with.
249. He could not give any detail or the rationale for the meeting. He had no memory other than what he had given. At no stage did Richard Walton think the meeting was inappropriate, before, during, after or now.
250. Richard Walton referred to his first Ellison Review interview again (page 15) where he recalled a conversation with Colin Black, which included *'..well you are on the Lawrence Review Team, we have got some coverage around the periphery of the Lawrence family'*, he also spoke about a conduit for intelligence on the back of the Lawrence Inquiry. Richard Walton felt this referred to his later CO24 remit. He could not say when the conversation with Colin Black took place. He could only be certain that he had at least one conversation with Robert Lambert and at least one conversation with Colin Black.
251. Richard Walton pointed out that he did put caveats into his conversations with the Ellison Review, such as *'to the best of my knowledge'*, he could have said that he did not recall, but he was trying to be helpful.
252. Richard Walton was asked if the meeting with the undercover officer was *'secret'*. He said that it was secret in that it was arranged through Special Branch protocols and he would have understood this to be secret, but he pointed out that this did not make it illegitimate. He again pointed out that he was responding to a request from a senior officer, in the context that he has given, and nothing that he heard made him think the meeting was in any way illegitimate.
- D12 253. He again referred to Ellison Review findings which stated, *'... accept that the meeting was not his idea, but a request from a more senior officer at the SDS. We also accept that he agreed to a meeting without any detailed knowledge of the actual role and intelligence covered by an undercover officer...we accept that Mr Walton may have simply taken up the invitation without realising that he was going to meet an undercover officer who was positioned close to the Lawrence family'*. Richard Walton agreed with this finding.
254. He had very little recollection of anything at the meeting. Most of his recollection was reconstruction from the notes provided. He could not recall anything about the officer. His mindset in going into that meeting was about moving forward and he stated the issues in the Robert Lambert file note were CO24 matters.
255. Richard Walton stated that he had a meeting with John Grieve, which he believed to be about that time but he could not recall the exact date.
256. In interview there was a discussion of when Richard Walton was posted from the

D179

D53

SLRT to CO24. He stated entries in his Personnel Record suggested this to be around 10th to 18th August 1998. It was put to Richard Walton that a different interpretation of his Personnel Record was that the transfer took place on 05 October 1998, which is recorded in the document. Richard Walton pointed out that there are inaccuracies within MPS personnel records. Richard Walton emphasised that his work on the submissions had finished. Richard Walton believed he could have been in CO24 at the time of this meeting.

257. Richard Walton did not make any notes at the meeting with the undercover officer. He had never seen the file note before the first interview with the Ellison Review and then was shown a (slightly) different note in the second interview.
258. Richard Walton's view of the file note was that it was an 'embellished' version of events, and stated Robert Lambert was known to be 'poetic'. He was asked to provide a view on how accurate the file note was and he replied that he could not say because he did not remember it. It was not a totally fabricated note.
259. Richard Walton highlighted some differences in the documents made available to him during interview, which 'perplexed' him. He stated that N81 was referred to as N81, and himself as [REDACTED]. The second document includes the line '*An excellent meeting and a good example of the strides N81 has made over the last 12 months*', which is not included in the first document.
260. Richard Walton stated that he was perplexed and confused by being told there was a spy in the camp and then being shown a different document.
261. Richard Walton stated that he disagreed with the Ellison Review assertion that the meeting with the undercover officer was put in place to inform the MPS submission. Richard Walton did not accept this assertion.
262. He felt that the issues in the points raised in the meeting with the undercover officer were more CO24 issues. He adamantly refuted the suggestion that the meeting was put in place to assist the submissions, he stated that the content was more about 'moving forward'. He repeated this point a number of times.
263. It was pointed out to Richard Walton that Robert Lambert got the information that Richard Walton 'prepares to draft the final submissions' from somewhere and the only person this could have come from was Richard Walton. Richard Walton maintained that the Robert Lambert file note was embellished but was essentially accurate in terms of the information it contained.
264. Richard Walton was questioned about the Colin Black file note which referred to 'ad hoc meetings'. Richard Walton maintained there was only one briefing, and that was on 14 August 1998.
265. Richard Walton was asked if he briefed anyone on the content of the meeting, and he stated that he could not recall if he did or he did not.
266. He stated his role was not to route intelligence. That would go through existing channels. Richard Walton was outside that chain of intelligence. The conversation was about race and this, in his view, was not an illegitimate conversation. Richard Walton felt it was reasonable to receive a briefing on how race issues were playing out in South London, at that time. However, Richard Walton could not recall if this was the purpose of the meeting.
267. There was a discussion about the legitimacy and appropriateness of the

meeting. Richard Walton stated that he responded to a request to go to a meeting by a senior officer. In his view, the legitimacy of the meeting was not his responsibility, but that of the senior officer who invited him to the meeting. He stated that had heard nothing since, other than the spy in the camp allegations (which he stated we now know there was not), which suggested the meeting was inappropriate. He stated if he was in that same situation he would still go to that meeting.

268. There was further discussion of the sensitivity of the meeting at the time of the submissions and his role in preparing the submissions. There was also no disclosure of the meeting having taken place. Richard Walton stated he had already told the Ellison Review that disclosure of the meeting was not his responsibility as he was a junior officer at the time. This was a matter for Special Branch senior officers.

269. Richard Walton could not recall if he told anyone about the meeting. If this was secret, it was about the risk to the undercover officer rather than any other reason. It was pointed out that the meeting was reported through the SDS channels, but did not appear to have been reported through the SLRT end. Richard Walton pointed out that Special Branch could use their own systems to report the meeting if it was classified as secret.

270. Richard Walton reflected on the content of the file note and stated that he felt that the information flow was more from him to the undercover officer, so he questioned for whose benefit the meeting was arranged. This was a reflection now and not a recollection of the event.

271. Richard Walton clarified the accuracy of his response to the Ellison Review in that he had said he had gone from Stoke Newington to the SLRT but now he could see from his Personnel File that he went to Special Branch, then to the SLRT. This was a mistake. Richard Walton felt the Personnel File clarified for him that his mindset in attending the meeting was about his CO24 role, not his SLRT role.

D92

272. The Meeting Minute of 13 August 1998 showed Richard Walton attended this meeting. Richard Walton stated this did not prove he was on the SLRT, he may have been there from CO24. It was pointed out that the note did not identify where others were from, and all were on the SLRT. The minute did note that *'Race submission is excellent, Counsel only need to add a small factual input'*. Richard Walton suggested this meant his submission had been completed. Richard Walton suggested that the Ellison Review interpretation of this minute and that of meeting on 07 August 1998, showed that the race submission was complete. Richard Walton could not recall anything about either meeting.

D56

273. There was a discussion about a document 'Police Transfer Form' (from Personnel File). Richard Walton had completed this form and had put himself as transferring to CO24 on 01 October 1998. Richard Walton made the same point about the inaccuracy of this information, as it was based on budget transfers and completed without access to Personnel File information. Richard Walton stated that none of these files were accurate. It was pointed out that in none of the files whether accurate or not, was he put as being on CO24 in August 1998.

D151

274. Richard Walton produced a number of documents and articles during his interview which he stated added context to the situation and why he attended

this meeting.

D63

275. Richard Walton referred to the Operation Herne Report. This report referred to the tasking of N81. He stated that this report found that N81 was not tasked into the Lawrence family, there was no evidence N81 met the Lawrence family, there was no evidence any officer was targeted to the Stephen Lawrence Campaign. Richard Walton stated that the public would expect undercover officers to be tasked to violent organisations.

Analysis of the evidence

276. In order to reach conclusions it was necessary for me to analyse and evaluate the evidence. Where I have needed to make factual findings I have applied the “balance of probabilities” standard of proof. In deciding whether something is more likely than not to have occurred, I have had regard to all of the available evidence and the weight to be attached to it.
277. Since this case was one subject to special requirements I am required only to form an opinion about whether there is a case to answer for misconduct or gross misconduct for each subject. In doing so I will not reach findings of fact that would be conclusive of misconduct or gross misconduct which may take place – these findings should be left for any subsequent misconduct hearing or meeting.
278. Richard Walton began his interview with the IPCC by stating that he had been interviewed by the Ellison Review twice and he had now read the Operation Herne Report and the Ellison Review Report. He was trying to put forward an accurate account, but he was now unable to say what he could properly remember or what he was reconstructing in his mind, having the other information available to him. He was satisfied that he had acted with integrity throughout.
279. Richard Walton had been seconded to the SLRT from his role in Special Branch. He had been in the SLRT role for some months and was responsible for completing the MPS submissions on race. He considered himself to be the ‘expert on race issues’ on the SLRT.
280. He stated his recollection of the arrangements to put the meeting in place was poor. However, he recalled that the meeting was initiated from an approach by Robert Lambert, he believed as part of a chance meeting, possibly in the foyer at New Scotland Yard. His best recollection of the conversation with Lambert included the following;
- ‘Well if it helps, do you want to..would it help to meet the actual officer’, to which he responds:*
- ‘...it would allow me to contextualise...what is going on out there..we are getting all sort of feeds..’*
281. Richard Walton placed the context of the meeting in terms of race, community disorder and community tension. He recalled a conversation with Colin Black in which the phrase:
- ‘..coverage around the periphery of the Lawrence family’* is used, the conversation also included discussion of the conduit for intelligence on the back

of the Lawrence Inquiry, which led into the CO24 remit. Richard Walton could not be precise on when the two conversations took place, or which was the first conversation. He accepted that he may have mixed up the timing of the two conversations.

282. Robert Lambert did not provide any detail of the conversation with Richard Walton, but the conversation must have taken place. Both Robert Lambert and Richard Walton suggested an element of chance in the meeting between them, which did not accord with either suggesting that the idea for the meeting with N81 came from the other department or function.
283. Whilst there was no recollection of the conversations from either Colin Black or Robert Lambert, the knowledge of N81's deployment and N81's tasking, sat within the SDS. Robert Lambert was unable to recall who tasked him with arranging the meeting, but he stated the request came from his (SDS) senior management. He agreed that there was contact with Richard Walton to set up the meeting.
284. I consider that it is more likely than not that the meeting was initiated by the SDS side. While there is no direct evidence that the knowledge of the detail of Richard Walton's role was available to the SDS, I consider, on the balance of probabilities that an approach was made to Richard Walton by Robert Lambert.
285. Richard Walton stated that the approach to him was by a more senior officer – a detective inspector – when Richard Walton was an acting detective inspector, effectively a sergeant. This implies that Richard Walton could not refuse the request, albeit he does clarify that he was not 'ordered' to attend the meeting.
286. Richard Walton could not now provide an accurate rationale as to why he attended the meeting with N81. He spoke about the context of the meeting being about race, community disorder and community tension, but the focus of his work at that precise time then becomes relevant. Richard Walton stated that at the time of the meeting he was 'transitioning' from the SLRT to a role in CO24. This was discussed at length in interviews with both the Ellison Review and the IPCC.
287. In the IPCC interviews, parts of Richard Walton's Personnel File were discussed. A memo entitled Accelerated Promotion Course (APC) Phase III (Inspectors) dated 06 August 1998, has an entry dated in August 1998, as follows:
'DS Walton currently on Lawrence Enquiry. Spoke to Bob Quick D/Supt + Richard Walton. Orig (sic) intention to transfer to 2Area, but Mr Grieve wants him to stay & join new Race Hate Unit (under Mr O'Connor 5 Area A CO24'
288. The date of this entry on the memo cannot be clearly read, it is possibly 10 August. The next entry is then dated 19 August 1998, which says:
'Copy of letter sent to DS Walton (Room 1036 NSY). He will try to find out who is dealing with their personnel & let me know'.
289. Entry dated 20 August 1998:
'CO20 deal with Personnel for CO24'
290. Entry dated 09 October 1998:
'DS Walton transferred to CO24 5/10/98 as Insp. Send file to Room 506 NSY'

D53

291. Richard Walton's interpretation of these documents is that they demonstrate that he transferred from the SLRT to CO24 between 10 and 18 August 1998. So at the time of the meeting with N81, he may not have been part of the SLRT.

D56

292. However, the document mentioned above clearly stated that '*DS Walton transferred to CO24 5/10/98...*'. Other documentation discussed in interview was a 'Police Transfer Form' which is initially completed by the officer in question. Richard Walton has stated on this form that he was posted to CO24 on 01.10.98 until 18.4.99 – this form was completed on 03 July 2003. A further document referred to is a 'Career Management Transfer Form' again completed by the officer in question, and which states that Richard Walton was posted to CO24 from '*Dec '98 to Jan '98*', but must refer to 1999. This form lists the secondment to the SLRT (itemised as Lawrence Review Team) from June '98 to Dec '98. This form indicated 'Date of Joining OCU – December 1998', 'Present OCU – CO24 (Racial and Violent Crime Task Force)'.

D55

293. Richard Walton pointed out that Personnel records are inaccurate, in that formal transfer of personnel on a specific date will be confirmed when budget arrangements are in place and an individual is then paid from a specific department's budget. However, it was pointed out to Richard Walton, that when he had the opportunity on the Police Transfer Form and the Career Management Form to identify the date of this transfer to CO24 on neither occasion did he choose to include a date in August 1998. He chose the date of 01 October 1998 or later.

294. It is more likely than not that between 10 and 19 August, Richard Walton was aware that his future lay in CO24, however, on 13 August 1998, two meetings were held at New Scotland Yard, the first beginning at 08.00am (The Lawrence Inquiry Part 1 Submission minutes). Richard Walton was not present for this meeting. A second meeting was held which began at 09.30am, that same day and in the same room, (The Lawrence Inquiry Part 1 Submission minutes), for which Richard Walton was present. In interview with the IPCC, Richard Walton stated that his presence at this meeting did not indicate that he was still part of the SLRT as he may have been there in his CO24 role. The evidence suggested, that it is more likely than not that Richard Walton was present at that meeting because of his SLRT role.

295. It is more likely than not that at the time of the meeting with N81, Richard Walton's role was on the SLRT.

296. In the earlier meeting that day, Jeremy Gompertz, QC, was noted as saying:
'Race-NSY submission is excellent. Counsel need only add a small factual input e.g. RIU at Plumstead'

297. This is strong evidence to support Richard Walton's position when he stated that his race submission was complete. Without direct recollection, he also felt that his mindset in going into the meeting with N81, was about the issues coming out of the SLRT and moving forward, so essentially more CO24 issues rather than SLRT. Richard Walton stated that he felt it was reasonable for him to receive a briefing on how race issues '*were playing out in South London*'. However, he could not recall if this was the purpose of the meeting.

298. Richard Walton could not recall telling anyone that he attended the meeting. There is no evidence from any officer on the SLRT side that they were aware of

the meeting, even after it had taken place.

299. It is more likely than not that Richard Walton was in the position of being asked to attend this meeting because of his role on the Stephen Lawrence Review Team. It is more likely than not that Richard Walton was aware of this and made a decision that he would attend the meeting.
300. As far as it is possible to say, he did not discuss this request with anyone from the SLRT. It is more likely than not that Richard Walton was aware that the remit of SDS undercover officers was around intelligence on public order issues. Richard Walton had worked on Special Branch until just a couple of months before this encounter. In his Special Branch role, it was not unusual for him to meet with undercover officers on tasking issues.
301. However, Richard Walton was no longer in a Special Branch role, he was not directly involved in an intelligence gathering role. There were legitimate intelligence routes for public order intelligence to be passed from N81 to N81's handlers. Richard Walton's presence at the meeting with N81 fell outside of the remit of the undercover officer and, it is more likely than not, fell outside of Richard Walton's remit within the SLRT.
302. Richard Walton pointed out that intelligence from undercover officers, such as N81, and other sources of intelligence, was passing through normal intelligence routes. Some of this intelligence, if gathered at meetings similar to those attended by N81 with N81's interest group, would contain intelligence relating to the Lawrence campaign.
303. Richard Walton's role on the SLRT, at that time, was not an intelligence gathering role. Intelligence gathered by N81 as part of N81's tasking had legitimate routes that it could be passed through.
304. Richard Walton was responsible for drafting the race aspect of the MPS submission. In the final submission document this covers two chapters:
Chapter 15 – Race
Chapter 19 – Issues of Race
305. Richard Walton has maintained throughout all interviews that he had completed the draft of the race submission prior to attending the meeting with N81. This is supported by the minutes of the meeting of the Lawrence Inquiry Part 1 Submission team held at 08.00am on 13 August 1998. The minutes note:
'Race - NSY submission is excellent. Counsel need only add a small factual input e.g. RIU at Plumstead'.
306. The file note prepared by Robert Lambert following the meeting referred to Walton as he *'..continued to prepare a draft submission to the enquiry'*. The note then identified the three areas that the SLRT were addressing, which must be the areas identified by Walton:
1. How to respond to the charge of Institutional Racism
307. The chapters on Race and Issues of Race reviewed the concept of Institutional Racism and included sections contributed to by outside observers of the situation within MPS. The phrases *'racism...both conscious or unconscious'* and *'cultural insensitivity'* both appear in the submission. In the file note, Lambert referred to

'unconscious racism' and 'a lack of understanding of black culture'. The file note appeared to reflect Walton putting forward these expressions.

2. How to handle the second stage of the Public Enquiry

308. This formed no part of the submission. However, N81 passed on intelligence that suggested that a particular location could be vulnerable to disruption by specific groups. This appears legitimate intelligence, in keeping with the tasking of N81 and the public order remit of officers in N81's position. It would be legitimate for Robert Lambert to progress this intelligence. The information provided by N81 did not appear in the submission.

3. How to regain the confidence of the black community

309. The submission chapters on Race and Issues of Race were not specific on these areas, but did include;

'The Commissioner continues to hold as a high priority the quality of police response to racial attacks and all forms of racial harassment. This extends to the recruitment and retention of ethnic minority officers.'

And *'...the submission..has outlined many proposals for introducing change in the organisation which will radically affect the service given to victims of racial crime. The Commissioner is determined to develop an 'anti-racist police service' that deals effectively and expeditiously with racial crime.'*

310. Both of these summarised the issue of trying to regain the trust of the black community as it was identifying the priorities of the then-Commissioner and his objectives, moving forward. The role of CO24 was not discussed in this section of the submissions or the *'groups that may be prepared to build bridges'*. This was again information that appeared to come from the Richard Walton side to N81.

311. N81's role involved infiltration into an 'interest group' and the file note recorded some discussion that *'..enabled him (Richard Walton) to increase his understanding of the Lawrence's relationship with the various campaigning groups..'*

312. The submission (Chapter 19 Issues of Race, para 53) makes reference to there being *'some evidence of politically motivated groups influencing communication between police and the Lawrence family'* and includes quotes from two sources, Dev Barraah and Mrs (now Baroness) Lawrence. Both referred to potential influence by these groups in the early aftermath of Stephen's murder.

313. In the investigator's opinion there is insufficient evidence for a tribunal to find that Richard Walton used the information provided by N81 in the submissions made by the MPS to the MacPherson Inquiry.

Conclusions

314. Below, I have set out my conclusions for the appropriate authority and Commission to consider.

315. These conclusions are based on the evidence obtained during the investigation and summarised above.

316. If there are to be court or disciplinary proceedings it will be for the relevant

tribunal in those proceedings to make final determinations. For example, where I conclude that person subject to the investigation has a case to answer for gross misconduct, this does not amount to a legal determination that there has been gross misconduct. If a charge is then brought by the appropriate authority a misconduct hearing will hear the evidence, and make its own findings about whether the charge is proved or not.

317. I have made factual findings, where appropriate, by applying the balance of probabilities test to the evidence. In other words, I have decided whether it is more likely than not that the fact alleged occurred.
318. After reviewing my report and considering my recommendations, the Commission will decide whether any organisational learning has been identified that should be shared with the organisation in question. They may also recommend or direct, unsatisfactory performance procedures.
319. The Ellison Review suggested that N81 was tasked into a group that was close to the Lawrence Family Campaign and used the term 'spy in the camp'. The review undertaken by Operation Herne, found that N81 was tasked into an interest group. As part of that group's activities N81 attended public meetings which involved some discussion of aspects of the Lawrence campaign. Operation Herne concluded that there was no evidence found that N81 was tasked to infiltrate the Stephen Lawrence family or any other family campaigning for justice. N81's focus was on their target group. This position is supported in N81's witness statement.
320. However, the true nature of N81's tasking is not in question when considering the potential impact of Richard Walton in his SLRT role attending this meeting. N81 said that N81 had no information that N81 could have passed to Richard Walton about the Lawrence family campaign.
321. There is no evidence Richard Walton sought permission or advice from any senior officer on the SLRT about attending the meeting. Both Lord Condon and Lord John Stevens have said that using intelligence from undercover officers to inform the MPS response was unjustified and unacceptable.
322. There is evidence Richard Walton had completed the drafts of his submissions on race and issues of race by the time of the meeting on 14 August 1998, but also that it was not too late to change them, as the potential for changes (by Counsel) had been discussed in the meeting on 13 August. Similarly, although the setting up of a channel from SDS to CO24 following the meeting supports the suggestion that it may have been arranged in contemplation of his new role, he was still involved with the SLRT and so information from N81 could have been passed to it. For the MPS to be brought into disrepute, it does not require proof that the submissions were changed or that the meeting was solely to do with Richard Walton's role on the SLRT. It is the perception that the MPS could use that information to gain advantage in preparing its submissions to the MacPherson Inquiry that, as identified by the Ellison Review, was reasonably likely to have brought the MPS's reputation into disrepute. Therefore, a reasonable misconduct panel or meeting, properly directed could find that on the balance of probabilities Richard Walton has breached the Discipline Code by attending this meeting.
323. As set out above, the evidence is that Richard Walton was asked to attend the

meeting by a more senior officer, from Special Branch, rather than him instigating it. Also, that he at least had in mind his future role in CO24 in connection with which, receipt of N81's intelligence may have been legitimate. For these reasons it is the investigator's opinion that if found proved a breach of the discipline code would not be so serious that dismissal was justified.

324. For the above reasons it is the investigator's opinion that Richard Walton has a case to answer for misconduct.

Terms of Reference 1:

e). What information was provided by Commander Richard Walton during interview to the Review (The Ellison Review) in October 2013, and the reasons for any discrepancies in his evidence when interviewed in February 2014.

The concerns raised by the Ellison Review in respect of the changed recollection of Richard Walton, were included at paragraph 55 of this report, but are repeated for context.

325. The Ellison Review summarises Richard Walton's position in respect of the meeting with N81 as '*..less than straightforward to establish and somewhat troubling*'. The Review then identifies a number of areas where Richard Walton's answers caused concern:

- In October 2013, Walton largely signed up to the accuracy of the SDS documents created close to the time of the meeting. Producing narrative answers to questions such as 'How did the meeting come about?' He provided detailed answers on how the meeting with N81 was relevant to his work on the SLRT and the justification on a public order basis.
- After notification of potential criticism, Walton was interviewed again in February 2014. He said that what he had said in October 2013 had been wrong, he had tried to be helpful and had accepted the accuracy of the notes that he had been presented with, but he had no recollection of events. Walton now firmly believed that he had been working within his CO24 role and was no longer on the SLRT. He challenged the accuracy of the SDS file note.
- The ER found the file note to be a more accurate version of the events at that meeting, having been written just days after the meeting.
- N81's proximity to the Lawrence family campaign and N81's intelligence was the background to any insight he could offer.
- In October 2013, Walton agreed with the file note. The Ellison Review found it difficult to understand how a senior officer would profess to have had his memory refreshed by the SDS file note and give detailed narrative answers about the arrangements and content of the meeting and the consistency with his SLRT role.
- As well as agreeing, he then challenged some of the detail, such as he had not raised the black community and the black churches with N81. This suggested he did have some recollection of the meeting. He stated he had no recall of the correspondence route set up with CO24.
- Walton attended a meeting of the Lawrence Inquiry Part 1 Submission Team on 13 August 1998, in which the submission that he had prepared had been discussed.
- Mr Grieve believed Walton was still working to Bob Quick (SLRT) at the time of

- the meeting.
- There was no clear indicator of when Walton left the SLRT. Walton believed he was 'transitioning'
- The Ellison Review found Richard Walton's changed recollection to be unconvincing.

IPCC Subject Interview – Richard Walton

326. This aspect of the investigation was also covered in the interviews with Richard Walton. It was discussed with Richard Walton that in the first interview he had a conversation with Colin Black in which he was asked if he was comfortable receiving intelligence relating to SDS. Richard Walton said that he was. He was asked if he was comfortable receiving intelligence and he stated that this was taken out of context. He was 'not uncomfortable' receiving the intelligence relating to the Lambeth situation. But throughout his answers he included a caveat that '*...I'm trying to be helpful and to recollect..*'
327. It was then discussed with Richard Walton that in the first interview, when he spoke about the chance meeting with Robert Lambert he recalled some of the conversation, for example '*... would it help to meet the actual operative in the field?*' and he replied '*Yes Bob, I think that would help because it would allow me to contextualise what is actually going on out there because we're getting all sorts of feeds and to speak to a person actually in the field would probably be as good as it gets*'.
328. Richard Walton pointed out that '*...15 years later, I'm not disputing that it's 15 years later being shown for the first time 15 years so I'm trying to recollect what happened in this account*'.
329. In the second interview he stated that someone else was putting him in that position, he agreed that he was not ordered to go, but as part of a hierarchical structure, he could not easily say no.
330. In the second interview, Richard Walton said that he was wrong about the conversation with Colin Black. Richard Walton now said that he could not distinguish between the conversation he had with Colin Black or Robert Lambert.
331. He had initially said that he did receive intelligence, but clarified that this was within his CO24 role. Richard Walton also stated that he did say that he could not remember if he did receive any intelligence.
332. In his first interview Richard Walton said the meeting was helpful. In the second interview he stated that he could not really remember it being invaluable. Richard Walton now stated that he did not recall much of the meeting. He could only speculate that if it had been significant, he would have remembered more of it.
333. On the Robert Lambert file note and the Colin Black note, in the first interview, Richard Walton accepted the document '*I don't dispute this document, It's pretty much as I recall*'. But then in the second interview he did dispute the document and specifically the mention of off-the-record briefings, he did not recall the meeting being '*fascinating and valuable*'.
334. Richard Walton stated that he felt he was being criticised for responding to the Ellison Review by trying correct incorrect criticisms and possible incorrect conclusions. Richard Walton suggested that the Ellison Review wrote to him,

with an opportunity to respond and to clarify matters, inviting representations, but he stated that when he did provide representations he was then criticised for it.

335. It was put to Richard Walton that the criticism came from his change of recollection and he stated;

‘..I go from thinking, it’s a bit strong to embellished, I’m seeing it for the first time 15 years later, the first interview. The second interview I’ve got a different version, but I’ve had time to think about it...my changes of recollection are, I think fairly minor and are based on my thinking through stuff, seeing additional material, having time to pause and look at the detail in a proper manner and not live in interview...’

336. The difference in where he said he was working was discussed. Initially he had said he was on the SLRT or about to be on CO24, but in the second interview he was more definite that he was on CO24, and certainly from his mindset in attending the meeting he stated he was on CO24. Richard Walton stated that his position here had only changed marginally and he stated that the Personnel File documentation supported his position.
337. Richard Walton emphasised that he was trying to assist the Ellison Review, and stated that a changed recollection was not an ethical or breach of disciplinary regulations. He now regretted that he did not seek legal advice before the interviews. He described changes as minor and slight nuances of change. He stated that he had been *‘honourable and tried to tell the truth the best I could and ..I’ve been heavily criticised for it’*.

Analysis of the evidence

338. In order to reach conclusions it was necessary for me to analyse and evaluate the evidence. Where I have needed to make factual findings I have applied the “balance of probabilities” standard of proof. In deciding whether something is more likely than not to have occurred, I have had regard to all of the available evidence and the weight to be attached to it.
339. Since this case was one subject to special requirements I am required only to form an opinion about whether there is a case to answer for misconduct or gross misconduct for each subject. In doing so I will not reach findings of fact that would be conclusive of misconduct or gross misconduct which may take place – these findings should be left for any subsequent misconduct hearing or meeting.
340. Richard Walton began his first interview with the IPCC by stating that he had been interviewed by the Ellison Review twice and he had now read the Operation Herne Report and the Ellison Review Report. He was trying to put forward an accurate account, but he was now unable to say what he could properly remember or what he was reconstructing in his mind, having the other information available to him. He was satisfied that he had acted with integrity throughout.
341. Richard Walton began his interview with the IPCC in December 2014 by stating the above, but the differences in his responses in the two Ellison Review interviews were discussed with him in the interview.
342. Richard Walton stated that he could not remember the timing of the two conversations with Robert Lambert and Colin Black and may have got the order

of the conversations mixed up. However, in his first interview he provided details of the conversation in respect of how and why the meeting was arranged, but in the second interview he stated that he may have been put in the position of attending the meeting. Richard Walton felt that the detail of the conversation with Colin Black about him being on the SLRT was an incorrect recollection.

343. In the first interview Richard Walton agreed with the content of the file note as being an accurate record of the meeting, yet in the second interview he disputed the accuracy of the document, particularly in respect of 'off the record briefings', as this was the only briefing he received. He was now suspicious of the language, did not recall the meeting being 'fascinating and valuable' and could not have thanked the officer for his 'invaluable reporting' as he had never seen any other intelligence from this officer, and was not aware of the group he had infiltrated.
344. Richard Walton stated that he was being criticised in the Ellison Review for trying to correct '*incorrect possible criticisms and incorrect conclusions*'. He stated that the Robert Lambert file note was shown to him for the first time in the first Ellison Review interview, yet he was shown a slightly different version of this note in the second Ellison Review interview. Richard Walton stated that the changes that he had introduced into his account were fairly minor and this was because he had seen additional material. He had, by the time of the second interview had time to look at the detail in a proper manner. He felt his only inaccuracy was his posting before the SLRT, when he had initially said he was in a divisional role, but then realised that he had been in a Special Branch role.
345. Additionally, Richard Walton said that at the time of the meeting he had been 'transitioning' from his SLRT role into CO24, but having reflected in the second interview he was now satisfied that his mindset was all about CO24 and that he had moved on from Lawrence. He felt that the content of the file note was all about the remit of CO24.
346. Richard Walton's representatives wrote to the IPCC in June 2015 and set out a number of representations on the allegations faced by Richard Walton. In respect of the allegation that Richard Walton changed his account, they raise the following:

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- The assumption that Richard Walton was working on the SLRT when he attended the meeting on 14 August 1998. The representation asserted, based on the Personnel File now available, that Richard Walton was not working on the SLRT at the time that as early as 06 August, there was discussion of his move and that plans for his formal transfer were in place between 10 and 18 August 1998. They also refer to the minutes of the meeting on 13 August (and 07 August) and feel that a different conclusion would have been drawn if these were available at the October interview with the Ellison Review..
- The assumption that there was a 'spy in the camp' with confidential information which could inform the MPS submissions. The representations suggested that if the approach in interview had been on a more '*accurate factual footing*', Richard Walton would have been able to provide the best possible account of the meeting with N81.
- The misunderstanding of the context of the meeting. The representations referred to the view that the meeting with N81 was '*exceptional*'. However, they made the point that there was other reporting of intelligence by N81 and others

- on groups of the type that N81 had infiltrated.
 - Haphazard disclosure in interview. The representations suggest the Richard Walton was provided with limited disclosure of a number of documents just prior to his first Ellison Review interview and that he had insufficient time properly to consider these documents. Richard Walton was not shown any additional documents prior to the second interview, but was shown various documents *'in an informal manner'* during the interview. The different version of the same document in the second Ellison Review interview *'unsurprisingly threw Mr Walton off balance'*. They stated that Richard Walton was not provided with sufficient time to fully read the documents prior to interview.
 - Adversarial interview style. The representations suggest that the approach in the second Ellison Review interview was effectively a *'cross examination'* using leading questions, which was not appropriate in a fact finding exercise. They suggested the approach prevented Richard Walton providing his best account and contributed to his misunderstandings.
347. In assessing the information provided by Richard Walton to each interview, the fact that the events being discussed occurred some 15 years earlier cannot be overlooked. It is understandable that the events would not be clear in his mind. He was then presented with what appears to be a record of the meeting, not contemporaneous, but written just four days after, and he adopted the position where he agreed, in the main, with the content. He stated that it even triggered some recall for him and he provided some detail of conversations. The approach he took suggested that these were accurate memories of the arrangements and the meeting that took place with N81.
348. Following notification that he was likely to be criticised for his role in attending that meeting, Richard Walton was further interviewed and provided a different version of his memory. A different recollection which he said was because he had now had time to reflect on and consider in detail. Whilst he now agreed mostly with the detail in the file note, he described it as *'embellished'*.
349. In interview with the IPCC, Richard Walton was clear that he had no direct recollection of the events around the meeting in 1998. This was because of the passage of time, the fact of two interviews with the Ellison Review team, and sight of both the Ellison Review Report and the Operation Herne Report. He was now unable to say what he recollected and what he had reconstructed from other information.
350. He had put forward via his representative some reasons for the differences in his accounts which focus on the manner in which he was interviewed – the assumption that he was working on the SLRT, the assumption there was a spy in the camp, the failure to understand this meeting in context, the haphazard disclosure, and the adversarial interview style.
351. The questions put to Richard Walton to establish his role and his understanding of the role of N81 were, in the investigator's opinion, perfectly appropriate questions. The records of where Richard Walton was posted at the time are not definitive, but on the balance of probabilities, on the evidence available, it is more likely than not that Richard Walton was working on the SLRT at the time of the meeting with N81. It is also the investigator's opinion that it is more likely than not that Richard Walton was aware that his future work would be in CO24.

352. At the time of attending the interviews with the Ellison Review team, Richard Walton was a senior Metropolitan Police Officer, the Head of Counter Terrorism for the MPS. It may be that the way disclosure was handled for the interviews with the Ellison Review team was not what he expected, however, throughout he had the option to ask for a break in the interview, to allow himself time to understand the disclosure more fully. If he was unhappy with the style of questioning he had an option to ask for a break in interview or for the interview to continue at a later stage.

Conclusion

353. The assessment here is in relation to the Standards of Professional Behaviour, as identified in the Police (Conduct) Regulations 2012, Schedule 2, which defines Honesty and Integrity as 'Police Officers are honest, act with integrity and do not compromise or abuse their position.'
354. The Ellison Review found Richard Walton's changed account to be 'unconvincing'. In respect of the IPCC investigation there is evidence that the accounts in the two interviews are different. However in the investigator's opinion there is insufficient evidence, taking into account the difficulties for Richard Walton to be able to remember matters accurately from so long ago and also for any reasonable tribunal now to be able to establish the true facts from other evidence, for it to find that Richard Walton has acted without honesty or integrity.
355. **For the above reasons, it is the investigator's opinion on the basis of the evidence available, that a reasonable misconduct panel or meeting properly directed could not find on the balance of probabilities that there had been a breach of the Standard of Professional Behaviour therefore, there is no case to answer in respect of Gross Misconduct.**

Misconduct

356. For each person under investigation, I must determine whether there is a case to answer for misconduct or gross misconduct. In other words, whether there is sufficient evidence upon which a reasonable tribunal properly directed, could find, on the balance of probabilities that the conduct of the person under investigation fell below the standard of behaviour expected of them.
357. Misconduct is defined as a breach of the standards of professional behaviour.
358. Gross misconduct is a breach of the standards of professional behaviour so serious that, if proven, dismissal would be justified.
359. **On the basis of the evidence presented above it is my opinion that Robert Lambert has a case to answer for misconduct in respect of Discreditable Conduct (Arranging the meeting between N81 and Richard Walton).**
360. **On the basis of the evidence presented above it is my opinion that Colin Black has no case to answer for gross misconduct in respect of Discreditable Conduct (Arranging the meeting between N81 and Richard Walton).**
361. **On the basis of the evidence presented above it is my opinion that N35 has no case to answer for gross misconduct in respect of Discreditable Conduct (Arranging the meeting between N81 and Richard Walton).**
362. **On the basis of the evidence presented above it is my opinion that N34 has no case to answer for gross misconduct in respect of Discreditable Conduct (Arranging the meeting between N81 and Richard Walton).**
363. **On the basis of the evidence presented above it is my opinion that Richard Walton has a case to answer for misconduct in respect of Discreditable Conduct (Attending the meeting with N81).**
364. **On the basis of the evidence presented above it is my opinion that Richard Walton has no case to answer for gross misconduct in respect of Honesty and Integrity (Providing a changed recollection of events to the Ellison Review during two interviews).**

Performance

365. If disciplinary charges are not directed or brought then an appropriate authority may invoke unsatisfactory performance procedures and in some circumstances can be directed to do so. A matter should only be dealt with as either misconduct or unsatisfactory performance, not both.
366. The Commission delegate may wish to consider whether on the basis of the evidence presented above the actions of Colin Black, N35 and N34 although not amounting to a case to answer for misconduct, fell below the standard expected

and that their performance was unsatisfactory.

Provisional organisational learning recommendations

367. After reviewing this report, the Commission delegate will consider whether learning has been identified for any organisation involved in the investigation. If any learning is identified, the commission delegate can make organisational learning recommendations and send these to the organisations in question under separate cover.
368. Recommendations can include improving practice, updating policy or changes to training.
369. Often these recommendations and any responses to them are published on the recommendations section of the [IPCC Website](#).
370. The IPCC also works with a variety of stakeholders, including the Association of Chief Police Officers (ACPO) and the College of Policing to disseminate learning coming from investigations undertaken by the IPCC, and by the police service locally. We produce a regular Learning the Lessons Bulletin which is disseminated to senior officers, policy makers, managers and frontline officers and staff working across the police service. These bulletins are also available on the [IPCC website](#).
371. In this case, I have not identified any learning which I think the commission delegate may wish to consider.

Criminal offences

372. On receipt of my report, the Commission delegate must decide if there is an indication that a criminal offence may have been committed by any person under investigation.
373. If they decide that there is such an indication they must decide whether it is appropriate to refer the matter to the CPS.
374. In 1998 there was no statutory offence of police misconduct. The only potentially relevant offence is the common law offence of misconduct in a public office. To commit that offence a public officer, which includes a police officer, acting as such must misconduct himself to such a degree as to amount to an abuse of the public's trust in the officer holder, without reasonable excuse.
375. Case law has emphasised that the seriousness of the conduct required to commit the offence, it must be "*...an affront to the standing of the public office held. The threshold is a high one requiring conduct so far below acceptable standards as to amount to an abuse of the public's trust in the office holder*". Additionally that the public officer must deliberately do something which is wrong, knowing it to be wrong or with reckless indifference as to whether it is wrong or not. Stupidity or lack of imagination, are not sufficient.
376. It follows from the above that whereas there is an objective test for whether an

offence against the Discipline Code of Discreditable Conduct has been committed, whether his or her conduct is reasonably likely to discredit the force's reputation, for there to be a criminal offence, not only does the level of misconduct have to be significantly greater but there is also subjective test. In the investigator's opinion there is no, or insufficient evidence that Richard Walton realised that attending the meeting, which had been instigated by senior officers from Special Branch, would discredit the force's reputation. It is therefore the Investigator's opinion, regardless of whether the conduct may reach the high threshold required, that there is insufficient evidence of knowledge or recklessness, for there to be an indication that the offence may have been committed.

Ellison Review – Walton, Lambert and Black

An investigation into the circumstances surrounding a meeting between A/Detective Inspector Richard Walton and an undercover officer on 14 August 1998

**Independent investigation report
Appendices**

Appendix 1: The role of the IPCC

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

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

All cases are overseen by a Commission delegate. Commissioners provide oversight in some of the most serious cases, providing strategic direction and scrutinising the investigation. In other cases, the Commission may delegate this role to a member of its staff.

The investigation

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

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

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

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

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

Final reports

Once the investigator has gathered the evidence they must prepare a report. The report must summarise the evidence and refer to or attach any relevant documents. If notices of investigation have been served in the course of the investigation (due to special requirements being attached to a complaint or conduct being recorded) the report must also give the investigator's opinion about whether any police officer or member of staff has a case to answer for misconduct.

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

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

Misconduct proceedings

The report must be given to the appropriate authority responsible for the subjects of the investigation, usually a chief constable. They must then inform the Commission what action they propose to take, in particular whether they will bring misconduct charges in relation to any of the police officers or staff who were subjects of the investigation. If the commission delegate is unhappy with the appropriate authority's response, the Commission has powers to recommend or ultimately direct it to bring disciplinary or unsatisfactory performance proceedings.

Criminal proceedings

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

Inquests

Following investigations into deaths, the IPCC's investigation report and supporting documents are usually provided to the coroner. The coroner may then hold an inquest, either alone or with a jury. This hearing is unlike a trial or tribunal. It is a fact finding forum and will not determine criminal or civil liability. A coroner might ask a selection of witnesses to give evidence at the inquest. At the end of the inquest the coroner and/or jury will decide how they think the death occurred on the basis of the evidence they have heard and seen.

Publishing the report

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

Redactions might be made to the report at this stage to ensure that individuals' personal data is sufficiently protected and occasionally for other reasons.

Appendix 2: Terms of reference



Terms of Reference

Investigation into the actions and decision making of former Detective Inspector Robert Lambert and former Commander Colin Black in arranging and Commander Richard Walton in attending a meeting in 1998 with an undercover officer deployed close to the Stephen Lawrence family and evidence subsequently provided by Richard Walton to the Stephen Lawrence Independent Review in 2013/14.

Investigation Name:	Richard Walton, Robert Lambert and Colin Black
Investigation Type:	Independent
Appropriate Authority:	Metropolitan Police Service
IPCC Reference:	2014 / 023874 and 2014 / 026749
Commissioner:	Deputy Chair Sarah Green
Lead Investigator:	Deputy Senior Investigator Steve Bimson

Summary of events

The Stephen Lawrence Independent Review (“the Review”) was published in March 2014, examining ‘Possible corruption and the role of undercover policing in the Stephen Lawrence case’. This enquiry was commissioned by the Home Secretary.

The Review makes a finding that in mid-August 1998 a meeting was arranged between an undercover officer, who was deployed into one of the groups seeking to influence the Lawrence family campaign, and (then) acting Detective Inspector Richard Walton, who was seconded to the MPS Lawrence Review Team. This team was involved in drafting the final written submission on behalf of the Commissioner of the MPS to the Stephen

Lawrence Inquiry.

The Review found that ‘..the opening of such a channel of communication at that time to have been ‘wrong-headed’ and inappropriate’. The Review stated that the meeting was ‘a completely improper use of the knowledge the MPS had gained by the deployment of this (undercover) officer’ and that such a meeting was ‘wholly inappropriate’.

Detective Inspector Lambert has stated that he was directly involved in arranging this meeting and the Review found that Commander Black, as a senior manager, was also aware of the meeting.

Mr Walton was interviewed in October 2013 about this meeting and was subsequently informed that he would be criticised in the Review report. Mr Walton was again interviewed in February 2014 when he provided a different recollection of events. The report found ‘Mr Walton’s changed recollection advanced in February 2014 about this meeting to be unconvincing’.

The actions of (now ex-) Detective Inspector Lambert and (now ex-) Commander Black in arranging this meeting in 1998 have been referred to the IPCC and are subject of this Independent investigation. The actions of Commander Walton in attending the meeting in 1998 and in providing evidence to the Review in 2013 and 2014, have also been referred to the IPCC and are subject of this Independent investigation.

Terms of Reference

1. To investigate:
 - a) *The actions and intentions of Mr Lambert and Mr Black in arranging a meeting between acting Detective Inspector Richard Walton, from the MPS Lawrence Review Team, and an undercover officer deployed close to the Lawrence family in August 1998.*
 - b) *The actions and intentions of Mr Walton in attending a meeting with an undercover officer deployed close to the Lawrence family in August 1998.*
 - c) *What other Senior Officers, if any, knew about or were involved in sanctioning the meeting and what were the circumstances and reasons for this.*
 - d) *What information was obtained by Mr Walton and how this was used to influence the MPS Final Submission to the Stephen Lawrence Inquiry.*
 - e) *What information was provided by Commander Walton during interview to the Review in October 2013 and reasons for any discrepancies in his evidence when interviewed in February 2014.*

2. To identify whether any subject of the investigation may have committed a criminal offence and, if appropriate, make early contact with the Director of Public Prosecutions (DPP). On receipt of the final report, the Commissioner shall determine whether the report should be sent to the DPP.
3. To identify whether any subject of the investigation, in the investigator's opinion, has a case to answer for misconduct or gross misconduct, or no case to answer.
4. To consider and report on whether there is organisational learning, including:
 - whether any change in policy or practice would help to prevent a recurrence of the event, incident or conduct investigated;
 - whether the incident highlights any good practice that should be shared.

The amended terms of reference were approved by IPCC Deputy Chair Sarah Green on 16 August 2014.

Appendix 3: People referred to in this report

The IPCC categorises people in three different ways:

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

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

Subjects

Name	Role	Severity	Date notified	Interviewed
Richard Walton	Commander	Gross Misconduct	30 July 2014	19 December 2014
Colin Black	Ex-Chief Superintendent. MPS Special Branch	Gross Misconduct	12 August 2014	18 December 2014
Robert Lambert	Ex-Detective Inspector, Special Demonstration Squad, MPS Special Branch	Gross Misconduct	11 August 2014	16 December 2014
N35	Ex-Detective Superintendent MPS Special Branch	Gross Misconduct	12 May 2015	04 June 2015
N34	Ex-Detective Chief Inspector, Special Demonstration Squad, MPS Special Branch	Gross Misconduct	14 May 2015	24 September 2015

Appendix 4: Evidence referred to in this report

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

Ref	Details
D203	The Police (Discipline) Regulations 1985 - Reg 4 (1), Schedule 1 and - Discipline Code
D202	Extract of the Police (Conduct) Regulations 2012 - Regulation 3, Schedule 2 and - Standards of Professional Behaviour
D11	The Stephen Lawrence Independent Review: Possible corruption and the role of undercover policing Volume 1. March 2014
D172	Document 4012
D157	Extract folio 3A SDS strategy reports 1998 / 1999 - edited document (previously D1784 - ANS/34)
S2a	Statement of N81 - dated 27/08/2013
S2	Statement of N81, dated 06/10/2015, provided by Slater Gordon Solicitors.
D16	IPCC referral form. Dated 7/4/2014
D201	IPCC referral form re Robert LAMBERT and Colin BLACK, dated 07/04/2014
D63	Operation Herne Report July 2014.
D192	Letter of potential criticism from Ellison to Robert LAMBERT 20/01/2014 (but dated 2013)
D193	Response from Robert LAMBERT to Ellison
D196	Summary of criticism sent to Colin BLACK by Ellison Review
D194	Letter from Colin BLACK to Ellison, dated 03/02/2014
D195	Letter from Colin BLACK to Ellison, dated 11/02/2014
D42	Regulation 16 notice signed by Robert Lambert. Dated 11/08/14.
Y2	Interview with Robert LAMBERT, dated 16/12/2014. Transcript of disc 1
Y2a	Interview with Robert LAMBERT, dated 16/12/2014. Transcript of disc 2

D199	Regulation 16 Notice – N35 signed 12/05/2015
D155	N35 response to Reg 16, dated 12/05/2015
Y4	Interview with N35, dated 04/06/2015, Transcript of disc 1.
D200	Regulation 16 Notice sent to N34 representatives, 14/05/2015
Y5	Interview with N34, dated 24/09/2015, Transcript of disc 1
S1	Statement after caution from N34 dated 08/10/2015, following interview on 24/09/2015
D38	Regulation 16 notice signed by Richard Walton. 30/07/14.
Y1	Richard WALTON interview 19/12/2014. Transcript of disc 1
Y1a	Richard WALTON interview 19/12/2014. Transcript of disc 2
Y1b	Richard WALTON interview 19/12/2014. Transcript of disc 3
Y1c	Richard WALTON interview 19/12/2014. Transcript of disc 4
D89	Minutes of meeting 13/08/1998 - Lawrence Enquiry
D92	Minutes of meeting 13/08/1998 9.30am. Walton present in meeting
D188	Minutes of meeting 16.00 hrs, Friday 07 August 1998 of the Lawrence Inquiry Part 1 submission - supplied to IPCC by Alison MORGAN (Ellison review) on 15/12/2014
D153	MPS submission to part I of inquiry into matters arising from the death of Stephen LAWRENCE CH - 15 and CH -19 only, Sept 1998
Y1d	Transcript of Richard WALTON's police interview, dated 03/02/2014
D12	The Stephen Lawrence Independent Review: Possible corruption and the role of undercover policing Summary of Findings. March 2014.
D150	Copy of Richard WALTON's MPS Personnel file, date given 20/11/2015 Not Included
D179	Handwritten extract of annual performance review sent by WALTON representatives
D53	Memorandum regarding accelerated promotion course. Dated 6/8/1998.
D56	Police transfer form for Richard Walton. Dated 7/7/2014. No paper copy - scanned to Perito.

D151	Letter and bundle of documents presented by Emily CARTER (Solicitor) at start of interview of Richard WALTON on 19/12/2014 Not Included
D55	Career management transfer form for Richard Walton.