

Summary of ‘Mistakes Were Made’: Her Majesty’s Inspectorate of Constabulary’s review into allegations and intelligence material concerning Jimmy Savile, published 12th March 2013

Note: In contrast to the somewhat equivocal tone of the reviews of their own conduct by Surrey Police (see NOTA News Issue 70, July/August) and West Yorkshire Police (NOTANews 71, November / December 2013), the splendidly forthright title of this review by Her Majesty’s Inspectorate of Constabulary (HMIC) provides a clear signpost as to the conclusions of the review. It is an easily accessible 61 page report and readers interested in the detail of the Inspectorate’s considerations are encouraged to read the original report, of which this is only a brief summary. Added commentary is in italics.

Terms of Reference

In November 2012, the Home Secretary commissioned HMIC to conduct a review to assess the police knowledge of, and response to, the historical allegations made against Jimmy Savile and related individuals, and potentially into other similar allegations against other individuals.

In particular the review was asked to:

- establish which police forces received reports and/or allegations in respect of Savile and related individuals prior to the launch of ‘Operation Yewtree’ (5th October 2012) (summarised in Issue 70 NOTA News July/August);
- in relation to those forces, assess the extent to which those allegations were robustly investigated and if there were any police failings in doing so;
- identify the wider lessons to be learned both from the specific historical investigations by forces and from ‘Operation Yewtree’;
- assess the lessons to be learned in the light of any relevant historical, environmental and cultural context identified as having a bearing on the decisions taken then in respect of those allegations.
- make recommendations in relation to its findings when considered alongside current practice.

The report considers in detail the way in which the three forces that investigated allegations against Savile in his lifetime (the Metropolitan Police (MPS), Sussex Police and West Yorkshire Police) dealt with their enquiries; whether a different response would have been achieved if those forces had acted in a co-ordinated way; and identifies issues around the management of police information. The findings are then considered within the wider police and criminal justice system contexts.

Extent of Allegations against Savile

The joint MPS and the NSPCC report following ‘Operation Yewtree’ states that approximately 600 people came forward to provide information, 450 of whom made specific allegations against Savile. Of those allegations, the MPS estimated that 214 could have been recorded as crimes under legislation current at the time. However, when HMIC conducted enquiries into all 43

police forces in England and Wales, their records disclosed only five allegations of sexual assault being made against Savile to a police force between 1955 and 2009.

There was also liaison with Her Majesty's Inspectorate of Constabulary for Scotland (HMICS). Five victims from Scotland came forward to 'Operation Yewtree' and from subsequent enquires a further two cases were classified as capable of being classified as crimes. A co-ordinated search of archive records held by Scottish forces has not identified any further historic records of allegations.

During 'Operation Yewtree' five victims came forward from Jersey and the States of Jersey Police were therefore contacted. They indicated that in 2009 Jersey Police, as part of a broader and more complex historical child abuse enquiry centred on a Jersey care home, had interviewed a victim who had indicated that he had been sexually assaulted by Savile. However, following legal advice, this had not lead to any charge against Savile.

The Metropolitan Police Service (MPS) traced two further historical intelligence entries concerning Savile.

In total, therefore, HMIC considered seven reported incidents – two based solely on intelligence records and five based on complaints made by Savile's victims. These comprised:

- An entry on an intelligence ledger held by the MPS Paedophile Unit from approximately 1964;
- A computerised record of an anonymous letter received by the MPS in 1998;
- A 2003 MPS crime report based on the complaint of a victim who stated that Savile had indecently assaulted her in the 1970s;
- A 2007 Surrey crime report based on the complaints of three victims who stated that Savile had indecently assaulted them in the 1970s and 1980s (*the allegations which became the basis of Operation Ornament, summarised in NOTA News Issue70, July/August*); and
- A 2008 Sussex crime report based on the complaint of a victim who stated that Savile had indecently assaulted her in 1970. (*This allegation became the basis of Operation Baseball, the subject of an unpublished report 'Report into the 2008 allegation of sexual assault made against James Vincent Savile, Sussex Police'¹*).

The HMIC express concern about the extent to which victims may have tried to report their allegations to the police prior to 'Operation Yewtree', allegations which, for whatever reason, may not have been treated appropriately.

¹ The Daily Star Sunday newspaper reported on 17th March 2013 that a four page summary of this report had been released, but no further information was located on the internet. A request to Sussex Police led to a press statement and an Internal management review report being disclosed. These will be summarised in NOTA News Issue 72 March/April 2014. <http://www.dailystar.co.uk/news/latest-news/304014/Jimmy-Savile-cops-in-cover-up-over-probe-Sussex-force-blasted> (accessed 1/8/13)

Seven victims have so far indicated that this was the case: four had reported their complaints to the MPS; and three victims had reported his or her complaint to, respectively, Cheshire Constabulary, the then Royal Ulster Constabulary and West Yorkshire Police. HMIC were able to uncover the details of two of these earlier attempts at reporting Savile – *the detail of which may be seen as instructive about the attitudes of the time*. In 1963, in Cheshire, a male victim had reported an allegation of rape by Savile to his local police officer the day after it had occurred but had been told to ‘forget about it’ and ‘move on’. The officer had not made a report of the allegation and, consequently, an investigation had not been undertaken. The second incident involved a man reporting at a central London police station that his girlfriend had been assaulted at a recording of the BBC television programme ‘*Top of the Pops*’. He had been told that he ‘could be arrested for making such allegations’ and had been sent away.

HMIC conclude that because of the shortcomings in records in these instances, and presumably an unknown number of others, the number of victims who tried to report Savile to the police before ‘Operation Yewtree’ started will never be known. However, based on the ratio of known allegations made to the police compared to the number of alleged offences reported in ‘Operation Yewtree’ the HMIC were also concerned about the very low number of actual reports. If this ratio accurately reflects a real state of affairs, over 96% of victims whose allegations would have been recorded as crimes did not go to the police at the time they were a victim of Savile’s abuse.

In statistics about reporting of sexual offences generally, only 15% of female victims of the most serious sexual offences say that they reported the incident to the police, although 57% indicate that they told someone else about what had happened to them.²

Consideration was therefore given to the possibility that victims, their guardians or carers approached other agencies associated with supporting victims of sexual abuse. As a result, *Barnardo’s; Help for Adult Victims of Child Abuse: National Association for People Abused in Childhood* (NAPAC) and *NSPCC/ChildLine* were all approached to find out whether they had any records of allegations made against Savile. Each confirmed it did not.

Could Savile’s pattern of offending have been identified earlier?

Having reviewed the allegations identified above the report then considers the issue of whether Savile’s pattern of offending could have been identified earlier. They conclude that the MPS had an opportunity, at the very least, to investigate his behaviour in the 1960s and that a further opportunity to investigate Savile’s behaviour by Surrey Police had existed in 1998. HMIC goes on to state that, notwithstanding the low level of reports to the police, ‘it is difficult to reconcile the paucity of intelligence in the police intelligence systems with the knowledge that we now have that Savile was a serial sexual offender for over 50 years’ (p.38).

² *An overview of sexual offending in England and Wales*, Ministry of Justice, Home Office and the Office for National Statistics, 10 January 2013, page 17.

In addition, six reports were received during 'Operation Yewtree' from former police officers who said they had been aware of Savile's behaviour and that it had been known to be a cause of concern, with two officers referring to investigations regarding Savile. Since 1964, therefore, it appears that police forces knew or suspected on more than one occasion that Savile was a sexual offender. Considering why, therefore, no charges were laid against Savile the HMIC report refers to the DPP report (the Levitt report summarised in *NOTA News Issue 70 July/August*) which points toward the failure of the Sussex and Surrey investigations to work together with the CPS to 'build' the cases.

HMIC consider the failure to connect the various allegations as critical to the eventual outcome of the investigations, with intelligence about four separate investigations available but never linked together. 'Because of that failure to 'join the dots', there was a failure to understand the potential depth of Savile's criminality. As a result, it is clear from our analysis – and from that of the DPP – that the potential for further investigation and a prosecution of Savile was missed' (p.40).

The HMIC report then goes to consider the particular issues relating to Savile's contact with West Yorkshire Police (outlined in the summary of 'Operation Newgreen' which is Report 2 in this article), but as HMIC does not have the statutory authority to investigate these matters it is noted that these matters have been referred to the Independent Police Complaints Commission (IPCC).

HMIC also indicate that they intend to undertake further work as part of the Child Sexual Abuse and Sexual Exploitation Review being undertaken by them later in 2013.

Update

In relation to HMIC's referral to the IPCC, on 17th May 2013 the IPCC issued a statement that it had declined referrals from West Yorkshire Police arising from their Savile report (Operation Newgreen) on the basis that the referrals were not sufficiently detailed to satisfy the requirements for referrals of conduct matters under the Police Reform Act 2002. They have asked West Yorkshire Police to consider these matters further.

A previous referral received in relation to the alleged actions of a former West Yorkshire police inspector has been accepted and is being assessed by the IPCC (this information accessed on 6th August 2013 at http://www.ipcc.gov.uk/news/Pages/pr_170513_Savile_update.aspx).

Marcus Erooga
August 2013

Marcus Erooga is an independent safeguarding consultant, trainer and a Visiting Research Fellow, Centre for Childhood Studies, University of Huddersfield. Amongst his publications is research about abuse in organisational settings and participant research with organisational offenders, both of which can be found online. In 2012 he edited and contributed to

Creating Safer Organisations: Practical steps to prevent the abuse of children by those working with them, reviewed in NOTA News 69.