

| | |
|----------------------------------|------------------|
| Made on Behalf of: | Defendant |
| Surname and Initials: | David Crompton |
| Statement Number: | First |
| Initials and Number of Exhibits: | DC1 – 4 |
| Date Statement Made: | 30 November 2017 |

**IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION**

CLAIM NO: HC-2016-002849

B E T W E E N:

SIR CLIFF RICHARD, OBE

Claimant

AND

(1) THE BRITISH BROADCASTING CORPORATION

(2) THE CHIEF CONSTABLE OF SOUTH YORKSHIRE POLICE

Defendants

WITNESS STATEMENT OF DAVID CROMPTON

I, **David Crompton**, care of South Yorkshire Police, Headquarters, Carbrook House, 5 Carbrook Hall, Sheffield, S9 2EH **will say as follows:**

1. I joined the police in 1985 as a constable. I became part of a command team in 2004 when I joined West Yorkshire Police as an Assistant Chief Constable. Between 2012 and 2016 I served as the Chief Constable of South Yorkshire Police ("SYP").
2. Save where otherwise stated I make this statement from matters within my own knowledge which are true to the best of my knowledge and belief.
3. I first became aware of the allegation against Sir Cliff Richard during spring of 2014. I cannot remember who told me about this at first but I do recall that I had a number of conversations with Matt Fenwick. Although I did not have any direct involvement in investigations I was kept informed of any high profile or important investigations within SYP. I recall from these briefings that Matt did not consider that the evidence against Sir Cliff Richard was particularly strong and he was unsure whether the investigation would lead to charges.

4. I was aware from the briefings that an allegation had been made that Sir Cliff Richard had sexually assaulted a young boy at an event at Bramall Lane in the 1980s. The allegation had initially come in to the Metropolitan Police Service's Operation Yewtree team and SYP had been notified because the alleged offence took place within our area of operation. I also knew that the investigation was not immediately passed over to SYP when my officers were first notified of the allegation. It was not until the summer that I became aware that SYP would be conducting the investigation. When the investigation came to SYP it was at a very early stage and not all of the details were known to SYP. From the outset my overriding concern was to ensure that, whatever the outcome of this investigation, it was dealt with properly and thoroughly.
5. On a date in July 2014 after the investigation had passed over to SYP Carrie Goodwin came to see me in my office. She had not contacted me or my staff officers beforehand to arrange this meeting. This was not unusual for Carrie as she often needed to see members of the command team urgently so we would all make ourselves available to her if necessary. The consequence of this is that there is no record of this meeting in my diary and I cannot remember the exact date on which it took place.
6. Carrie explained to me that she had been approached by a BBC journalist, Dan Johnson, who was aware of the SYP investigation into Sir Cliff Richard. Carrie explained that he knew all the details of the allegation, that he had obtained this information from Operation Yewtree, which is obviously a very credible source, and was effectively ready to publish a story. At this stage I had formed the view that Carrie and Matt Fenwick had already met with Dan Johnson, possibly because Carrie had referred to Matt whilst we were speaking. By this time I knew that the investigation team were thinking about searching Sir Cliff Richard's property. I cannot remember whether I knew this from a briefing or it came up during the conversation with Carrie.
7. I can remember very clearly thinking that there was a journalist who knew as much as I did about the allegations. This information was deeply concerning to me because I thought that a media report on a high profile case, which was in its infancy, could fatally compromise SYP's ability to

carry out a thorough investigation which, as I have said, was my priority. The thought of a journalist reporting on the investigation before SYP had been able to conduct the search was a particular concern.

8. Carrie and I spent some time discussing the options open to SYP to manage the risk of Dan Johnson reporting on the investigation prematurely. We considered the idea of bringing forward the date of the search so that it would have been completed before the BBC could publish its story. However, at the time we were speaking further work needed to be done with the witnesses before the search could go ahead so this didn't appear to be a realistic option. We discussed misleading the BBC about the date of search warrant but we did not seriously consider this because it was not something that SYP, as a public body, could do. We spoke about refusing to cooperate with the BBC and recognised that this would be the default option; however, we felt that this would not prevent Dan Johnson from publishing his story because he had already said that he was ready to. I was aware that there had been instances where the media had published a story in advance of a criminal investigation and this weighed on my mind. Carrie had mentioned offering a pre-recorded interview to the BBC but I was not in favour of it because I thought it was a step too far. Whilst I didn't discount it entirely I thought it wasn't appropriate at that point.
9. The option that we agreed upon was for Carrie to provide the date of the search and I discussed how SYP should deal with this by providing the BBC with the date of the search warrant. We agreed that this would not be an offer for the BBC to accompany SYP on the search warrant as sometimes happens, for example, when police forces take journalists on drug raids where publicity is sought to demonstrate action taken by the police and address public concerns about crime.
10. We discussed the balance between protecting the integrity of the SYP investigation and Sir Cliff Richard's privacy and we worked through the College of Policing guidance. It seemed to me that now that the media were alive to the investigation the story was bound to come out at some point. As the BBC already had all the information about the allegation from a credible source it appeared to me that they were likely to report it imminently. Therefore to provide information about the search was a

small concession and we would not be naming Sir Cliff Richard. Our decision was that the integrity of the investigation was so important that, in order to protect it, we were justified in compromising Sir Cliff Richard's privacy to some extent.

11. I am not sure precisely how long our conversation lasted but I think it was at least half an hour. I do not recall Carrie taking a note of our conversation and at some point after the meeting I do recall asking her to make a note but I cannot remember precisely when. I have seen an extract from her daybook which records our meeting and is exhibited to this witness statement as "**Exhibit DC1**". The note is a very high level summary of what we discussed but it does not reflect the level of detail that we went into during the meeting.
12. In the course of making this statement I have been shown an email dated 11 July 2014 from Carrie Goodwin to Matt Fenwick which appears to reference the meeting between myself and Carrie. This email is exhibited to my witness statement as "**Exhibit DC2**". On the basis of this email I would say that our meeting must have taken place on or before 11 July 2014.
13. Prior to making this statement I had been of the view that my meeting with Carrie Goodwin must have taken place on 15 July 2014, after her meeting with Dan Johnson. I think this was partly because I believed, from speaking to Carrie, that she and Matt already met with Dan Johnson. I think it is also because after the media coverage of the search during the week of 18 August the people involved at SYP discussed the chronology of events that had led up to the search in a Gold Group meeting and prepared a detailed response to a letter from Keith Vaz and during this process it became received wisdom that Carrie and I had not spoken until 15 July 2014 after she and Matt had met with Dan Johnson. A Gold Group is a group of relevant senior police officers and staff which is chaired by a senior command team officer to address a particular strategic or operational matter
14. The week after that on Tuesday 26 August 2014 Professor Alexis Jay published her report on child sexual exploitation in Rotherham. Although I had some expectation that the report would refer to SYP my recollection

is that I was only provided with a copy of this report hours before it was published when I became aware of the full extent of the criticism directed at SYP. The publication of the Jay report and the subsequent calls for the resignation of Shaun Wright, Police and Crime Commissioner for South Yorkshire, generated a huge amount of work for me and other senior officers and staff at SYP in the weeks that followed. During this period I don't think any of us had the time to go back and revisit the events in a way which would have picked up this error in the chronology. To my mind this would explain why a mistake in the chronology of events leading up to the execution of the search warrant was not picked up on and corrected.

15. After the meeting with Carrie I stepped back a bit as I had numerous other issues on my desk and I knew that Matt Fenwick and Assistant Chief Constable Jo Byrne were providing oversight. I continued to receive updates on the investigation and I would still see Carrie on a regular basis so we may have had one or two brief conversations about the BBC. It would have been through one or other of these channels I became aware that an agreement had been reached with the BBC that they would not publish their story before the search warrant had been executed in return for SYP agreeing to provide details of the search.
16. I have been shown an email dated 18 August 2014 from Dan Johnson to Malcolm Balen in which he recalls meeting me in the reception of SYP Force headquarters at Carbrook House prior to his meeting with Carrie and Matt on 15 July 2014. I do recall meeting with Dan Johnson in the reception of Carbrook House but I cannot say that I recall what date it took place. At the time I knew Dan Johnson, although not very well, because he had reported previous stories involving SYP. I don't recall what we discussed, although I am certain we did not discuss Sir Cliff Richard: the reception at Carbrook House is a public place. To put the encounter in context, I routinely saw people that I knew in the reception at Carbrook House whether that be an officer from another police force, a journalist or someone else. I often stopped to say hello and pass the time of day with them – it is just something I do.
17. I went on holiday on Friday 8 August 2014 to Wales with my family. As I went on holiday my understanding was that the investigation team were

trying to establish Sir Cliff Richard's current UK address in order to apply for a search warrant.

18. Whilst I was away I may have been informed as a courtesy that the search was going to take place on 14 August 2014 but I cannot be certain. On the morning of 14 August 2014 I was on the beach with my family. I received a text message timed at 11.11 hours from my deputy, Andy Holt, which informed me about the media presence at the location of the search warrant. I responded,

'It should be on Sky by 1pm. I will tune in!'

As the Chief Constable I would always try to make sure that I watched any television coverage which related to SYP. If my response comes across as light-hearted this is only because I was on holiday and on the beach with my family and so not in work mode.

19. After this I managed to watch the television coverage of the search and I became very concerned that it was something more than I expected to see. I had thought that there may be some limited footage of my officers going into Sir Cliff Richard's property. What I saw was much more extensive and I thought it was intrusive. Around this time I clearly remember Assistant Chief Constable Jo Byrne texting me on 14 August 2014 to let me know that the search was taking place and was on the news. I became concerned about the potential that this may escalate and my subsequent text message to Andy Holt timed at 13.16 hours reflects my concern at what I had seen on television:

"Andy, pse can you ask SCT to be careful about what is said on email about our celebrity. It would not surprise me if we get an FOI in the next few weeks asking for disclosure of anything non operational"

The text messages I exchanged with Andy Holt and Jo Byrne are exhibited to this witness statement as **"Exhibit DC3"**.

20. Later that day, I became aware of a piece of commentary by a BBC journalist called Danny Shaw in which he expressed the view that SYP were seeking to maximise publicity. I was angry that the BBC had taken this step. I felt that the BBC had initiated the chain of events which had

led us to this position and I felt it was deeply unfair that they now appeared to be trying to create a false and misleading narrative about events. I was aware that Carrie and Matt were making efforts to get the BBC to retract this article but the BBC had refused to do so.

21. On Friday 15 August 2014 I monitored the news and could see that the story was being picked up by other news outlets. The media attention continued to build and the story was being picked up in opinion pieces in the weekend papers. The Sunday Times in particular was looking to run a story which sought to accuse SYP of seeking publicity. As a result of this building media interest over the weekend I liaised with Andy Holt and Carrie to put together a press statement which responded to this article and a more specific statement for The Sunday Times. I also decided that it was necessary to make a complaint to the BBC about the article due to the misleading impression it had created. This was put together by Carrie and I approved her draft which was then sent to the BBC on 17 August 2014.
22. On Monday 18 August 2014 I returned to Sheffield and participated in a Gold Group meeting with Andy Holt, Carrie Goodwin, Matt Fenwick and others.. The main purpose of this Gold Group meeting was to ensure that everyone was briefed on the investigation, the course of dealings with the BBC leading up to the search and the ensuing media coverage. This served as preparation for a meeting later that day with Shaun Wright, the Police and Crime Commissioner for South Yorkshire. Shaun had requested the meeting over the weekend and I attended this with Matt and Carrie. I think that during this meeting the idea of conducting an independent review was agreed upon although I do not think that Andy Trotter's name was discussed at this stage.
23. On the same day I spoke to Phil Harrold at the BBC. I was informed that he was one of the Director-General's right hand men. Carrie Goodwin joined me on the call and took a note of the conversation which is exhibited to this witness statement as "**Exhibit DC4**". By this stage I was aware that there had been various inflammatory telephone conversations between my staff and BBC staff which, if allowed to continue, could escalate the matter further. I had made my formal complaint to the Director General of the BBC and was content for that to run its course.

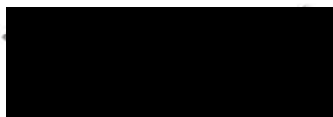
Therefore I was of the view that the argument with the BBC should be de-escalated and this is what I tried to achieve on the call with Phil Harrold. Carrie's note reflects my recollection of what we discussed.

24. After this I returned to Wales to rejoin my family for the second week of our holiday. Whilst I was still on holiday I was contacted by my staff officers because Keith Vaz had written to me in his capacity as chair of the Home Affairs Select Committee to request detailed information about SYP's dealings with the BBC. Others at SYP were involved in preparing this response and at some point during the week a draft letter in response was delivered to me in Wales along with a bundle of documents which I reviewed before signing off the letter to Keith Vaz.

STATEMENT OF TRUTH

I believe that the facts stated in this Witness Statement are true.

Signed:



Dated:

30/11/17

Name:

D. CRUMPTON