

the CDOP. I can only assume it came with the role of DCI and I simply inherited the role of supporting and attendance the CDOP. This happened with many areas of policing, particularly in relation to supporting partnership working.

22. Following the establishment of the Cheshire PPD in 2014, the CDOP function came under the control of the PPD. I cannot recall how it was agreed, but I continued to attend the CDOP as Detective Superintendent. There was always a designated deputy for most strategic meetings, therefore on occasions a deputy would have attended the meetings on my behalf or with me. The deputy would usually have been of the rank of Detective Inspector or above.
23. I can confirm that the purpose of the Police representative role at the CDOP meetings was to represent Cheshire Police in order to fulfil the Police roles and responsibilities as outlined in the protocol. This was to ensure that the necessary experience, knowledge and understanding of all areas of safeguarding was provided to the CDOP panel. The Police representative would have also been there in a position of rank that empowered them to take responsibility and to make appropriate decisions on behalf of the Constabulary. In general terms, the role of the Police, as set out in Appendix 1 of the Protocol, was to support the other Panel members by providing any relevant police information concerning any of the children discussed, which would include any child protection concerns, police contact with the family, details of any criminal investigations and any other relevant information that would be relevant to share with the panel.
24. My recollection of the internal and external processes for the management of the CDOP meeting has faded with time, however I do recall that business support for the CDOP was provided by a member of Cheshire East Local Authority and that their role involved preparing the agenda and paperwork which was then forwarded prior to each meeting to all CDOP members. I do recall that many of the cases that were the subject of reviews each month were regularly cases that were fairly old in terms of the actual date of death and date of review. It not unusual for cases to be reviewed that were sometimes over 12 months or longer. Neither I nor Cheshire Police had any involvement or responsibility for identifying the cases that would be reviewed at each CDOP. I do recall the issue of the delays of these cases being brought to CDOP and raised on several occasions in order to try and narrow the time from the date of death to the review. One of the core functions of CDOP is to identify learning and improvement, and therefore any delay in conducting reviews would delay the learning that could be used to improve service and safeguarding.
25. Following receipt of the list of child and infant deaths to be reviewed, I would have ensured that Cheshire Police systems would be reviewed to identify any involvement or other information that relates to the actual death or other information regarding the case. This would

senior executives and other individuals who would be in a position to provide additional, important and relevant information. Therefore, between 24th March and 15th May (the date Operation Hummingbird was commenced) a number of meetings were held. I have outlined below some of the key meetings that took place prior to the decision to formally commence a criminal investigation on 15th May 2017.

Meeting on 27th April 2017 at COCH.

50. I attended this meeting representing Cheshire Constabulary and also present at the meeting were the following persons: Ian Harvey (Medical Director COCH) Stephen Cross (Director Corporate Legal Service COCH) Dr Ravi Jayaram (Paediatrician COCH NNU) Dr Susie Holt (Paediatrician COCH NNU) Dr Rajiv Mittall (Paediatrician COCH NNU / CDOP Panel member) Hayley Frame (Chair CDOP).

51. I recall I would have been involved in the planning of this meeting 27th April 2017. I cannot now recall, nor do I have access to precisely how this was done, but it was, either via telephone, email or through the constabulary business support team.

52. I cannot recall if there was any formal minutes shared regarding this meeting. It is likely others present made their own notes. I made some notes of this meeting in my day book and have previously exhibited these as **Exhibit NW / 6**. My original notes do not mention Hayley Frame and Dr Rajiv Mittall being present, however, I know they were present and information recorded in other attendees' notes, specifically notes made by Stephen Cross, confirm this.

[INQ0102291]

[INQ0102292]

The notes from the meeting made by Stephen Cross are exhibited as **Exhibit NW / 7**. I have outlined a brief overview of the key points of discussion from this meeting as recorded in my day book:

- An overview of the COCH NNU operations was provided
- Outlined the number of neonatal deaths during the relevant period
- Previous 5 yrs. 2/3 year which is consistent with other areas
- During 18 month period 13 deaths in the NNU
- Reviews had been conducted including one by Royal College Nursing
- Recommendations from that review, that independent review is carried out relating to 13 cases, 4 cause death could not be explained, 8 not explained
- Highlighted that one member of staff was disproportionately present during these events
- This staff member would have had access to the babies, was working nights and day shifts
- Since had been moved from nights to day shifts, been no further events
- These were fragile sick babies
- Investigations so far have been thin, not identified cause for these deaths
- Feelings from clinicians, have lot of discomfort not investigated enough
- They have extensive range of experience and all are uncomfortable

- They are not comfortable with the findings and level of investigation
- Not all deaths subject of Post Mortem (PM)
- Assumptions had been made regarding early cases ad cause of death

53. It was during this meeting that I first heard the term 'angel of death' as a term used to refer to the Nurse Lucy Letby. I think one of the clinicians used the term. At the time I recall the significance of this comment and this was concerning to me. I recognised the risks if this term was used wider outside of this meeting and in particular in the public domain. I was therefore careful to not use this term any wider, although I would have briefed this into the Constabulary to those who needed to know.
54. I am aware that a request had been made to Ian Harvey to write to the Chief Constable (CC), requesting the Constabulary conduct a formal investigation into the events at the COCH NNU. I cannot recall if I made this request of him on behalf of ACC Martland, or if this request had come direct to him from ACC Martland. The letter to the CC is exhibited at point 100 of my statement as exhibit NW / 29f. [INQ0102319]
55. Following this meeting 27th April, I sent email to Ian Harvey. My memory of this email has been refreshed as I have seen the email contained in the bundle of material sent to me to assist with my statement. I have exhibited this email as **Exhibit NW / 8** [INQ0102293]. I sent this email to Ian Harvey on 27th April 8.14pm. The email was sent via Karen Dodd, Personal Assistant to Ian Harvey. I briefly outlined in this email that I had briefed to Chief Officer Level (ACC Martland) and a further meeting was planned for me to brief senior command within the Constabulary. I made it clear a decision as to progressing of criminal investigation would be taken once further information had been obtained and this included a request to hold a meeting with Ian Harvey and other representatives from the COCH at Constabulary Headquarters. I would have briefed ACC Martland following this meeting via telephone call as was my customary practice.
56. During this meeting on 27th April, I was mindful of its intended purpose and my responsibilities. I had to remain measured and not express opinion or speculate. Even though at this early stage, I felt this was progressing towards a criminal investigation, there was a critical need to remain cautious for the reasons I have previously outlined. Following this meeting, I had gained further information regarding the events that had taken place at the COCH NNU. My own personal concerns regarding these events remained and if anything, further increased. The content of the email I sent following this meeting clearly indicate my own personal mindset regarding these events and the potential direction of travel in terms of any investigation.

67. I have been asked by the Public Inquiry to comment if the report by Ian Harvey to the COCH Board accurately reflects my recollection of the meeting between us. I did make notes of the meeting that Ian Harvey refers to on 27th April 2017 and these have previously been summarised in my statement and my notes exhibited. The comments outlined above do generally correlate with my notes and recollection of the events of this meeting. I was measured during the meeting and I may have said it would be an investigation and that staff would then be interviewed. Clearly his description and comments will reflect his interpretation of this meeting and what was discussed.

Meeting on 5th May at Cheshire Police Headquarters

68. On 5th May 2017 at 1530 hrs, a meeting was held at Constabulary HQ chaired by ACC Martland. Present were the following people: ACC Martland (Chair – ACC Crime Operations), DCS Nigel Wenham, Det Supt Aaron Duggan (Head of MIT), Claire Miles (Staff Officer to ACC), Laura Fox (PA to ACC), Tony Chambers (COCH CEO), Stephen Cross (COCH Director of Corporate and Legal Services) and Ian Harvey (COCH Clinical Director). The minutes from this meeting have been provided to me from the Inquiry as part of the information bundle, I have also obtained the minutes from Cheshire Constabulary. I have attached my day book notes as **Exhibit NW / 12** and the constabulary minutes as **Exhibit NW / 13** [INQ0102298]. I would note that the minutes of this meeting appear to show the first reference to the operational name Operation Hummingbird. It is normal practice to allocate an operational name to assist with the identification and management of all serious, complex and major crime investigations.

[INQ0102297]

69. I have been requested to answer several questions regarding this meeting and my responses are based from reviewing the minutes and limited personal recollection of this meeting. This meeting was to follow up the meeting I attended at the COCH on 27th April 2017 when I met with members of the COCH Executive Team. I would have briefed ACC Martland and we would have agreed the need for this meeting in order to continue to gather further information regarding these events at the COCH NNU. The meeting was led and chaired by ACC Martland. The letter from the COCH Executive Team had been received prior to this meeting and was referenced during the meeting. This meeting involved a wide range of discussion and information sharing, and reference was also made as to any future police led investigation. The minutes from this meeting are very detailed and should be read together with the brief summary below.

70. The meeting was opened by ACC Martland and purpose outlined, which was stated to discuss the contents of the letter the Chief Constable had received from Tony Chambers in his capacity as CEO COCH. Ian Harvey provided an overview of the events that had taken