

# Conduct and criminal investigation: Operation Turton

Investigation into the actions of two Metropolitan Police Service (MPS) officers in relation to taking, creating and sharing sensitive images of two deceased females while guarding a crime scene

> Independent investigation report

## > Investigation information

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Investigation name:	Operation Turton
IOPC reference:	2020/138174
Investigation type:	Conduct
IOPC office:	Croydon
Lead investigator:	[REDACTED]
Case supervisor:	Steven Foxley
Director General delegate (Decision maker):	Graham Beesley
Status of report:	Final
Date finalised:	22 October 2020

**Please note that this report contains descriptions of photographs which readers may find upsetting.**

**This report also contains language which readers may find offensive.**

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## > Introduction

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### > The purpose of this report

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1. This investigation relates to the conduct of Metropolitan Police Service (MPS) officers Police Constable (PC) Jamie Lewis and PC Deniz Jaffer.
2. On 7 June 2020, the fatally wounded bodies of sisters Ms Nicole Smallman and Ms Bibaa Henry were found in Fryent Country Park, North London. A murder investigation commenced by the MPS.
3. As part of the investigation, MPS officers were placed as scene guards on the cordon of the crime scene. PC Jamie Lewis and PC Deniz Jaffer were posted as scene guards at the crime scene during the early hours of 8 June 2020.
4. On 18 June 2020, the Directorate of Professional Standards Reactive Investigation Unit (DPS RIU) became aware of an anonymous allegation regarding PC Lewis' conduct while on duty at the crime scene. It was alleged PC Lewis used his personal mobile phone and took 'selfie' style photographs of himself with the bodies of Ms Smallman and Ms Henry and showed the images to others.
5. On 19 June 2020, the MPS referred a conduct matter to the IOPC regarding the allegation made about PC Lewis' conduct. An independent IOPC investigation was declared.
6. On 22 June 2020 the IOPC arrested PC Lewis on suspicion of misconduct in a public office (MIPO). PC Lewis' mobile phone was seized and he was interviewed under criminal caution.
7. Based on further information obtained during the interview with PC Lewis, the IOPC subsequently arrested PC Jaffer on suspicion of MIPO later the same day. His mobile phone was seized and he was also interviewed under criminal caution.
8. It was alleged that PC Jaffer had taken photographs of Ms Smallman and Ms Henry and then disclosed the images to PC Lewis for no apparent policing purpose. There was also an indication that PC Jaffer may have shared the photographs from the scene with members of the public.
9. Following an IOPC investigation, the powers and obligations of the Director General (DG) are delegated to a senior member of IOPC staff, who I will refer to

as the decision maker for the remainder of this report. The decision maker for this investigation is Regional Director Graham Beesley.

10. In this report, I will provide an accurate summary of the evidence and attach or refer to any relevant documents. I will provide sufficient information to enable the decision maker to determine whether to refer any matter to the Crown Prosecution Service (CPS).
11. I will also provide sufficient information to enable the decision maker to form a provisional opinion on the following:
  - a) whether any person to whose conduct the investigation relates has a case to answer for misconduct or gross misconduct or no case to answer;
  - b) whether or not disciplinary proceedings should be brought against any such person and, if so, what form those proceedings should take (taking into account, in particular, the seriousness of any breach of the Standards of Professional Behaviour);
  - c) whether the performance of any person to whose conduct the investigation related is unsatisfactory and whether or not performance proceedings should be brought against any such person; and
  - d) whether or not any matter which was the subject of the investigation should be referred to be dealt with under the Reflective Practice Review Process (RPRP).
12. I will also provide sufficient information and evidence to enable the decision maker to identify whether a paragraph 28ZA recommendation (remedy) or referral to the Reflective Practice Review Process (RPRP) is appropriate.
13. I will also provide sufficient information to enable the decision maker to determine whether to make a recommendation to any organisation about any lessons that may need to be learned.
14. The IOPC will then send a copy of this report and the decision maker's provisional opinion to the Metropolitan Police Service (MPS). If the appropriate authority provides comments, then they must do so within 28 days. Where the appropriate authority disagrees with the content of the report or the decision maker's provisional opinion, the appropriate authority should set out the reasons in their response as fully as possible and provide any supporting information. Having considered any views of the appropriate authority, the decision maker is required to make the final determination and to notify the appropriate authority of it.
15. The decision maker may also make a determination concerning any matter dealt with in the report. This may include a decision that a matter amounts to Practice Requiring Improvement (PRI) and as such should be dealt with under the

Reflective Practice Review Process (RPRP) or a recommendation under paragraph 28ZA (remedy).

16. Where Articles 2 or 3 of the European Convention on Human Rights (ECHR) are engaged, this investigation is also intended to assist in fulfilling the state's investigative obligation by ensuring as far as possible that the investigation is independent, effective, open and prompt, and that the full facts are brought to light and any lessons are learned.

## > Background information about Ms Bibaa Henry and Ms Nicole Smallman

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17. Ms Bibaa Henry and Ms Nicole Smallman were celebrating Ms Henry's 46<sup>th</sup> birthday with friends in Fryent Country Park on the evening of Friday 5 June 2020. Ms Smallman and Ms Henry were sisters.
18. Ms Smallman, aged 27, was due to start a new job the week following her death. She had previously worked as a freelance photographer and as a manager in the hospitality industry. Ms Henry had worked as a senior social worker in children's services.

## > Other investigations

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19. The Metropolitan Police Service (MPS) launched an investigation, 'Operation Saxonstreet', into the murder of sisters Ms Bibaa Henry and Ms Nicole Smallman on 7 June 2020.

The IOPC investigation 'Operation Turton 2' was a separate, independent investigation into six Metropolitan Police Service officers' failure to challenge or report the taking and sharing of inappropriate photographs from the scene of the murders. The second investigation was completed in March 2021.

## > The investigation

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### > Terms of reference

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20. Graham Beesley, as case decision maker, initially approved the terms of reference for this investigation on 1 July 2020. The terms of reference were revised and again approved on 7 July 2020. The terms of reference can be seen in full at Appendix 3, however, in brief they are:

To investigate the conduct of PC Lewis and PC Jaffer. In particular:

- a) their actions at the scene of the murder of Ms Nicole Smallman and Ms Bibaa Henry on 8 June 2020 and subsequently, in light of the applicable Standards of Professional Behaviour; and relevant local and national policies, guidance and legislation.

## > Subjects of the investigation

21. There was an indication that persons serving with the police listed below may have:
- (a) committed a criminal offence, or
  - (b) behaved in a manner which would justify the bringing of disciplinary proceedings.
22. Where there is such an indication for any police officer, police staff member or relevant contractor, they are categorised as a subject of the investigation. All subjects are served with a notice of investigation, informing them of the allegations against them.
23. They are also informed of the severity of the allegations. In other words, whether, if proven, the allegations would amount to misconduct or gross misconduct, and the form that any disciplinary proceedings would take.
24. The following officers have been categorised as subjects of this investigation:

Name	Role	Severity	Interviewed	Were criminal offences investigated? If so, please list these below
Jamie Lewis	Police constable (PC)	Gross misconduct	22 June 2020 and 8 July 2020  Written response dated 15 October 2020	Misconduct in a public office (MIPO)
Deniz Jaffer	Police constable (PC)	Gross misconduct	22 June 2020 and 8 July 2020  Written response	Misconduct in a public office (MIPO)  Perverting the course of justice (PCJ)

			dated 15 October 2020	
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25. PC Jamie Lewis was identified as a subject in this investigation. Due to the nature of the allegations against PC Lewis, he was arrested and interviewed by IOPC staff on 22 June 2020 on suspicion of misconduct in a public office contrary to Common Law. He was further interviewed on 8 July 2020 for the same offence.
26. On 22 June 2020, PC Lewis was served with a Regulation 17<sup>1</sup> notice informing him there was an indication that his conduct may have breached the Standards of Professional Behaviour (SoPB), namely:
- Duties and responsibilities
  - Confidentiality
  - Discreditable conduct
27. On 8 July 2020 PC Lewis was served with a revised Regulation 17 notice informing him there was an indication his conduct may have also breached the SoPB:
- Authority, respect and courtesy
  - Honesty and integrity
  - Challenging and reporting improper conduct
28. On 24 July 2020 PC Lewis' Federation representative was provided with a further, revised Regulation 17 notice. The notice informed PC Lewis there was an indication his conduct may have also breached the SoPB:
- Equality and diversity
29. PC Deniz Jaffer was also identified as a subject in this investigation. On 22 June 2020, PC Jaffer was arrested and interviewed by the IOPC on suspicion of misconduct in a public office (MIPO) contrary to Common Law. He was further interviewed under criminal caution on 8 July 2020 on suspicion on both MIPO and the additional offence of perverting the course of justice (PCJ). The offence of perverting the course of justice related to PC Jaffer's alleged deliberate deletion of photographs from his mobile telephone of the crime scene of the two murdered victims. It was alleged that, at the time they were deleted, PC Jaffer was aware that an investigation was ongoing into the taking and distributing of those photographs.

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<sup>1</sup> Regulation 17, Police (Complaints and Misconduct) Regulations 2020.



30. On 23 June 2020, PC Jaffer was served with a Regulation 17 notice informing him there was an indication his conduct may have breached the Standards of Professional Behaviour (SoPB), namely:
  - Duties and responsibilities
  - Discreditable conduct
  - Challenging and reporting improper conduct
  - Confidentiality
31. On 8 July 2020 PC Jaffer was served with a revised Regulation 17 notice informing him there was an indication his conduct may have also breached the SoPB:
  - Authority, respect and courtesy
  - Honesty and integrity
32. On 24 July 2020, PC Jaffer's Federation representative was provided with a further, revised Regulation 17 notice. The notice informed PC Jaffer there was an indication his conduct may have also breached the SoPB:
  - Equality and diversity

## > Summary of evidence


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33. To assist the decision maker in drafting their opinion, I have presented a summary of the evidence. During this investigation, a volume of evidence was gathered. After thorough analysis of all the evidence, I have summarised that which I think is relevant and answers the terms of reference for my investigation. As such, not all of the evidence gathered in the course of the investigation is referred to in this report.

## > Chronological summary of events

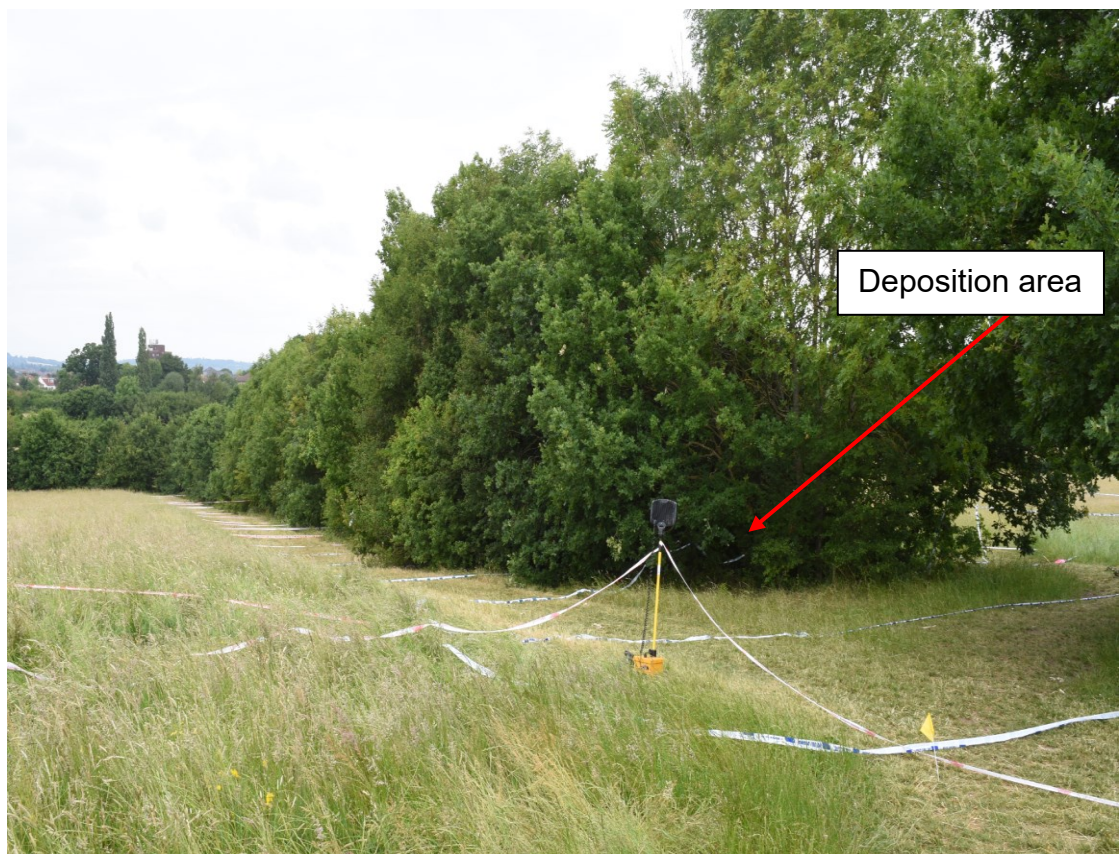
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34. On 7 June 2020, Ms Nicole Smallman and Ms Bibaa Henry were found murdered in Fryent Country Park, Wembley, London. Their bodies were discovered together at the same deposition site.
35. Police Sergeant (PS) Andrew Marsh was the first police supervisor on the scene. He said he arrived during the early stages of the investigation and his main investigative strategy was to preserve evidence and set up the initial cordons. He has provided a statement to the IOPC along with two aerial maps which showed the fixed cordon points at the scene.

36. The map  provided by PS Marsh marked points 'A' to 'O' where cordon officers were placed. He confirmed the points were 'fixed points' and *"...officers were expected not to move from the fixed points as they remained in each other's line of sight and created a 'barrier' to prevent any people or wildlife getting into the scene"*. PS Marsh confirmed point 'A' was a distance of approximately ten metres from the bodies of Ms Smallman and Ms Henry. This was one point where it was expected an officer would stand and guard the scene (see Appendix 1).
37. PS Marsh stated points A and B were closest to Ms Smallman and Ms Henry. He said, *"Sadly we needed officers positioned close to the bodies of the women to prevent wildlife interfering with the scene. These points were effectively within the inner cordon. There was a thick hedgerow where the women's bodies were positioned. It may have been possible to just about make out the bodies of the women from the fixed-point B. But this would have been tricky and you would need to know what you were looking at or leave that point. It would not have been possible to see the bodies from fixed-point A. If you wanted to see the bodies you would need to stray from fixed-point A."*
38. Detective Sergeant (DS) Michael Hartley attended the scene in a 'HAT' car (Homicide Assessment Team) on the afternoon of 7 June 2020. He provided a witness statement to the IOPC detailing his attendance at the scene.
39. DS Hartley described how the A4140 Fryent Way ran through the middle of Fryent Country Park for nearly a mile. He stated securing the park was deemed difficult and therefore officers were placed on all the grass paths leading to the hillside where Ms Smallman and Ms Henry's bodies were located.
40. The photograph below shows an aerial view of part of Fryent Country Park. The area where Ms Smallman and Ms Henry were placed within the hedgerow is marked 'X':



41. The photograph below shows the hedgerow area where Ms Smallman and Ms Henry's bodies were located. Their bodies were approximately ten feet inside the hedgerow. The deposition area within the hedgerow is indicated by the arrow:



42. PS Daniel Green was on duty in uniform from approximately 2am on 8 June 2020, along with PS James Marum. The officers went to the crime scene to check on the welfare of their officers and to get an understanding as to the scale




of the cordons and the resourcing requirement going forward. PS Green and PS Marum patrolled the site and walked around to all of the posts manned by officers. PS Green confirmed they spoke with each officer at each point, but they did not enter the inner cordon part that was staffed by two officers.








43. The scene cordon log showed 'PC Jaffer ██████████' and 'PC ██████████' (PC Lewis) arrived at 3.38am on the morning of 8 June 2020.
44. PC Lewis confirmed in criminal interview on 22 June 2020 that he was a scene guard at the park on the morning of 8 June 2020 and his role was to ensure members of the public did not enter the area and to protect the integrity of the scene. He believed he was placed in area 'A1'.
45. PC Jaffer confirmed in interview on 22 June 2020 that he was on a night shift and he was asked by his sergeant to go to the crime scene in Wembley Park. He confirmed his role was to ensure members of the public did not enter the area and to keep the scene preserved as much as possible. PC Jaffer said PC Lewis was closer to the victims' bodies than he was. PC Jaffer said he was approximately twenty-five to thirty yards up the path from PC Lewis, next to a spotlight.
46. PS Barry Rookard provided a statement to the IOPC along with a copy of his day book. PS Rookard was the supervisor assigned to manage the crime scene for the night duty 7 to 8 June 2020. Officer ██████████ (PC Jaffer) was initially listed as being placed in 'A' and ██████████ (PC Lewis) was initially shown as being placed in area 'A1'. See Appendix 2 for a map of the scene.
47. As part of the investigation, PC Jaffer and PC Lewis' personal mobile phones were downloaded and reviewed. Below is a summary timeline of events on 8 June 2020 to assist with the chronology of the officers' actions at the scene and includes information extracted from both officer's phones.

<b>Time (UTC+1)</b>	<b>Description</b>	<b>Evidence</b>
8 June 2020 1.05am	WhatsApp message From PC Jamie Lewis To Ms A	<i>"Nope!! Been sent to NW London for a double murder meaning I'm gonna hey [sic] off well late. Not happy!!!"</i>
3.38am	PC Lewis and PC Jaffer attended the cordon	PC Jaffer and PC Lewis were listed on the cordon log
3.46am	WhatsApp message From PC D (A Team MET)	<i>"I'm all alone in this world"</i>





	To Den (PC Jaffer)	
3.46am	WhatsApp message From PC D To PC Jaffer	<i>"Next to tents"</i>
3.46am	WhatsApp message From PC D To PC Jaffer	<i>"Reckon the bodies are still here"</i>
3.46am	WhatsApp message From PC D To PC Jaffer	<i>"They might start making funny noises"</i>
3.48am	PC Lewis' mobile phone download - photograph captured	IMG_4978.HEIC – dark styled selfie with tree in background
3.48am	PC Lewis' mobile phone download - photograph captured	IMG_4979.HEIC – dark styled selfie with tree in background
3.49am	PC Lewis' mobile phone download - photograph captured	IMG_4980.HEIC – selfie of PC Lewis with dark background
3.52am	PC Lewis' mobile phone download - photograph captured	IMG_4981.JPG – photo of view of the fields – victims not visible
3.52am	WhatsApp group message From PC Jaffer To a group with 10 participants (members of the public) 'Covid Cunts'	PC Jaffer sent the group a link to a Daily Mail article relating to two female bodies found in northwest London Park
3.52am	WhatsApp group message From PC Lewis To 'A team group' (42 members)	Link to Daily Mail article – Bodies of two women are found in a park in northwest London <i>"Me, [PC D], Dennis &amp; [PC E] are living the Wembley dream!!"</i> A photo was sent of a scene with grass – victims not visible

3.53am	PC Lewis' mobile phone download - photograph captured	IMG_4982.JPG – photo of a view with a tree
3.53am	WhatsApp group message From PC Lewis To 'A team group' (42 members)	A photo was sent of the scene with a tent – victims not visible
3.53am	WhatsApp group message From (PC M) To 'A team group' (42 members)	<i>"Enjoy the sun rise"</i>
3.54am	WhatsApp group message From PC Lewis to To 'A team group' (42 members)	<i>"Unfortunately I'm sat next to two dead birds full of stab wounds"</i>
3.55am	WhatsApp group message From PC Jaffer To a group with 10 participants; 'Covid Cunts' (members of the public)	<i>"I'm here now, will try to take pictures of the two dead birds...."</i> <i>"This is my view now"</i> PC Jaffer sent an image of a view over fields from the crime scene – victims not visible
3.58am	WhatsApp group message From PC N To 'A team group' (42 members)	<i>"Who's been out stabbing pigeons"</i>
3.59am	WhatsApp group message From PC Lewis To 'A team group' (42 members)	A 'GIF' animation was sent showing a person with pigeons on their shoulder
3.59am	PC Lewis' mobile phone download - photograph captured	A photograph was located on PC Lewis' mobile phone - IMG_4983.JPG – person with pigeons

4.11am	WhatsApp message From PC Lewis To Ms A	A photo was sent of a scene with grass – victims not visible
4.11am	WhatsApp message From PC Lewis To Ms A	A photo was sent of a scene with grass and a tree – victims not visible  <i>“Currently sat next to two stabbed up dead women in a field in Wembley, don’t recon [sic] I will get relieved from here until at least 9 then I have to make my way back to forest gate, then home! At this very moment, I hate my life 😞”</i>
4.36am	PC Lewis’ mobile phone download - photograph captured	IMG_4984.HEIC – blurry photo with branch in foreground (deleted at 9.45am on 8 June 2020)  Photo appeared to show the deposition area but the victims were not identifiable  Photograph 
4.38am	WhatsApp message From PC Lewis To PC Deniz Jaffer	<i>“Send me pic”</i>
4.39am	WhatsApp message From PC Jaffer To PC Lewis	A photo was sent which showed the victims – a branch was visible in the foreground  Photograph 
4.39am	WhatsApp message From PC Jaffer To PC Lewis	A photo was sent which showed the victims – closer than the previous image  Photograph 
4.39am	WhatsApp message From PC Lewis To PC Jaffer	<i>“Gonna get closer when he’s gone”</i>
4.41am	PC Lewis’ phone download	Between 4.41.04am and 4.41.23am ‘Snapchat’ was accessed

	'Snapchat' application accessed	
4.41am	PC Lewis' phone download - Photo captured at 4.41.51am	At 4.41.51am – IMG_4986.JPG was captured  Selfie style image which showed PC Lewis and the victims in the background  Photograph 
4.42am	WhatsApp message From PC Lewis To PC Jaffer	A superimposed 'selfie' style photograph of PC Lewis with the victims visible in the background was sent from PC Lewis to PC Jaffer  Photograph 
5.10am	PC Lewis' phone download - Photo captured	IMG_4987.HEIC – photo of the victims  Photograph 
5.21am	WhatsApp message From PC Jaffer To PC Lewis	A photo of the two victims was sent  Photograph   This appeared to be a duplicate of a previous photograph sent at 4.39am; D53
5.21am	WhatsApp message From PC Jaffer To PC Lewis	A close-up photo of the back of one of the victims – clothing raised on the back - was sent  Photograph 
5.21am	WhatsApp message From PC Jaffer To PC Lewis	A close-up photo of the face of one of the victims was sent  Photograph 
5.22am	PC Lewis' phone download - Photo captured	IMG_4990.PNG – screenshot of 4987  Photograph 



5.49am	WhatsApp message From PC Jaffer To PC D (MPS officer)	A photo was sent which showed the victims. The image showed the back of one of the victims Photograph 
5.49am	WhatsApp message From PC Jaffer To PC D	A second photo was sent of the victims. It appeared a closer image than the previous image Photograph 
5.49am	WhatsApp message From PC Jaffer To PC D	A third photo was sent which showed a close up of the back of one of the victims Photograph 
5.49am	WhatsApp message From PC Jaffer To PC D	A fourth photo was sent which showed a selfie style photograph of PC Jamie Lewis in front of the victims Photograph 
7.11am	WhatsApp message From PC Jaffer To Mr A – member of the public	<i>“Morning, I am here. Do you want to see the two dead bodies?”</i> PC Jaffer sent a link to a Sky news article – <i>‘Two women found dead in park in northwest London’</i>
7.12am	WhatsApp group message From PC Jaffer To ‘Covid Cunts’ (members of the public)	<i>“I have pictures of the two dead victims. Let me know who doesn’t want to see it”</i>
7.13am	WhatsApp message From Mr A (member of the public) To PC Jaffer	<i>“Yes what happened?”</i>
7.14am	WhatsApp message From PC Jaffer To Mr A (member of the public)	<i>“The next pictures are the two dead victims. Both stabbed to death in broad daylight and dragged under trees. One is 14 and the other is 20, she was pregnant.”</i>

8.49am	WhatsApp group message From Ms B To 'Covid Cunts' group	<i>"Is it bad den? Xx"</i>
9.05am	WhatsApp group message From PC Jaffer To 'Covid Cunts' (members of the public)	<i>"Not really. I've seen worse"</i>
9.06am	WhatsApp group message From Mr B To 'Covid Cunts' group	<i>"Send em over Den"</i>
9.07am	WhatsApp group message From Ms B To 'Covid Cunts' group	<i>"Send them to [Mr B] incase [sic] no one else wants to see xx"</i>
9.45am	PC Lewis' phone download – photo deleted	IMG_4984.HEIC – blurry photo with branch in foreground deleted at 9.45am
12.53pm	From PC Jaffer To Ms C (member of the public)	Ms C confirmed she received four images from PC Jaffer  The victims were visible in the photos
6.28pm	WhatsApp group message From PC Lewis To 'The Real DBS' (8 members)	<i>"Had a double murder last night, two high risk MISPER's stabbed and hidden in a bush"</i>
6.28pm	WhatsApp group message From Mr C	<i>"Fuck"</i>

	To <i>'The Real DBS'</i> (8 members)	
6.29pm	WhatsApp group message From PC Lewis To <i>'The Real DBS'</i> (8 members)	<i>"Both sisters, one was 14, the [sic] 20 and pregnant"</i>
6.29pm	WhatsApp group message From Mr C To <i>'The Real DBS'</i> (8 members)	<i>"Fucking hell, any idea of why they got killed"</i>
6.30pm	WhatsApp group message From PC Lewis To <i>'The Real DBS'</i> (8 members)	<i>"No it was just weird"</i>
6.30pm	WhatsApp group message From PC Lewis To <i>'The Real DBS'</i> (8 members)	<i>"Got pics"</i>
7.42pm	WhatsApp group message From Mr D To <i>'The Real DBS'</i> (8 members)	<i>"Really? Sounds brutal"</i>
7.43pm	WhatsApp group message From Ms D To <i>'The Real DBS'</i> (8 members)	<i>"Why you got pics?"</i>

### > Download of PC Jamie Lewis' mobile phone

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49. PC Lewis' personal mobile phone was seized following his arrest on 22 June 2020. The phone was taken to Diligence International, a forensic provider, who completed a download of the phone. The date parameters set for the review of

the phone download data were between 8 June 2020, when at the scene and 22 June 2020, when PC Lewis was arrested.

50. PC Lewis was not issued with a work mobile phone. He confirmed in interview that the phone seized on 22 June 2020 was his only personal mobile phone. He was asked whether anyone had access to his mobile phone on 8 June 2020 and he said PC Jaffer may have looked at his phone, but he did not walk off with it.
51. The data showed, between 3.48am and 3.53am PC Lewis took five pictures showing either the view of the field or a 'selfie'. The victims were not in the photographs. These photographs had files names starting 'IMG' and ending with either 'JPG' or 'HEIC'.
52. At 3.52am, PC Lewis messaged the WhatsApp group '*A team group*' (which had 42 members and was believed to be a work WhatsApp group). PC Jaffer was also a member of this WhatsApp group.
53. At 3.52am and 3.53am PC Lewis sent two photos showing the scene area without Ms Smallman and Ms Henry's bodies visible. At 3.54am he stated on the group "*Unfortunately I'm sat next to two dead birds full of stab wounds*".
54. At 4.11am the download showed PC Lewis informed Ms A, that he was in North West London for a double murder. PC Lewis sent an image of his view over the park via WhatsApp to Ms A. Ms A is a member of the public and not a police officer. Ms Henry and Ms Smallman could not be seen in the image.
55. At 4.36am PC Lewis' mobile phone 'captured' a blurry image (IMG\_4984). This image was unclear but appeared to show the area where Ms Henry and Ms Smallman's bodies were located.
56. At 4.38am PC Lewis' and PC Jaffer's conversation in WhatsApp suggested PC Lewis requested pictures from PC Jaffer.
57. At 4.39am PC Lewis received two images from PC Jaffer via WhatsApp showing Ms Smallman and Ms Henry's bodies. PC Lewis responded to this message stating, "*gonna get closer when he's gone*".
58. Between 4.41.04am and 4.41.23am PC Lewis' phone download showed he accessed the social media application 'Snapchat'. The photo, which showed PC Lewis' face superimposed onto a photo with Ms Smallman and Ms Henry's bodies in the background, was captured at 4.41.51am. This was located in the phone's 'camera roll'.
59. At 4.42am, within one minute of capturing the image, PC Lewis sent the 'selfie style' image created in Snapchat to PC Jaffer via WhatsApp. The picture showed PC Lewis pulling a face which he described as "*squiffed up*". The bodies of Ms Henry and Ms Smallman can be seen in the background. PC

Lewis was pulling a facial expression which could be described in many ways. PC Jaffer initially described PC Lewis' expression as a "smiley face" but upon viewing the photograph stated it was a different facial expression. PC Lewis was wearing high visibility clothing and a police hat.

60. Later, at 5.10am PC Lewis' mobile phone captured a further image of Ms Smallman and Ms Henry (IMG\_4987.HEIC). The later photograph showed both Ms Smallman and Ms Henry with no foliage in the foreground and the image was lighter than those sent by PC Jaffer to PC Lewis. This photo was located in PC Lewis' 'camera roll' on his phone.
61. As will be detailed in the section that follows, PC Lewis stated he had no memory or knowledge of taking photographs of the victims at the scene. Ms F, a Forensic Investigator with Diligence International provided a statement to the IOPC on 21 July 2020. Ms F stated images 'IMG\_4984.HEIC' and 'IMG\_4987.HEIC' were taken using an iPhone XR device. PC Lewis's mobile phone (exhibit JLL/01 - X1) is an iPhone XR device.
62. Ms F stated both files were found within the folder path 'Jamie/mobile/Media/DCIM/104APPLE/'. The 'photos.sqlite' database indicated that both images were added to the directory within one second of their respective capture times.
63. Ms F noted, "*the close proximity of the added and created timestamps indicate that the two (2) photographs may have been taken by exhibit JLL/01 rather than received from another source.*" There is no evidence available on this phone download to suggest the photos were sent to PC Lewis by another source. As stated above, the pictures were located in the 'camera roll' on PC Lewis' phone.
64. At 5.21am, PC Lewis received three further images from PC Jaffer via WhatsApp. The first of the three images appeared to be a duplicate of an image sent earlier by PC Jaffer to PC Lewis at 4.39am. The remaining two photographs were close-up photographs; one showed Ms Henry's back, with clothing that appeared to be raised and the other showed a partial side profile of Ms Smallman's face.
65. At 5.22am PC Lewis appeared to screenshot IMG\_4987 which was saved onto his phone as IMG\_4990. At 9.45am the image IMG\_4984 (the blurry image captured on PC Lewis' phone) was deleted.
66. On the evening of 8 June 2020 PC Lewis messaged a WhatsApp group called 'The Real DBS' telling them that he had attended a double murder the night previously. He informed the group that the victims were 14 and 20 years old and one was pregnant. PC Lewis stated; "*got pics*". A group member, 'Ms D' stated "*Why you got pics?*". Following this there was no further discussion regarding the photographs. It is noted that an earlier conversation within the group, at

12.44pm on 8 June 2020 started, *“When would our probation be up?”*. Two group members separately responded and one stated, *“We started on 2nd July”*. PC Lewis was asked whether this was also a work WhatsApp group in interview, but he provided no comment.

67. In summary, upon review of PC Lewis’ mobile phone, the evidence indicates that it is more likely than not, that at 4.36am on 8 June 2020 he took a photo of the scene where the victims were located though not visible. This photo was later deleted at 9.45am. The evidence further indicates that he later took another photograph at 5.10am which clearly showed Ms Smallman and Ms Henry. On 8 June 2020 at 4.39am and 5.21am, PC Lewis received a total of five images from PC Jaffer which showed Ms Smallman and Ms Henry’s bodies. PC Lewis created and shared the ‘selfie’ style photograph with PC Jaffer. There is no evidence at this time to suggest PC Lewis shared the photographs from the scene with any other party.
68. Also contained within the phone download the evidence showed on 10 June 2020 at about 12.50pm, PC Lewis was engaged in a conversation with a telephone number belonging to another officer called PC Harry Chandler. In that conversation which related to the benefits of PC Chandler moving to the area in which PC Lewis lives, PC Chandler stated, *“Plus no pakis.”* PC Lewis replied at 12.50pm *“Exactly!!”*.
69. Summary of WhatsApp messages between PC’s Lewis and Chandler:

<b>From</b>	<b>To</b>	<b>Time on 10 June 2020</b>	<b>Details</b>
PC Jamie Lewis	PC Chandler	12.49pm	<i>“Just offer 775?”</i>
PC Chandler	PC Jamie Lewis	12.50pm	<i>“Yeah that’s a fair price, good property Will make it look good”</i>
PC Chandler	PC Jamie Lewis	12.50pm	<i>“Plus no pakis”</i>
PC Jamie Lewis	PC Chandler	12.50pm	<i>“Exactly!!”</i>

70. This is deemed relevant evidence as the terms of the reference for the investigation seek to address whether the officers' actions were motivated or influenced by discrimination against a protected group.

### > Admissions made by PC Jamie Lewis during his first criminal interview

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71. In his first interview on 22 June 2020, under criminal caution, PC Lewis made a number of admissions, none of which have been retracted. He made no comment during his second interview on 8 July 2020. He provided a prepared statement at the end of the second interview.
72. On 22 June 2020 PC Lewis told the IOPC he was posted as a scene guard in Fryent Country Park in the early hours of 8 June 2020. He stated that his main role was to maintain the integrity of any evidence. He drew a diagram during the first interview which showed his location at the scene. PC Lewis said he could not see the victims' bodies from his location. He estimated he was twenty or thirty feet away from the location of the victims.
73. PC Lewis admitted he had not been diligent in relation to his attendance at the crime scene. When asked, he replied *"...no, because we haven't stuck to the exact protocol or briefing that we should have done, and we've deviated from that..."*. He was asked about the briefing and suggested *"...I mean if, if we just stood there..."* and said, if they had not taken out their mobile phones then *"none of this would have happened"*.
74. PC Lewis admitted to the IOPC that PC Jaffer sent him photographs of Ms Smallman and Ms Henry whilst they were both on duty at the crime scene.
75. PC Lewis admitted to seeing PC Jaffer take the photographs. He was asked whether he felt the need to challenge PC Jaffer's behaviour and he stated, *"I think I should have"*. When asked why he did not he stated *"...being quite new in service, afraid to challenge people that, potentially, have been in service longer. That's the wrong attitude, I know that..."*. PC Lewis said he did not know how long PC Jaffer had been in service, but PC Jaffer was older than him.
76. PC Lewis admitted to creating a 'selfie style' photograph of himself with the bodies of Ms Smallman and Ms Henry in the background.
77. PC Lewis admitted to the IOPC that he had used the application 'Snapchat' to superimpose his head onto the background of the last picture in his camera roll. PC Lewis stated the last picture in his camera roll was the image PC Jaffer sent him, showing the bodies of Ms Smallman and Ms Henry. PC Lewis stated he

unintentionally created the photograph but admitted to intentionally saving the image to his phone once he had created it.

78. PC Lewis said in interview; *"it was an awful decision I made at the time"*. He said he was *"embarrassed"* and *"sickened"* by his actions.
79. PC Lewis admitted to the IOPC that he sent the 'selfie style' picture onto PC Jaffer via his personal mobile phone while on the cordon of the crime scene. He stated he sent the photo on to PC Jaffer *"...as in, oh shit like, I, look what this has just done and that's it"*.
80. PC Lewis admitted to the IOPC that further photographs would be found on his mobile phone and stated they would be, *"pretty much the same picture but different zoomed in versions"*.
81. PC Lewis stated he was 95% certain that at no point had he taken any photographs himself of Ms Smallman and Ms Henry. He was then asked about the '5%' and why he would not remember, to which he replied, *"Because I think if I did and I've said that I haven't then I would be lying to you, but I'm really confident that I didn't."*
82. PC Lewis went on to say, *"But as far as taking a picture and sending it, I'm 95%, like I say 95% sure that I wouldn't."*
83. PC Lewis also admitted that he had shown the images of Ms Smallman and Ms Henry to his colleague PC F in the yard of Forest Gate Police Station. He said PC F asked if he had photos and he showed them to her. PC Lewis said PC F took his phone and scrolled through the photographs. He stated he did not know how PC F was aware that he had the photographs from the scene. PC F was standing with two colleagues; PC A and PC B who may have also seen the photographs according to PC Lewis' account. PC Lewis stated confidentiality was broken immediately once the photographs had been taken, regardless of the sharing of them.
84. When asked in his initial interview what he knew about the victims, PC Lewis stated he knew very little; he stated the victims' names and photographs were not in the media.
85. PC Lewis stated he was appalled and ashamed at his actions. He stated he did not intend any disrespect, he accepted that his actions were wrong and apologised. He stated he had a lapse in judgement and had been through a difficult time personally with a divorce and moving out of his home.

## > **Second criminal interview – PC Jamie Lewis**

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86. In PC Lewis' second criminal interview on 8 July 2020, he replied 'no comment' to questions regarding his actions at the scene on 8 June 2020. He provided a prepared statement at the end of the interview.
87. The evidence obtained from PC Lewis' phone download was put to him in interview; including the two images which the forensic evidence indicated he had taken himself. PC Lewis was also invited to draw on a map or aerial photo where he was positioned and his exact movements around the crime scene.
88. PC Lewis was asked numerous questions to which he replied, 'no comment'. These included questions about:
- his use of language in referring to the victims as “...*two dead birds full of stab wounds*”
  - when he was made aware of the information which led him to believe the victims were 14 and 20 years old
  - why he would choose to seek out and take photos of two murder victims when he believed one was a child
  - whether he had created a selfie style image with what he believed at the time could be a dead child in the background
  - whether his actions at the scene were influenced by the sex or the race of Ms Smallman and Ms Henry
89. It was also put to PC Lewis in interview that Ms Smallman and Ms Henry's mother had publicly expressed her concerns that the officers' actions were influenced by discrimination on the grounds of race. PC Lewis provided no comment.
90. In the prepared statement provided on 8 July 2020, PC Lewis stated at no time did he enter the deposition area of the crime scene and at no time was the integrity of the scene compromised. He stated, when he arrived at the scene he was shown where Ms Smallman and Ms Henry's bodies were, and this was from about 15 feet away and not in the bush area. He stated, “*we remained on the grass area*” and a forensic examination of his boots would corroborate that he went no closer.
91. In his prepared statement PC Lewis accepted there were photographs of Ms Smallman and Ms Henry's bodies on his mobile phone, one with a branch in the foreground and another without, but he stated he had no knowledge or memory of taking the pictures himself.

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**> Written response to caution – PC Jamie Lewis**

92. PC Lewis was provided with a list of further questions in relation to his WhatsApp exchange with PC Chandler and his colleague's use of the term '*paki*'. The questions further explored the motivations and reasons for PC Lewis' actions at the crime scene on 8 June 2020. A response to caution was provided on 21 October 2020.
93. Regarding his actions at the scene on 8 June 2020 PC Lewis stated "*..upon reflection, I accept that it was poor judgment on my part to deal with this material in the way in which I did and I am truly sorry if any distress or upset has been caused to the family of the victims in these tragic events*".
94. PC Lewis stated he dismissed PC Chandler's comment, "*plus no pakis*" with a one-word response. PC Lewis stated it was inappropriate but he does not believe PC Chandler is racist. PC Lewis believed the comment was made in relation to a housemate of PC Chandler's, an Asian female, who he had issues with. He stated it was a "*direct specific reference to an individual rather than a generic group and I knew what he was talking about and so responded "exactly" to make it clear that I did*".
95. PC Lewis stated he was not "*agreeing*" with the racist term used by his colleague. He stated the comment he made "*..was neither racially motivated or could sensibly be construed as such, it is difficult to understand the basis upon which my conduct in relation to events on the 8th June is now being categorised as inherently racist, rather than merely inappropriate.*"
96. PC Lewis stated, "*Naturally, I would think it was inappropriate for a serving police officer to endorse racially offensive language and I do not believe that I have or that I did. I have always tried both in my personal and professional life to treat people fairly, and impartially, whatever their ethnic background.*"
97. PC Lewis' statement also detailed the impact of the IOPC investigation on his mental health and ability to cope "*..and the way in which it would appear single, isolated aspects of my conduct are being incorporated into a much wider allegation.*"

## > Accounts provided by PC F and PC A

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98. PC F provided an account to the IOPC in which she confirmed on an unknown date following 8 June 2020, a discussion had taken place about the murder scene between officers. PC F stated while talking to PC Jaffer, PC Lewis came over to her and handed her his mobile phone. PC F stated she could not make out the image as she did not have her glasses on. She gathered the image was from the crime scene. Following this, while in the yard at Forest Gate police

station, PC F said PC Lewis went to show her his phone again, but she waved her arms to gesture that she did not wish to see it.

99. PC A provided an account to the IOPC. PC A recalled a conversation with PC Lewis in the yard of Forest Gate police station in which she spoke to him about getting off late from his shift after he had attended the murder crime scene. PC A stated PC Lewis appeared, *“jovial and a bit child like”* as he produced his mobile phone and showed her an image of a face wearing a flat police cap which may have been a selfie image. PC A stated PC Lewis laughed as he showed the image to her. PC B provided a statement to the IOPC. She stated she had no knowledge of photographs taken by her colleagues at the murder crime scene and she never viewed the photographs.

### > Summary of evidence – PC Jamie Lewis

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100. Therefore, in summary, the evidence relating to PC Lewis’ conduct is as follows;

- PC Lewis was tasked with guarding the inner cordon of the murder crime scene and protecting the integrity of the scene from 3.38am on 8 June 2020.
- PC Lewis admitted he did not adhere to the protocol and should have just stood where he was placed at the scene.
- At 3.54am, in a WhatsApp group chat, PC Lewis used the words *“dead birds”*, when describing Ms Smallman and Ms Henry.
- At 4.36am, the evidence is that PC Lewis took a blurry image which appeared to be the area where the victims’ bodies were.
- At 4.38am while at the scene, in a message to PC Jaffer, PC Lewis stated *“send me pic”*. Two images showing Ms Smallman and Ms Henry were then sent from PC Jaffer following this message.
- PC Lewis stated he was 95% certain in interview that he had not taken any photos himself of the victims.
- In addition to asking PC Jaffer to send him photos, PC Lewis at 4.39am stated *“Gonna get closer when he’s gone”*.
- In total, PC Lewis received five images of Ms Smallman and Ms Henry from PC Jaffer:
  - 1 – with the victims in the background and a branch in the foreground
  - 2 – with the victims in the background – relatively dark background
  - 3 – with the victims in the background – relatively dark background
  - 4 – a close up of Ms Henry’s back with clothing raised up her back
  - 5 – a close up of a partial side profile of Ms Smallman’s face

- At 4.41am PC Lewis superimposed a 'selfie style' image of himself onto a picture of Ms Smallman and Ms Henry using the application Snapchat. This image was saved onto PC Lewis' phone.
- At 4.42am PC Lewis has sent the selfie style image with the victims in the background to PC Jaffer.
- At 5.10am, the evidence suggests PC Lewis took a further image which showed the victims.
- At 5.21am PC Lewis received a further three images showing the victims.
- PC Lewis admitted receiving images of Ms Smallman and Ms Henry from PC Jaffer.
- PC Lewis admitted to showing at least one other officer the images of Ms Smallman and Ms Henry on his mobile phone. Two additional colleagues may have also seen the images. PC F and PC A confirmed PC Lewis had showed them his phone. PC B stated she did not see the photographs.
- There is evidence that PC Lewis took photographs of the victims himself despite stating in interview that he 95% sure he had not done so. An analysis of the images stored on PC Lewis' mobile phone indicates that PC Lewis had two further images stored on his mobile device separate to the images he received from PC Jaffer. The 'IMG' images were stored on his camera roll and the 'photos.sqlite' database indicated that both images were added to the directory within one second of their respective capture times. PC Lewis stated he accepted the two photographs are on his phone, but he had no knowledge or memory of taking them.
- On the evening of 8 June 2020, in another WhatsApp group, PC Lewis referred to the victims as 14 and 20 years old. He also stated he had pictures.
- On 10 June 2020 in another conversation PC Lewis appeared to agree with both the use of the racist term "*pakis*" by another officer and the attitude being expressed, that living in an area where people of Pakistani origin also live is problematic and inferior.
- PC Lewis has denied that his response to PC Chandler meant he agreed with the racist term used and stated he treats people fairly, and impartially, whatever their ethnic background.
- PC Lewis did not challenge or report the conduct of PC Jaffer despite witnessing him take the photographs of the victims.
- PC Lewis did not challenge or report the discriminatory language and attitude expressed by his colleague. He stated he does not believe his colleague is racist.
- PC Lewis accepted that his actions were wrong and apologised.

## > Download of PC Deniz Jaffer's mobile phone and witness statements

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101. PC Jaffer's personal mobile phone was seized following his arrest. The phone was taken to a forensic provider and a download of the data stored on his personal mobile phone was undertaken.
102. The date parameters set for the review of the phone download data were between 8 June 2020, when at the scene of the murders and 22 June 2020, when PC Jaffer was arrested.
103. On 8 June 2020 at 4.38am, the forensic download from PC Jaffer's mobile phone showed that PC Jaffer received a message from PC Lewis, the message stated, "*send me pic*". At 4.39am PC Lewis sent a further message stating "*Gonna get closer when he's gone*". The photographs sent by PC Jaffer to PC Lewis were not recovered from PC Jaffer's phone download, however, as set out above they were recovered from PC Lewis' phone download. PC Jaffer admitted in interview to sending the photographs to PC Lewis.
104. At 5.49am on 8 June 2020 the evidence from PC Jaffer's phone download showed he sent images of Ms Smallman and Ms Henry to a colleague; PC D. The forensic download detailed that at 5.49.25am on 8 June 2020, PC Jaffer sent PC D two images. One of both Ms Henry and Ms Smallman and one of a close-up of partial side profile of Ms Smallman's face and Ms Henry's back. At 5.49.26am PC Jaffer sent a further photograph to PC D, showing a close-up of the back of Ms Henry. PC Jaffer sent a fourth photograph to PC D at 5.49.36am which was the 'selfie style' image created by PC Lewis. PC Jaffer did not admit in interview to sending the photographs to PC D but stated he may have shown her the photographs.
105. PC D provided a statement to the IOPC in which she confirmed she was posted at the scene with PC Jaffer and PC Lewis. PC D confirmed she received four images from PC Jaffer which showed the victims laying in the bush, and one of which she believed was a selfie image showing PC Lewis.
106. PC E provided a statement to the IOPC in which he confirmed he was posted with PC Jaffer on the night shift 7-8 June 2020. He attended Fryent Country Park with PC Jaffer and was placed on cordon duties away from PC Jaffer and PC Lewis. PC E stated he had no contact with his colleagues while at his posting. PC E said while on a refreshment break with his colleagues PC Jaffer handed his mobile phone to him. He viewed the image which he said looked like two victims lying in a wooded area.

107. On 8 June 2020 at 7.11am, the evidence from PC Jaffer's phone download is that PC Jaffer instigated a conversation with Mr A (a member of the public) regarding his police work. PC Jaffer asked if Mr A wanted to see the two dead bodies. At 7.14am PC Jaffer stated *"The next pictures are the two dead victims. Both stabbed to death in broad daylight and dragged under trees. One is 14 and the other is 20, she was pregnant."* The images themselves were not retrieved from PC Jaffer's mobile device. PC Jaffer admitted in interview to sending the photographs of the victims to Mr A.
108. Mr A provided a statement to the IOPC in which he confirmed PC Jaffer had sent him an image of a dead body a couple of weeks to a month prior to 23 June 2020. He said from memory he believed it was one image and the body was in a bush. He stated he deleted the image as his children looked at his phone sometimes. The IOPC viewed the photos in WhatsApp between PC Jaffer and Mr A and did not locate the photographs of the victims. Mr A's phone was subsequently seized by the MPS.
109. On 8 June 2020 at 3.54.37am, whilst he was at the crime scene, PC Jaffer initiated a conversation on a WhatsApp group regarding his policing work. The forensic download of PC Jaffer's phone provided evidence that he was part of a WhatsApp chat group called 'Covid Cunts' with nine other people in the group who were all members of the public. The forensic download showed PC Jaffer sent a link to the group of a Daily Mail news article regarding two women found dead in a park. At 3.55.10am, PC Jaffer stated *"I'm here now, will try to take pictures of the two dead birds."* The evidence further showed that PC Jaffer went onto say; *"I have pictures of the two dead victims, let me know who doesn't want to see it"*.
110. At 9.06am on 8 June 2020 a group member, Mr B (member of the public) replied *"Send em over Den"*. However, the forensic download did not show that the images were subsequently sent by PC Jaffer to the group WhatsApp chat.
111. The IOPC obtained a witness statement from Mr B, and he confirmed PC Jaffer had sent him four images of *"two girls lying down on their side"*. Mr B stated that he forwarded the images onto his partner, Ms B, also a member of the public, and then deleted the images. The IOPC viewed Mr B's mobile phone and confirmed they were not evident on the device. PC Jaffer did not admit to offering to send the photographs to his friends in a group WhatsApp, nor did he admit to sending the photographs to Mr B.
112. The IOPC obtained a witness statement from Ms B (member of the public) in relation to the forwarded images from Mr B. The IOPC viewed Ms B's mobile phone and located four photos which she confirmed were the bodies of Ms Smallman and Ms Henry at the murder scene. They had been sent to her by Mr B at 1.31pm on 8 June 2020. Ms B stated that she did not forward the images

on to anyone else. The IOPC deleted the images from Ms B's mobile device with her consent.

113. At 12.53pm on 8 June 2020 Ms C (member of the public) received four images from PC Jaffer which showed Ms Smallman and Ms Henry. PC Jaffer admitted in interview that he had sent the photographs from the crime scene to Ms C. Ms C was a member of the WhatsApp group 'Covid Cunts' in which PC Jaffer had offered to send the photographs. PC Jaffer's WhatsApp chat with Ms C was not recovered from his mobile phone. The IOPC and MPS visited Ms C and obtained a statement in which she confirmed she had received four images from PC Jaffer on 8 June 2020. She stated she replied, "*Oh my God*". The IOPC investigator viewed the photographs on Ms C's phone which showed they had been sent to her by PC Jaffer. Ms C's phone was subsequently seized by the MPS.
114. On 13 June 2020 at 4.10pm, during a WhatsApp group exchange in the 'Covid Cunts' group, PC Jaffer twice referred to a group of Asian males as "*pakki's*". During a conversation about football protests, PC Jaffer said "*Five pakki's. Two with bloody nose and the other three ran off but their car has been seized*". He also stated "*Three white fellas all arrested for ABH [actual bodily harm] but we have had a chat off the record. We will release them under investigation and close it later saying victim unwilling without contacting the pakki's.*"<sup>2</sup>
115. This is deemed relevant evidence as the terms of the reference for the investigation seek to address whether the officers' actions were motivated or influenced by discrimination against a protected group.
116. At 10.20am on 22 June 2020, the day PC Lewis was arrested, PC Jaffer sent a message to a colleague PC O which said, "*you heard about Jamie?*". The colleague replied, "*No what?*". At 11.35am PC Jaffer stated, "*This is huge, speak later*". In interview, on the evening of 22 June 2020, PC Jaffer stated he had deleted the photographs and other WhatsApp communication. He was asked when he did this and replied "*some of it was earlier on today*".
117. At 6.54pm on 22 June 2020 the evidence suggests PC Jaffer sent an iMessage to PC Lewis which stated "*Hello mate. I'm hearing odd rumours. I'm not being nosey. Hope you're ok, let me know if you need anything.*"

### **> Admissions made by PC Deniz Jaffer during his first criminal interview**

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<sup>2</sup> The MPS investigation into this matter determined there was no evidence this incident occurred and was fabricated by PC Jaffer.

118. In his first interview on 22 June 2020, under criminal caution, PC Jaffer made a number of admissions, none of which have been retracted. PC Jaffer admitted to taking photographs of the bodies of Ms Smallman and Ms Henry. PC Jaffer stated that he took the photographs to “*cover his arse*” as he believed something was not right as the bodies were not covered up. However, there is no evidence to suggest that PC Jaffer raised any concerns with colleagues regarding this.
119. PC Jaffer stated taking the photos was not “*...the greatest decision I made*”. When asked whether the photographs had been taken for a policing purpose, PC Jaffer suggested it was to ensure the scene was preserved and nothing had been touched as well as for his own protection. However, PC Jaffer also confirmed he made no record of this in a police notebook and nor did he exhibit the photographs taken.
120. PC Jaffer confirmed his personal mobile telephone number in interview and stated he was not issued with a work mobile phone. He was asked whether anyone had access to his mobile phone on 8 June 2020 and he replied, “*no way*”.
121. PC Jaffer stated he did not remember there being a cordon around the bodies when he took the photographs. He said the victims were “*...just laying [sic] there underneath these trees err underneath the trees basically so we didn't bypass or break any kind of seal cordon...*”.
122. PC Jaffer admitted to the IOPC whilst on duty at the crime scene, PC Lewis asked him to send the images of the victims to him.
123. PC Jaffer admitted that he sent the images he had taken of Ms Smallman and Ms Henry to PC Lewis. He also said he may have shown a colleague ‘[PC D]’ the photographs. He said, “*...I'm being honest, I think I may have shown, I may have shown [PC D]. I think. I think. I definitely spoke to her about it...*”. PC Jaffer was asked if this was on his handset and he stated “*Oh yeah yeah, yeah. No it wasn't sent.*” He continued “*from what I remember*”. Later in the interview again he stated he did not remember sending the images to PC D and “*...hand on my heart I don't think I did*”.
124. PC Jaffer admitted sending the images he had taken of Ms Smallman and Ms Henry to two friends, Ms C and Mr A. As stated above, these are both members of the public. PC Jaffer did not admit to sending the images to anyone else.
125. When asked to explain why he had sent the images to his friends, PC Jaffer said he wanted to show them what could happen as they are sometimes “*...lax about safety*” and they both had young children.



126. PC Jaffer admitted to the IOPC that at the time of taking the photographs he believed the victims were 14 and 20 years old and one was pregnant, but he took the pictures for the “*right reasons*”. He said “*...you know so it wasn't ha ha ha look at this kind of thing it was for the right reason and maybe I'm angry at myself for being too wrapped up in this covering your arse thing*”.
127. PC Jaffer provided reasons for taking the photographs. He said “*...if anything was moved or if they [the victims] were covered up beforehand then I could say that was as it was...*”. He also said he realised when the sun came up that the whole park was cordoned off so “*none of the public could come in. So my initial worry about people seeing things was eradicated...*”. PC Jaffer attended the scene on 8 June 2020 and stated he deleted the photographs on 22 June 2020.
128. PC Jaffer stated he initially took the photographs for a policing purpose. When asked about deleting the photographs PC Jaffer stated that he had been at the scene “*a while ago*” and he was assuming the bodies were no longer there. He continued “*...it's not like I knew the bodies had been moved five days, five days after and it prompted me to go back and delete...*”. He stated he sometimes deletes things in bulk.
129. PC Jaffer admitted that he deleted items on his personal mobile phone, on 22 June 2020, including the images he had taken at the scene on 8 June 2020. PC Jaffer was asked if the photographs of the victims would still be on his phone and he said he had deleted them, but they would still be in his deleted folder. He said “*...I delete pictures a lot on my phone*”. PC Jaffer confirmed he had deleted the WhatsApp chat with Ms C and Mr A from his mobile phone. When asked if it was common for PC Jaffer to delete WhatsApp chats, he stated “*no*” and continued “*...only for things that I think shouldn't be on there on, on [sic] a long term basis*”. He said he was aware that deleted items could still be retrieved from phones forensically and he did not wish it to seem that he was acting “*underhand*”.
130. When questioned further regarding the deletion of the photographs on 22 June 2020 PC Jaffer stated:
- He was not a forensic expert but he had previously downloaded people's phones and “*...I know that by deleting something doesn't mean it's gone*”;
  - It would be underhand to lie and the photographs had “*...been deleted but not for oh I'm scared or whatever*”;
  - When PC Lewis went missing from work unannounced, he “*...thought maybe this might be something to do with that [the scene photos] if I'm honest with you.*” He confirmed he deleted the photos earlier that day and the reason he had done it is because PC Lewis had gone missing and he was told “*people in suits*” were talking to PC Lewis who was out of uniform.

131. PC Jaffer was informed in interview that PC Lewis had been arrested. PC Jaffer said he did not know that PC Lewis had been arrested in relation to the matter, but he had heard rumours and *“some way off the mark”* and *“some pretty close to the mark”*. PC Jaffer was asked whether he had an inkling it could be linked to the photographs and he replied, *“yeah I thought it mi- might do because you, I have to; the reason why I thought that is because someone said they’ve WhatsApped him or something and the blue ticks or the two ticks didn’t show up and I heard someone saying in the background about his phone might have been seized”*.
132. PC Jaffer continued that he wondered why PC Lewis’ phone would be seized and it could be to do with something inappropriate and *“...I thought it may have been the day that I sent him those pictures”*. This then reminded PC Jaffer that he had the photographs of the scene on his phone. He stated he deleted the photographs along with other photographs. PC Jaffer said he often deleted photos from his phone.
133. PC Jaffer told the IOPC that PC Lewis sent him a picture of him doing a *“smiley face”* which looked like a superimposed picture of PC Lewis onto a picture with the victims. Upon viewing the photograph in interview PC Jaffer stated *“...I thought he’d done a smiley face but not a smiley face it’s a different expression...”*.
134. PC Jaffer was asked if he saw PC Lewis take any photographs. He said he did not see PC Lewis *“go in there”*. He continued; *“I don’t remember seeing Jamie going in there on his own”*. On receiving the selfie-style photograph PC Jaffer said he *“...didn’t think it was very funny”*.
135. PC Jaffer was asked that if he did not find the image sent to him by PC Lewis at 4.42am funny, why he then sent two further images at 5.21am to PC Lewis. PC Jaffer initially stated the photograph may have been *“delayed”* in being sent to PC Lewis. He then stated he did not remember. It was pointed out that the image appeared to be a close-up. PC Jaffer then recalled a discussion with his colleagues; PC Lewis and PC D, about the fact they were told one of the victims was pregnant and they thought she had a *“lumpy stomach”*. PC Jaffer stated *“..yeah so that was, I reckon that’s probably behind the reason why I did it because the difficulty I’m having about time of the conversation is what time and when that’s, and I don’t want to give you a story that doesn’t make sense”*.
136. When questioned, PC Jaffer stated he did not challenge or report the behaviour of PC Lewis. PC Jaffer felt his *“silence said it all”*. He considered reporting the matter but did not.
137. PC Jaffer stated he did not take the pictures to be disrespectful, he was angry at himself for his actions and he was extremely sorry for what had happened.

## > Second criminal interview – PC Deniz Jaffer

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138. In PC Jaffer's second criminal interview on 8 July 2020, he replied 'no comment' to questions regarding his actions at the scene on 8 June 2020. He provided a prepared statement at the end of the interview.
139. The evidence obtained from PC Jaffer and PC Lewis' phone download was put to PC Jaffer in interview. PC Jaffer was also invited to draw on a map or aerial photo where he was positioned and his exact movements around the crime scene. PC Jaffer replied 'no comment' to these questions.
140. PC Jaffer was asked numerous questions to which he replied, 'no comment'. These included questions about:
- His use of language in referring to the victims as “...two dead birds...”.
  - Why he would take photographs of what he believed to be a murdered child.
  - Why he did not disclose to the IOPC in his previous interview that he had sent three scene photographs and the selfie style image of PC Lewis on to his colleague PC D.
  - Why, if he did not find the selfie image sent by PC Lewis “funny” he made the decision to share this image with PC D.
  - Why he did not disclose sending the images of the victims to Mr B.
  - Why the messages between himself and Mr B were not retrieved from his phone download. PC Jaffer was asked if he had deleted the communication.
  - Why the messages between himself and Ms C were not available in the phone download. PC Jaffer was asked if he had deleted the communication.
  - PC Jaffer was asked whether he had attempted to pervert the course of justice in deleting the photographs of Ms Smallman and Ms Henry following PC Lewis' arrest.
  - Whether his actions at the scene were influenced by the sex or the race of Ms Smallman and Ms Henry.
141. It was also put to PC Jaffer in interview that Ms Smallman and Ms Henry's mother had publicly expressed her concerns that the officers' actions were influenced by discrimination on the grounds of race. PC Jaffer provided no comment.
142. In his prepared statement provided on 8 July 2020, PC Jaffer stated, “...at no time did I approach the dead bodies closer than about twenty foot. I was not close to the bush area and I have not entered the deposition area at any time”.

143. PC Jaffer stated he may have inadvertently deleted messages from his mobile phone *“when swiping down in delete mode”*. He stated he did not have any intention to hamper any enquiry of pervert the course of justice. He said he *“...deleted some images purely as a routine clean up of the camera roll...”*. He confirmed this also applied to any WhatsApp communication. PC Jaffer stated if he had wanted to pervert the course of justice, he would have deleted everything.

#### > Written response to caution – PC Deniz Jaffer

144. PC Jaffer was provided with a list of further questions in relation to racist content on his mobile phone. The questions further explored the motivations and reasons for PC Jaffer’s actions at the crime scene on 8 June 2020. A response to caution was provided on 21 October 2020.

145. Regarding his actions at the scene on 8 June 2020 PC Jaffer stated *“..I can see now that I have exercised very poor judgment in the way in which I dealt with matters arising out of events on the 8<sup>th</sup> June 2020. At the time, my state of mind was as I have described; I had not really thought through the reality of the potential consequences of what I was doing, or what I did. I am truly sorry if I have caused any offence or distress to any members of the family of the victims in these horrific events”*.

146. PC Jaffer was asked questions relating to numerous incidences of race discrimination and racist language which was shown in his mobile phone content between 8 and 22 June 2020. PC Jaffer stated *“I am not a racist and do not discriminate against anybody on the grounds of race, their ethnicity or on any other basis. I have close friends and members of my family who are from ethnic minorities and of mixed race. I treat everybody as I find them and try always to act with impartiality and fairness both in my personal and professional life.”*

147. A video in which a man claims to be proud to be racist was shared in a WhatsApp group in which PC Jaffer was a member. The man used the term *“black cunts”*. PC Jaffer replied to the video *“What did the old man say that was wrong? [laughing emoji]”*. PC Jaffer stated his response to the video was *“..meant to be simply ironic and a joke with the laughing emoji designed to emphasize [sic] that. I was not agreeing with the views expressed.”* He stated he utterly refuted the *“..suggestion that racism is an ideology which I am proud to endorse”*.

148. Regarding his use of the term *“paki”* to describe a group of Asian men, PC Jaffer stated his friend in WhatsApp had used the term first and *“..unfortunately, I just repeated it in my response without really thinking.”* He said *“I confess it never*

*occurred to me to challenge the use of racially offensive language in a personal What's App [sic] group between myself and a close friend."*

149. PC Jaffer was provided with questions around the message he sent which stated *"Three white fellas all arrested for ABH [actual bodily harm] but we have had a chat off the record. We will release them under investigation and close it later saying victim unwilling without contacting the pakki's."* He stated he does not endorse violence against anyone. He was reiterating, *"..chit chat and gossip in the police station and this was not a situation where it fell to me to do any sort of follow up or undertake any sort of investigative strategy into what had happened"*. He continued *"..The bit about the reference to the Sergeant was just an attempt at being funny and totally untrue and not based on anything I knew. This is just idle chit chat.."*<sup>3</sup>
150. PC Jaffer stated, *"It would appear that it is being suggested that my actions on the 8<sup>th</sup> June 2020 in some way, shape or form, were racially motivated. That is totally untrue. The ethnicity of the sad victims to this tragedy had nothing to do with the determination that I made to take photographs for the reasons I have previously explained. There was no racially discriminatory motivation for sharing or showing them subsequently."*
151. PC Jaffer also stated *"..the content of material within the Covid Cunts What's App [sic] group is at times inappropriate given that I am a serving police officer. With the benefit of hindsight, I can see that I could and should have challenged some of it even amongst a group of friends as close and long standing as this. I am sorry I did not. I can see what perception there might be as to the sort of individual I am, but that perception is misplaced. I do not believe that I have any conscious bias which adversely in fact impacts on the performance of my policing duties."*
152. Regarding the messages sent to his colleague about PC Lewis' whereabouts on the morning of 22 June 2020, PC Jaffer stated *"Gradually the rumour mill suggested that Jamie had been arrested but I did not know that for a fact when I sent the message at 09.20 or at 10.35. I still did not know what actually had happened by 17.54 and therefore sent a message direct to Jamie as to his welfare, just in case I could help."*

### **> Summary of evidence – PC Deniz Jaffer**

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153. Therefore, in summary, the evidence in relation to PC Jaffer indicates;

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<sup>3</sup> The MPS investigation into this matter determined there was no evidence this incident occurred and was fabricated by PC Jaffer.

- PC Jaffer was on scene guard duty from 3.38am on 8 June 2020. He confirmed his role was to ensure members of the public did not enter the crime scene and to keep the scene preserved as much as possible. PC Jaffer said he was approximately twenty-five to thirty yards up the path from PC Lewis, next to a spotlight.
- PC Jaffer admitted, whilst on duty at the crime scene, he took photographs of the bodies of Ms Smallman and Ms Henry.
- At 4.39am on 8 June 2020, PC Jaffer sent two pictures of the victims to PC Lewis. He subsequently sent a further three images to PC Lewis at 5.21am (one a duplicate). PC Jaffer admitted to sending the photographs to PC Lewis.
- At 5.49am on 8 June 2020 PC Jaffer sent four images of Ms Smallman and Ms Henry to a colleague; PC D. One of the images was the 'selfie style' image created by PC Lewis. PC Jaffer did not admit in interview to sending the photographs to PC D but stated he may have shown her the photographs. PC D confirmed in a statement that she received the images from PC Jaffer;
- PC J stated PC Jaffer showed him an image of the victims on his personal mobile phone during the shift on 8 June 2020;
- On 8 June 2020 at 7.14am PC Jaffer sent a message to Mr A (member of the public) which suggested he was about to send photographs of the victims. PC Jaffer stated one victim was 14 years old and the other 20 years old and pregnant. The images were not retrieved from PC Jaffer's mobile device. PC Jaffer admitted in interview to sending the photographs of the victims to Mr A;
- On 8 June 2020 at 3.55am, PC Jaffer sent a message to nine members of the public in a group on WhatsApp which said he would take photographs of "*...the two dead birds*". He asked who wanted to see the photographs;
- At 9.06am on 8 June 2020 a group member, Mr B requested the photographs. Mr B confirmed PC Jaffer had sent him four images of "*two girls lying down on their side*". Mr B shared the images with his partner, another member of the public and these were located on her phone by the IOPC;
- PC Jaffer did not admit to offering to send the photographs to his friends in a group WhatsApp, nor did he admit to sending the photographs to Mr B;
- At 12.53pm on 8 June 2020 Ms C (member of the public) received four images from PC Jaffer which showed the victims. PC Jaffer admitted in interview that he had sent the photographs from the crime scene to Ms C;
- In summary, the evidence suggests PC Jaffer shared the photographs of Ms Smallman and Ms Henry with two colleagues and three members of the public without a valid policing purpose. One of the members of the public shared the images with their partner (another member of the public). The evidence suggests he also showed another colleague PC E a photograph from the crime scene on his mobile phone;

- PC Jaffer shared the selfie style image created by PC Lewis with a colleague (one of two listed above);
- PC Jaffer stated in interview that he took the images for a policing purpose initially and he wanted to “cover his arse” if anything was altered at the scene. However, PC Jaffer admitted in his first interview to deleting the images on his phone after hearing rumours regarding PC Lewis’ whereabouts on 22 June 2020. The forensic download of PC Jaffer’s mobile phone, when compared with PC Lewis’ phone download and other evidence, indicates that images and communications were deleted;
- PC Jaffer thought that one of the victims was 14 years old and the other was 20 years old and pregnant when he took and shared the photographs;
- PC Jaffer failed to challenge and report the behaviour of PC Lewis;
- On 13 June 2020, during a WhatsApp group exchange in the ‘Covid Cunts’ group, PC Jaffer referred to a group of Asian males as “pakki’s” on two occasions;
- PC Jaffer stated the term was first used by a friend and he repeated it without thinking;
- Regarding his response to a video in which a man expressed racist attitudes PC Jaffer stated this was “ironic” and he was not agreeing with the sentiment expressed within the video;
- PC Jaffer stated he did not discriminate against anybody on the grounds of race, their ethnicity or on any other basis.

## > Accounts of witnesses

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### > Statement of PC D

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154. PC D provided a statement to the IOPC in which she confirmed she was posted at the scene with PC Jaffer and PC Lewis. PC D said she could see where PC Lewis and PC Jaffer were posted from where she was positioned and that they were talking and walking backwards and forwards to one another. At one stage both officers walked over to where PC D was posted. She stated around 40 minutes later PC Jaffer came over to her and she went to his posting. While there, PC Lewis shone his torch into an opening in the bushes and she could make out the back of one of the victims. PC D said she returned to her post and PC Jaffer to his. She recalled her phone vibrating and receiving four images from PC Jaffer which showed the victims laying in the bush, one of which she believed was a selfie image showing PC Lewis’ face.

### > Statement of PC E

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155. PC E provided a statement to the IOPC in which he confirmed he was posted with PC Jaffer on the night shift 7-8 June 2020. He attended Fryent Country Park with PC Jaffer and was placed on cordon duties away from PC Jaffer and PC Lewis. PC E stated he had no contact with his colleagues while at his posting. PC E said while on a refreshment break with his colleagues, PC Jaffer handed his mobile phone to him. He viewed the image which he said looked like two victims lying in a wooded area.

### > Statement of PC F

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156. PC F provided a statement to the IOPC in which she confirmed on an unknown date following 8 June 2020, a discussion had taken place about the murder scene between officers. PC F stated while talking to PC Jaffer, PC Lewis came over to her and handed her his mobile phone. PC F stated she could not make out the image as she did not have her glasses on. She gathered the image was from the crime scene. Following this, while in the yard at Forest Gate police station, PC F said she called PC Lewis over asking him about his phone. She stated her intention was to tell PC Lewis she did not think it was appropriate for him to have any evidence from the crime scene on his mobile phone. PC F said PC Lewis went to show her his phone again, but she waved her arms to gesture that she did not wish to see it. PC F said she was interrupted by an immediate response call.

### > Statement of PC A

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157. PC A provided a statement to the IOPC. PC A recalled a conversation with PC Lewis in the yard of Forest Gate police station in which she spoke to him about getting off late from his shift after he had attended the murder crime scene. PC A stated PC Lewis appeared *“jovial and a bit child like”* as he produced his mobile phone and showed her an image of a face wearing a flat police cap which may have been a selfie image. PC A stated PC Lewis laughed as he showed the image to her.

### > Statement of PC B

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158. PC B provided a statement to the IOPC. PC B stated they had no knowledge of photographs taken by their colleagues at the murder crime scene and they never viewed the photographs.



## > Statement of PC C

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159. PC C provided a statement to the IOPC. PC C confirmed that while on parade at Forest Gate police station, on an unknown date, PC Jaffer asked to show them something. When PC C turned around PC Jaffer held out his mobile phone to show them an image. PC C said they did not immediately register what they were being shown and then PC C realised they were being shown “...an indecent image of two deceased female bodies.” PC C said she “...immediately and directly” expressed her disapproval to PC Jaffer. PC C stated they saw one image which was “...of two lifeless females, draped across one another on the floor of what appeared to be the shrubbery of a park.”

## > Statement of PS Barry Rookard

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160. PS Barry Rookard provided a witness statement to the IOPC detailing his attendance at the murder crime scene in Fryent Country Park. PS Rookard was the supervisor managing the scene on night duty. He was in attendance from 11pm on 7 June 2020 to 8am on 8 June 2020. He stated the area was a large scene. PS Rookard was shown a map of the scene cordons by PS Marsh and the points that would need to be covered by officers overnight.

161. PS Rookard stated he “..managed the scene and ensured that all Officers were briefed with their duties and responsibilities, cordon points and the serious nature of the investigation being conducted. I visited all cordon points when as I took over from L/T [late turn] Officers and continued to patrol the scene..”.

162. PS Rookard also stated there was “..absolutely no reason for Officers to leave these points to approach the scene closer than where they were posted to be stood”.

163. PS Rookard said he briefed all officers arriving to assist at the scene. He advised them to be professional in appearance and manner, maintain the integrity of the scene and not to allow any person in without his permission. The officers placed in the inner cordon were also advised not to allow animals to go close to the inner crime scene as best they could. PS Rookard asked the officers to wear high-visibility clothing so they were visible in the darkness.

164. PS Rookard confirmed he was patrolling the scene throughout the shift. He said he showed officers to their fixed points, he relieved late turn officers from their duties and managed officers’ refreshment breaks. He stated “..I was walking around within the scene and also driving around the outside of the scene for the majority of the evening”.

## > Evidence obtained from the MPS murder investigation team (MIT)

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165. On 3 August 2020, Detective Inspector (DI) Maria Green, the investigating officer (IO) for the MIT provided a statement to the IOPC describing the scene at Fryent Country Park, where the bodies of Ms Bibaa Henry and Ms Nicole Smallman had been discovered in a wooded strip, bordering Gotsford Hill on Sunday 7 June 2020 at 1.18pm.
166. DI Green stated Fryent Country Park is a large area of open parkland with open meadows and copses of thick woodland, surrounded by suburbia, with a number of access points. The area of interest is the half of the park nearest to Kingsbury, specifically 'Gotsford Hill'. That section of the park is a mix of long grassed areas with well-trodden/defined paths with wooded strips splitting up the grassed areas. The wooded strips are approximately five (5) metres deep, comprising of trees planted close together (approximately 30 cm between each) running the length of the strip. The strips act as a natural divide making it difficult to get through the strip from one side to the other. The bodies of Ms Henry and Ms Smallman were located within the left-hand wooded strip area, approximately five metres in.
167. DI Green described how Ms Smallman was situated furthest into the wooded strip. She was wearing a brown sheepskin type jacket, her upper clothing was pushed up exposing her midriff and multiple stab wounds to her abdomen could be seen. Ms Henry was nearest to the break in the wooded strip wearing black leggings and black/white converse trainers. Her upper clothing was pulled up covering her head, exposing her stomach and bra.
168. DI Green described how *"If you were stood on the path in the break looking into the wooded strip you could just about see the two women, however, they were not readily visible due to the density of the trees and branches."*
169. DI Green explained how a decision was made for a Home Office Pathologist to conduct a further examination of the bodies in situ prior to them being moved so that forensic evidence was not lost or compromised and for that reason, the bodies remained in situ overnight - inner and outer cordons were set up in order to secure the scene.
170. DI Green stated she was shown the images taken by PC Lewis and PC Jaffer contained in Exhibit JLL/04.
171. She stated, *"From the images viewed in Exhibit JLL/04, images viewed of our crime scene photographs (Exhibit SYP/2695256/20M) and physically being at*

*the scene, in my judgement these photographs could not have been taken from standing outside on the pathway - the officer(s) would have had to breach part of the deposition site. This would entail the officer(s) bending down to avoid the number of branches and foliage as can be seen in D52 and D52 of Exhibit JLL/04."*

172. She further noted the officers would not have been wearing the required full Personal Protective Equipment (PPE) and as such any contamination of the scene could not be ruled out.
173. DI Green explained, the search of the area was extensive and required specialist search teams with dogs trained to detect and follow blood and human scent trails (i.e. sweat) as well as cadaver dogs. The teams searched the area for nearly four weeks.
174. During the search, DI Green described how various routes were followed by the trails highlighted by the specialist dogs and led the investigation to a particular exit point in Valley Drive. DI Green noted in hindsight, the investigating team were unable to exclude the trails being as a result of the officers stepping into an area without the required foot covering and transferring traces of blood from their boots on to the path. She stated the investigation team knew that traces of blood were left by their suspect within the deposition site and immediately outside.
175. DI Green commented *"As the Investigating Officer of this particularly harrowing murder of two innocent young women, it is extremely disappointing to learn about the actions of these officers. The role of Cordon Officer is an important one, as they are entrusted to ensure the integrity of the crime scene, something which it appears they failed to do as part of their duties. The actions show a disregard and affront to the investigation team and more importantly to the family and friends of Bibaa HENRY and Nicole SMALLMAN"*.

## > Legislation, policies and guidance considered

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176. During the investigation, I have examined relevant legislation, together with the Standards of Professional Behaviour (SoPB) for police officers, as set out below. This material will enable the decision maker and the appropriate authority to consider whether the police officers named in this report complied with the applicable legislation, policy and guidance, and whether the existing policies were sufficient in the circumstances.

## > Code of Ethics - Standards of Professional Behaviour

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177. The officers' actions were examined in relation to a number of standards of professional behaviour.

178. The Police (Conduct) Regulations 2020 set out the Standards of Professional Behaviour police officers are expected to adhere to;

### **Honesty and integrity**

*“Police officers are honest, act with integrity at all times, and do not compromise or abuse their position.”*

Officers should also not knowingly make false, misleading or inaccurate oral or written statements in any professional context.

### **Authority, respect and courtesy**

*“Police officers act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy. Police officers do not abuse their powers or authority and respect the rights of all individuals.”*

Police officers should ensure their behaviour and language could not reasonably be perceived to be abusive, oppressive, harassing, bullying, victimising or offensive by the public or policing colleagues.

### **Equality and diversity**

*“Police officers act with fairness and impartiality. They do not discriminate unlawfully or unfairly.”*

Officers are expected to treat all people fairly and with respect and take a proactive approach to opposing discrimination so as to adequately support victims, encourage reporting and prevent future incidents.

### **Duties and responsibilities**

*“Police officers are diligent in the exercise of their duties and responsibilities.*

*Take full responsibility for, and be prepared to explain and justify, your actions and decisions.*

*Police officers have a responsibility to give appropriate cooperation during investigations, inquiries and formal proceedings, participating openly and professionally in line with the expectations of a police officer when identified as a witness.”*

### **Confidentiality**

*“Police officers treat information with respect, and access it or disclose it only in the proper course of police duties.”*

### **Discreditable conduct**

*“Police officers behave in a manner that does not discredit the police service or undermine public confidence in it, whether on or off duty.”*

### **Challenging and reporting improper conduct**

*“Police officers report, challenge or take action against the conduct of colleagues which has fallen below the Standards of Professional Behaviour.”*

Officers *“must never ignore unethical or unprofessional behaviour by a policing colleague, irrespective of the person’s rank, grade or role”*.

The standard also notes that if officers feel that they cannot question or challenge a colleague directly they should report their concerns through a line manager, a force reporting mechanism or other appropriate channel.

## **> Analysis of the evidence**

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179. To assist the decision maker in drafting their opinion, I have presented a summary and analysis of the evidence. During this investigation, a volume of evidence was gathered. After thorough analysis of all the evidence, I have summarised that which I think is relevant and answers the terms of reference for my investigation. As such, not all of the evidence gathered in the course of the investigation is referred to in this report.

### **> PC Jamie Lewis’ actions at the crime scene on 8 June 2020**

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180. PC Lewis’ conduct has been reviewed in light of the Standards of Professional Behaviour (SoPB) for police officers.

181. Ms Nicole Smallman and Ms Bibaa Henry were both found murdered in Fryent Country Park, North West London on 7 June 2020. PC Jamie Lewis was posted as a scene guard within the inner cordon of the murder crime scene from 3.38am on 8 June 2020. On 22 June 2020 PC Lewis was arrested by the IOPC on suspicion of the criminal offence of Misconduct in a Public Office contrary to Common Law. He made a number of admissions during his first criminal interview which have not subsequently been withdrawn.

182. In interview on 22 June 2020 PC Lewis stated his role was to guard the scene and protect the integrity of the evidence. While at the scene PC Lewis admitted he had been sent photographs of the murder scene, including the two deceased women, by a colleague PC Deniz Jaffer. As well as admitting being in possession of the images taken by PC Jaffer of Ms Smallman and Ms Henry, PC Lewis also admitted unintentionally creating the ‘selfie-style’ image using the Snapchat application with Ms Smallman and Ms Henry visible in the background. He stated he then intentionally saved it and sent it to PC Jaffer,

pulling what he described as a “*squiffed up face*”. The digital evidence obtained from PC Lewis’ phone supports this admission. The SoPB ‘discreditable conduct’ expects police officers to behave in a manner that does not discredit the police service or undermine public confidence in it, whether on or off duty yet these actions, while in a position of trust, have the potential to undermine public confidence in policing. The timings provided in the forensic evidence show that while PC Lewis should have been protecting the scene, he was using Snapchat and creating the selfie image using the photograph of the murder victims PC Jaffer had provided. PC D account also states that PC Lewis and PC Jaffer were walking back and forth to one another.

The SoPB for police officers expects them to be diligent in the exercise of their ‘duties and responsibilities’ and to take full responsibility for, and be prepared to explain and justify, their actions and decisions. PC Lewis admitted in interview that he had not been diligent in relation to his attendance at the crime scene. When asked whether he was diligent at the scene, he stated “...*no, because we haven’t stuck to the exact protocol or briefing that we should have done, and we’ve deviated from that...*”. He was asked about the briefing and suggested if the officers had just stood there and not taken out their mobile phones then “...*nothing would have happened*”. PC Lewis seemingly accepted responsibility for the lack of diligence at the scene of the murders.

183. At 4.38am while at the scene, in a message to PC Jaffer, PC Lewis stated “*send me pic*”. Two photographs showing Ms Smallman and Ms Henry were subsequently sent to PC Lewis by PC Jaffer. PC Lewis appeared to be actively trying to obtain photographs of the victims. Given the evidence obtained and the nature of the role expected of PC Lewis at the scene, it is suggested this request was made without a valid policing purpose. PC Lewis was asked in his second criminal interview on 8 July 2020 about this request and he provided no comment. PC Lewis therefore declined to explain and justify his actions in line with the SoPB ‘duties and responsibilities’.
184. Although PC Lewis stated that the selfie image was created by accident rather than deliberately, it is notable that the expression on PC Lewis’ face appears to be a deliberate reaction to what is depicted in the scene behind him. In addition, PC Lewis has admitted subsequently saving this image to his phone. The decision maker may wish to whether the photograph was created deliberately or that having created it either deliberately or accidentally PC Lewis made a deliberate decision to save it thereby retaining the image. PC Lewis also made a deliberate decision to share this image with a colleague while on duty, working as a scene guard. The image in the background showed the bodies of Ms Smallman and Ms Henry and the condition in which they were left post-mortem by their killer. Ms Henry’s back was visible with her clothing raised and the strap of her bra exposed.

185. The evidence, supported by PC Lewis' account in interview, suggests there was also no policing purpose for sharing the edited selfie-style image with PC Jaffer. PC Lewis' only explanation was that it was to show PC Jaffer what had happened with the photograph. He stated it was a situation *"...as in, oh shit like, I, look what this has just done and that's it"*.
186. PC Lewis stated in his first criminal interview he was 95% certain that at no point had he taken any photographs himself of Ms Smallman and Ms Henry's bodies. PC Lewis was asked about the '5%' and why he would not remember, to which he replied, *"Because I think if I did and I've said that I haven't then I would be lying to you, but I'm really confident that I didn't."* Contrary to his account in interview where he stated he was 95% certain he had not taken any photos of Ms Smallman or Ms Henry, the forensic examination of PC Lewis' phone provides strong evidence that he did take two photographs of Ms Smallman and Ms Henry. Upon review of PC Lewis' mobile phone, the evidence indicates that it is more likely than not, that at 4.36am on 8 June 2020 he took a photo of the scene where the victims were located though not visible. This photo was later deleted at 9.45am. The evidence further indicates that he later took another photograph at 5.10am. This photograph, taken at 5.10am, was within the deposition site and clearly showed Ms Smallman and Ms Henry and which remained on his personal phone up until the date of his arrest on 22 June 2020.
187. The SoPB expects police officers to act with 'honesty and integrity'. The forensic download strongly suggests PC Lewis had, in fact taken two photographs of the deposition area; one of which clearly showed Ms Smallman and Ms Henry. When asked to account for this during his second interview PC Lewis declined to comment. His prepared statement provided at the end of the interview stated, *"I accept the images are on my phone but I've no memory of taking them"*. Given the circumstances of the incident, the decision maker may wish to consider that it is more likely than not that PC Lewis would have remembered whether or not he had taken photographs at the scene of a double murder. Further, the decision maker may wish to consider that PC Lewis' account of only being 95% certain that he did not, raises questions regarding PC Lewis' honesty when he provided his initial account to the IOPC.

Both officers have stated they felt they should have challenged or reported the actions of the other but did not do so. When asked, PC Lewis stated he felt he should have reported or challenged PC Jaffer's actions but being newer in service he felt unable to. The SoPB 'challenging and reporting improper conduct' expects officers to *"...report, challenge or take action against the conduct of colleagues which has fallen below the Standards of Professional Behaviour."* It also states officers *"must never ignore unethical or unprofessional behaviour by a policing colleague, irrespective of the person's rank, grade or role"*.

188. The SoPB 'discreditable conduct' expects officers to behave in a manner that does not discredit the police service or undermine public confidence in it, whether on or off duty. PC Lewis' role on 8 June 2020 was to protect the integrity of a murder crime scene. PC Lewis stated he believed his actions at the murder scene were disrespectful but there was no malicious intent in his actions. However, it is noted that the limited details of the officer's alleged actions that are already in the public domain has drawn widespread criticism and condemnation from the family, the community, the media and senior police staff. Furthermore, Ms Henry and Ms Smallman's family have stated the grief caused by the murders themselves has been significantly compounded by the lack of respect shown to Ms Smallman and Ms Henry which robbed them of their dignity in death. The mother of Ms Smallman and Ms Henry referred to the traumatising nature of the photographs publicly in a media interview. As such the actions of PC Lewis, in taking photographs of Ms Smallman and Ms Henry, creating a selfie style image and then sharing of this image, has the potential to discredit the police service and undermine public confidence in it.

#### > PC Jamie Lewis' actions and the integrity of the crime scene

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189. DI Maria Green, of the murder investigation team, stated Ms Smallman and Ms Henry's bodies remained at the scene so a Home Office Pathologist could conduct a further examination of the bodies in situ "*so that forensic evidence was not lost or compromised*". In the prepared statement provided on 8 July 2020, PC Lewis stated at no time did he enter the deposition area of the crime scene and at no time was the integrity of the scene compromised. He stated, when he arrived at the scene he was shown where Ms Smallman and Ms Henry's bodies were, and this was from about 15 feet away and not in the bush area. He stated, "*we remained on the grass area,*" and a forensic examination of his boots would corroborate that he went no closer.

190. In order to obtain such photographs as those recovered from PC Lewis' phone, the evidence from DI Green is that PC Lewis would have had to move from the position he had been allocated to stand and go within the deposition site. The evidence of PS Marsh supports DI Green's evidence in that he states there were marked points 'A' to 'O' (shown on map D44) where cordon officers were placed. He confirmed the points were 'fixed points' and "*...officers were expected not to move from the fixed points as they remained in each other's line of sight and created a 'barrier' to prevent any people or wildlife getting into the scene*". PS Marsh confirmed point 'A' was a distance of approximately 10 metres from the bodies of the victims. PC Lewis himself believed he was placed in position 'A1'.

191. PS Marsh provided further evidence that points A and B were closest to the murder victims. He said: "*There was a thick hedgerow where the women's*



*bodies were positioned. It may have been possible to just about make out the bodies of the women from the fixed-point B. But this would have been tricky and you would need to know what you were looking at or leave that point. It would not have been possible to see the bodies from fixed Point A. If you wanted to see the bodies you would need to stray from fixed point A.*” There is therefore evidence to suggest that, contrary to his account given that he did not, PC Lewis did move from his position and enter the deposition site in order to take the photographs of Ms Smallman and Ms Henry. PC D stated she witnessed PC Lewis and PC Jaffer going back and forth to one another while at the scene of the murders.

192. The SoPB for police officers expects them to be diligent in the exercise of their ‘duties and responsibilities’ yet there is evidence which suggests PC Lewis knew that moving from his allocated position to get closer to the deposition site was wrong. The WhatsApp message from PC Lewis to PC Jaffer at 4.39am (three minutes after he took the blurry photo of the deposition site) and prior to the second (clearer) photograph he took at 5.10am, stated *“gonna get closer when he’s gone”*. PC Lewis appeared to be actively trying to get a photo of the victims despite being 95% certain in interview that he had not taken any photos himself. PC Lewis has not provided any explanation for what was meant by this request. The statements provided by PS Marum and PS Green suggested when they were on the scene from approximately 2am onwards they were patrolling the area stopping to talk to the officers on scene guard duties. PS Rookard was managing the scene from 11pm to 8am on 8 June 2020 when the officers were in attendance. He also confirmed he was patrolling the scene and stated *“..I was walking around within the scene and also driving around the outside of the scene for the majority of the evening”*. As noted above, PC Lewis admitted in interview he had not been diligent in relation to his attendance at the crime scene. However, it is also significant, when considering whether PC Lewis may have entered the deposition site, that he acknowledged the officers should have just *“stood there”* and *“none of this would have happened”*.
193. PC Lewis was not wearing full Personal Protective Equipment (PPE) while on guard at the crime scene and DI Green stated as such any contamination of the scene could not be ruled out. DI Green explained, the search of the area was extensive and required specialist search teams with dogs trained to detect and follow blood and human scent trails as well as cadaver dogs. The teams searched the area for nearly four weeks. During the search, DI Green described how various routes were followed by the trails highlighted by the specialist dogs and led the investigation to a particular exit point in Valley Drive. DI Green noted in hindsight, the investigating team were unable to exclude the trails being as a result of the officers stepping into an area without the required foot covering and transferring traces of blood from their boots on to the path. She stated the investigation team knew that traces of blood were left by their suspect within the deposition site and immediately outside. The SoPB for police officers expects

them to be diligent in the exercise of their 'duties and responsibilities' yet the evidence suggests PC Lewis, while working in a position of trust, protecting the integrity of the scene of a double murder, has instead potentially affected the evidential opportunities. As a result therefore, PC Lewis' actions also have the potential to seriously undermine public confidence in policing (SoPB 'discreditable conduct').

### > Confidentiality and sharing of images - PC Jamie Lewis

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194. PC Lewis admitted creating the selfie style image with Ms Smallman and Ms Henry visible in the background and sharing this with PC Jaffer via WhatsApp. The digital evidence supports the account provided by PC Lewis in interview. There appears to be no policing purpose for sharing the edited selfie-style image with PC Jaffer. PC Lewis' only explanation was that it was to show PC Jaffer what had happened with the photograph. He stated it was a situation *"...as in, oh shit like, I, look what this has just done and that's it"*.
195. PC Lewis also admitted in interview on 22 June 2020 that he showed the photographs from the crime scene to at least one colleague; PC F in the yard of Forest Gate police station. He believed it was possible two further colleagues may have also seen the images as they were standing close by; PC A and PC B. The SoPB for police officers expects them to be diligent in the exercise of their 'duties and responsibilities' yet the evidence suggests PC Lewis has shared photographs of two murder victims with others while a live murder investigation was ongoing, without a valid policing purpose.
196. The statements from PC A and PC F confirm PC Lewis showed them his mobile phone following discussions about the murder crime scene. PC B stated she had no knowledge or sight of the photographs. PC Lewis suggested PC F asked to see the photographs, but he stated he did not know how PC F was aware that he had the photographs from the scene. PC F's account suggested while talking to PC Jaffer, PC Lewis came over to her and handed her his mobile phone in Forest Gate police station. PC F stated she could not make out the image as she did not have her glasses on. She gathered the image was from the crime scene. Following this, while in the yard at Forest Gate police station, PC F said she called PC Lewis over asking him about his phone. She stated her intention was to tell PC Lewis she did not think it was appropriate for him to have any evidence from the crime scene on his mobile phone. PC F said PC Lewis went to show her his phone again, but she waved her arms to gesture that she did not wish to see it.
197. PC A's account suggested PC Lewis was *"jovial"* as he showed her what was believed to be a selfie image. The evidence from both PC F and PC A suggests PC Lewis was proactively attempting to show the photographs taken at the

murder crime scene including the selfie image which PC Lewis stated he created “*unintentionally*”. Furthermore, PC A stated PC Lewis laughed as he showed the image to her which it is suggested, based in PC A’s evidence was the ‘selfie’ image with Ms Smallman and Ms Henry in the background. There is evidence to suggest that following his duties at the scene of the murders, PC Lewis’ showed a lack of diligence by proactively trying to share the photographs, and particularly the selfie image, with others (SoPB ‘duties and responsibilities’).

198. At 6.29pm on 8 June 2020 PC Lewis sent a message to a WhatsApp group called “*The Real DBS*”. There is some evidence that this is a work group but PC Lewis did not confirm this when asked in interview. The message stated that the two murder victims of the stabbing he attended the previous night were “*Both sisters, one was 14, the [sic] 20 and pregnant*”. PC Lewis sent a further text one minute later at 6.30pm, to the same group in the same message chain stating, “*Got pics*”. The evidence suggests PC Lewis was informing the group he had pictures of the two victims. PC Lewis appears to have been asked by a member in the group known as ‘[Ms D]’ why he had pictures, but there was no further text from PC Lewis (and therefore there is no evidence with regard to whether he provided any explanation and, if he did, what that explanation was). It is also noted that PC Lewis’ message to the group suggests he had taken photographs of what he believed was a murdered child and a pregnant woman.
199. The SoPB ‘confidentiality’ states police officers should “*...treat information with respect, and access it or disclose it only in the proper course of police duties.*” When asked in interview about this standard PC Lewis stated confidentiality was broken immediately once the photographs had been taken, regardless of the sharing of them. When asked whether he had treated the photographs with respect, he stated he respected the situation and the selfie photograph was not sent with the intent to disrespect, it was the curiosity of the situation but he also accepted “*..but no, that’s not respect*”.
200. At the time of his attendance at the scene and for several weeks thereafter, there was an active murder investigation underway and an outstanding suspect. PC Lewis was expected to act diligently as a police officer (SoPB ‘duties and responsibilities’). There was no policing purpose for PC Lewis to take the photographs yet he has taken photographs of two murder victims and also edited a photograph to create a selfie style image. This indicates PC Lewis has failed to treat photographic evidence from the scene of a live murder investigation, showing two murdered sisters, with respect as outlined in the SoPB ‘confidentiality’. Ms Henry and Ms Smallman’s family have stated the grief caused by the murders themselves has been significantly compounded by the lack of respect shown to Ms Smallman and Ms Henry which robbed them of their dignity in death. The mother of Ms Smallman and Ms Henry referred to the traumatising nature of the photographs publicly in a media interview. Furthermore the actions of PC Lewis in creating and sharing a ‘selfie’ image with

the victims in the background, while on duty protecting the integrity of a murder crime scene, are such that they have the potential to discredit the police service and undermine public confidence in it contrary to the SoPB 'discreditable conduct'.

## > **Discrimination and use of language – PC Jamie Lewis**

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201. The SoPB 'authority, respect and courtesy' expects police officers to ensure their behaviour and language could not reasonably be perceived to be offensive by the public or policing colleagues. And the SoPB 'discreditable conduct' expects officers to behave in a manner that does not discredit the police service or undermine public confidence in it, whether on or off duty. The forensic evidence from PC Lewis' mobile phone showed at 3.54am on 8 June 2020 he referred to Ms Smallman and Ms Henry as "*dead birds*" in a WhatsApp chat to the 'A Team Group' (believed to contain 42 other officers). The decision maker may wish to consider whether the language used to describe the murder victims, Ms Smallman and Ms Henry, was inappropriate, disrespectful and sexist language. The decision maker may also wish to consider whether this use of language indicates that PC Lewis has a conscious bias against women. It is suggested this use of language, used to describe two women who had been tragically murdered, has the potential to discredit the police service and undermine public confidence in it.
202. The SoPB 'equality and diversity' expects officers to "*..act with fairness and impartiality. They do not discriminate unlawfully or unfairly.*" Officers should treat all people fairly and with respect and take a proactive approach to opposing discrimination. In addition to the evidence outlined above, PC Lewis appeared to agree with a colleague's use of a racist term. On 10 June 2020 as part of a conversation between PC Chandler and PC Lewis, there was a discussion about PC Chandler moving house. He discussed moving to the location where PC Lewis lived and states of the area "*Plus no pakis*". PC Lewis responds "*Exactly!!*" at 12.50pm on 10 June 2020. The evidence suggests PC Lewis' agreed with the racist term and the sentiment expressed by another police colleague during a discussion about finding a 'suitable' area to live. The inference being that areas where people of Pakistani origin live are, for that reason, not suitable or desirable. PC Lewis is expected to take a proactive approach to opposing discrimination in line with the SoPB 'equality and diversity' and also to 'challenge and report improper conduct' yet PC Lewis did not report PC Chandler's conduct and instead appeared to agree with him. In his written response dated 15 October 2020 PC Lewis stated he was not "*agreeing*" with the racist term used by his colleague.
203. The SoPB 'discreditable conduct' expects police officers to behave in a manner that does not discredit the police service or undermine public confidence in it,

whether on or off duty. The sentiment PC Lewis agreed with is likely to bring discredit on the police service and undermine public confidence in policing, especially but not limited to, members of the South Asian community. The decision maker may wish to consider whether this evidence suggests PC Lewis has a conscious bias against members of the community he serves based on their race. PC Lewis and his colleague both worked from Forest Gate police station, an area with a large South Asian population.

204. In interview on 8 July 2020 PC Lewis was asked to explain his motivations for taking the photographs of Ms Henry and Ms Smallman and creating the selfie style image. He was also asked further questions in relation to this ahead of providing his written response dated 15 October 2020. The belief by Ms Henry and Ms Smallman's family that his actions could have been motivated by race discrimination was put to PC Lewis but he provided no response in interview. In his written response of 15 October 2020 PC Lewis stated he was not "*agreeing*" with the racist term used by his colleague PC Chandler. He stated the comment he made "*..was neither racially motivated or could sensibly be construed as such, it is difficult to understand the basis upon which my conduct in relation to events on the 8th June is now being categorised as inherently racist, rather than merely inappropriate.*"
205. Notwithstanding the above, the IOPC has found no evidence in the messages on PC Lewis' phone to demonstrate overt race discrimination directed towards Ms Smallman and Ms Henry. When asked in his initial interview what he knew about the victims, PC Lewis stated he knew very little; he stated the victims' names and photographs were not in the media. The news article sent by PC Lewis to his colleagues in WhatsApp suggest that there was limited information about the victims in the public domain and the basic information available was that the victims were two females.
206. Ms Smallman and Ms Henry's mother has spoken publicly about the impact of the officers' actions on her family. The mother of Ms Smallman and Ms Henry referred to the traumatising nature of the photographs that reminded her of those taken in the deep south of the United States of black people who had been lynched. As such the actions of PC Lewis, in seemingly agreeing with a racist term as well as taking photographs of Ms Smallman and Ms Henry, creating a selfie style image and then sharing of this image, has the potential to discredit the police service and undermine public confidence in it contrary to the SoPB 'discreditable conduct'.

### > Summary – PC Jamie Lewis

207. In summary, the decision maker may wish to consider the following factors when providing his opinion on whether PC Jamie Lewis breached the Standards of

Professional Behaviour, specifically confidentiality, authority, respect and courtesy, discreditable conduct, duties and responsibilities, challenging and reporting improper conduct, equality and diversity and honesty and integrity:

- PC Lewis admitted creating a 'selfie style' image with the bodies of Ms Smallman and Ms Henry in the background;
- He admitted deliberately saving and then sharing the 'selfie style' image of himself with the bodies of Ms Smallman and Ms Henry in the background with colleagues for no apparent policing purpose;
- The evidence suggests PC Lewis took two photographs of Ms Smallman and Ms Henry (one of which was blurry and was subsequently deleted and the other of which was within the deposition site and clearly showed Ms Smallman and Ms Henry), notwithstanding his comment in an interview under criminal caution that he was 95% certain he had not done so;
- The evidence from two colleagues; PC F and PC A that PC Lewis proactively attempted to show images from the crime scene to them;
- PC A's evidence that PC Lewis appeared "*jovial*" and appeared to find it funny as he showed her a selfie image;
- The evidence from DI Maria Green from the Murder Investigation Team (MIT) and PS Marsh that PC Lewis must have deliberately moved from his allocated position to get closer to Ms Smallman and Ms Henry in order to take the photographs. This is further supported by the message sent by PC Lewis to PC Jaffer at 4.39am which said "*Gonna get closer when he's gone*";
- The evidence from DI Maria Green is that the actions of PC Lewis may have compromised the forensic integrity of the murder scene;
- The belief of PC Lewis that the images taken and shared were of a murdered child and a pregnant woman;
- The use of language by PC Lewis when referring to Ms Smallman and Ms Henry as "*dead birds*";
- The failure of PC Lewis to challenge PC Jaffer's conduct when he has admitted that he saw PC Jaffer taking the photographs of Ms Smallman and Ms Henry;
- Acknowledging with approval both the use of a racist term by a colleague, (the term "*Pakis*") and the sentiment expressed in using it, and failing to challenge or report that conduct. PC Lewis has denied that he was agreeing with the term used;
- PC Lewis denied entering the deposition area within the inner cordon to take photographs of Ms Smallman and Ms Henry;
- PC Lewis denied any malicious intent;
- PC Lewis accepted that his actions were wrong and apologised.

## > PC Deniz Jaffer's actions at the crime scene on 8 June 2020

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208. PC Jaffer's conduct has been reviewed in light of the Standards of Professional Behaviour (SoPB) for police officers.
209. Ms Nicole Smallman and Ms Bibaa Henry were both found murdered in Fryent Country Park, North West London on 7 June 2020. PC Deniz Jaffer was posted as a scene guard within the inner cordon of the murder crime scene from 3.38am on 8 June 2020. On 22 June 2020, PC Jaffer was arrested by the IOPC on suspicion of the criminal offence of Misconduct in a Public Office contrary to Common Law. He made a number of admissions during his first criminal interview which have not subsequently been withdrawn. PC Jaffer confirmed his role on 8 June 2020 was to ensure members of the public did not enter the area of the crime scene and to keep the scene preserved as much as possible. The SoPB expects officers to be diligent in their 'duties and responsibilities' however while at the scene PC Jaffer admitted taking photographs of Ms Smallman and Ms Henry's deceased bodies using his personal mobile phone and sending those images to PC Lewis. PC Jaffer stated that he had taken the images in order to "*cover his arse*" in case anything was moved at the scene and because the bodies were not covered. He said he had no malicious intent in taking or sharing the images and it was not his intention to brag or make a joke about the images. PC Jaffer also confirmed in interview that he received the 'selfie style' image, showing PC Lewis' face with the murder victims in the background, via WhatsApp.
210. In reviewing the forensic evidence in relation to PC Jaffer, the evidence shows that PC Jaffer took four photographs of Ms Smallman and Ms Henry and sent five images to PC Lewis. One of those images appeared to be a duplicate, therefore four unique images were sent by PC Jaffer to PC Lewis between 4.39am and 5.21am on 8 June 2020. PC Jaffer's account is that these photographs were taken for a policing purpose in order to cover himself should there be any dispute about the movement of the bodies. However, there is no evidence that PC Jaffer raised this concern with senior (or other) colleagues and it is notable that he did not delete the images until 22 June 2020.
211. Police officers are expected to be diligent in the exercise of their duties. PC Jaffer stated in interview he believed he was diligent in complying with what he was supposed to do at the scene on 8 June 2020 but he accepted taking the photos was not "*...the greatest decision I made*". When asked whether the photographs had been taken for a policing purpose, PC Jaffer suggested it was to ensure the scene was preserved and nothing had been touched as well as for his own protection. However, PC Jaffer also confirmed he made no record of this in a police notebook and nor did he exhibit the photographs taken. Furthermore, PC Jaffer decided to share the photographs with members of the

public as well as colleagues via WhatsApp and then went on to delete the images on 22 June 2020.

212. PC Jaffer admitted sending the images he had taken of Ms Smallman and Ms Henry to two friends, Ms C and Mr A. When asked to explain why he had sent the images to his friends, PC Jaffer said he wanted to show them what could happen as they are sometimes “...*lax about safety*” and they both had young children. This account offered by PC Jaffer is contrary to his account that he had taken the photographs to ensure the scene was preserved and nothing had been touched as well as for his own protection. There is therefore evidence to suggest there was no legitimate policing purpose for the images to be taken (and then shared with two members of the public).
213. The SoPB ‘discreditable conduct’ expects police officers to behave in a manner that does not discredit the police service or undermine public confidence in it, whether on or off duty. PC Jaffer admitted to taking photographs at the scene of a double murder where the bodies of two deceased sisters remained and then sharing them with PC Lewis. He also received a selfie-style image from PC Lewis and sent this on to another colleague; PC D.
214. When questioned on the selfie style image PC Jaffer received from PC Lewis, he stated he did not challenge or report the behaviour of PC Lewis. PC Jaffer felt his “*silence said it all*”. He considered reporting the matter but did not. The SoPB for police officers expects officers to “...*report, challenge or take action against the conduct of colleagues which has fallen below the Standards of Professional Behaviour.*” On receiving the selfie-style photograph PC Jaffer said he “...*didn’t think it was very funny*”. The forensic evidence however showed that PC Jaffer sent the selfie style image on to another colleague; PC D, while at the crime scene. PC D’s witness statement confirmed this. PC Jaffer did not admit to this in his criminal interviews. When asked why PC Jaffer shared this selfie style image with a colleague if indeed he did not find it funny, PC Jaffer made no comment.

### > **PC Deniz Jaffer’s actions and the integrity of the crime scene**

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215. DI Maria Green, of the murder investigation team, stated Ms Smallman and Ms Henry’s bodies remained at the scene so a Home Office Pathologist could conduct a further examination of the bodies in situ “*so that forensic evidence was not lost or compromised*”. PC Jaffer denied breaking any sealed cordon in order to take the photographs and said he had used the “*zoom*” function in order to take the photographs of Ms Smallman and Ms Henry. In the prepared statement provided on 8 July 2020, PC Jaffer also denied entering the deposition area and compromising the integrity of evidence at the crime scene. He stated he took the photos of the victims from 20 feet away.



216. In order to obtain such photographs as those recovered, the evidence from DI Green is that PC Jaffer would have had to move from the position he had been allocated to stand and go within the deposition site. The evidence of PS Marsh supports DI Green's evidence in that he states there were marked points 'A' to 'O' (shown on map D44) where cordon officers were placed. He confirmed the points were 'fixed points' and "*...officers were expected not to move from the fixed points as they remained in each other's line of sight and created a 'barrier' to prevent any people or wildlife getting into the scene*". PS Marsh confirmed point 'A' was a distance of approximately ten metres from the bodies of the victims.
217. PS Marsh provided further evidence that points A and B were closest to the murder victims. He said: "*There was a thick hedgerow where the women's bodies were positioned. It may have been possible to just about make out the bodies of the women from the fixed-point B. But this would have been tricky and you would need to know what you were looking at or leave that point. It would not have been possible to see the bodies from fixed Point A. If you wanted to see the bodies you would need to stray from fixed point A.*" There is therefore evidence to suggest that PC Jaffer did move from his position and enter the deposition site in order to take the photographs of Ms Smallman and Ms Henry. PC D, in her statement provided to the IOPC, stated she witnessed PC Lewis and PC Jaffer walking backwards and forwards to one another while at the scene.
218. The SoPB for police officers expects them to be diligent in the exercise of their 'duties and responsibilities' yet the evidence suggests PC Jaffer, while working to protect the integrity of the scene of a double murder, has decided to leave his fixed point post and take photographs of two murder victims. The evidence suggested PC Jaffer entered the deposition area within the hedgerow to get photographs of the victims. Though PC Jaffer stated "*...at no time did I approach the dead bodies closer than about twenty foot. I was not close to the bush area and I have not entered the deposition area at any time*". When PC Jaffer was asked if he saw PC Lewis take any photographs he said he did not see PC Lewis "*go in there*". This choice of words; "*go in there*" is deemed significant, when considering whether PC Jaffer may have entered the deposition site himself.
219. PC Jaffer was not wearing full Personal Protective Equipment (PPE) while on guard at the crime scene and DI Green stated as such any contamination of the scene could not be ruled out. DI Green explained, the search of the area was extensive and required specialist search teams with dogs trained to detect and follow blood and human scent trails as well as cadaver dogs. During the search, DI Green described how various routes were followed by the trails highlighted by the specialist dogs and led the investigation to a particular exit point in Valley Drive. DI Green noted in hindsight, the investigating team were unable to

exclude the trails being as a result of the officers stepping into an area without the required foot covering and transferring traces of blood from their boots on to the path. She stated the investigation team knew that traces of blood were left by their suspect within the deposition site and immediately outside. PC Jaffer was in a position of trust on 8 June 2020, guarding the scene and protecting the integrity of it. The SoPB for police officers expects them to be diligent in the exercise of their 'duties and responsibilities' yet the evidence suggests while working in a position of trust, protecting the integrity of the scene of a double murder, PC Jaffer could have potentially affected the evidential opportunities at the scene. As a result therefore, PC Jaffer's actions also have the potential to seriously undermine public confidence in policing.

### > Confidentiality and sharing of images - PC Deniz Jaffer

220. PC Jaffer admitted in interview that he had shared the images of Ms Smallman and Ms Henry with two members of the public via WhatsApp, namely Ms C and Mr A. The SoPB 'confidentiality' states police officers should "*..treat information with respect, and access it or disclose it only in the proper course of police duties*". PC Jaffer stated he had shared the images with members of the public in his friendship group because they have children and he wanted to reinforce a message about personal safety. The evidence therefore suggests that PC Jaffer disclosed photographic evidence from the scene of a live murder investigation to others without a valid policing purpose on 8 June 2020.
221. The evidence recovered from PC Jaffer's phone and Mr A's witness statement to the IOPC, supports PC Jaffer's admission in interview. Mr A confirmed PC Jaffer had sent him an image of a dead body a couple of weeks to a month prior to 23 June 2020. He said from memory he believed it was one image of a body in a bush and he deleted it after receiving it. The IOPC viewed the photos in WhatsApp between PC Jaffer and Mr A and but did not locate any photographs of the victims. At 7.11am on 8 June 2020, PC Jaffer sent a message to Mr A stating, "*Morning, I am here. Do you want to see the two dead bodies?*" PC Jaffer then sent a link to a Sky news article titled '*Two women found dead in park in northwest London*'. Mr A replied 'yes' and PC Jaffer then sent a message which stated "*The next pictures are the two dead victims. Both stabbed to death in broad daylight and dragged under trees. One is 14 and the other is 20, she was pregnant.*" Contrary to PC Jaffer's account in interview, there was no text to confirm the photographs were sent to reinforce a message about personal safety for Mr A or his children.
222. At 3.55am on 8 June 2020, mobile phone data from PC Jaffer's phone confirms he initiated a conversation with a group called 'Covid Cunts' stating "*I'm here now, will try to take pictures of the two dead birds....*". At 7.12am, PC Jaffer sent a further message to the group which states "*I have pictures of the two dead*

victims. *Let me know who doesn't want to see it*". The Group 'Covid Cunts' is made up of nine people all of whom are members of the public plus PC Jaffer. One of those members is Ms C. There is no evidence to suggest the photographs were shared in the group however the evidence suggests PC Jaffer was offering to share the photographs within the group chat. The communication does not provide any suggestion there was a legitimate policing purpose for this. Nor is there any mention of risk to children or dangers highlighted as per PC Jaffer's explanation for sharing the images with Ms C. At 12.53pm forensic evidence from Ms C's phone, captured that the four photos, with the victims visible, were sent to her from PC Jaffer's phone.

223. There is also evidence to show PC Jaffer shared the photographs with another colleague; PC D and another member of the public; Mr B. PC C also stated PC Jaffer showed them the image from the murder scene on his phone, unsolicited. These disclosures were in addition to PC Lewis and the two members of the public PC Jaffer admitted to sharing the photographs with. There were forensic difficulties with obtaining evidence from PC Jaffer's phone due to him proactively deleting content. However, this additional evidence has been captured either forensically on the recipient's mobile phone, by a witness statement obtained from the recipient confirming the disclosure occurred or by messages on PC Jaffer's mobile phone.
224. At 5.49am on 8 June 2020, PC Jaffer sent three images of Ms Smallman and Ms Henry and the selfie image created by PC Lewis to PC D who was also on duty at the crime scene (four in total). PC D provided a statement to the IOPC in which she confirmed she received four images from PC Jaffer which showed the victims laying in the bush, one of which she believed was a selfie image showing PC Lewis' face. In interview on 22 June 2020, PC Jaffer admitted he may have shown PC D the photographs on his phone, but they were not sent to her. He recalled a discussion with PC Lewis and PC D about one of the victim's stomach and that potentially she had been pregnant. When questioned in interview about his reasons for sharing the images with PC D, PC Jaffer made no comment. There is no evidence therefore to suggest PC Jaffer shared the images with PC D for a policing purpose and instead the evidence suggests the officers were discussing the victim's body and whether she could have been pregnant at the time of her death.
225. At 9.06am on 8 June 2020, Mr B, who is part of the group 'Covid Cunts' group asked for the photos to be sent over, which is shortly followed by another message from Ms B on the same group chat stating, "*Send them to [Mr B] incase [sic] no one else wants to see xx*". The IOPC viewed Ms B's mobile phone and located four photos which the investigator confirmed were the bodies of Ms Smallman and Ms Henry at the murder scene. Ms B has provided a witness statement which confirms they were sent to her by Mr B at 1.31pm on 8

June 2020. In his second interview on 8 July 2020, PC Jaffer provided no explanation for this disclosure.

226. In his witness statement to the IOPC, Mr B confirmed PC Jaffer had sent him four images of *“two girls lying down on their side”*. It is his evidence that he then forwarded these images onto his partner, Ms B, also a member of the public, and then deleted the images from his phone.
227. Police officers are expected to be honest and act with integrity at all times (SoPB ‘honesty and integrity’). While PC Jaffer admitted to sending the photographs to PC Lewis and two friends, he did not tell the IOPC when asked that he had sent the images to a colleague; PC D. Nor did he disclose the ‘Covid Cunts’ group WhatsApp communication in which he offered to send the group photos of the victims. In addition, PC Jaffer did not disclose that another member of the public and friend Mr B had also been sent the photographs. The messaging suggests that while carrying out the on scene cordon duties, PC Jaffer was proactively looking to share the photographs he had taken of Ms Smallman and Ms Henry with members of the public. There is no evidence this was for a policing purpose.
228. The SoPB for police officers expects them to be diligent in the exercise of their ‘duties and responsibilities’ yet PC Jaffer has admitted to sharing photographs of two murder victims with members of the public. The photographs were shared with others while a live murder investigation was ongoing and a suspect was outstanding seemingly without a valid policing purpose. While working to guard the murder crime scene on 8 June 2020, PC Jaffer has sent messages via WhatsApp to members of the public offering to send photographs of the victims.
229. Police officers are expected to treat the information they handle with respect, in line with the SoPB ‘confidentiality’ yet PC Jaffer decided to proactively and repeatedly share images of two murdered sisters with members of the public. Ms Henry and Ms Smallman’s family have stated the grief caused by the murders themselves has been significantly compounded by the lack of respect shown to Ms Smallman and Ms Henry which robbed them of their dignity in death. The mother of Ms Smallman and Ms Henry referred to the traumatising nature of the photographs publicly in a media interview. Furthermore, the actions of PC Jaffer, in taking photographs of the victims while on duty protecting the integrity of a murder crime scene, along with the repeated sharing of those images with members of the public without a valid policing purpose and sharing PC Lewis’ selfie image with a colleague, are such that they have the potential to discredit the police service and undermine public confidence in it (SoPB ‘discreditable conduct’).

## > Deletion of evidence on 22 June 2020 – PC Deniz Jaffer

230. Police officers are expected to be honest and act with integrity at all times, in line with the SoPB 'honesty and integrity'. In his interview on 22 June 2020 PC Jaffer admitted that he had deleted the images of Ms Smallman and Ms Henry's bodies from his mobile phone on 22 June 2020, the day his colleague PC Lewis was arrested at work. Although he denied that he did this in an attempt to destroy evidence, he stated that he was "*reminded*" to do a routine deletion of his unwanted photographs when he realised his colleague PC Lewis was 'missing' from work and "*people in suits*" had been at the police station talking to PC Lewis, who was not in uniform. Someone had suggested to him that maybe PC Lewis' phone had been "*seized*". PC Jaffer did note that PC Lewis' disappearance had prompted him to delete the photographs. PC Jaffer said in his first interview that he wondered why PC Lewis' phone would be seized and it could be to do with something inappropriate and "*..I thought it may have been the day that I sent him those pictures*". The photographs sent by PC Jaffer to PC Lewis on 8 June 2020 were not located on PC Jaffer's mobile phone, this included the 'selfie style' image PC Jaffer received from PC Lewis.
231. In his prepared statement provided on 8 July 2020, PC Jaffer stated he may have inadvertently deleted messages from his mobile phone "*when swiping down in delete mode*". He stated he did not have any intention to hamper any enquiry or pervert the course of justice. He said he "*...deleted some images purely as a routine clean up of the camera roll...*". He confirmed this also applied to any WhatsApp communication. PC Jaffer stated if he had wanted to pervert the course of justice, he would have deleted everything.
232. The forensic difficulties with obtaining evidence from PC Jaffer's mobile phone appear to confirm there was content deleted. The IOPC viewed the messages in WhatsApp between PC Jaffer and Mr A but did not locate any photographs of the victims. This is despite there being a message which stated "*The next pictures are the two dead victims. Both stabbed to death in broad daylight and dragged under trees. One is 14 and the other is 20, she was pregnant.*"
233. PC Jaffer admitted in interview that he had sent the photographs from the crime scene to Ms C. At 12.53pm on 8 June 2020 Ms C received four images from PC Jaffer which showed Ms Smallman and Ms Henry's bodies. PC Jaffer's WhatsApp chat with Ms C was not recovered from his mobile phone. The IOPC and MPS visited Ms C and viewed the photographs on Ms C's phone which showed they had been sent to her by PC Jaffer. PC Jaffer confirmed, in his interview on 22 June 2020, he had deleted the WhatsApp chat with Ms C and Mr A from his mobile phone. When asked if it was common for PC Jaffer to delete WhatsApp chats, he stated "*no*" and continued "*..only for things that I think shouldn't be on there on, on [sic] a long term basis*". He said he was aware that deleted items could still be retrieved from phones forensically and he did not wish it to seem that he was acting "*underhand*".

234. The IOPC obtained a witness statement from Mr B, and he confirmed PC Jaffer had sent him four images of *“two girls lying down on their side”*. The WhatsApp chat in which PC Jaffer shared the photographs with Mr B was not retrieved from PC Jaffer’s phone download.
235. PC Jaffer sent his colleague PC O a message at 10.20am on 22 June 2020, the day PC Lewis was arrested. In this message PC Jaffer stated, *“you heard about Jamie?”* to which PC O replied, *“No what?”* At 11.35am PC Jaffer replied and stated, *“This is huge, speak later”*. There is evidence to suggest PC Jaffer had knowledge of PC Lewis’ circumstances or a version of what had happened as early as 10.20am on 22 June 2020. Furthermore, PC Jaffer sent a message to PC Lewis at 6.54pm on 22 June 2020 which stated *“Hello mate. I’m hearing odd rumours. I’m not being nose-y. Hope you’re ok, let me know if you need anything.”* PC Jaffer was arrested by the IOPC at his home address at 8.12pm, approximately 1 hour 15 minutes after this message was sent. PC Jaffer acknowledged in his written response of 15 October 2020 that there were rumours that PC Lewis had been arrested but he did not know this for a fact.
236. There is evidence in the form of admissions and gaps in forensic phone evidence to suggest PC Jaffer may have acted dishonestly by deliberately deleting relevant evidence which he knew was required as part of an ongoing investigation, contrary to the SoPB ‘honesty and integrity’. PC Jaffer confirmed that he was not issued with a work mobile phone and therefore it is likely he would have known PC Lewis also did not have an MPS issued work phone. The decision maker may wish to consider that PC Jaffer’s belief that PC Lewis’ personal phone could have been *“seized”* as well as the rumours that PC Lewis had been arrested suggests he was aware of PC Lewis’ arrest and that there was a criminal investigation into the photographs taken at the murder crime scene on 8 June 2020. PC Jaffer had a positive duty to retain evidence relevant to an ongoing investigation.

### > Discrimination and use of language – PC Deniz Jaffer

237. The SoPB ‘authority, respect and courtesy’ expects police officers to ensure their behaviour and language could not reasonably be perceived to be offensive by the public or policing colleagues. And the SoPB ‘discreditable conduct’ expects officers to behave in a manner that does not discredit the police service or undermine public confidence in it, whether on or off duty. The forensic evidence from PC Jaffer’s mobile phone showed on 8 June 2020 at 3.55am, while at the scene of the murders, PC Jaffer sent a message to nine members of the public in a group on WhatsApp and said he would take photographs of *“...the two dead birds”*. He asked who wanted to see the photographs. The decision maker may wish to consider whether the language used to describe the murder victims Ms Smallman and Ms Henry was inappropriate, disrespectful

and sexist language. Further, the decision maker may also wish to consider whether this use of language indicates PC Jaffer has a conscious bias against women. This use of language to describe two women who had been tragically murdered, has the potential to discredit the police service and undermine public confidence in it. Furthermore, in a WhatsApp message to Mr A at 7.14am on 8 June PC Jaffer stated he believed the age of the victims to be 14 and 20 years old with the 20 year old being pregnant. It therefore suggests PC Jaffer was willing to share these images even though it was his belief that one of the victims was a child and the other a young pregnant woman.

The SoPB 'equality and diversity' expects officers to "...act with fairness and impartiality. They do not discriminate unlawfully or unfairly." Officers should treat all people fairly and with respect and take a proactive approach to opposing discrimination. In addition to the evidence outlined above, PC Jaffer used a racist term in a WhatsApp group. As part of a wider conversation about football protests, PC Jaffer's phone download suggests a message was sent by PC Jaffer which read; *"Five pakki's. Two with bloody nose and the other three ran off but their car has been seized."* This was sent via WhatsApp at 4.10pm on 13 June 2020. In his response dated 15 October 2020 PC Jaffer stated his friend in WhatsApp had used the term first and *"..unfortunately, I just repeated it in my response without really thinking."* He said *"I confess it never occurred to me to challenge the use of racially offensive language in a personal What's App [sic] group between myself and a close friend."* The decision maker may wish to consider whether the evidence suggests PC Jaffer has a conscious bias against members of the community he serves based on their race. PC Jaffer worked from Forest Gate police station, an area with a large South Asian population. PC Jaffer provided no response in interview on 8 July 2020 to the questions regarding his use of the racist term. He provided a written response to questions dated 15 October 2020 however.

In addition to the above, PC Jaffer's WhatsApp message *"Three white fellas all arrested for ABH [actual bodily harm] but we have had a chat off the record. We will release them under investigation and close it later saying victim unwilling without contacting the pakki's"* was recovered. PC Jaffer, in his written response of 15 October 2020, described this *"..chit chat and gossip.."*<sup>4</sup> He stated he did not endorse violence against anyone. PC Jaffer stated he was not involved in completing any sort of investigative strategy into what had happened. He continued *"..The bit about the reference to the Sergeant was just an attempt at being funny and totally untrue and not based on anything I knew. This is just idle chit chat.."* The decision maker may wish to consider whether this message shows not only a second use of the racist term but also indicates a corrupt and

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<sup>4</sup> The MPS investigation into this matter determined there was no evidence this incident occurred and was fabricated by PC Jaffer.

discriminatory attitude within policing that specifically targets people from the South Asian community. The SoPB 'discreditable conduct' expects police officers to behave in a manner that does not discredit the police service or undermine public confidence in it, whether on or off duty. The sentiment expressed by PC Jaffer is likely to bring discredit on the police service and undermine public confidence in policing, especially but not limited to, members of the South Asian community.

238. In interview on 8 July 2020 PC Jaffer was asked to explain his motivations for taking the photographs of Ms Henry and Ms Smallman. The belief by Ms Henry and Ms Smallman's family that his actions could have been motivated by race discrimination was put to PC Jaffer but he provided no response. In his written response of 15 October 2020 PC Jaffer stated, *"It would appear that it is being suggested that my actions on the 8th June 2020 in some way, shape or form, were racially motivated. That is totally untrue. The ethnicity of the sad victims to this tragedy had nothing to do with the determination that I made to take photographs for the reasons I have previously explained. There was no racially discriminatory motivation for sharing or showing them subsequently."*
239. Notwithstanding the above, the IOPC has found no evidence in the messages on PC Jaffer's phone to demonstrate overt race discrimination directed at Ms Henry and Ms Smallman. The news articles sent by PC Jaffer to his friends in WhatsApp suggest that there was limited information about the victims in the public domain and the basic information available was that victims were two females.

### > Summary – PC Deniz Jaffer

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240. In summary, the decision maker may wish to consider the following factors when providing his opinion on whether PC Deniz Jaffer breached the Standards of Professional Behaviour, specifically confidentiality, authority, respect and courtesy, discreditable conduct, duties and responsibilities, challenging and reporting improper conduct, equality and diversity and honesty and integrity:
- PC Jaffer's admission that he took and shared photographs of Ms Smallman and Ms Henry's bodies at the crime scene.
  - The evidence from PC Lewis that he saw PC Jaffer take the photographs.
  - The proactive, deliberate and repeated sharing of the images of Ms Smallman and Ms Henry by PC Jaffer with members of the public and colleagues and the evidence that this was for no policing purpose.
  - The evidence from DI Maria Green and PS Marsh, supported by PC D's account, that PC Jaffer must have deliberately moved from his allocated position to get closer to Ms Smallman and Ms Henry in order to take the photographs.



- The evidence from DI Maria Green that the actions of PC Jaffer may have compromised the forensic integrity of the murder scene.
- The belief of PC Jaffer that the images taken and shared by him were of a murdered child and a 20-year-old female who was possibly pregnant.
- The use of language used by PC Jaffer when referring to Ms Smallman and Ms Henry as "*dead birds*".
- The failure of PC Jaffer to challenge PC Lewis' conduct.
- The actions of PC Jaffer in deleting the images on his phone in circumstances in which he was aware that an investigation may be underway in respect of them.
- The use of the term "*pakki's*" by PC Jaffer in a WhatsApp conversation with members of the public when describing a policing incident. Further, that those members of the public would know that PC Jaffer is a serving officer with the Metropolitan Police Service.
- The expression of a corrupt attitude within policing specifically aimed at members of the South Asian community. PC Jaffer described this as "*chit chat*".
- PC Jaffer stated he had no discriminatory motivation for sharing or showing the photographs of Ms Smallman and Ms Henry.
- PC Jaffer denied entering the inner cordon to take photographs of Ms Smallman and Ms Henry. He said he was at a distance of around 20 feet away.
- PC Jaffer denied any malicious intent.
- PC Jaffer accepted that, with hindsight, his actions were wrong in taking the photographs.
- PC Jaffer stated he took the photographs to protect himself in case anything was moved at the scene.

## > Learning

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241. Throughout the investigation, the IOPC has considered learning with regard to the matters under investigation. The type of learning identified can include improving practice, updating policy or making changes to training.

The IOPC can make two types of learning recommendations under the Police Reform Act 2002 (PRA):

- Section 10(1)(e) recommendations – these are made at any stage of the investigation. There is no requirement under the Police Reform Act for the appropriate authority to provide a formal response to these recommendations.

- Paragraph 28A recommendations – made at the end of the investigation, which do require a formal response. These recommendations and any responses to them are published on the recommendations section of the IOPC website.

242. We are carefully considering learning opportunities arising from the investigation. Potential learning will be provided to the decision maker for their review.

## > Next steps

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243. The decision maker will now set out their provisional opinion on the investigation outcomes. The decision maker will record these on a separate opinion document.

244. The decision maker will also identify whether a paragraph 28ZA recommendation (remedy) or referral to the Reflective Practice Review Process (RPRP) is appropriate.

## > Criminal offences

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245. On receipt of my report, the decision maker must decide if there is an indication that a criminal offence may have been committed by any person to whose conduct the investigation related.

246. If they decide that there is such an indication, they must decide whether it is appropriate to refer the matter to the CPS.

247. The following criminal offences have been investigated for PC Jamie Lewis:

- Misconduct in a Public Office (MIPO).

248. The offence of MIPO and the evidence for this offence is set out below:

- *A public officer acting as such* - PC Jamie Lewis is a serving police officer. On 8 June 2020 he was on duty at the scene in Fryent Country Park. PC Lewis was expected to protect the integrity of the murder crime scene where the victims; Ms Bibaa Henry and Ms Nicole Smallman's bodies remained, following their murder;
- *Wilfully neglects to perform his duty and/or wilfully misconducts himself* – PC Lewis admitted creating the 'selfie style' image using a photograph of the victims which was sent to him by PC Jaffer. He said he created the photograph unintentionally but intentionally saved it. He admitted to sharing this image with PC Jaffer via WhatsApp. PC Lewis did not admit to taking photographs of the

victims' bodies himself though the forensic evidence suggests he did take two photographs himself using his personal mobile phone. PC Lewis acknowledged the photographs were on his mobile phone but stated he had no knowledge or memory of taking them.

PC Lewis denied entering the deposition site where Ms Smallman and Ms Henry's bodies remained. The evidence from the murder investigation team stated the officer would have had to enter the deposition site in order to take the photographs and therefore it cannot be ruled out that the officer's actions impacted on the evidential opportunities at the scene.

PC Lewis referred to the victims as "*dead birds*" in communication with others. He also believed the photographs were of a child and a pregnant woman.

PC Lewis admitted he showed the photographs from the murder scene to PC F and stated two other colleagues may have also seen the images; PC A and PC B. PC F confirmed PC Lewis had tried to show her a photograph which she believed was from the murder crime scene. PC B stated she had no knowledge of the photographs. PC A said PC Lewis was "*jovial*" as he showed her what she believed was a 'selfie' image. PC A stated PC Lewis laughed as he showed the image to her

- *To such a degree as to amount to an abuse of the public's trust in the office holder* - Police officers are in a position of trust. PC Lewis was in a trusted role on 8 June 2020 to protect a crime scene. The scale and depth of national concern about the behaviour of the officers in this case is evidenced by the public reaction and the petition calling for the officers to face criminal charges in relation to the allegations. The petition had in excess of 42,000 signatures as of 23 September 2020. Importantly there has been a high degree of harm and distress caused to Ms Smallman and Ms Henry's family. The grief caused by the murders themselves has been significantly compounded by the lack of respect shown to Ms Smallman and Ms Henry which, in the view of the family, robbed them of their dignity in death. Ms Smallman and Ms Henry's mother gave an interview to the BBCs Martin Bashir in which she said the news of the officers' alleged conduct at the scene had "*..taken our grief to another place*". Ms Smallman and Ms Henry's mother believed that when the IOPC informed her of the allegations facing the two officers it was worse than when she was informed of her daughters' murders. Ms Henry's father stated he could not understand why police officers in a position of trust would behave in such a way.

Based on the evidence and analysis, the decision maker must decide if PC Lewis' actions would amount to an abuse of the public's trust;

- *Without reasonable excuse or justification* – There was no suggestion by PC Lewis that he was asked to take the photographs by a supervisor. PC Lewis stated he was appalled and ashamed at his actions. He stated he did not intend any disrespect, he accepted that his actions were wrong and

apologised. He stated he had a lapse in judgement and had been through a difficult time personally with a divorce and moving out of his home. PC Lewis did not offer any policing purpose for the creation of the selfie image nor for the additional images found on his personal mobile phone. It is for the decision maker to consider whether PC Lewis was acting without a reasonable excuse or justification.

249. The following criminal offences have been investigated for PC Deniz Jaffer:

- Misconduct in a Public Office (MIPO)
- Perverting the Course of Justice (PCJ)

250. The offence of MIPO and the evidence for this offence is set out below:

- *A public officer acting as such* - PC Deniz Jaffer is a serving police officer. On 8 June 2020 he was on duty as a police officer conducting scene guard duties in Fryent Country Park. He was expected to protect the integrity of the murder crime scene where the victims; Ms Bibaa Henry and Ms Nicole Smallman's, bodies remained;
- *Wilfully neglects to perform his duty and/or wilfully misconducts himself* – PC Jaffer admitted to taking four photographs of the victims but stated this was in order to protect himself should any items be moved at the scene. Five photographs of the victims were sent by PC Jaffer to PC Lewis (one of which was a duplicate). PC Jaffer admitted to receiving the 'selfie style' image from PC Lewis. PC Jaffer also shared the images of the victims with PC D. PC Jaffer offered to send the photographs of the victims to friends. He subsequently shared the images with three members of the public without a valid policing purpose.

PC Jaffer denied entering the deposition site to take the photographs of Ms Smallman and Ms Henry. The evidence from the murder investigation team stated the officer would have had to enter the deposition site in order to take the photographs and therefore it cannot be ruled out that the officer's actions impacted on the evidential opportunities at the scene.

PC Jaffer referred to the victims as "*dead birds*" in communication with others. He also believed the victims, and therefore the photographs, were of a child and a pregnant woman;

- *To such a degree as to amount to an abuse of the public's trust in the office holder* - Police officers are in a position of trust. PC Jaffer was in a trusted role on 8 June 2020 to protect a crime scene. The scale and depth of national concern about the behaviour of the officers in this case is evidenced by the public reaction and the petition calling for the officers to face criminal charges in relation to the allegations. The petition had in excess of 42,000 signatures as of 23 September 2020. Importantly there has been a high degree of harm and distress caused to Ms Smallman and Ms Henry's family. The grief caused

by the murders themselves has been significantly compounded by the lack of respect shown to Ms Smallman and Ms Henry which, in the view of the family, robbed them of their dignity in death. Ms Smallman and Ms Henry's mother gave an interview to the BBC's Martin Bashir in which she said the news of the officers' alleged conduct at the scene had "*..taken our grief to another place*". Ms Smallman and Ms Henry's mother believed that when the IOPC informed her of the allegations facing the two officers it was worse than when she was informed of her daughters' murders. Ms Henry's father stated he could not understand why police officers in a position of trust would behave in such a way.

Based on the evidence and analysis, the decision maker must decide if PC Jaffer's actions would amount to an abuse of the public's trust;

- *Without reasonable excuse or justification* – There was no suggestion from PC Jaffer that he was asked by a supervisor to take the photographs. He stated he took them to protect himself in case anything was moved at the scene however PC Jaffer did not exhibit the photographs nor make a note of this anywhere. PC Jaffer's reasons for sharing the images from the scene with three members of the public were not related to a policing purpose.

PC Jaffer stated he did not take the pictures to be disrespectful, he was angry at himself for his actions and he was extremely sorry for what had happened. It is for the decision maker to consider whether PC Jaffer was acting without a reasonable excuse or justification.

251. The offence of Perverting the Course of Justice (PCJ) and the evidence for this offence is set out below:

- *Does an act or series of acts (a positive act or series of acts is required; mere inaction is insufficient)* - The evidence suggests PC Jaffer was aware PC Lewis' phone could have been seized on 22 June 2020 and it may have been linked to the photographs from the murder crime scene. PC Lewis was arrested on the morning of 22 June 2020 at 7.12am. PC Jaffer was arrested in the evening.

PC Jaffer said in interview on 22 June 2020 that he did not know PC Lewis had been arrested in relation to the photographs at the murder scene, but he had heard rumours and "*some way off the mark*" and "*some pretty close to the mark*". PC Jaffer was asked whether he had an inkling it could be linked to the photographs and he replied "*yeah I thought it mi, might do because you, I have to; the reason why I thought that is because someone said they've WhatsApped him or something and the blue ticks or the two ticks didn't show up and I heard someone saying in the background about his phone might have been seized*".

PC Jaffer continued that he wondered why PC Lewis' phone would be seized and it could be to do with something inappropriate and "*...I thought it may have*

*been the day that I sent him those pictures*". This then reminded PC Jaffer that he had the photographs of the scene on his phone. He stated he deleted the photographs along with others. PC Jaffer said he often deleted photos from his phone.

In interview, on the evening of 22 June 2020, PC Jaffer confirmed he had deleted the photographs and other WhatsApp communication. He was asked when he had deleted them and replied *"some of it was earlier on today"*.

PC Jaffer also confirmed he had deleted the WhatsApp chat with Ms C and Mr A from his mobile phone. When asked if it was common for PC Jaffer to delete WhatsApp chats, he stated *"no"* and continued *"..only for things that I think shouldn't be on there on, on [sic] a long term basis"*. He said he was aware that deleted items could still be retrieved from phones forensically and he did not wish it to seem that he was acting *"underhand"*.

In his prepared statement provided on 8 July 2020 PC Jaffer stated he may have inadvertently deleted messages from his mobile phone *"when swiping down in delete mode"*. He stated he did not have any intention to hamper any enquiry or pervert the course of justice. He said he *"...deleted some images purely as a routine clean up of the camera roll..."*. He confirmed this also applied to any WhatsApp communication. He stated it was not his intention to pervert the course of justice and if he had wished to he would have deleted everything;

- *Which has or have a tendency to pervert; and which is or are intended to pervert* – It was alleged that PC Lewis had taken a selfie image with the victims Ms Smallman and Ms Henry and he was subsequently arrested on suspicion of MIPO at 7.12am on 22 June 2020. PC Jaffer admitted in his first interview that he believed PC Lewis' phone may have been seized due to something inappropriate and *"...I thought it may have been the day that I sent him those pictures"*. This then reminded PC Jaffer that he had the photographs of the scene on his phone. PC Jaffer confirmed he deleted the photographs the same day. He stated he deleted the photographs along with other content. It is for the decision maker to consider whether these actions had a tendency to pervert the course of justice and which was intended to pervert the course of justice;
- *The course of public justice* – PC Lewis was arrested on suspicion of MIPO on 22 June 2020. There is evidence to suggest PC Jaffer had an awareness of an investigation into PC Lewis' conduct which may have related to the photographs from the murder scene.

PC Jaffer sent his colleague PC O a message at 10.20am on 22 June 2020, the day PC Lewis was arrested. In this message PC Jaffer stated, *"you heard about Jamie?"* to which PC O replied, *"No what?"* At 11.35am PC Jaffer replied and stated, *"This is huge, speak later"*. There is evidence to suggest PC Jaffer had knowledge of PC Lewis' circumstances or a version of what had happened

as early as 10.20am on 22 June 2020. Furthermore, PC Jaffer sent a message to PC Lewis at 6.54pm on 22 June 2020 which stated *“Hello mate. I’m hearing odd rumours. I’m not being noseey. Hope you’re ok, let me know if you need anything.”* PC Jaffer was arrested by the IOPC at his home address at 8.12pm, approximately 1 hour 15 minutes after this message was sent.

It is for the decision maker to consider whether PC Jaffer, in deleting the images and communication from his mobile phone, was deleting the images on his phone in circumstances in which he was aware that an investigation may be underway in respect of them and that these acts has or have a tendency to pervert, and which is or are intended to pervert the course of public justice.

# Conduct and criminal investigation

## Operation Turton

Investigation into the actions of two Metropolitan Police Service (MPS) officers in relation to taking, creating and sharing sensitive images of two deceased females while guarding a crime scene

- > Independent investigation report
- > Appendices



## > Appendix 1: The role of the IOPC

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The IOPC 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.

We are completely independent of the police and the government. All cases are overseen by the Director General (DG), who has the power to delegate their decisions to other members of staff in the organisation. These individuals are referred to as DG delegates, or decision makers, and they provide strategic direction and scrutinise the investigation.

### The investigation

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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 on behalf of the DG. 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 CPS and other agencies.

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

Throughout the investigation, meaningful updates are provided to interested persons and may be provided to other stakeholders at regular intervals. Each investigation is also subject to a quality review process.

The IOPC investigator often makes early contact with the CPS and is sometimes provided with investigative advice during the course of the investigation.

### Investigation reports

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Once the investigator has gathered the evidence, they must prepare a report. The report must summarise and analyse the evidence and refer to or attach any relevant documents.

The report must then be given to the decision maker, who will decide if a criminal offence may have been committed by any person to whose conduct the investigation related, and whether it is appropriate to refer the case to the CPS for a charging decision.

The decision maker will reach a provisional opinion on the following:

- a) whether any person to whose conduct the investigation related has a case to answer in respect of misconduct or gross misconduct or has no case to answer;
- b) whether or not disciplinary proceedings should be brought against any such person and, if so, what form those proceedings should take (taking into account, in particular, the seriousness of any breach of the Standards of Professional Behaviour);
- c) whether the performance of any person to whose conduct the investigation related is unsatisfactory and whether or not performance proceedings should be brought against any such person; and
- d) whether or not any matter which was the subject of the investigation should be referred to be dealt with under the Reflective Practice Review Process (RPRP).

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

## Misconduct proceedings

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Having considered any views of the appropriate authority, the decision maker is required to make the final determination and notify the appropriate authority of their determinations, as follows:

- a) whether any person to whose conduct the investigation has related has a case to answer for misconduct or gross misconduct or has no case to answer;
- b) whether the performance of any person to whose conduct the investigation related is unsatisfactory; and
- c) whether or not disciplinary proceedings should be brought against any person to whose conduct the investigation related and, if so, what form the disciplinary proceedings should take.

The decision maker may also make a determination as to any matter dealt with in the report. This may include a decision that a matter amounts to Practice Requiring Improvement (PRI) and as such should be dealt with under the Reflective Practice Review Process (RPRP) or a recommendation under paragraph 28ZA (remedy).

## Unsatisfactory Performance Procedures

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UPP is defined as an inability or failure of a police officer to perform the duties of the role or rank the officer is currently undertaking to a satisfactory standard or level.

The decision maker can recommend and, where necessary, direct an appropriate authority to refer an officer to any stage of the Unsatisfactory Performance Procedures (UPP). The appropriate authority must comply with a direction from the

decision maker and must ensure proceedings progress to a proper conclusion. The appropriate authority must also keep the decision maker informed of the action it takes in response to a direction concerning performance proceedings.

## Practice Requiring Improvement

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Practice Requiring Improvement (PRI) is defined as underperformance or conduct not amounting to misconduct or gross misconduct, which falls short of the expectations of the public and the police service as set out in the policing Code of Ethics.

Where PRI is identified the Reflective Practice Review Process (RPRP) is followed. However, there may be instances where PRI is identified, but for a variety of reasons the RPRP process is not instigated, for example on the grounds of officer wellbeing.

RPRP is not a disciplinary outcome but a formalised process set out in the Police (Conduct) Regulations 2020. It is more appropriate to address one-off issues or instances where there have been limited previous attempts to address emerging concerns around low-level conduct. In some instances it may be appropriate to escalate the matter to formal UPP procedures where there is a reoccurrence of a performance related issue following the completion of the Reflective Practice Review Process.

The IOPC cannot direct RPRP: it can only require the appropriate authority to determine what action it will take.

## Criminal proceedings

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If there is an indication that a criminal offence may have been committed by any person to whose conduct the investigation related, the IOPC may refer that person to the CPS. The CPS 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 criminal proceedings will determine whether the defendant is guilty beyond reasonable doubt.

## Publishing the report

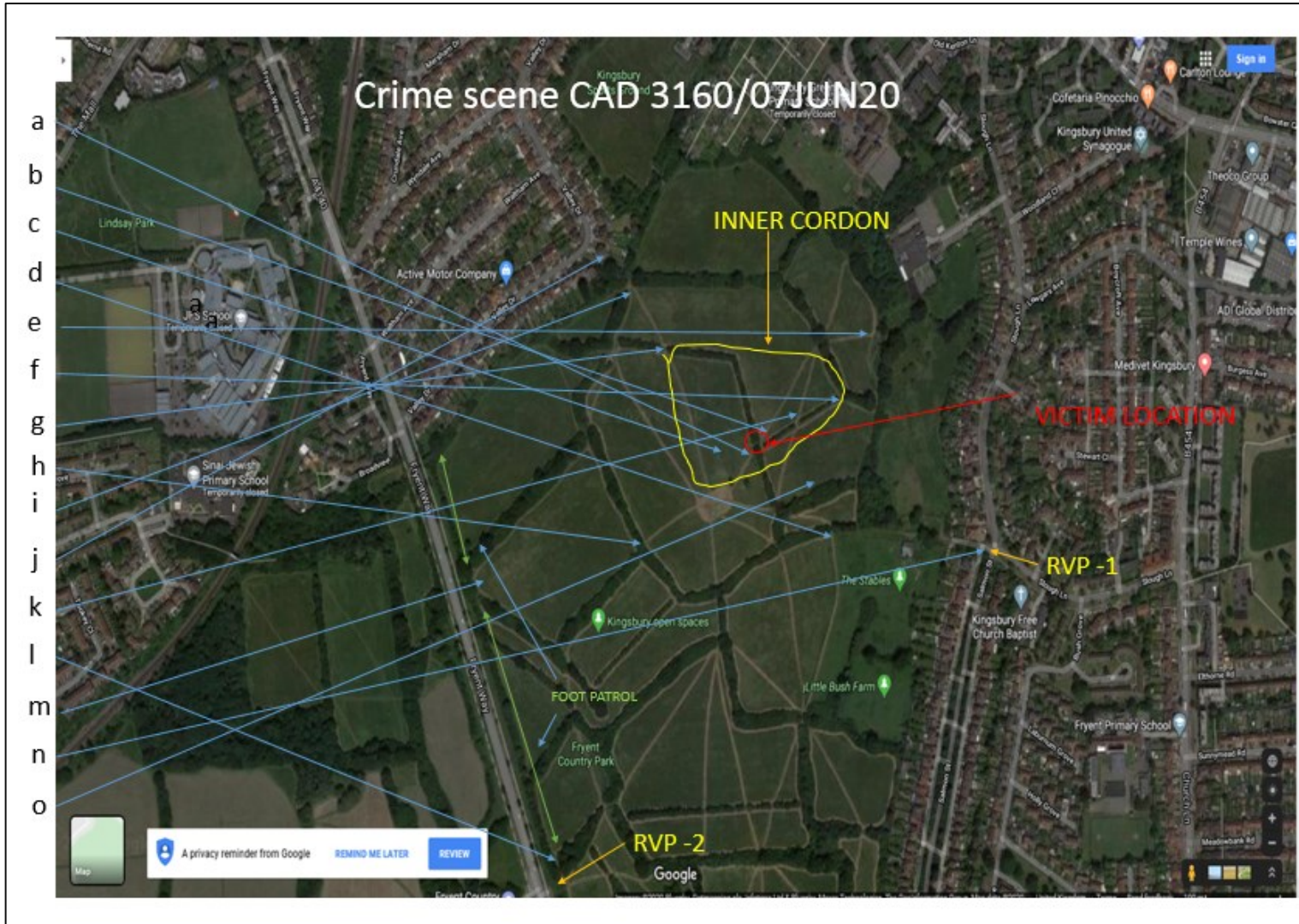
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After all criminal proceedings relating to the investigation have concluded, and at a time when the IOPC is satisfied that any other misconduct or inquest proceedings will not be prejudiced by publication, the IOPC may publish its investigation report,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

Redactions might be made to the report at this stage to ensure, for example, that individuals' personal data is sufficiently protected.

## > Appendix 2: Map of the scene

CRIME SCENE MAP - Working copy of AGM\_01 Crime Scene May – Fryent Country Park



## > Appendix 3: Terms of reference

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Investigation into the actions of two Metropolitan Police Service (MPS) officers in relation to taking, creating and sharing sensitive images of two deceased females while guarding a crime scene.

Investigation Type:	Independent
Appropriate Authority:	Metropolitan Police Service
IOPC Reference:	2020/138174 (linked 2020/138275)
Director General (DG) Delegate (decision maker):	Graham Beesley
Lead Investigator:	[redacted]
Target Range:	0 - 3 months

### **Summary of matter**

*This summary is presented on the basis of information currently available to the IOPC. The veracity and accuracy of that information will be considered as part of the investigation and will be subject to review.*

The terms of reference refer to two separate IOPC investigations that have been linked.

On 7 June 2020, sisters Ms Nicole Smallman and Ms Bibaa Henry were found murdered in Fryent Country Park, North London. A murder investigation commenced.

On 8 June 2020 MPS Police Constables (PCs) Jamie Lewis and Deniz Jaffer were tasked with guarding the inner cordon of the scene where the bodies of Ms Henry and Ms Smallman were found.

This is an investigation into the actions of PCs Lewis and Jaffer while at the crime scene and afterwards.

On 18 June 2020 the Directorate of Professional Standards Reactive Investigation Unit (DPS RIU) were made aware of an allegation regarding PC Lewis' conduct at the crime scene. It was alleged that PC Lewis used his personal mobile phone and took 'selfie' style photographs of himself with the bodies of the murdered women and subsequently showed the photograph(s) to others. The matter was referred to the IOPC on 19 June 2020 and an independent investigation was declared.

PC Lewis was subsequently arrested on suspicion of Misconduct in a Public Office (MIPO) and interviewed. He admitted being in possession of photographs from the crime scene at Fryent Country Park.

The evidence suggested PC Lewis had received photographs of the crime scene, some of which showed the bodies of Ms Smallman and Ms Henry, from his colleague PC Jaffer. PC Lewis may have also taken photographs of the victims on his personal mobile phone.

PC Jaffer was subsequently arrested on suspicion of Misconduct in a Public Office and interviewed. The evidence suggested PC Jaffer had taken photographs of the crime scene, some of which showed the bodies of Ms Smallman and Ms Henry. Furthermore, it was suggested the photographs may have been shared with a small number of people including members of the public. There is the evidence to suggest PC Jaffer deleted the photographs when he became aware of an investigation into PC Lewis.

There is evidence to suggest the officers may have accessed areas of the inner crime scene which they had not been instructed to do.

### **Terms of Reference**

1. To investigate the conduct of PC Lewis and PC Jaffer. In particular;
  - a) their actions at the scene of the murder of Ms Nicole Smallman and Ms Bibaa Henry on 8 June 2020 and subsequently, in light of the applicable Standards of Professional Behaviour; and relevant local and national policies, guidance and legislation.
  - b) whether their conduct was motivated or influenced by discrimination against a protected group.
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 decision maker shall determine whether the report should be sent to the DPP.
3. To enable an assessment as to whether any subject of the investigation has a case to answer for misconduct or gross misconduct or no case to answer.
4. To consider and report on whether there may be 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 decision maker responsible for oversight of this investigation is Graham Beesley. The decision maker has approved these terms of reference. At the end of the investigation they will decide whether or not the report should be submitted to the Director of Public Prosecutions. They will also consider the Appropriate Authority's views on the content of the report, before making a final determination.

These terms of reference were approved on 7 July 2020.