
The Operation Paget inquiry report into the allegation of conspiracy to murder

Diana, Princess of Wales
and Emad El-Din Mohamed Abdel Moneim Fayed

Report



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INTRODUCTION

This police report documents the findings of the criminal investigation into an allegation made by Mohamed Al Fayed of conspiracy to murder the Princess of Wales and his son Dodi Al Fayed.

The Coroner of the Queen's Household and H.M. Coroner for Surrey, Michael Burgess, also requested this investigation by the Metropolitan Police Service (MPS) to help him decide whether such matters would fall within the scope of the investigation carried out at the inquests. (Coroner's remarks at the opening of the inquests, 6 January 2004.)

The opening of the inquests had been delayed until then because of ongoing legal proceedings in France.

A further report (commonly referred to as the '*Coroner's report*') will be prepared by police specifically for the inquest process.

An inquest is an inquiry intended to produce a formal answer to four questions:

- (i) **Who** the deceased was.
- (ii) **When** he/she came by his/her death.
- (iii) **Where** he/she came by his/her death.
- (iv) **How** he/she came by his/her death.

The police crime investigation will, as is usual practice, remain open until the conclusion of any inquest or other judicial process. Operation Paget will take account of evidence given at, or provided in connection with, any hearing.

Background

On Saturday 30 August 1997, the Princess of Wales arrived in Paris with Emad El-Din Mohamed Abdel Moneim Fayed (Dodi Al Fayed), the son of Mohamed Al Fayed. They had stopped there en route to London, having spent the preceding nine days together on board Mohamed Al Fayed's yacht, the '*Jonikal*', on the French and Italian Riviera. They had intended to stay overnight.

Mohamed Al Fayed was and is the owner of the Ritz Hotel in Place Vendôme, Paris. He also owned an apartment in rue Arsène Houssaye, a short distance from the hotel and located just off the avenue des Champs-Élysées.

At around 12.20am on Sunday 31 August 1997, the Princess of Wales and Dodi Al Fayed left the Ritz Hotel to return to the apartment in rue Arsène Houssaye. They were the rear passengers in a Mercedes S280 car driven by Henri Paul, the Acting Head of Security at the Ritz Hotel. Trevor Rees-Jones, Dodi Al Fayed's bodyguard, was in the front passenger seat.

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They left from the rear of the hotel, the rue Cambon exit. After crossing the Place de la Concorde they drove along Cours la Reine and Cours Albert 1er (the embankment road running parallel to the River Seine) into the Place de l'Alma underpass.

The Mercedes collided with the thirteenth central pillar in the underpass. Dodi Al Fayed and Henri Paul died at the scene. Both were taken directly to the Institut Médico-Légal (IML), the Paris mortuary, not to a hospital. The Princess of Wales, who was seriously injured but still alive after the impact, was taken by the emergency services to Pitié-Salpêtrière Hospital in Paris. Trevor Rees-Jones survived the impact with very serious injuries. He also was taken to the same hospital as the Princess of Wales for emergency treatment. At around 4am, following emergency surgery, the Princess of Wales died.

None of the occupants of the car was wearing a seat belt at the time of the impact.

The Investigation by the French Authorities

The French authorities carried out an investigation into the crash within their own legal and investigative framework. An official of the Paris Public Prosecutor's Department went to the scene of the crash to take control of the initial investigation. This is not uncommon in France. She tasked the Brigade Criminelle section of the Paris Police with the immediate investigation. Seven '*paparazzi*' present at the scene were arrested.

The Public Prosecutor's Department asked, on Tuesday 2 September 1997, for these *paparazzi* to be investigated for failure to render assistance to persons in danger (a specific imprisonable offence in France) and for '*unnamed persons*' to be investigated for involuntary manslaughter and injury. '*Unnamed persons*' is a term used in France when an investigation is opened with no specific, named suspects. On 4 September 1997 another three *paparazzi* reported to the Brigade Criminelle. They were investigated for the same offences.

Following the Public Prosecutor's request for an investigation, an Examining Magistrate, Judge Hervé Stéphan, was appointed to the case. The complexity of the case led to a second Examining Magistrate, Marie-Christine Devidal, being appointed to assist. Under the system of criminal justice in France, Hervé Stéphan was responsible for the direction of the investigation and his authority was needed for any action to be taken. This 'inquisitorial' system differs from the 'adversarial' system of criminal justice in this country where the police are, in the main, responsible for directing and carrying out a criminal investigation.

Judge Stéphan's investigation '*attempted to define as fully as possible the sequence of events with a view to determining, at its conclusion, the legal ramifications of any possible liability.*'

He concluded that there was insufficient evidence against the paparazzi photographers in respect of the offences then being investigated of involuntary manslaughter, injury causing a total incapacity for work in excess of three months and failing to render assistance to persons in danger.

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He further concluded there was insufficient evidence against any person for the offences of involuntary manslaughter, injury causing a total incapacity for work in excess of three months or for endangering the life of another.

Finally he stated that the offences investigated were not covered under any other (French) criminal legislation. He circulated these conclusions in a '*Notice of Dismissal*' dated 3 September 1999.

A number of legal challenges to the investigation and its conclusions were instigated in France. Some of these continue to this day.

Response of the United Kingdom Authorities

The crash and the three resulting deaths had occurred in France. It was therefore a matter for the French authorities to investigate, even though two of those who died were not French citizens. From the outset, the Metropolitan Police Service (MPS) acted in a liaison role with the French authorities on behalf of the respective Coroners in England who would be holding inquests into the deaths. Any enquiries carried out by police in the United Kingdom were solely on behalf of the French investigating authorities.

Dr John Burton, Coroner of the Queen's Household, assumed responsibility for the body of the Princess of Wales. Michael Burgess, H.M. Coroner for Surrey (and then Deputy Coroner of the Queen's Household) assumed responsibility for the body of Dodi Al Fayed, as he would be laid to rest in the County of Surrey.

As a result of ill health Dr Burton retired in 2002 and Michael Burgess took over the role of Coroner of the Queen's Household whilst retaining his role as H.M. Coroner for Surrey.

In July 2003, solicitors acting on behalf of Mohamed Al Fayed wrote to Michael Burgess. They stated that the criminal proceedings over which Judge Hervé Stéphan presided had now concluded, following decisions in the Appeal Court in Paris in April 2003. They urged Michael Burgess on behalf of their client to open the inquests and to ensure that in respect of Dodi Al Fayed '*there is a proper investigation into his death.*' The letter contained details of the different strands within the allegation made by Mohamed Al Fayed to support his view that the crash was not an accident but murder and that this murder was the result of a conspiracy by the '*Establishment*' and particularly HRH Prince Philip, who used the '*Security Services*' to carry it out.

Michael Burgess informed the MPS of this correspondence and the associated allegation and supporting claims. The MPS was continuing to act as liaison with the French authorities. The MPS considered the status of this allegation in the United Kingdom and its possible effect on the French investigation and conclusions. The French authorities were informed of the detail of the allegation and their view was sought as to whether they wished to deal with the allegation. They declined to re-open their investigation into the events of the crash.

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On 6 January 2004, Michael Burgess officially opened the Inquests into the deaths of the Princess of Wales and Dodi Al Fayed. He stated:

'I am aware that there is speculation that these deaths were not the result of a sad, but relatively straight forward, road traffic accident in Paris. I have asked the Metropolitan Police Commissioner to make inquiries. The results of these inquiries will help me to decide whether such matters will fall within the scope of the investigation carried out at the inquests.'

Terms of Reference for Operation Paget

On 15 January 2004, the Coroner and the then Commissioner of the Metropolitan Police Service, Sir John Stevens, now Lord Stevens of Kirkwhelpington, agreed the following terms of reference for Operation Paget.

- To liaise with the French authorities in relation to the deaths of the Princess of Wales and Dodi Fayed and in doing so identify any investigative opportunities that the Coroner may wish to address with the French authorities. In order to assist the Coroner to achieve the above a comparative standard will be compiled in relation to lines of enquiry, technical analysis, witnesses and any other aspect of the enquiry the Coroner identifies to enable him to achieve his responsibilities to confirm the information provided by the French witnesses
- To assist with lines of enquiry in the United Kingdom as identified by the Coroner
- To identify allegations which would suggest that the deaths of the Princess of Wales and Dodi Al Fayed were caused other than as a result of a tragic road traffic accident and assess whether there is any credible evidence to support such assertions and report the same to the Coroner

The primary purpose of Operation Paget was to assess any credible evidence that supported the allegation of conspiracy to murder, not to re-investigate the issues looked at by the French investigation.

The British Police Crime Investigation (Operation Paget)

Detailed consideration of the conspiracy allegation made by Mohamed Al Fayed led the MPS to determine that a criminal investigation should be conducted. Although the crash and the deaths occurred within French jurisdiction, any alleged offence of conspiracy was primarily based in the United Kingdom and the allegation came under that jurisdiction.

The French authorities agreed to support the Coroner by allowing special operating procedures in relation to International Letters of Request (ILoR) due to the volume of enquiries anticipated.

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The French '*Judicial Dossier*' (case file) contains statements of witnesses, police reports, expert reports and judicial orders created during the French investigation. It is the property of the French authorities and remains so. However, following the opening of the inquests in England in January 2004 they gave permission for the Coroner, and on his behalf the police, to use the dossier in support of the British criminal investigation even though legal appeals were still continuing in France.

This was possible because the French investigation had looked at the circumstances surrounding the crash and was aimed, in Judge Hervé Stéphan's words, at '*determining the legal ramifications of any possible liability.*' The conspiracy allegation is much wider in terms of breadth and timescale over which suspicious activity is alleged to have taken place. Operation Paget has used the content of the French judicial dossier as the foundation for understanding the immediate events around the Alma underpass.

Where new techniques, or developed knowledge, allows that content to be enhanced Operation Paget has tried to do so. This is particularly so with regard to the '*collision reconstruction*' techniques used at the scene. A significant element of the work undertaken by Operation Paget in assessing the conspiracy allegation was different from the French investigation into the crash.

The Conspiracy Allegation

Mohamed Al Fayed has made a principal crime allegation, supplemented by numerous linked claims and assertions. In essence Mohamed Al Fayed's allegation is that the 'Security Services' (unless otherwise specified, this is taken to be the Secret Intelligence Service (SIS) - commonly known as MI6) acting at the behest of HRH Prince Philip, arranged for or carried out the murder of Dodi Al Fayed and the Princess of Wales. The alleged motive was that the Princess of Wales was pregnant with Dodi Al Fayed's child and there was to be an imminent announcement of their engagement. It is suggested by Mohamed Al Fayed that the Royal Family '*could not accept that an Egyptian Muslim could eventually be the stepfather of the future King of England*'.

It is alleged that the Security Services of the United Kingdom covertly obtained the information concerning pregnancy and engagement, with or without the co-operation of overseas agencies, precipitating the need to put into operation a plan to murder them. Mohamed Al Fayed further alleges there was a cover-up by the '*Establishment*' to prevent the conspiracy and murders from coming to light.

Sequence of Events

This is an overview of events to assist in placing the relationship of the Princess of Wales and Dodi Al Fayed into context and understanding, in broad terms, how they came to be at the Alma underpass at 12.23am on Sunday 31 August 1997.

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It should first be explained that in 1994, at her request, official personal protection had been removed from the Princess of Wales. She wanted less intrusion into her private life. Until then, the MPS 'Specialist Operations' Command had routinely provided protection to her as a senior member of the Royal Family. From 1994 onwards she received such protection only if she was on an official visit that warranted such security or if members of the Royal Family who warranted protection in their own right, most obviously her sons, accompanied her.

Meeting on Holiday

On Friday 11 July 1997 the Princess of Wales and her two sons, HRH Prince William and HRH Prince Harry, commenced a holiday in St Tropez. They were guests at the home of Mohamed Al Fayed. He had known the Princess of Wales previously, but this was the first time she had taken up his invitation of a summer holiday. The Princess of Wales had made it known to friends that she wanted to spend time with her sons in a secure environment and she knew that Mohamed Al Fayed had his own security team.

Personal Protection Officers (PPO) from New Scotland Yard accompanied the Royal Princes and worked with Mohamed Al Fayed's security team in St Tropez during this holiday.

It was during the day of Monday 14 July 1997 that the Princess of Wales told the press *"You will get a big surprise with the next thing I do"*. It was also during this holiday that a photograph was taken of the Princess of Wales in a leopard print swimsuit, following which some newspapers ran a story that the picture might be an indication of pregnancy.

Dodi Al Fayed, the eldest son of Mohamed Al Fayed, joined the family holiday on the evening of Monday 14 July 1997.

There is evidence in comments that the Princess of Wales made to friends on her return that she enjoyed this holiday. She flew back to England with her sons on Sunday 20 July 1997. Dodi Al Fayed remained in St Tropez.

The Princess of Wales and Dodi Al Fayed continued to spend time together. They spent the weekend of 26 July 1997 together in Paris. This visit attracted almost no media attention. The couple's chauffeur said that they walked relatively freely in Paris without interference from the media or public.

On their return to England the couple continued to spend time together and on Thursday 31 July 1997 they flew to Nice and holidayed together on the French and Italian Riviera aboard Mohamed Al Fayed's yacht, the *'Jonikal'*. It was during this trip that the famous 'kiss' photograph was taken by the Italian photographer, Mario Brenna. Not only did this photograph appear to draw media attention to the couple, it is believed that the amount of money reportedly earned by Brenna focused the attention of the paparazzi.

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The Princess of Wales and Dodi Al Fayed returned to England on Wednesday 6 August 1997. The media attention on both was now much greater.

Dodi Al Fayed at that time had two bodyguards working for him, John Johnson and Trevor Rees-Jones, each on duty for a week at a time. Although well known in his own circles, Dodi Al Fayed was not a public figure and was not generally recognised in the street. His bodyguards described their work before his relationship with the Princess of Wales in fairly routine terms.

On Friday 8 August 1997 the Princess of Wales flew to Bosnia in support of the United Nations landmines campaign, returning on Sunday 10 August 1997.

She then took a short break with her friend the Honourable Rosa Monckton. They spent five days between 15 and 20 August 1997 cruising the islands of Greece in Rosa Monckton's boat. According to Rosa Monckton, the media did not trace them on this cruise as it was such a small boat and no one was aware that the Princess of Wales was on board.

The Princess of Wales flew back to England on Wednesday 20 August 1997. Dodi Al Fayed during this time had spent some time in Los Angeles.

On Friday 22 August 1997, the Princess of Wales and Dodi Al Fayed again flew to Nice to rejoin the yacht, the '*Jonikal*'. They cruised the Mediterranean coasts of France, Monaco and Sardinia. Two bodyguards, Trevor Rees-Jones and Kieran Wingfield, accompanied them during this time.

Police Personal Protection Officers were not provided for any of the Princess of Wales' holidays with Dodi Al Fayed, as they were private trips.

Saturday 30 August 1997

On Saturday 30 August 1997 the Princess of Wales and Dodi Al Fayed flew from Olbia airport in Sardinia to Le Bourget airport on the outskirts of Paris, arriving at about 3.20pm.

Trevor Rees-Jones, Kieran Wingfield, René Delorm, (Dodi Al Fayed's butler), Myriah Daniels (a holistic healer) and Deborah Gribble (Chief Stewardess on the *Jonikal*), accompanied them. Some paparazzi were waiting for the couple at Le Bourget airport and took photographs as they disembarked from the plane.

At the airport two cars were waiting. Philippe Dourneau, an experienced and regular chauffeur for Dodi Al Fayed, drove the Princess of Wales and Dodi Al Fayed in a Mercedes S600 car. Trevor Rees-Jones accompanied them. This was not the car that was subsequently involved in the crash. The other people who had been on the flight were driven by Henri Paul in a Range Rover. There were differing accounts of how distracting the paparazzi were while following the couple on the drive into Paris from Le Bourget airport.

In any event, Philippe Dourneau appears to have driven in a manner that prevented the paparazzi from following them. He took the couple to Villa Windsor, the house in the Bois de Boulogne belonging to Mohamed Al Fayed. Henri Paul, in the meantime,

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took the occupants of his car and the couple's luggage to the apartment in rue Arsène Houssaye.

Henri Paul and Kieran Wingfield, having dropped the other members of the party at the rue Arsène Houssaye apartment, drove to Villa Windsor and met up with Dodi Al Fayed and the Princess of Wales.

After a short stay at the Villa Windsor, Philippe Dourneau drove the Princess of Wales, Dodi Al Fayed and Trevor Rees-Jones to the Ritz Hotel, followed by Henri Paul in the Range Rover, arriving at the rear entrance in the rue Cambon.

It was now around 4.30pm. During this visit to the Ritz Hotel, Dodi Al Fayed went to the Repossi jewellers shop in Place Vendôme. The shop is on the opposite corner of Place Vendôme, a short distance from the hotel. Claude Roulet, the assistant to the President of the Ritz Hotel, went ahead of Dodi Al Fayed and met him there. The details of this visit are discussed in Chapter One.

The Princess of Wales and Dodi Al Fayed left the Ritz Hotel at around 7pm, again driven by Philippe Dourneau, from the rear exit in the rue Cambon. They went to the apartment in rue Arsène Houssaye. The paparazzi followed them on this journey. Jean-François Musa now drove the Range Rover. He was the owner of a limousine company, Etoile Limousine, which had close links to the Ritz Hotel.

Henri Paul stayed at the hotel as he was now off duty and he left the Ritz Hotel moments later.

At the apartment there were again differing accounts of how difficult and intrusive the paparazzi were. There is evidence of a minor altercation between them and the staff looking after the Princess of Wales and Dodi Al Fayed. The couple stayed in the apartment until around 9.30pm, leaving for a pre-arranged dinner at the Chez Benoît restaurant situated at 20 rue Saint Martin, Paris. This restaurant is situated to the east of the city centre. The route there would involve driving past the area of the Ritz Hotel (map attached at Appendix 1).

Philippe Dourneau again drove the Mercedes with the Princess of Wales and Dodi Al Fayed in the rear. Jean-François Musa continued to drive the Range Rover accompanied by Kieran Wingfield and Trevor Rees-Jones, as they wished to give the couple more privacy. Again there are differing accounts of how difficult the paparazzi were on this journey. En route to the restaurant Dodi Al Fayed told Philippe Dourneau to abandon the plan to go to the Chez Benoît and to drive to the Ritz Hotel instead.

The couple arrived at the Ritz Hotel at about 9.50pm. On this occasion Philippe Dourneau drove directly to the front entrance in Place Vendôme. The Ritz staff had not been expecting them to return and the arrival of the Princess of Wales and Dodi Al Fayed at the hotel did not go smoothly. Some paparazzi upset the couple with their intrusive behaviour. At this point, a member of the Ritz Hotel security staff telephoned Henri Paul, as the Acting Head of Ritz Hotel security, to inform him of the couple's unexpected return. Henri Paul, who had been off duty since 7pm, returned to the hotel within ten minutes of the telephone call, arriving shortly after 10pm.

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Once inside the hotel the Princess of Wales and Dodi Al Fayed initially went to one of the hotel restaurants. They soon moved instead to the privacy of the Imperial Suite on the first floor, where they later dined.

The Journey to the Alma Underpass

The Princess of Wales and Dodi Al Fayed stayed in and around the Imperial Suite until leaving the hotel at around 12.20am on Sunday 31 August 1997, intending to return to the apartment in rue Arsène Houssaye. Again they left via the rear exit in the rue Cambon.

Henri Paul now drove the couple, who were in the back of a different Mercedes, an S280 saloon, registration number 688LTV75. Although not accredited as a chauffeur, Henri Paul had been on several Mercedes driving courses in Germany. The S280 Mercedes belonged to Etoile Limousine and had been brought up from a car park under Place Vendôme. Trevor Rees-Jones was the front seat passenger.

Philippe Dourneau and Jean-François Musa remained at the front of the hotel in Place Vendôme with the original Mercedes and the Range Rover, along with Kieran Wingfield. They were to attract the attention of the paparazzi away from the departure of the couple from the rear of the hotel. A short while after the couple left, both men drove their vehicles to the rue Arsène Houssaye apartment, unaware of what then happened in the Alma underpass.

How it was decided that Henri Paul should drive this vehicle from this exit is discussed in full in Chapter Four.

Again there are differing accounts of the behaviour of the paparazzi and the effect they may have had on Henri Paul's driving. Once the paparazzi realised that the couple had left by the rear exit they were quickly in pursuit. Indeed a small number of the paparazzi had been covering the rear exit in any event.

Henri Paul drove along the rue Cambon to the junction with rue de Rivoli, then turned right heading into the Place de la Concorde. After being held at traffic lights there, he continued towards the embankment road of the River Seine, avoiding the more direct route of the avenue des Champs-Élysées.

He drove along the embankment road, Cours la Reine, Cours Albert 1er, passing under the Alexandre III tunnel. Philippe Dourneau, the chauffeur, described this as the professional drivers' route, to avoid the heavy traffic of the avenue des Champs-Élysées on Saturday night. However, the obvious route after the Alexandre III tunnel is an exit slip road to the right, leading to the avenue George V or the avenue Marceau. Henri Paul did not take this slip road, but continued towards the Alma underpass. It has not been established with total certainty why Henri Paul made this decision, but eyewitness evidence placed a number of vehicles travelling close to the Mercedes at this point.

There is forensic evidence that at some point the Mercedes car had a glancing contact with another car, believed to be a white Fiat Uno. The French investigation did not identify this car or the driver.

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The Mercedes crashed directly into the thirteenth pillar of the central reservation in the Alma underpass. The car spun around and came to a stop facing the opposite direction.

Operation Paget, using laser techniques to capture precise data, has recreated an extremely detailed computer representation of the Alma underpass and its approach. Collision investigators of the Metropolitan Police Service (MPS) and the United Kingdom Transport Research Laboratory Ltd (TRL) have used this model to interpret the physical evidence left at the scene of the crash, such as tyre marks; the spread of vehicle debris; and vehicle dynamics. This provides an understanding of the movement of the Mercedes as it approached and entered the underpass, supported by the physical evidence. This understanding has been enhanced by a comprehensive technical examination of the Mercedes S280 that was involved in the crash. These findings and conclusions form part of Chapters Six and Seven.

Dodi Al Fayed and Henri Paul were pronounced dead at the scene. The Princess of Wales was still alive following the crash but barely conscious. She was taken to the Pitié-Salpêtrière Hospital. Following emergency surgery she was pronounced dead at 4am local time. Trevor Rees-Jones was taken to the same hospital with very serious injuries and after extensive treatment was released on Friday 3 October 1997.

Following external medical examinations by a French court appointed medical expert, the bodies of the Princess of Wales and Dodi Al Fayed were repatriated to England later that day. The Princess of Wales' body had been embalmed in Paris. This is discussed in detail in Chapter Nine.

Post-mortem examinations were carried out on the Princess of Wales and Dodi Al Fayed at Hammersmith and Fulham Mortuary on the evening of Sunday 31 August 1997. The cause of death for both was attributed to the catastrophic injuries sustained in the crash.

An autopsy had been carried out on Henri Paul at the Institut Médico-Légal (IML) in Paris at around 8am on Sunday morning. Again the cause of death was attributed to injuries he sustained in the crash. The issues arising from his autopsy, namely the samples taken and toxicological analyses, are discussed in detail in Chapter Four.

The Police Investigation Report

The French investigation began immediately after the crash. The parameters and conclusions have been outlined earlier at page two.

This report looks at the criminal investigation undertaken by the MPS into the allegation of conspiracy to murder.

Mohamed Al Fayed has made claims in support of the allegation of conspiracy to murder over a number of years. These have been made in legal submissions, in letters to Operation Paget, and other forms of communication. This has included regular meetings between his team and Operation Paget. Mohamed Al Fayed provided a witness statement to police in July 2005.

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Some claims are very similar but have slight differences as they have been amended by Mohamed Al Fayed over time as new information has come to light. The claims have been grouped together into specific subject areas, listed chronologically where possible, and sourced.

Operation Paget has tried to examine all relevant evidence relating to the identified claims in order to address all of the questions raised by Mohamed Al Fayed.

There are sixteen subject areas. These are aligned as far as possible to the different strands of the conspiracy allegation and each has a separate chapter in this report. The chapters taken together look at the allegation of conspiracy to murder. In broad terms they examine three key areas: motive, opportunity and capability.

Chapter One focuses on the key element of motive. Why would anyone want to kill the Princess of Wales or Dodi Al Fayed? What evidence is there that the couple were engaged, intending to get engaged and about to make a public announcement? What evidence is there that the Princess of Wales was, or perhaps more importantly believed, she was pregnant? What evidence is there that, if true, this was sufficient cause for anyone to order her murder?

The subsequent chapters examine in detail the events leading up to the weekend of Saturday 30 and Sunday 31 August 1997. They assess who knew sufficient details of the plans, timings and movements of the Princess of Wales and Dodi Al Fayed to organise and carry out a plan of such complexity.

When assessing evidence relating to events around the Alma underpass this report focuses on the evidence relevant to the conspiracy allegation. The Coroner will be responsible for hearing the evidence to answer the four primary questions of *who*, *when*, *where* and *how*, in relation to a person's death.

Report Layout

The Chapters are:

- 1. Relationship/Engagement/Pregnancy**
[Paget Note: The alleged motive for the conspiracy]
- 2. Perceived Threats to the Princess of Wales**
- 3. Actions of the Paparazzi in Paris**
- 4. Henri Paul - Ritz Security Officer and Driver of the Mercedes car**
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14. **'James' Andanson – French Photojournalist and Owner of a White Fiat Uno**
15. **Central Intelligence Agency/National Security Agency, USA**
16. **The Secret Intelligence Service and the Security Service**

Each of these chapters comprise three parts:

- (i) **The claims made to support the allegation**
- (ii) **The evidence**
- (iii) **Operation Paget conclusions**

British police investigations conducted in France have to be authorised by the French authorities, normally through an International Letter of Request under Mutual Legal Assistance.

British police officers are not permitted to conduct enquiries themselves but can be present whilst French Judicial Police officers conduct the enquiries on their behalf. This applies to the taking of witness evidence. The record of these interviews conducted in French is known as a *Procès-Verbal* and is different in style and format to an English witness statement. This difference in style will be seen when reading the report.

The claims at the beginning of each chapter are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Evidence and opinion in the report is referenced and sourced.

'Operation Paget Comments' and 'Paget Notes' throughout the report are intended to assist the readers in their understanding of the evidence. These comments and notes are based on Operation Paget's understanding of the issue.

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Operation Paget will assess any new evidence from the inquest process. Any new evidence arising from legal actions by Mohamed Al Fayed in France will be assessed against the current conclusions in the report.

A map of key locations is attached at appendix 'A'

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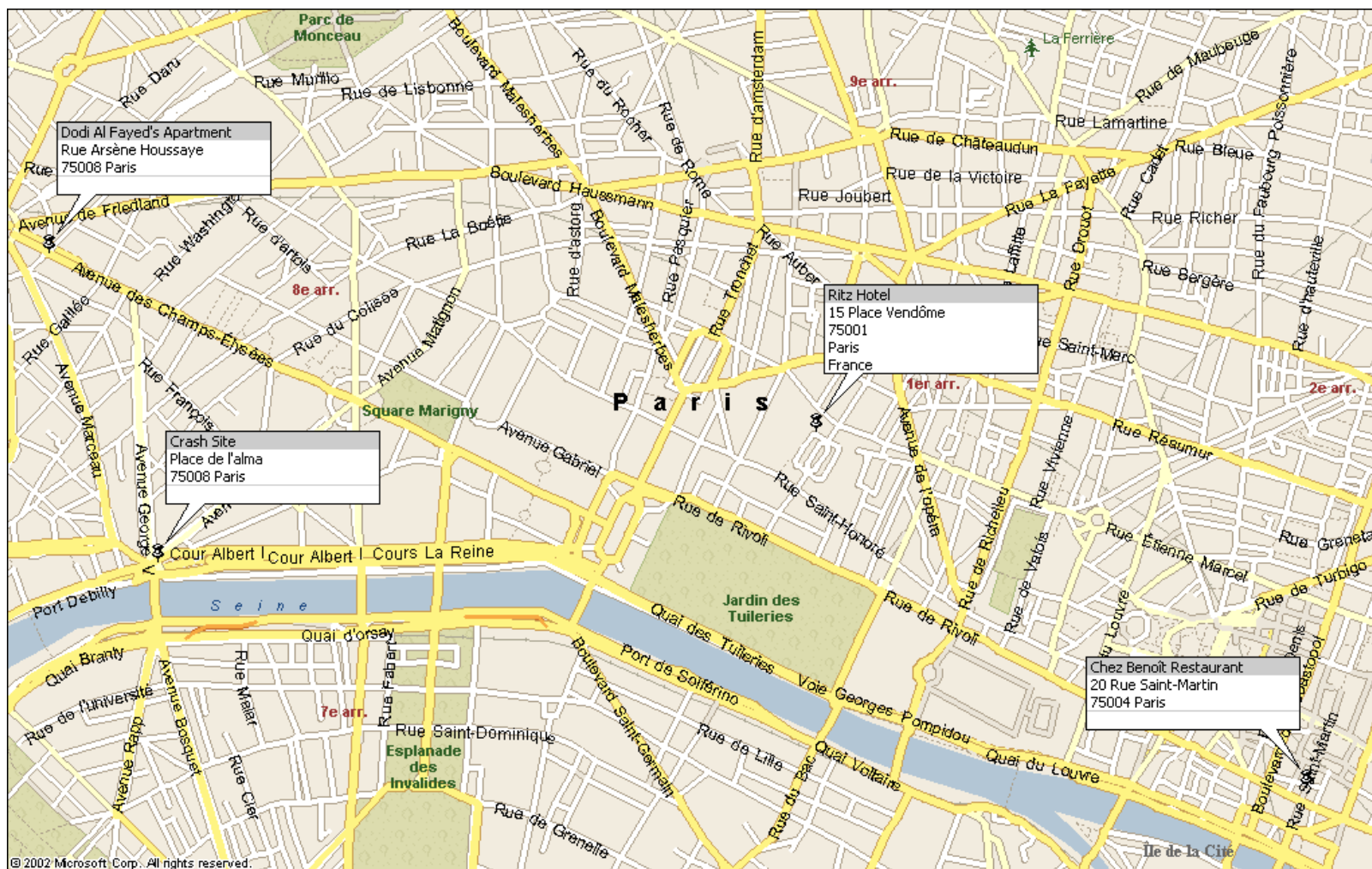
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APPENDIX 'A'

MAP OF KEY LOCATIONS

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MAP OF KEY LOCATIONS



CHAPTER **ONE**

RELATIONSHIP
ENGAGEMENT
PREGNANCY

CHAPTER ONE

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CHAPTER ONE

(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

This Chapter deals with the claims made by Mohamed Al Fayed concerning the relationship between the Princess of Wales and Dodi Al Fayed and includes claims in respect of engagement and pregnancy. The claims concerning the relationship and engagement are dealt with first, followed by the claims concerning pregnancy.

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Relationship and Engagement

Précis of the claims made by Mohamed Al Fayed

Mohamed Al Fayed claims that information of which he has personal knowledge or received from others showed that the Princess of Wales and Dodi Al Fayed were involved in a serious relationship and intended to get engaged; that they selected an engagement ring together from Repossi jewellers in Monte Carlo; that this ring was prepared and altered to the correct size by Repossi jewellers. He stated that Dodi Al Fayed later collected the ring from Repossi jewellers in Place Vendôme, Paris on Saturday 30 August 1997. Dodi Al Fayed intended to present the ring to the Princess of Wales that night and that they planned to announce their engagement on Monday 1 September 1997. The 'Security Services' became aware of this information through telephone monitoring, thus providing the motive for the alleged murders.

Claims

1. On Monday (1st September 1997) Dodi and Diana will declare their engagement.
2. Dodi told Mohamed Al Fayed this on Saturday evening at 10 o'clock.
3. Diana told Mohamed Al Fayed this on Saturday evening at 10 o'clock.

**Source - 3 June 1998. TV Interview - Mohamed Al Fayed To Camera
'Diana – Secrets Behind the Crash' Independent Television, Nicholas Owen**

CHAPTER ONE

Claim

4. The 'people' who do not want to see Dodi as step-father to the future king want Diana and Dodi dead.

Source - July 1998. Television Interview NBC 'Dateline' Mohamed Al Fayed To Camera

Claims

5. On the day of the crash Dodi collected an engagement ring from a jeweller adjacent to the Ritz Hotel.

6. The ring had been jointly chosen and was being altered.

Source - 7 February 2003, Submission by Mohamed Al Fayed to Minister for Justice, Scotland - Request for a Public Inquiry

Claim

7. 'They' would not accept an Egyptian, naturally tanned, having curly hair as step-father for the boys.

Source - 25 August 2003 TV - 'The Belzer Connection: Diana Conspiracy' Mohamed Al Fayed to Camera

Claim

8. Dodi and Diana went into Repossi's jeweller's shop in Monte Carlo and chose a ring.

Source - 31 March 2003 TV - Tabloid Tales: Piers Morgan, Editor Daily Mirror – Mohamed Al Fayed to Camera

Claim

9. Dodi was murdered because of his intended marriage to Princess Diana and Mohamed's belief that she was expecting Dodi's child.

Source - 25 November 2004, Letter From Mohamed Al Fayed to Sir John Stevens

CHAPTER ONE

Claims

10. Dodi and Diana met Alberto Repossi in Monte Carlo and selected an engagement ring.

11. This ring was to be sent to Italy for sizing and Dodi was to collect it from Repossi at his shop in Paris on 30th August 1997.

12. Mr Al Fayed has seen footage from a CCTV camera at Repossi's in Paris showing Dodi collecting the ring at about 6pm on Saturday 30th August.

13. The bodyguard Trevor Rees Jones made a false claim in his book that the ring had not been chosen in Monte Carlo.

14. Dodi phoned Mohamed in the early evening of Saturday 30th August and said he had to return to rue Arsène Houssaye because the engagement ring was there and he had to formally present it to Princess Diana.

15. Diana was under close surveillance by MI6. CIA and NSA in the United States closely intercepted and monitored her telephone calls. CIA and NSA possess 39 documents consisting of 1054 pages which relate in part to transcripts of telephone calls made by Princess Diana whilst she was with my son. 'They' would have been aware that she intended to publicly announce her engagement to Dodi on Monday 1st September 1997.

Source - 5 July 2005, Witness Statement of Mohamed Al Fayed

CHAPTER ONE

Pregnancy

Précis of Mohamed Al Fayed's claims

It is alleged that the Princess of Wales was pregnant with Dodi Al Fayed's child. The Princess and Dodi Al Fayed told Mohamed Al Fayed this information. The 'Security Services' became aware of this information through telephone monitoring thus providing the motive for the alleged murders. The Princess of Wales was illegally embalmed on the instructions of the Palace to conceal the fact she was pregnant with Dodi Al Fayed's child.

Claims

16. Rumours circulating among the media by 30 August 1997 that the Princess might be pregnant.

17. Professor Lecomte stated the body of Diana was partially embalmed in France.

18. Embalming of a body prior to post mortem examination is contrary to French law.

19. Independent expert advice concludes that partial embalming renders analysis of body samples far more difficult and uncertain.

20. Also any pregnancy test, owing to the presence of embalming fluids, would have been likely to give a positive result, whether or not this was correct.

Source - May 2003 Petition For Judicial Review - Minister For Justice, Scotland in name of Mohamed Al Fayed

Claim

21. Dodi confirmed to Mohamed that Diana was pregnant.

Source - 25 August 2003 TV - 'The Belzer Connection: Diana Conspiracy' - Mohamed Al Fayed to Camera

Claim

22. Diana told Mohamed on the phone that she was pregnant.

Source - 30 October 2003 TV - Primetime Thursday, 'Scene of the Crime' by Patricia Cornwell - Mohamed Al Fayed to Camera

CHAPTER ONE

Claim

23. Dodi was murdered because of his intended marriage to Princess Diana and Mohamed's belief that she was expecting Dodi's child.

Source - 25 November 2004, Letter From Mohamed Al Fayed to Sir John Stevens

Claims

24. To embalm Princess Diana in France was an illegal act, more especially because a post mortem had to be conducted in London.

25. Mohamed suspects the reason the embalming was done was to conceal the fact that the Princess was pregnant with Dodi's child.

26. It has not been explained why Diana's body was embalmed within an hour of her death and on whose authority.

27. This can only have been done to corrupt body samples that would have shown she was pregnant with Dodi's child.

Source - 5 July 2005, Witness Statement of Mohamed Al Fayed

Claims

28. The 'Palace' ordered the embalming in France of Princess Diana.

29. There is a picture of Diana on the beach in front of Mohamed's villa that shows the baby is there.

30. Diana was 2,4,5 weeks pregnant.

31. Dodi and Diana told Mohamed of the pregnancy a few days before. He kept this a secret.

Source - 9 February 2006 TV - Daphne Barak Videotape - Mohamed Al Fayed to Camera

CHAPTER ONE

(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Introduction

This Chapter considers the evidence in respect of the relationship between the Princess of Wales and Dodi Al Fayed and the contention that they had selected an engagement ring and were to announce their engagement on 1 September 1997. It also considers the evidence in respect of the claim that the Princess of Wales was pregnant with Dodi Al Fayed's child.

Mohamed Al Fayed alleged that the couple were murdered because of their relationship, their forthcoming engagement and the Princess of Wales' pregnancy. He claimed that the '*Establishment*' knew of this and disapproved. This, he claimed, was the motive for the murder.

It is proposed to deal with the evidence under the sub-section headings:

1. The nature of the relationship.
2. The alleged intention to announce an engagement on Monday 1 September 1997.
3. The alleged pre-selection of an engagement ring.
4. Alleged pregnancy.

1. The nature of the relationship

Overview of events during the relationship

Holiday in St Tropez

On 11 July 1997, the Princess of Wales travelled to St Tropez with her sons as guests of Mohamed Al Fayed and stayed at his villa estate. They travelled to the venue with Mohamed Al Fayed, his wife and young children aboard his private jet. The Princess stayed in separate villa accommodation on the estate with her sons.

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[Paget Note: Mohamed Al Fayed's witness statement gives this date of travel as 12 July 1997, whereas a copy of the log from his Park Lane control room shows it as 11 July 1997 (Operation Paget Other Document 22).]

Dodi Al Fayed was not initially part of this group. He had been in Los Angeles before flying to Paris, where he joined his then fiancée, Kelly Fisher, and together they watched the Bastille day celebrations on 14 July 1997. Later that day Dodi Al Fayed joined the family holiday in St Tropez. Kelly Fisher remained in the rue Arsène Houssaye apartment but two days later, on 16 July 1997, flew to St Tropez and stayed with Dodi Al Fayed on one of the family yachts, the '*Cujo*' (Operation Paget - Statement 119).

The holiday visit of the Princess of Wales became much photographed and reported on by the world's media.

It was on 14 July 1997 that the Princess of Wales spoke to the press gathered nearby and made her comment quoted in the press as, '*You're going to get a big surprise, you'll see, you're going to get a big surprise with the next thing I do.*' (Operation Paget Other Document 546)

Subsequent speculation and comment about this remark has suggested that it was a foretelling by the Princess of Wales that she was going to announce her engagement to Dodi Al Fayed. The comment was made around mid-day, before the Princess of Wales had met Dodi Al Fayed that summer and before he had even arrived in St Tropez.

It was also on the same day, 14 July 1997, that the much commented upon photograph of the Princess of Wales wearing a leopard print swimsuit was taken. Subsequent comment about this photograph has claimed that it was visible evidence that the Princess was pregnant by Dodi Al Fayed. A relationship between the two had not begun at this time. (Operation Paget Message 330)

The Princess of Wales and her children returned to London on 20 July 1997.

21 July to 30 July 1997

- | | |
|---------------------|---|
| 22 July 1997: | The Princess of Wales travelled to Milan and attended the funeral of Gianni Versace. |
| 24/25/26 July 1997: | The Princess of Wales and her children stayed with her sister, Lady Sarah McCorquodale. |
| 26/27 July 1997: | Dodi Al Fayed and the Princess of Wales travelled to Paris and spent time together. The Princess of Wales stayed at the Ritz Hotel whilst Dodi Al Fayed stayed at his apartment at rue Arsène Houssaye. |

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[Paget Note: During this period the Princess of Wales and Dodi Al Fayed were also said to have met each other in London on occasion.]

First holiday on yacht 'Jonikal'

1 to 6 August 1997: The Princess of Wales and Dodi Al Fayed took their first holiday together on board the yacht, 'Jonikal'. They cruised the French and Italian Mediterranean.

4 August 1997: The well-known 'Kiss' photograph was taken by Mario Brena, an Italian paparazzo. This photograph of the Princess of Wales and Dodi Al Fayed was published on the front page of the Sunday Mirror newspaper on 10 August 1997.

7 August 1997 to 21 August 1997

8 to 10 August 1997: The Princess of Wales was in Bosnia in relation to her anti-landmine campaign.

15 August 1997: Kelly Fisher and her lawyer, Gloria Allred, gave a press conference in America decrying the way that she felt Dodi Al Fayed had treated her.

15 to 20 August 1997: The Princess of Wales was on holiday sailing around the Greek Islands with her friend the Honourable Rosa Monckton.

20 August 1997: The Princess of Wales saw her doctor. Discussed later in this Chapter.

[Paget Note: Where their schedules permitted, the Princess and Dodi Al Fayed on occasion spent time together.]

Second Holiday on yacht 'Jonikal'

21 to 30 August 1997: The Princess of Wales and Dodi Al Fayed went on their second holiday together aboard the yacht 'Jonikal'. At the end of this cruise the couple flew to Le Bourget airport, Paris on Saturday 30 August 1997.

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Circumstances of the Princess of Wales

The Princess of Wales' divorce from HRH The Prince of Wales was finalised in August 1996.

For two years from September 1995 until just before she died, the Princess of Wales had a close personal relationship with Hasnat Khan. They stayed at each other's homes and Hasnat Khan met the Princess of Wales' children. Indeed the Princess of Wales explored the possibility of an inter-faith marriage to him. No secret was made of this relationship; the media were aware from around November 1995 onwards.

Circumstances of Dodi Al Fayed

Dodi Al Fayed had been married previously to Suzanne Gregard, an American model. They were married in 1987 for about eight months. During 1996 and 1997 Dodi Al Fayed was involved in a relationship with Kelly Fisher.

Kelly Fisher

Kelly Fisher is an American model who had known Dodi Al Fayed since July 1996. According to Kelly Fisher, her relationship with Dodi Al Fayed had developed throughout the year. In early November 1996 they got engaged and by July 1997 they were intending to get married in August of that year.

French Dossier D4086

Evidence to Examining Magistrate Hervé Stéphan 30 January 1998:

'I had known Dodi Al Fayed for one year and four months. We had got engaged on 1 November 1996, with a view to getting married. Our relationship lasted until 7 August. From 16 July 1997 I was in St Tropez. Dodi and Diana were there, together with Mr Al Fayed senior. On 27 July, Dodi and I came to Paris : we stayed in the Rue Arsène Houssaye. I left for Los Angeles on 28 July. Dodi went to London and was supposed to be joining me in Los Angeles. All my family were meant to be travelling to Los Angeles for the wedding, which was due to take place on 9 August.'

Interviewed by Operation Paget - Statement 119

Kelly Fisher detailed in her statement how she and Dodi Al Fayed met in Paris at the beginning of July 1996 and how their relationship developed over the following months, in particular, after a week spent together on holiday aboard the yacht 'Cujo' in St Tropez at the end of July or beginning of August 1996.

Kelly Fisher described how over the next months Dodi Al Fayed met her family and she met his. This included Mohamed Al Fayed. She visited the London Park Lane residence, the family home in Surrey and often spent time with Dodi Al Fayed in Paris at the Ritz Hotel or the apartment in rue Arsène Houssaye.

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Kelly Fisher stated that she and Dodi Al Fayed got engaged and that he bought her a diamond and sapphire engagement ring. Kelly Fisher stated that the engagement was announced at her sister's wedding in November 1996 and that she was later given an engagement ring. An engagement party was held at the Beverley Hills Hotel in Los Angeles in February 1997.

Kelly Fisher said that she and Dodi Al Fayed were soon to get married and live together. For this purpose, in April 1997, a property was identified in Paradise Cove, Malibu and purchased.

'... Around the same time Dodi employed his secretary's boyfriend, to find us a property, as he was a real-estate agent. Soon after Dodi employed him he found Dodi and I a property for sale in Paradise Cove close-by to Malibu. I was in Paris at this time and Dodi was in Los Angeles. Dodi brought all the house details back to Paris to show me and I agreed that it looked wonderful. I thought we would both be very happy there.

...We had confirmation that we would be able to move into the Paradise Cove house in the first week of August and so we decided to get married then and have the reception at the house.

...I was in Paris and was told by Dodi that his father was auctioning off the contents of the Duke and Duchess of Windsor's property, Villa Windsor. We were invited to go to the villa, owned by Mohamed, to see if there was anything there that we wanted for our house in Paradise Cove. I took a video camera, the tape I recorded that day I produce as my exhibit KAF/3. It was Philippe that drove us there. There were a couple of tables there that we decided we would have for our house but really there was nothing that suited our taste.'

[Paget Note: The Paradise Cove property referred to by Kelly Fisher was identified as 27944 Pacific Coast Highway, Malibu, California. Enquiries made by Operation Paget revealed that Highcrest Investments Ltd purchased this property on 12 June 1997. The property was transferred from Highcrest Investments Ltd to Triple M Trust on 3 August 1998. (Operation Paget - Other Document 522)]

Philippe DOURNEAU

Personal chauffeur to Dodi Al Fayed when Dodi Al Fayed was in France and other European Countries.

French Dossier D4910

Interviewed by Examining Magistrate Hervé Stéphan 28 April 1998:

'In fact, I ended up working exclusively for Mr Dodi Al Fayed. When he was in Paris, or more generally in continental Europe, it was me who drove him. When he was elsewhere, chiefly England, I still worked for him, this consisted of looking after the dogs, driving the butler, and running various errands or looking after the fiancée.'

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[Paget Note: Philippe Dourneau has confirmed to Operation Paget that Kelly Fisher was the fiancée to whom he was referring. (Operation Paget - Message 955)]

Michael Cole

Director of Public Affairs for Harrods in 1997. In his witness statement he referred to Kelly Fisher.

Interviewed by Operation Paget - Statement 221

'In California, a young woman called Ms. Kelly Fisher came to public notice when she appeared at a news conference with a lawyer claiming that she had been engaged to marry Dodi Al Fayed prior to his relationship with Diana, Princess of Wales. I had never heard of such an engagement, if it had ever been entered into, and I knew nothing of Ms. Fisher.'

2. The alleged intention to announce an engagement on Monday 1 September 1997

Operation Paget Comment

There were 41 days from the end of the St Tropez holiday on 20 July 1997 until the Princess of Wales and Dodi Al Fayed died during the early hours of Sunday 31 August 1997. Of these 41 days their schedules would have allowed them about 29 days during which they would have been able to see each other. This includes the days aboard the yacht 'Jonikal'.

Mohamed Al Fayed

Claimed the couple were going to announce their engagement on 1 September 1997.

French Dossier D6948

Interviewed during French Investigation by Examining Magistrate Hervé Stéphan
11 December 1998:

*'Unsolicited comment
from the Civil Party:*

"I can confirm that Dodi and Diana's engagement was to be announced on the Monday, and that they died 10 hours after the purchase of the engagement ring that Dodi gave [?offered] to the Princess.'

[Translation Note: The word used in the French document 'offerte' can be translated as gave or offered.]

Provided statement to Operation Paget - Statement 163

'During the early evening of 30 August, Dodi phoned me and told me that he had collected the ring from Repossi. He said that he and Princess Diana would announce their engagement on the Monday morning.'

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Mohamed Al Fayed has also claimed this in an interview to the media.

Interview to camera by Nicholas Owen on 3 June 1998 – ‘Diana – Secrets behind the crash’

Mohamed Al Fayed: *“And then they call me and say what’s happening, that we are having dinner and after they are going back to the apartment and coming back on Sunday and on Monday they will declare their engagement.
Dodi told me that and Diana told me that on Saturday evening at ten o’clock.”*

Nicholas Owen: *“Did Diana speak to you in that conversation.”*

Mohamed Al Fayed: *“Yeah.”*

Nicholas Owen: *“Do you remember what she actually said to you?”*

Mohamed Al Fayed: *“She was completely full of happiness, full of joy. At the end of the road she found someone who could fill her life, be happy, fulfil all her dreams which she lost and missed for years. She found a family she related to.”*

Enquiries undertaken

Operation Paget made enquiries with family, friends and confidantes of the Princess of Wales to establish if any of the people close to her knew anything about engagement.

HRH Prince William

HRH Prince William had no knowledge of any plans for his mother, the Princess of Wales to get engaged to Dodi Al Fayed.

Lady Sarah McCORQUODALE

Eldest sister of the Princess of Wales. She spoke to the Princess of Wales by telephone on Friday 29 August 1997.

Interviewed by Operation Paget - Statement 53A

‘When I spoke to her on Friday 29 August 1997, Diana was very upset. It was about 2.30pm. She told me that an article had appeared in Le Monde or some similar magazine or journal. It was concerning the subject of landmines and a female French journalist had interviewed her the week before. For some reason she had not seen the draft and her words had been mis-translated, looking as if she were criticising the British Government. I said, “Surely this is something Dodi can help you with” She replied, “I don’t think so”. I got the impression from her tone that the relationship was on stony ground.

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I have been asked whether Diana informed me of any announcement she was going to make. I don't recall any but if she had been intending to make one on her return and felt she couldn't speak to me at the time, she would still have said "I've got something to tell you when I get back." She never said such a thing and I would put myself as her top confidante mainly because I was a blood relation and wouldn't tell any secrets. Others might consider themselves in that role but I believe I would certainly have been one of the first to know. None of her friends communicated with each other, they only spoke to Diana.

...As for any other future plans, Diana had talked about living in America or France but these were just options. She had seen our brother, Charles, escape abroad from the paparazzi and this appealed to her.'

Lady Annabel GOLDSMITH

Friend who spoke to the Princess of Wales by telephone on Friday 29 August 1997.

Interviewed by Operation Paget - Statement 46

'The last time I spoke to Diana was the Friday before she died. ... I knew she was on holiday and I asked if she was alright. She told me she was having a wonderful time. I said, "You are being sensible aren't you? You're not doing anything silly are you, like getting married?" and she replied "Not at all. I'm being spoilt and I'm having a wonderful time. Annabel, I need marriage like a rash on my face".

We both laughed when she said this. I had asked her this question because I had seen her in the newspapers with Dodi Al Fayed and I thought, "What is she doing?" She also told me during that last conversation that she was definitely not serious about Dodi...

...I do not know anything about a ring that Dodi was supposed to have given Diana. She did not speak to me about any ring at all.'

Paul BURRELL

Butler and confidante. He spoke to the Princess of Wales by telephone on Thursday 28 August 1997.

Interviewed by Operation Paget - Statement 24A

'It was during that same conversation that she told me of the jewellery that Dodi Al Fayed had given her as a gift; earrings, necklace, bracelet. I said "You know he's going to propose to you. He's going to give you a ring." She asked for my advice if that happened. She didn't want to accept it but didn't want to offend Dodi and seem ungrateful. I suggested she accept it and wear it on the fourth finger of her right hand. She thought that was a clever solution. She thought I knew the answer to a lot of things. It was during this part of the discussion that she also told me words to the effect "I need marriage like a bad rash."

CHAPTER ONE

The Princess was also very generous and would give Dodi gifts. I remember she gave him an Asprey cigar cutter personally inscribed "with love from Diana", an Asprey key chain, a framed photograph and a pair of her father's cufflinks. The Princess was also generous towards other admirers and friends. It was not unusual for her to buy gifts from Aspreys or to have commissioned pieces of jewellery for them. Although these may seem to be very personal gifts to some, this was usual practice for her.'

The Honourable Rosa MONCKTON

Friend who went on holiday with the Princess of Wales, sailing around the Greek Islands between 15 to 20 August 1997 - between the two cruises aboard the 'Jonikal.' She spoke to the Princess of Wales by telephone on Wednesday 27 August 1997.

Interviewed by Operation Paget - Statement 43

'During our holiday to Greece Diana and I talked in general about the presents Dodi had bought her...She said that Dodi had found a ring he wanted to give her. However, she told me she was not happy about him wanting to buy her a ring and said that she would wear it on her right hand. I do not know whether or not he had already bought the ring at that stage or whether he had just seen a ring he wanted to buy. We didn't discuss any future intentions she may have had with Dodi.'

'It has been reported in the press that Diana was going to make an announcement on her return from her holiday with Dodi Al Fayed. I have no idea whatsoever as to what that announcement would have been. I certainly have no reason to believe that she was going to announce that she was going to get married. Diana's plans always changed a lot. She had thought about moving to America and living in the country. She said she thought it would be good for the Princes and considered moving to Althorp.'

'...If Diana had been about to announce that she was getting engaged, she would have told me on the phone when she was away with Dodi. She would not have waited until she got back from her holiday. She would have found a way to tell me and also Lucia, if she had been getting engaged. The last time I spoke to Diana was the Wednesday before she died.'

[Paget Note: There is mention of a ring during this holiday, which would indicate that the ring being referred to had been seen before 15 August. There is no evidence to indicate whether or not this ring was connected with or identical to a ring seen in Repossi jewellers and discussed later in this Chapter. Dodi Al Fayed also gave other jewellery gifts.]

CHAPTER ONE

Lucia FLECHA DE LIMA

Friend who spoke to the Princess of Wales by telephone on Wednesday 27 August 1997.

Interviewed by Operation Paget - Statement 61

'The last conversation we had was the Wednesday before her death. It was normal and not very special. She told me she was due back on 31 August. It was not normal to have such a gap between conversations but there was a problem with the phones. I said, "Ma'am (I always called her this) do you think this is the one?" She said, "Well Lucia, it might because he's very kind to me." When you're in your thirties and in love with someone you don't use these words. It was not her way of talking. She was a very emotional person. I think maybe she could be heard by someone on the boat. She never mentioned marriage to Dodi. She would always tell me of gifts she received from Dodi, for instance a bracelet and a watch with pearls. She never mentioned a ring.

When I saw those last photographs of Princess Diana at the Ritz I did not see a happy person. It was my guess that she was already fed up with the situation.'

'...I am sure she wouldn't have married Dodi. I don't think she was ever that much in love with him. It was more an infatuation. If she had been planning marriage, pregnancy or similar she would have told me immediately.'

'...I do not know of any planned announcement but guess it was more for publicity than anything else. She talked of future plans but was confused about her future. Sometimes she said she would love to move to America. She also mentioned South Africa and went there to speak to Dr Christian Bernard about a job for Hasnat.'

'...Dodi was a summer romance in my opinion.'

Susan KASSEM

Friend who spoke to the Princess of Wales on three occasions by telephone on Saturday 30 August 1997.

Interviewed by Operation Paget - Statement 42A

The first telephone call was when the Princess of Wales contacted her around 11am, at which time they were unable to speak, so Susan Kassem called back a short while later.

'That was the longest conversation we had that day. Diana told me she was looking forward to coming home and I could tell this by the tone in her voice. I knew her well and could sense her moods when we spoke. If she had an issue I would know. She had been travelling a lot that summer. It had been frenetic and she wanted to get back to the routine of going to the gym and seeing the boys. She was pleased to be having her own space for a while.

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I do not know where Diana was when we spoke on this occasion. We were close and I knew her movements but I do not know when I was told she was going to Paris. I knew she was due to return on the Sunday. We arranged to see each other on the Monday though did not organise anything specific.'

'...There was no mention whatsoever of an engagement, nothing to even suggest she might be expecting a proposal, not for a split second. I am certain she would have told me but there was no indication at all, not even "I've got something to tell you".'

Richard KAY

Journalist, friend and confidante who spoke to the Princess of Wales during early August and by telephone at about 6pm on Saturday 30 August 1997.

Interviewed by Operation Paget - Statement 87

In relation to the telephone call on 30 August he stated:

'On the 30th August 1997 about 6pm – 6.30pm English time, I was out shopping in Knightsbridge, my mobile phone rang and it was Diana. This was on the same mobile number as I use now. I remember going to sit in my car and we talked for about twenty minutes.'

'... It was a social call, part social and part to find out what was going on in the Press. The Princess of Wales dreaded the Sunday papers coming out. She was asking what was likely to be in the Sunday papers.'

Richard Kay detailed what he remembered of the conversation. In respect of prospective engagement or marriage to Dodi Al Fayed he stated:

'...She did not tell me she was engaged or about to get married, or anything about a ring. If she had been engaged or given an engagement ring, there is a strong possibility that she would have raised it with me. Not least because she would have wanted to know how the media would handle it, but also because I was a friend. I remember a telephone conversation in early August 1997, we spoke about whether she was going to get married. She said "Absolutely not. I've just got out of one marriage and I'm not going to get involved in another one". This may have been during her holiday with Rosa Monckton or during one of her other French trips.'

CHAPTER ONE

Rita ROGERS

Spiritual adviser and friend who spoke to the Princess of Wales by telephone at about 4.50pm on Saturday 30 August 1997.

Interviewed by Operation Paget – Other Document 545

Rita Rogers received a telephone call from the Princess of Wales. This call initially went through to her answer machine with the Princess of Wales saying '*Rita its Diana. I wondered if you're there.*' On hearing her voice, Rita Rogers picked up the telephone. The Princess of Wales made reference to being followed by the paparazzi and made reference to a ring that Dodi had apparently bought her. The Princess of Wales spoke of Van Cleef jewellers although said that she did not know what the ring looked like. She stated that the Princess of Wales spoke of dinner at the Ritz Hotel and said that she was in a car and was calling from her mobile telephone. [Paget Note: CCTV evidence indicated that at the time of this conversation, the Princess of Wales was in the Imperial Suite at the Ritz Hotel] Rita Rogers stated that, '*There was no talk of marriage or engagement*'.

Rodney TURNER

Car dealer who used to supply the Princess of Wales with her vehicles. Over the course of time they had also become friends. He spoke to the Princess of Wales in mid-August 1997.

Interviewed by Operation Paget - Statement 88

'The last time I spoke to Diana was on the Wednesday before her holiday with her friend, Rosa Monckton. I think this was around 15th or 16th August 1997 but I cannot be specific about the actual date. I do remember it was a Wednesday though and I went round to Kensington Palace to drop a car off to her before she went away with Rosa. I knew she was going away with Dodi after her holiday with Rosa and I told her she should be very careful. She said to me "Rod, it's all over. Back to work on the 4th September". She said she was having a fun summer but she was looking forward to getting back to work. I would like to think she would have told me if she had been planning on getting married again but I don't believe for one minute that she was. The ring that Dodi is supposed to have bought for Diana and the house that had belonged to Edward VII [sic] just weren't Diana's taste. That comment she made to me the last time we spoke will always stay in my memory and there is no question in my mind that she was anxious to get home and finish the relationship with Dodi.' [Paget Note: The last phrase of this quote relates to Rodney Turner's view of the Princess of Wales' feelings at the end of the holiday. He had not spoken to the Princess of Wales for two weeks.]

CHAPTER ONE

Lana MARKS

Business associate and friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 115

'...Diana would have told me if she was going to get married. I appreciate that she would not have been able to say it openly over the phone because of her fears of being bugged but she would have found a way to tell me cryptically. Whenever she had some news to tell me she would always let me know. I think marriage was the furthest thing from her mind at that stage of her life. I do not think she had even considered it because her boys and their future were paramount to her.'

Taki THEODORACOPULOS

Journalist and acquaintance of the Princess of Wales.

Interviewed by Operation Paget - Agreed Statement 15

'During August 1997 the newspapers were full of the relationship between Diana and Dodi and this was a talking point. On Tuesday 12 August 1997 I was on holiday and relaxing with journalist friends Charles Benson and Nigel Dempster and we were discussing the relationship and how we thought it might progress. In the spirit of the moment I telephoned Kensington Palace and was put through to Diana. I recall asking her 'Will you be wearing a chador any time soon?'; a question that we both knew to mean would she be getting married soon. Her reply was 'No'. Due to the open and frank nature of our relationship I am sure that this was a genuine response.'

René DELORM

The butler to Dodi Al Fayed from 1990 or 1991 up until the time of the crash. He gives evidence about the relationship. He has written and published a book entitled, 'Diana and Dodi, A love story.' He was in the apartment at rue Arsène Houssaye on the 30 August 1997.

Interviewed by Operation Paget - Statement 120

'In the book I explain how Dodi told me to have Champagne on ice ready for when they returned from dinner on 30th / 31st August 1997. He told me that he was going to propose to the Princess and showed me a ring. I will explain this incident in greater detail later in my statement. What I left out of that story was that later that evening I went to enter the living room; I coughed to announce my presence and saw the Princess sitting on the coffee table. Dodi was on one knee in front of her, caressing her belly and she was looking at her hand. The only thing I heard, was her say the word 'Yes.' I left it out because after their deaths, what I read in the press with people pretending she was pregnant, I didn't want to get involved so I left it out. I have been asked why I have not included this in my book or mentioned it prior to today. My response to this is that it was speculation and I didn't want to look like someone taking advantage and confirm the rumours. I thought if she was pregnant it would come out later.'....

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'I have been asked if Dodi Fayed had proposed to the Princess? I do not know. Then I found the ring I believe it was the day after, when I went to look around after Mr Mohamed Al Fayed had left the flat. The first thing I saw was the box and I recognised it.'...

'I have been asked if the Princess ever mention engagement. She did not.'...

'I have been asked to describe the moment that Dodi showed me the ring. In my book I say, " ...make sure that we have champagne on ice when we come back from dinner." He told me urgently, " I am going to propose to her tonight." This happened at one moment when the Princess was in her room getting ready. Dodi came into my kitchen. He looked into the hallway to check that she couldn't hear and reached into his pocket and pulled out the box. He opened the box and told me he was going to propose to the Princess tonight. He asked me to have champagne on ice for when they came back. I have been asked to describe the ring. You can imagine how excited I was, everything I thought would happen seemed to be going that way. He put it back in his pocket and left. I saw the ring for a couple of seconds. He was not trying to impress me with the type of ring it was, he was showing me the ring he was going to propose with. Even when I found the ring, I remembered it. It was in the same box. I have been asked to describe the box. It was blue I think.

I have been asked if this was the first time that the subject of engagement had been raised. Yes it was, except for a time when Mr Fayed asked me what I thought of the Princess. I said, " She is an absolutely wonderful lady." He said, " You're right." I have been asked if I am certain of the wording he used when he told me he was going to propose. He told me, " I am going to propose to the Princess tonight."

I have been asked if knowing the man as I did, whether he would have proposed without being in possession of the ring. It is pure speculation on my part but why would he propose without the ring?'...

'The next time I saw the ring was when I opened the cupboard in Dodi's room. I think that it may have been on the Monday, I cannot remember if it was Monday or Sunday. I had nothing to do except make sure everything in the apartment was ok. I opened the wardrobe in Dodi's room. The whole wall is two or three mirrored double doors. I think it was the middle one. On the shelves right there like it was waiting there to be seen. It was not hidden or anything, still in the box. This was on the Sunday afternoon or Monday, I cannot remember.'...

'I have been referred to a passage in my book on page 157, where I write, " I raised my eyebrows at Dodi, as if to ask, "Did you propose yet?" He just smiled at me and his shook his head very slightly." I have been asked if in my opinion ,Dodi had not proposed to the Princess. That is why everything is a question mark. If he had told me or come back to the kitchen and told me she said yes that would have been historic. But he didn't. Nobody told me anything. When I heard her say yes as I described, I only saw their posture. I heard the yes but if it was yes I will marry you or yes we can go to the Ritz I don't know.'...

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'I have been referred to a passage on page 170 of my book where I write, " Evidently he had decided to wait until they'd returned from their special dinner before he proposed to her?" I have been asked if that is still my belief. Evidently, because the ring was still there. She didn't wear it to the restaurant because the ring is still there. I assume he didn't.' ...

Stuart BENSON

General Counsel and legal advisor to Mohamed Al Fayed who spoke to Dodi Al Fayed by telephone on 29 August 1997.

Provided statement to Operation Paget - Statement 225

'On Friday 29 August 1997 I received a telephone call from Dodi who was, as far as I am aware, onboard the Jonikal with Princess Diana in the south of France. I cannot now remember if this call was made to me on my mobile or on a land line. He told me that he had 'very exciting news' regarding him and 'his friend'. I should explain that, on those occasions when he spoke to me on the telephone and Princess Diana was referred to by him, he would not use her name but would always refer to her as 'my friend'. ...

The purpose of his call made to me on 29 August 1997 was to ask if I would be around in Harrods at around lunchtime on Monday 1 September in order to meet with him. He said that as a result of the 'very exciting news' he had a number of things which he would need to discuss with me. He did not elaborate further and I did not ask. I merely told him that I would be around to see him at lunchtime on the following Monday.

I can only speculate as to why he wanted to see me. However, the tone of his voice, the excitement with which he spoke to me, and the fact that it so clearly related to his relationship with Princess Diana and was something that was going to have legal impact and effect on him gave me no doubt in my own mind that they had decided to get engaged.'

Operation Paget Comment

In 1997 any announcement by or about the Princess of Wales in relation to engagement or marriage would have been seen as a substantial media event. Such an announcement would have required preparation and notification beforehand and arrangements to deal with the subsequent media interest. Operation Paget is not aware of any plans or preparation being made by any parties apart from a potential meeting referred to by Stuart Benson.

During the week following the crash a press conference was held at Harrods, led by Michael Cole. During this press conference he referred to a ring and to the relationship in the following terms.

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Michael Cole Press Conference – Harrods, 5 September 1997

Operation Paget - Other Document 161

'It is quite clear that the relationship was a sincere one on both sides and Mr Al Fayed has authorised me to give you a few details only.'

'Incidentally, we did not leak the news of the ring which Dodi gave to the Princess only hours before their deaths. What that ring meant we shall probably never know and if the planet lasts for another thousand years, I'm quite sure that people will continue to speculate about its significance.'

Operation Paget Comment

It has been claimed by Mohamed Al Fayed that the Princess of Wales was under close surveillance by MI6 and that her telephone calls were being intercepted and monitored by United States agencies. The relevance of this claim, according to Mohamed Al Fayed, is that, if it were true, the British authorities may have known that the Princess of Wales intended to announce her engagement to Dodi Al Fayed on 1 September 1997. That, he claims, is why the *'Establishment'* orchestrated the crash that led to their deaths.

All the evidence available to Operation Paget showed that there was no surveillance taking place. These matters are dealt with in Chapter Fifteen and Sixteen of this report.

In any event, the evidence of those family, friends and associates who spoke to the Princess of Wales during the hours and days before her death was such that any monitoring of her communications would have failed to give any indication of pending engagement or an announcement being made on 1 September 1997.

The friends and associates who were known to have spoken to the Princess of Wales by telephone on Saturday the 30 August 1997 were:

- Susan Kassem, who received three calls – the first at 11am, then again shortly after 11am and finally a third call between 9pm-10pm
- Rita Rogers, who received a call at about 4.50pm
- Richard Kay, who received a call at 6pm-6.30pm

[Paget Note: All times shown are local British times.]

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Those who were known to have spoken to the Princess of Wales by telephone during the days before Saturday the 30 August 1997 were:

- Lady Sarah McCorquodale and Lady Annabel Goldsmith on 29 August 1997
- Paul Burrell on 28 August 1997
- The Honourable Rosa Monckton and Lucia Flecha de Lima on 27 August 1997

It was only the content of the telephone call or calls that Mohamed Al Fayed stated he received on 30 August 1997 and perhaps a telephone call between Dodi Al Fayed and Stuart Benson on 29 August 1997 that would potentially have alerted the authorities.

There was no preparation made for any announcement and therefore no indication of any impending engagement could be gained by this means.

3. The alleged pre-selection of an engagement ring

Mohamed Al Fayed claimed he had information that the Princess of Wales and Dodi Al Fayed went into Repossi jewellers in Monte Carlo where they met the jeweller, Alberto Repossi. The Princess of Wales and Dodi Al Fayed together selected an engagement ring. The selected ring was allegedly sent to Italy for sizing and was later collected by Dodi Al Fayed from Alberto Repossi in his shop in Place Vendôme, Paris on Saturday 30 August 1997.

Background information

Repossi jewellers' has a retail outlet at the Hermitage Hotel in Monte Carlo. It has another outlet in Paris at 6 Place Vendôme, in a corner location diagonally opposite the Ritz Hotel. Repossi also shows jewellery in display cabinets in the Ritz Hotel and has other jewellery outlets. Alberto Repossi and his wife Angela are partners in the business.

Mohamed Al Fayed is in possession of a ring purchased from Repossi jewellers. The ring is referred to as being from a range known as '*Dis-moi Oui*' (*Tell me Yes*). The ring is made of gold and has a number of diamonds forming the shape of a star.

The ring was given a unique reference number at the time of manufacture that enabled its movement to be tracked. The record book of the movement of all jewellery items in the Paris shop, which is known as the official police book, showed that this particular ring was in the Place Vendôme shop from 19 March 1997 until it was taken on 1 August 1997 to Repossi in Monte Carlo. Alberto Repossi closes his shop in Paris in August when the French people traditionally holiday and all the stock is moved from Paris to Monte Carlo. The stock, including the ring, was returned to the Place Vendôme shop in time for the visit on 30 August 1997 (Operation Paget Other Document 368).

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Evidence

Those able to give evidence about this claim were Mohamed Al Fayed himself, two of his former bodyguards, John Johnson and Trevor Rees-Jones, and Dodi Al Fayed's former butler, René Delorm. From Repossi jewellers, Alberto Repossi, his wife Angela Giove Repossi, employees Emanuele Gobbo, Lorenzo Cervetti and Alberto Repossi's brother who, it is claimed, was the jeweller involved in sizing the ring. From the Ritz Hotel, Claude Roulet, Franco Mora and Franz Klein.

The evidence relating to the selection and purchase of the ring is contradictory. In order to properly weigh the evidence of the witnesses it is necessary to understand some of the detail and subtleties of what they are saying. Alberto Repossi's own accounts conflict with each other and with the apparent facts as revealed by closed circuit television footage from his shop in Place Vendôme, Paris.

In accounts given after this length of time it may be difficult for witnesses to be precise. Some witnesses have had great difficulty recalling events. The information given by witnesses is listed here for completeness to document how accounts about the ring have evolved.

Operation Paget will summarise and comment on the complex evidence and what it means under sub-heading c).

Point at Issue

The evidence showed that a ring (described by Emanuele Gobbo as an engagement ring) was obtained from Repossi Jewellers at Place Vendôme, Paris on Saturday 30 August 1997.

The point at issue was not whether Dodi Al Fayed collected a ring on 30 August 1997 intending to propose to the Princess of Wales, but whether the Princess of Wales and Dodi Al Fayed had together selected an engagement ring. These are entirely different propositions. The first may have indicated a desire by Dodi Al Fayed to propose to the Princess of Wales whereas the second would have indicated joint participation and acceptance of engagement by her.

This sub-section will be presented under three sub-headings, as follows: -

- a) Pre-selection of a ring and events prior to Saturday 30 August 1997.**
- b) The events in Repossi Jewellers, Place Vendôme on Saturday 30 August 1997 (including CCTV evidence).**
- c) Operation Paget Summary and comment.**

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a) Pre-selection of a ring and events prior to Saturday 30 August 1997

The Princess of Wales and Dodi Al Fayed took two cruises together aboard the yacht 'Jonikal' during the summer of 1997. The first cruise was between 1 and 6 August 1997. The evidence shows that the couple most probably went ashore in Monte Carlo on 5 August 1997. The second cruise was between 21 and 30 August 1997 and the evidence shows they went ashore in Monte Carlo on 23 August 1997.

The evidence indicates that there were only two opportunities for the Princess of Wales and Dodi Al Fayed to visit Repossi jewellers in Monte Carlo and those were on 5 August and 23 August 1997.

[Paget Note: The date of the commencement of the first cruise according to some open source information refers to the 31 July 1997 whereas a copy of the log from Mohamed Al Fayed's Park Lane control room refers to 1 August 1997.]

Mohamed Al Fayed

Mohamed Al Fayed stated that the ring was selected during one of the cruises aboard the 'Jonikal'.

Provided statement to Operation Paget - Statement 163

'I turn now to the events immediately leading up to the crash. In August 1997 Dodi and Diana travelled to Sardinia where they joined my yacht, the Jonikal, and cruised the Mediterranean. It was during this trip that Dodi and Princess Diana met Alberto Repossi, a jeweller, in Monte Carlo and selected an engagement ring. The ring was to be sent to Italy for sizing and Dodi was to collect it from Repossi at his shop in Place Vendôme, Paris on Saturday 30 August 1997.'

[Paget Note: The couple did not travel to Sardinia to join the yacht on either cruise. However, the evidence is that during both cruises the yacht did sail to Sardinia. It was at the end of the second cruise that the couple flew from Sardinia to Le Bourget airport.]

Trevor REES-JONES

Trevor Rees-Jones was the bodyguard who accompanied the Princess of Wales and Dodi Al Fayed ashore in Monte Carlo on 23 August 1997. He stated that the couple did not visit Repossi jewellers.

Interviewed by Operation Paget - Statement 104

'On a previous occasion to that I went ashore in Monte Carlo with another member of the crew, Debbie Gribble, to get some flowers but there were no press around then. Another occasion I went there with Dodi and Diana, Princess of Wales. It was their decision to go and we did not have time to carry out a recce.'

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There was no set itinerary but we ended up at a hotel that could accommodate the launch to collect us. The press were in Monte Carlo but they weren't in your face too much at that time. We did not visit Repossi jewellers when I was with them and they did not go ashore in Monte Carlo at any other time when I was there. I was told they went to Monte Carlo on the previous trip when John Johnson was there.'

Operation Paget Comment

The only other opportunity for the Princess of Wales and Dodi Al Fayed to have visited Repossi Jewellers in Monte Carlo together, was during their first cruise on the yacht 'Jonikal'. This took place between 1 August and 6 August 1997. The relevant date during this cruise was probably 5 August 1997 when they stopped in Monte Carlo.

John JOHNSON

The bodyguard who accompanied the couple during the first cruise. He was clear that they did not visit Repossi jewellers.

Interviewed by Operation Paget - Statement 210

'So we took a small boat and went to Monaco. The party consisted of Dodi, the Princess, Dodi's steward from America, whose name was René, and me. As the movement from the dock into Monaco progressed everybody began to recognise and draw attention to them and I had to hang back to keep crowds away. I recall walking uphill towards the casinos with a crowd following us as we went around the shops and then back to boat. I suppose we walked around for an hour or so. I think that the Princess was getting concerned over the attention, but I think Dodi was enjoying it. We only called into two shops, a CD shop and a flower shop. I recall the flower shop, because I had to go back to collect some flowers on the way back after the whole yachting expedition. They did not visit any jewellers. I would have remembered.

I have been asked if I have any knowledge of a jewellery store named 'Repossi'. I have never heard of it. As I have said, when Dodi and the Princess walked around Monaco, they walked briefly into a flower shop and a CD shop and that was it. I do not recall them stopping and looking into a jewellers window. We must have passed half a dozen or so jewellers during the walk but I don't recall stopping outside any of them for any period of time. It is possible that they stopped outside a jeweller's shop, but they certainly did not go into one. If they had stopped outside one, it would only have been for a few seconds. My attention was constantly on them and I followed from a distance of several feet behind to keep the growing number of onlookers back. As the numbers grew it was apparent that it was important to get back to the boat rather than drawing further attention and this was not the time to be going into shops.'

[Paget Note: John Johnson's recollection was that the visit he refers to occurred on the day after the couple boarded the yacht. This would therefore have been either the 1 or 2 August 1997. The evidence of the Chief Steward on the 'Jonikal', Deborah Gribble, indicates that the visit was at the end of the cruise i.e. 5 or 6 August. A copy of the log from Mohamed Al Fayed's Park Lane control room shows the yacht stopping at Monte Carlo on 5 August 1997.]

CHAPTER ONE

René DELORM

The butler to Dodi Al Fayed from 1990 or 1991 up until the time of the crash. He was present during both visits made to Monte Carlo from the yacht 'Jonikal'. He stated that his recollection of the two cruises merged together. However, he stated that a visit to a jeweller that he assumed was Repossi took place during the first cruise with John [Johnson] present.

Interviewed by Operation Paget - Statement 120

In relation to the first cruise he stated:

'I have been asked if there was an itinerary for the trip. I believe so. We moved mainly at night. We went to Corsica, Sardinia, Monaco. For me those two trips merge together.'

He added:

'I have been asked about the trip to Monaco and whether I was always with them. I was with them all the time. Dodi told me to stay in front of them and the bodyguard, John was behind. We were never separated. At one moment they went into a jewellery store but I didn't go with them. I have been asked if they went to Repossi. Yes, they went in there or at least I assume it was Repossi; they were inside for about 15 minutes, we waited outside. That was on the first trip. I cannot remember the route we took or what the store looked like. I did not mention this incident in my book because I didn't remember it until after I had written it.'

Claude ROULET

During 1997 he was the Assistant to the President of the Ritz Hotel (Franz Klein). He held a key position during August 1997. Operation Paget has interviewed him on four occasions. He was also interviewed six times by the French authorities during their investigation. He has remained consistent in his evidence and much of what he said has subsequently been corroborated by CCTV footage and documentary evidence.

Interviewed by French Police in Paris for Operation Paget - Statement 136 - dated 8 March 2005

'Question: "Were you aware of a planned engagement between Dodi Al Fayed and Diana Frances Spencer-Windsor?"

Answer: "It was a rumour which was circulating a lot between Paris and London."

"I was never told that directly, but a few days before their arrival in Paris Dodi asked me to go to Repossi's [sic], a jeweller's in the place Vendôme, and see a certain ring that Diana had seen in the window at Repossi's in Monte Carlo."

"Previously in 1997 we had both been to Dubail's, which was also a jeweller's in the place Vendôme, to see a watch that Dodi wanted to offer Diana, but after the Monte Carlo episode he wanted in fact to offer her this ring which they had not been able to find at Repossi's in Paris." '

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Interview by Operation Paget - Statement 136A, dated 20 October 2005

'Four or five days before 30 August 1997, I spoke to Dodi by phone. Either he had called me himself, or Mr Klein or Mohamed Al Fayed asked me to speak to him. Dodi told me that he had been for a stroll with the Princess in Monte Carlo and that the Princess liked a ring that she had seen in the window of the jewellers' Repossi. He asked me to ensure that this ring be available for them in Paris. He could not describe the ring to me, but he explained exactly where the ring was in the window – to the rear, at the right. From the description he gave me, it was quite a simple gold ring, but he was unable to tell me exactly what it was like. He did not tell me the reason he wanted to buy the ring, other than that it was a gift for the Princess. He did not give me any size for the ring - he was planning to choose the size with the Princess in Paris. After speaking to him, I discussed the matter with Mr Mohamed Al Fayed. Mr Al Fayed asked me to describe the ring to him, but I explained that even Dodi couldn't describe it. He then told me to do what was needed for the ring to be in Paris for their arrival at the end of the month. At that time, Mr Klein was aware of this episode, but Henri Paul would not have been.

I called the Repossi boutique in Paris, but it was closed. I asked my manager, Mr Mora, who was Italian, to get in touch with Repossi in order to ensure that the ring would be in Paris at the end of the month. Before I told him about this request for the ring, he had no knowledge of it and Mr Mora had had no contact with either Dodi or Mohamed Al Fayed. Mr Mora told me that the Repossis could not tell what ring it was. Mr Mora asked me to describe the ring again, but I told him that I couldn't.

Mr Repossi then told me that he would arrange to be in Paris when Dodi and the Princess were there, as he could not tell what ring it was, but that he had the same rings in Paris as he had in Monaco. It was difficult for us to get Mr Repossi to come to Paris, as he was on holiday, as were his staff.

You inform me that Mr Repossi told you that Mr Mora telephoned him in early August 1997, asking him for the "Tell me yes" ["Dis moi oui"] ring. You also inform me that I telephoned him in early August 1997, giving him the size of the ring and telling him that it was to announce the engagement of Dodi to the Princess. You have read the relevant paragraph from the statement of Mr Repossi dated 29 September 2005 over to me. In response, I do not agree at all. The events took place as I have just described them to you.'

Interview by Operation Paget - Statement 136B - dated 18 January 2006

Claude Roulet produced a number of relevant documentary exhibits during this interview that he referred to in his statement. These included a sheet of paper that was faxed to Franz Klein on 23 August 1997, which listed items of jewellery and their prices and was written by Frank Mora. When Claude Roulet subsequently visited Repossi, Place Vendôme on 30 August 1997 he took this list with him and wrote on the reverse side.

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Claude Roulet's statement detailed:

'- Exhibit CR/1, the original sheet relating to your exhibits PCE/21102005/1 and PCE/21102005/3, is a list of items and their prices sent by fax by Mr Mora to Mr Klein. On the back written in biro by myself is the list of items of jewellery chosen by Dodi Al Fayed during his visit to Repossi on 30 August 1997. The "Tell me yes" ring does not appear in this list, but I have drawn it on that piece of paper.'

Interviewed by Operation Paget - Statement 136C - dated 11 July 2006

'You inform me that Dodi Al Fayed and the Princess of Wales went to Monte Carlo twice during the month of August 1997. The first time at the beginning of the month, maybe the 5th August 1997; and the second time, later, the 23rd August 1997. You have asked me when it was that Dodi Al Fayed asked me to enquire about the ring, that the Princess of Wales liked, that he had seen in the window of Repossi jewellers. I recall that Dodi Al Fayed had only just seen the ring. I can confirm that immediately after the request from Dodi Al Fayed, I asked Mr Mora who had Mr Repossi's contact details. I must have tried to contact the store in Paris which was closed for the summer holidays, and on realising this I asked Mr Mora to find out what items of jewellery were in the window of the Monte Carlo store. Mr Mora replied to Mr Klein by fax, by sending the document which I have already given you, exhibit CR/1. I even wrote on it "Monte Carlo pres montre platine" [Monte Carlo near a platinum watch], because the simple gold ring that Dodi Al Fayed was looking for, was, according to him, near a platinum watch.

...I can confirm that Dodi Al Fayed did not enter the Repossi store in Monte Carlo, he only saw the ring in the shop window. He wanted to know more about the ring, but could not find anyone to ask the price, or did not want to ask the price in front of the Princess of Wales.

You have asked me if I am sure that it was in the Repossi store. I am certain of this, it is what Dodi Al Fayed told me.'

'...Because Dodi Al Fayed wanted the ring that he had seen in Monte Carlo, I then asked Mr Mora to get the Repossi store in Place Vendome opened.

You have asked me if it was the intention that the Princess of Wales would come herself to the Repossi store. It wasn't certain, there was always a possibility but we did not know until the moment that Dodi Al Fayed arrived at the store alone.

You have asked me if I am certain that Dodi Al Fayed did not have a ring made to size. I would like to confirm that there was no ring ordered in advance and no ring made to size for Dodi Al Fayed. Otherwise, why would he ask me to find out about a ring which was next to a platinum watch in the shop window of the Monte Carlo Repossi store? Furthermore, if Dodi Al Fayed had ordered a ring made to size, he would have made me aware of this. You know, it is quite possible that Dodi Al Fayed was going to ask the Princess of Wales to marry him, but to my knowledge he did not order a ring made to size.'

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Franco MORA

In 1997 Franco Mora was the manager of the Ritz Hotel working under Claude Roulet and Franz Klein. He denied knowing the name ‘Tell me Yes’, and did not recall knowing of any engagement or speaking to Alberto Repossi about any of this.

Franco Mora initially could not recall making any contact with Alberto Repossi in relation to any jewellery for Dodi Al Fayed. However, after the list (Operation Paget Exhibit CR/1) and parts of the statement of Claude Roulet were shown to him he explained that he had not known that the contact he had had with Repossi jewellers in Monte Carlo, to establish what was displayed in their shop window, was connected to Dodi Al Fayed. (This contact was not with Alberto Repossi himself)

Interviewed by Operation Paget - Statement 185, dated 14 December 2005

He stated:

‘You ask me if I was aware of a ring called “Tell me yes”. No. I have heard of it because it was in the papers, but not otherwise. I do not even remember talking about the ring.’

‘You ask me when I found out that Dodi Al Fayed and the Princess of Wales were involved with one another. As far as I was concerned, it was just rumours. It was only when I was asked to have the Repossi boutique opened so that Dodi Al Fayed could give her a present that I became aware of their relationship.’

Franco Mora was informed of what Alberto Repossi had stated about telephone calls between them in August 1997, i.e. that Franco Mora had telephoned him in early August asking him for the ‘Tell me Yes’ ring, had told him the ring size for the Princess of Wales and that the ring was to announce the engagement of Dodi Al Fayed and the Princess of Wales.

Franco Mora responded,

‘I do not remember contacting Mr Repossi prior to 30 August 1997. I have no recollection of a request during the month of August 1997 prior to the 30th. None.’

Franco Mora was shown the list CR/1 dated 23 August 1997 listing jewellery and prices, seemingly from Repossi in Monte Carlo. He agreed that he had written the list but stated that he had never linked either the information he had been asked to obtain or the list with Dodi Al Fayed.

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Franco Mora was read the following extract from the statement of Alberto Repossi.

'At the end of July 1997, I received a telephone call in Monaco from Monsieur Mora, the Manager of the Ritz Hotel. He said he was going to introduce me to some very important people. He asked me if we had engagement rings. In particular the ones which were advertised this year, from the "Say Yes" Collection, and if we had any available at the moment. I said that we had and that I could produce them at any time. After a long discussion, he finally told me that the people were Mr Dodi Al Fayed and the Princess of Wales, and I didn't say any more.'

In response Franco Mora stated,

'I assure you and confirm on my honour that I do not remember calling Mr Repossi. Having seen all that, I do recall someone speaking to me about a shop window in Monte Carlo and that someone had seen some rings there. But I do not recall speaking to Mr Repossi about it, or speaking to Mr Repossi about Dodi Al Fayed or Diana. Even if I had known, I would not have spoken about it as it would have been confidential. Nor have I ever heard mention of a "Tell me yes" ring.'

He also stated,

'...Prior to the day of the accident, I had never heard of an engagement between Dodi Al Fayed and the Princess, or anyone else for that matter. After the accident, and all that ensued, the publicity about the ring etc., it was said that they were going to get engaged. Everyone was talking about just that, but I did not hear it from anyone in particular.'

Franz KLEIN

Franz Klein is normally referred to as Frank Klein. In 1997 he was the Chairman of the Ritz Hotel and still holds that position today although his title is now President of the Ritz Hotel. Franz Klein stated he was not involved in any ordering of a 'Tell me Yes' ring.

Interviewed by Operation Paget - Statement 205 dated 21 July 2005

'I have been asked to comment on what I know of the engagement of Dodi Al-Fayed and Diana, Princess of Wales. In mid August 1997 I was in Paris when Dodi telephoned me from Monte Carlo. He told me he was going to get engaged and said that he had seen a piece of jewellery in a display at a shop called Van Cleef in Monte Carlo. He asked me to enquire about it. I phoned Madame Ray of Van Cleef and to see if I could arrange a viewing and she said that was ok, but that the shop would soon be closing. I'm not sure if this was a ring or another piece of jewellery and no arrangement was actually made for a viewing. I later heard that Dodi went to the Repossi jewellers in Monte Carlo and ordered the 'tell me yes' ring but, as I have said, I was not involved in the arrangements for this, nor was I involved in the arrangements for the later visit to Repossi in Paris. Claude Roulet did this. I had no other communication with either Dodi or Mohamed al-Fayed between then and 29 August 1997.'

CHAPTER ONE

Alberto REPOSSI

Alberto Repossi is the jeweller and joint owner of Repossi, along with his wife Angela. Operation Paget has interviewed him in London on three occasions, once in September 2005 and twice in 2006. Between the second and third interview, Daphne Barak (journalist) interviewed him to camera.

The information given by Alberto Repossi in his three interviews with Operation Paget has been contradictory in parts. It may have been difficult for him to recall precise detail after this length of time. This imprecision may have led to him being unable to deal definitively with the following points in relation to events prior to 30 August 1997 and pre-selection of a ring.

- When the visit was made to his shop in Monte Carlo
- When he was contacted about the ring
- Who contacted him
- Whether it was he or his wife who was contacted
- What was said
- How the ring allegedly chosen was identified as the ‘*Tell me Yes*’ ring
- The circumstances of how the ring was altered
- Why there was no associated documentation for this alteration
- How he was made aware of the correct ring size for the Princess of Wales
- Who informed him that the Princess of Wales and Dodi Al Fayed were intending to get engaged

Interview by Operation Paget - Statement 176, dated 29 September 2005

‘I remember very well some events which took place in 1997. I have had a shop now in the Place Vendôme for twenty years and when I am in Paris I stay at the Ritz Hotel. I have always had Monsieur Al Fayed and his family as customers. Most of my clients in Paris also come from the Ritz Hotel; for example, the Hotel often asks for repairs for customers. So we work a lot for the Hotel.

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At the end of July 1997, I received a telephone call in Monaco from Monsieur Morra, the Manager of the Ritz Hotel. He said he was going to introduce me to some very important people. He asked me if we had engagement rings. In particular the ones which were advertised this year, from the "Say Yes" Collection, and if we had any available at the moment. I said that we had and that I could produce them at any time. After a long discussion, he finally told me that the people were Monsieur Dodi Al Fayed and the Princess of Wales, and I didn't say any more.'

'...I heard no more from Monsieur Morra I even forgot about it. I received telephone calls every day, from different customers. One day, without either making an appointment or a telephone call, Monsieur Dodi Al Fayed and the Princess of Wales came to our shop in Monaco, which is situated in the Hermitage Hotel in Beaumarchais Square. From memory, I think it was at the beginning of August. I don't know if I would have written it down, because I wasn't there. The Manager at the time, M. Lorenzo Cervetti, received them. He rang me immediately afterwards, since they only spent a very short time in the shop. They told me they had seen the Princess at the shop window, outside, and the couple had opened the door and asked for me. When they were told I wasn't there, they pointed out the ring and they said that they would speak to me.'

'...Later, the same day or on one of the following days, I received a telephone call from M. Claude Roulet, who told me that M. Dodi Al Fayed wanted to buy a ring which he said was pretty and which the Princess had chosen. I asked him for the size required, because usually the ring has to be tried on the finger. He told me a size, which I don't remember, and I told him that the workshops in Italy were closed and that I could have it at the beginning of September. He told me he needed it for the first few days in September as they were going to announce their engagement. He asked me to get it ready for the 30 August, in Paris. I contacted my brother, who is in charge of the workshops in Italy, so that they could prepare the ring. Each ring is hand-made and has a specific production number, which is also found on the receipt. We had about ten days to prepare this ring. I didn't speak to M. Dodi Al Fayed.'

Operation Paget Comment

Contrary to the information relied on by Mohamed Al Fayed, Alberto Repossi clearly stated that he was not present in his Monte Carlo shop when the Princess of Wales and Dodi Al Fayed attended. He stated that his manager, Lorenzo Cervetti, was present in early August 1997 and that the couple had pointed out the ring that the Princess of Wales had chosen.

Alberto Repossi stated that Claude Roulet contacted him later the same day or in the days that followed, told him the ring size for the Princess of Wales and told him that the ring was needed by the 30 August 1997 because the couple were going to announce their engagement during the first few days of September 1997. Claude Roulet denied this conversation.

Franco Mora has no recollection of the conversations, as described by Alberto Repossi, taking place.

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Alberto Repossi was interviewed again and the relevant points of the interview concerning events before the 30 August 1997 are summarised.

Operation Paget - Exhibit TJS/37 – TJS/43

Audio tape-recorded witness interview by Operation Paget on 20 April 2006

[Paget Note: This interview was conducted in French although Alberto Repossi often replied in English.]

Summary of relevant parts of the interview

Alberto Repossi stated now that he believed his wife in fact received the first telephone call, not him.

He stated that he opened the workshop specially and *'I don't remember if it was smaller or larger, but we got it sized. Done to size.'*

Asked if he had to re-open the workshop in Italy specially to get the work done he replied:

'I called my brother, I said given the import of the client we can't do otherwise. I don't know if he just used a workman, because normally you need a craftsman and the cleaning and checking that the stones don't come out but in any event we managed to deliver it.'

Alberto Repossi was given a resumé of the timetable of the relationship and whereabouts of the Princess of Wales and Dodi Al Fayed from their time of meeting in mid July until late August 1997, in an effort to establish accurately the date on which the couple visited his Monte Carlo shop. He responded:

'I think it must be this because I remember. I don't remember a lot of things but the fact that it was the beginning of August.'

Alberto Repossi was read a section of his own statement of 29 September 2005 concerning what he alleged Claude Roulet said to him, including that he informed him of the ring size. Following this he stated:

'I put it always the possibility that they called my wife too, because we are, we are, we can interchange. Because the relationship with the Ritz isn't just with me, it's with her too. Maybe it was my wife that took it and she told me straight away and then it was in my head. But in principle I confirm what I've said there.'

Alberto Repossi was told of the information given by Claude Roulet and Franco Mora and that they both denied what he has said about them giving him this information. He was unable to give a definitive response.

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Part of Claude Roulet's statement, denying that he gave any information about the ring size or engagement to Alberto Repossi, was read over. Alberto Repossi failed to give any explanation in answer to this.

He was also insistent, contrary to all the evidence, that the sheet listing the jewellery written by Franco Mora dated 23 August 1997 was a list of jewellery from his display window in the Ritz Hotel and not from Monte Carlo.

Further questions about obtaining the ring size were asked of Alberto Repossi. He was unable to explain who told him the size or how he otherwise became aware of it.

Towards the end of the interview Alberto Repossi agreed that he would locate and send copies of the receipts to be found either side of the receipt for the 'Tell me Yes' ring already in the possession of Operation Paget, and copies of the document that was completed showing the movement of the ring.

Alberto Repossi explained that whenever he did business with a client he normally started a dossier to record what has been agreed. This was in order to prevent misunderstandings, for example about prices.

Operation Paget - Other Document 494

Alberto Repossi interview to camera with Daphne Barak 14 June 2006

[Paget Note: Alberto Repossi is Italian. His first language is not English (although he speaks English) and this should be borne in mind when reading transcripts of his interview.]

Daphne Barak: *"And, let's go back to 1997. To the summer, right? When is the first time you hear from Dodi that he's looking for a ring?"*

Alberto Repossi: *"We had the call from the hotel Ritz. Director in this time called me and say me, have you some ring, a diamond ring for engagement? I say, yes, of course. Have you already some? Yes, we have already some."*

Daphne Barak: *"And he called you to..."*

Alberto Repossi: *"To Monte Carlo. And he told me, we have a very important client that we would like to introduce to you and can you prepare a few of these? I say yes, but they don't say me who was. They said it's a client, so we don't enquire, because it's not our role to request..."*

Daphne Barak: *"What was it, like, July, August? What was it?"*

Alberto Repossi: *"Was, I feel, 20th July. Something like this."*

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- Daphne Barak: *“And you never hear from this person for...”*
- Alberto Repossi: *“No. For a few weeks. And we forgotten about this, because every day was, especially summer period, it’s quite heavy.”*
- Daphne Barak: *“Who called you from the Ritz? Like, the manager?”*
- Alberto Repossi: *“Director.”* [Paget Note: Franco Mora]
- Daphne Barak: *“So, you don’t hear from the director for a while. What’s the next step?”*
- Alberto Repossi: *“Next step, that we receive the visit of Mr Al Fayed and Princess Diana in Monte Carlo.”*
- Daphne Barak: *“You’re talking about Dodi?”*
- Alberto Repossi: *“Yes.”*
- Daphne Barak: *“Not about Mohammed?”*
- Alberto Repossi: *“No. Dodi Al Fayed and Diana. They arrive incognito in Monte Carlo and asked about me, but without any appointment, anythings. And I was not there, so my staff receive and the Princess Diana choice [chose] one ring, and they left.”*
- Daphne Barak: *“And they left the ring?”*
- Alberto Repossi: *“No, no, no. They leave and they say, it will be this one. So I had in following some touch from the Ritz office, and I say, I request for size, for different things.”*
- Daphne Barak: *“And, this is what, around the beginning of August, right?”*
- Alberto Repossi: *“Yes. Beginning of August. Maybe 11th or 10th, something like this.”*
- Daphne Barak: *“Because, as far as I know from the file, it’s supposed to be 5th August.”*
- Alberto Repossi: *“[overtalking]. Yes. If I see, maybe...”*
- Daphne Barak: *“But your office in Monte Carlo send you the information about this specific ring...”*
- Alberto Repossi: *“Yes. As you can imagine, five second later.”*

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- Daphne Barak: *“So, basically... And, by the way, when Dodi and Diana visited your shop when you were not there, did they say it was an engagement ring? Or she was just...?”*
- Alberto Repossi: *“Absolutely not. She chose this one. They tried to show her the things. She don’t want any other things. She want this, and finish. So, we receive after the size, and there was a big difference between the ring and the real size. So, we said, sorry but we will deliver it 10th or 11th September, something like this, because our factory now is closed, in Italy, and we will start to work on the beginning of September. So, in this case, I receive a call on back, from Mr Dodi Al Fayed himself, and he said, listen, I’m very sorry but we will be engaged 1st September, so we will announce the engagement. This is the reality. And I was so shocked, if you want, on this announce, that I said, okay, we will be ready for the 30th.”*
- Daphne Barak: *“And just the last, last question. The first time you heard from Dodi himself is when he calls you and he says, look, I’ve got to have the ring by the 1st September, right?”*
- Alberto Repossi: *“Yeah, I must to have it.”*
- Daphne Barak: *“And he tells you again why?”*
- Alberto Repossi: *“He said to me because I will, we will be engaged at the 1st.”*
- Daphne Barak: *“It was very crucial for him to be engaged on the 1st?”*
- Alberto Repossi: *“We announce the, the engagement the 1st.”*
- Daphne Barak: *“Hmm mm. And he calls you when? Like beginning of August, mid August?”*
- Alberto Repossi: *“No, after they, we decide, they decide which ring and everythings because we must put it on, on, on regular size.”*
- Daphne Barak: *“So after the visit in your shop in Monaco?”*
- Alberto Repossi: *“Sure. Sure. Sure.”*
- Daphne Barak: *“So probably we are talking about the 10th/11th August or something?”*
- Alberto Repossi: *“It will be more. Maybe 20 or something because we spent ten days for do it.”*

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Operation Paget - Other Document 526

Alberto Repossi Interviewed by Operation Paget on 5 July 2006

During this interview notes were taken contemporaneously.

Summary

The contradictions in Alberto Repossi's accounts already given were highlighted, as were the issues to be resolved.

Alberto Repossi stated that to his knowledge the visit to his shop in Monte Carlo was on the earlier visit although he accepted that the 23 August 1997 was a possibility. However this would not have allowed sufficient time for the ring to be sent for sizing.

He stated that it was possible that Dodi Al Fayed had contacted him directly at the time and that the information did not go through Franz Klein, Claude Roulet or Franco Mora as had been described.

Asked if he had the size for the ring, Alberto Repossi stated that if he had had the size he could have delivered the ring straight away. Furthermore the Turin workshop would have been closed for the holiday period. He explained that in a normal transaction he would be happy to deliver the item without modifying it. Alberto Repossi stated that he thought he told Franco Mora this and subsequently received a telephone call from Dodi Al Fayed, informing him to get the ring sized because it was required for the end of the month. He stated that he remembered this well.

Asked when he thought they saw the jewellery in Monte Carlo, Alberto Repossi stated that it was 5 August 1997 if not at the beginning of August and that this is what he had said from the beginning.

It was put to Alberto Repossi that he could not say where the information came from about the ring size, to which he stated that they would normally open a docket for a client detailing what they had been shown and what prices they had been given, however he could not find a docket for this case and that was very unusual.

Asked whether he sent an item for sizing or changing he would have a dossier, he stated that it was not a dossier but a 'fiche', but that in August the factory was shut, so possibly not. He stated that his brother might have just collected it to make the changes. He stated that the only person that would alter the ring would be his brother.

Asked what contact he had from Lorenzo Cervetti after the couple visited Monte Carlo, he stated that Lorenzo Cervetti had told him that the couple rang the bell; they had asked about him (Alberto Repossi) and were told he was not there. He stated that the couple did not enter the shop but they looked in the window.

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They then either asked Lorenzo Cervetti to get Alberto Repossi to call them or told Lorenzo Cervetti what they wanted. Lorenzo Cervetti called him immediately afterwards.

Asked what he then said and did, he stated that he was surprised as normally this type of client rung in advance to make an appointment.

He was then asked whether it was Dodi Al Fayed or Franco Mora he had spoken to. He stated that it was Franco Mora.

Asked what he did to get the ring from Monte Carlo to Turin he stated that he remembered that he did not have the ring size. He stated that he told Franco Mora that he would not open the factory for one ring so it would be ready by 10 September 1997. He was then told that it had to be ready for 30 August 1997 in Paris. They organised the Paris shop to be opened. He could not remember why they opened the shop in Paris as it was a delivery but he thought it was to show other items.

Alberto Repossi stated that the ring was required to be ready in Paris for the 30 August 1997 and agreed that that would be done. He stated that he called his brother and told him that it needed to be done at all costs.

Asked how the ring got to his brother he stated that he did not remember, that he sent it to him with somebody or he collected it. He would need to ask his brother. He did not know what his brother did with the ring.

Alberto Repossi was told that his wife had said in interview that the ring was put aside because they did not have the size. He stated, *"But how is this possible?"*

Angela GIOVE REPOSSI

Joint owner of Repossi Jewellers. Angela Repossi works mainly in the Monaco store and occasionally in Paris. She has specific responsibilities for public relations and personnel. Her husband deals with the creative and design side of the business as well as purchasing.

Operation Paget - Other Document 321

Audio tape-recorded witness interview by Operation Paget on 20 April 2006

Summary

Angela Repossi stated that her husband had told her that Franco Mora had telephoned him in late July or early August 1997 to tell him that he would be introduced to some VIP clients who wanted to buy a ring. The ring would be required for September 1997. Franco Mora did not initially reveal the identity of the client. It was later that Franco Mora said that it was Dodi Al Fayed who wanted a ring for the Princess of Wales. Angela Repossi stated that she was not present when the telephone calls were made and only heard this information from her husband.

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Angela Repossi was told by her husband that there was something that Dodi Al Fayed had seen and liked in the Repossi shop window in Monte Carlo. She understood that he had said something quite specific about which more details would be provided. She stated that Dodi Al Fayed had specified that it was an engagement ring he had seen in the shop. Her husband had said that there were several lines but the one in most demand at the time was the '*Tell me Yes*' range and that matched what they saw in the shop window when they went to Monte Carlo. Angela Repossi believed that it must have been her husband who referred to the '*Tell me Yes*' range by name because it was a new range and was the ring he eventually bought.

Angela Repossi stated that Franco Mora had said that the ring was required for the end of August or early September 1997 and that by the end of the conversation they knew exactly which ring was wanted and that it was to be prepared and sized. [Paget Note: Franco Mora denied this.]

Angela Repossi stated that she believed that the Princess of Wales and Dodi Al Fayed went into their shop in Monte Carlo in July 1997 and had wanted to speak to her husband, however neither she nor her husband had been there at the time. Dodi Al Fayed had pointed out a ring in the window to the person in the shop at the time, Lorenzo Cervetti, who had subsequently informed her husband. Angela Repossi believed that Franco Mora's telephone call was made prior to that visit and that it was Franco Mora who said that Dodi Al Fayed was looking for an engagement ring for the Princess of Wales.

Angela Repossi explained that after the ring was chosen it had to be sized and because they did not know the exact size and there was no further news, Alberto Repossi put the ring aside. Then, three or four days prior to 31 August 1997, there was a telephone call from the Ritz Hotel to say that they would be coming to collect the ring on 31 August 1997.

Angela Repossi stated that they had to wait for the visit by Dodi Al Fayed in Paris to confirm that it was the correct ring. She explained that the '*Tell me Yes*' rings were essentially similar but the stone size and carats may vary. Angela Repossi stated that if Dodi Al Fayed and the Princess of Wales had showed Lorenzo Cervetti the ring they wanted it would be that very one that would be prepared.

Angela Repossi was informed that Franco Mora had no recollection of the telephone call about the '*Tell me Yes*' collection and that Franco Mora did not recall any contact with Angela Repossi before 30 August 1997. In answer, Angela Repossi stated that she was sure that it was the ring from the '*Tell me Yes*' collection that was taken by Dodi Al Fayed.

Angela Repossi was also informed about the statement from Claude Roulet in which he described attempting to identify a ring seen in the Monte Carlo shop window by Dodi Al Fayed and how no one was able to properly describe it, other than to give its location in the shop window. Angela Repossi stated that she believed her husband was sure which ring it was.

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Angela Repossi confirmed that neither she nor her husband knew the correct ring size. She was not aware of whether Claude Roulet and her husband had discussed the size of the ring. Angela Repossi stated that they were using a standard size ring.

Lorenzo Cervetti and Alberto Repossi's brother

Operation Paget has not interviewed these two individuals.

b) The events in Repossi Jewellers, Place Vendôme on Saturday 30 August 1997 (including CCTV evidence)

This section deals with the events of 30 August 1997 when a ring was selected from Repossi's at Place Vendôme.

The position of Mohamed Al Fayed and Alberto Repossi is that after the Princess of Wales and Dodi Al Fayed had identified an engagement ring they saw in the Monte Carlo shop, this ring was sent for the correct sizing and preparation. This having been done, it was collected by Dodi Al Fayed from Repossi's shop in Place Vendôme on 30 August 1997.

The witnesses interviewed by Operation Paget, relevant to the events of 30 August 1997 in Repossi, Place Vendôme were Claude Roulet, Emanuele Gobbo, Alberto Repossi and Angela Giove Repossi.

An important insight into the events in the Place Vendôme shop was gained by examining the closed circuit television (CCTV) footage from the shop for that day. It should be noted that the CCTV footage was recorded on a split screen system that recorded four images at once and replayed at fast speed. Specialist equipment was needed to isolate the split images and slow the film speed to normal time to properly view the images.

Alberto Repossi, during his first interview with Operation Paget on 29 September 2005 stated that there was only one visit to his shop in Place Vendôme on 30 August 1997 when Dodi Al Fayed and Claude Roulet were both present. He stated that this was when the business was conducted after which Dodi Al Fayed left with the 'Tell me Yes' ring.

Operation Paget is in possession of two exhibits showing the CCTV footage at the Place Vendôme shop. Alberto Repossi provided the first CCTV tape on 12 October 2005 after his first interview by Operation Paget. This CCTV tape showed only one visit by Dodi Al Fayed and Claude Roulet to the Place Vendôme shop. (Operation Paget Exhibit PCE/12102005/3) However, Claude Roulet when interviewed was insistent that he had gone back to the Place Vendôme shop on his own, on a second occasion, shortly after his visit with Dodi Al Fayed.

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[Paget Note: It was because of Claude Roulet's insistence about the existence of a second visit that Operation Paget progressed enquiries to obtain the unedited CCTV tape. This was received from Mohamed Al Fayed's team on 15 March 2006. (Operation Paget - Exhibit KCR/15) This unedited tape clearly showed the second visit to the shop as described by Claude Roulet.]

The CCTV footage from the shop is described in some detail. This is an accurate record, not affected by witness recollection fallibility. The CCTV evidence supports all the summary, comment and conclusions given in this section.

CCTV footage synopsis – from Operation Paget - Exhibit MAH/8

The CCTV footage from Repossi Jewellers Place Vendôme.

First visit

Time in the shop for Dodi Al Fayed: 7 minutes 27 seconds - from 17:43:33 to 17:51:00.

17:32:26 Claude Roulet enters the shop carrying a document, accompanied by bodyguard Kieran Wingfield – they wait for Dodi Al Fayed.

17:43:33 Dodi Al Fayed enters and goes downstairs with Claude Roulet and is greeted by Alberto and Angela Repossi. Kieran Wingfield does not accompany them.

Dodi Al Fayed removes his sunglasses and places them on a display table.

Other staff members are present and carry selected items of jewellery from display cabinets to display tables in the room.

17:45:00 Angela Repossi stays near to the adjoining office door and then goes into the office.

Dodi Al Fayed looks in display cases and various items of jewellery are taken out and placed on the display tables.

Claude Roulet and Alberto Repossi are nearby at all times and staff members stand around ready to help.

17:47:57 Dodi Al Fayed points out a number of items on a display table – at this time he seems to discuss with Claude Roulet who is standing next to him.

17:48:41 A brochure is brought to the table by Alberto Repossi and referred to.

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17:50:20 Dodi Al Fayed shakes hands with Alberto Repossi and a female member of staff, he then takes his sunglasses from the same display table and takes the brochure and leaves.

[Paget Note: Dodi Al Fayed was not seen to take any item of jewellery or place anything in his pocket. There was no presentation of an item by Alberto Repossi or any other staff member. All the items viewed were taken from the display cabinets. Dodi Al Fayed was seen shortly afterwards in the Ritz Hotel ascending the main stairway with a brochure.]

Claude Roulet remains in the shop for a further 5 minutes 12 seconds until 17:56:12.

Claude Roulet stays behind with Alberto Repossi and Angela Repossi immediately joins them.

Claude Roulet sits at the display table with the items pointed out by Dodi Al Fayed and seems to be writing. Alberto and Angela Repossi are with him.

Alberto Repossi seems to pack the items into a case.

17:55:41 Claude Roulet, who has remained seated throughout, gets up from his seat and leaves. He is not seen to take anything with him other than a document.

The items packed by Alberto Repossi remain on the display table.

Between visits

Time between visits made by Claude Roulet: 36 minutes 4 seconds.

Second visit

Time in the shop for Claude Roulet: 8 minutes 24 seconds - from 18:32:16 to 18:40:40.

18:32:16 Claude Roulet enters and goes downstairs.

Alberto and Angela Repossi are present and both are actively involved in what takes place.

18:32:43 After a discussion between Claude Roulet and Alberto Repossi, Alberto Repossi gets his jewellery case from the office and takes items from it that he shows to Claude Roulet.

Angela Repossi gets a brochure and together they discuss something in the brochure.

Emanuele Gobbo enters with a book and seems to make a note about the items being shown.

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Angela Repossi then goes into the adjoining office leaving Alberto Repossi to deal with Claude Roulet.

18:35:08 Alberto Repossi speaks to another member of staff who goes upstairs and takes an item from a cabinet and returns. This item is then shown to Claude Roulet.

Further discussion takes place between Alberto Repossi and Claude Roulet.

18:35:48 Alberto Repossi then goes into the office for a short time and returns with another item and shows Claude Roulet.

18:36:53 Alberto Repossi then goes back into the office and returns with Angela Repossi who shows Claude Roulet her right hand. It seems something is taken from her hand and then she, Alberto Repossi and Claude Roulet have further discussions looking at this item.

18:37:10 Claude Roulet examines the item and seems to note something on a piece of paper.

18:37:39 Claude Roulet then picks up and closely inspects the item and Alberto Repossi goes into the office briefly and returns with an advertising sheet, which in the presence of Angela Repossi, he shows to Claude Roulet.

[Paget Note: This CCTV footage was examined closely by Operation Paget and the advertising sheet they are looking at has been identified as the '*Dis-moi Oui*' (*Tell me Yes*) advertisement. (Operation Paget - Exhibit MAH/7.)

Emanuele Gobbo enters from the office and he and Claude Roulet are then engaged in writing and dealing with a document that Emanuele Gobbo has brought to the other display table.

Claude Roulet then turns back to the first table and makes a further note.

18:38:33 Angela Repossi packs into a bag the items that Claude Roulet has just been viewing and leaves the packed bag on the table next to Claude Roulet.

Alberto Repossi makes a note in his diary.

Angela Repossi goes back into the office.

18:40:12 Claude Roulet and Alberto Repossi shake hands and Claude Roulet picks up the packed bag and leaves the shop.

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[Paget Note: It was clear from the CCTV footage that it was during this second visit to the shop that Claude Roulet was shown items of jewellery and the 'Tell me Yes' advertisement. At the end of this visit Claude Roulet took away the bag packed by Angela Repossi. He was also seen completing paperwork with Emanuele Gobbo and making notes.]

End of summary

Witness evidence

Claude ROULET

On 30 August 1997 Claude Roulet, in the absence of Franz Klein, was in charge of the Ritz Hotel. He went to Repossi in Place Vendôme and awaited the arrival of Dodi Al Fayed. He then closely accompanied Dodi Al Fayed whilst he was in the shop and stayed behind after he had left. Claude Roulet revisited the shop shortly afterwards.

Claude Roulet was interviewed six times during the French investigation. The only interview relevant to the matter of the ring was by Examining Magistrate Hervé Stéphan on 25 August 1998.

French Dossier D5144-D5150

Interviewed by Examining Magistrate Hervé Stéphan on 25 August 1998

'...As for their stay at the end of August, I was told in person by Dodi, with whom I often spoke by phone, that he was coming to Paris with his girlfriend. As a precaution he did not mention the Princess by name over the phone. He wanted to go to the Rue Arsène Houssaye as the hotel was full, but I tried to persuade him to go to the Bois de Boulogne as it was much more out of the way and quieter, however he was not keen on that. He told me that he would be coming to the hotel in the afternoon. He also asked me to get Repossi the jeweller's in Place Vendôme open and to bring over a selection of rings from Monte Carlo. The couple arrived at Le Bourget. Although I was not there, I had made the arrangements for their arrival. They went first of all to the villa in the Bois de Boulogne and then to the Rue Arsène Houssaye and arrived at the Ritz at around 1645 hrs. I greeted them at the front door to the club in the Rue Cambon and I accompanied them to the Imperial Suite, which had been set aside for them. I had booked a hairdresser for the Princess. Meanwhile, Dodi came to see me in order to arrange his visit to the jeweller's. Kess [sic] Wingfield and I went to the jeweller's on foot and Dodi, who was meant to be travelling by car, came on foot. He chose four or five rings. I signed the receipts while he left with the two bodyguards and I myself took the rings to the hotel. At Dodi's request I returned to the jeweller's to negotiate a discount. The jeweller showed me a final ring called "Say yes" [TN : literally, "Tell me yes"], which Dodi selected. I put the jewels into the hotel safe.'

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Interviewed by Operation Paget in Paris - Statement 136, dated 8 March 2005

'So in the afternoon of 30 August 1997 Dodi went with me to Reposi's where he made a choice of four to six rings, he returned to the hotel then he asked me to go back there and negotiate a reduction. There I saw Mrs Reposi who showed me a ring from a new collection entitled "tell me yes", which I brought back to the hotel and which I showed to Dodi, telling him that it was called "tell me yes". Dodi immediately said, "that's the one I have chosen and put the others in the safe." He then kept that ring, leaving it up to me to settle the formalities with the jeweller.'

'Question: "Was there a conversation regarding that ring between Dodi Al Fayed and his father Mohamed Al Fayed, or between yourself and his father?"

Answer: "Mr Mohamed Al Fayed had actually indicated to me a few days previously that Dodi intended to buy a ring at Reposi's for the Princess, so I think that Dodi had spoken to him about it. But regarding the "tell me yes" ring, I did not mention it to Mohamed Al Fayed and I do not know whether Dodi had mentioned it to him."

Question: "Did the purchase of that ring suggest to you a planned engagement?"

Answer: "Yes, although officially nothing had been settled as far as I know." '

Interviewed by Operation Paget - Statement 136A, dated 20 October 2005

'When we got the exact details of Dodi's and Diana's visit to Paris, Mr Mora phoned Mr Reposi to tell him that they would be calling in at his shop on 30 August, but we could not give him a time.

Referring to a time after the Princess of Wales and Dodi Al Fayed had arrived at the Ritz Hotel, Claude Roulet stated:

... I asked Dodi what time they would be going to Reposi's and he told me that he would let me know later. Later on, Dodi asked me for a hairdresser for the Princess. I think that Mr Mora called me to tell me that Mr Reposi was waiting for us in the shop. I called Dodi again to ask him at what time they would be going to the shop. He again told me to wait. I met Trevor and Kes, Dodi's bodyguards, who asked me where the Reposi boutique was. They talked about security. Later on, Dodi informed me that he would be going without the Princess, and a time was agreed.

The bodyguards decided that I would go on ahead with Kes. We left the hotel via the main entrance, but instead of going straight to the shop, we went around the square by the left to see if we would be followed by the press. We then went to wait for Dodi in the shop, just beyond the front door. There was a security guard, Mr and Mrs Reposi, and one of their sales assistants, Mr Gobbo, a former floor assistant from The Ritz.

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One or two minutes later, Dodi arrived with Trevor. I think it was around 1600 hrs. Mr and Mrs Repossi, Mr Gobbo, Dodi and I went downstairs. Trevor and Kes stayed upstairs. Once again, Dodi tried to describe to us what the ring was like. They got lots of rings out, but they did not look like the one that Dodi wanted. Mrs Repossi went to and fro with the various rings. The sales staff tried to persuade Dodi to choose one ring or another. Dodi sorted the rings and chose four or five that they agreed to make available to him so that he could make a choice. Dodi was not satisfied with these rings, but he took them because they were all they had. He did not say why he wanted the ring to the Repossis. He then told me to sign the docket. Dodi went back upstairs to leave with Trevor and Kes.'

'You ask me if Dodi was carrying a bag. From memory, he was not.

You ask me if Dodi spoke to the Repossis in French or English. I do not remember, but Dodi did speak fluent French.

I signed the docket and I returned to the hotel with the rings in a small light-coloured Repossi bag made of thick paper, with each ring in a box. I brought them to Dodi, to the entrance in room 102 of the Imperial Suite. I did not see the Princess. Dodi spoke quietly to me and asked me if I had negotiated a price on the rings in general. There is a business association called the Comite Vendome, and within this association there is an arrangement whereby the businesses give each other 10% discount on services and sometimes on goods. I told him that I had not negotiated anything.

I then returned to the boutique at around 1645hrs. Downstairs, I saw Mrs Repossi and Mr Gobbo. I asked them for a reduction. They gave me a reduction of 10 to 12%. Mrs Repossi then said to me that they could have shown Dodi another ring from the "Tell me yes" range, which was due to be launched in September 1997. Mrs Repossi had this ring on her hand. She took it off and cleaned it before giving it to me. The price of this ring was significantly lower than the other rings. I said to myself that this ring was more in keeping with what Dodi was looking for in giving this present.

I therefore returned to the hotel with the ring and with a piece of paper with the reductions on it. I went to room 102. I remained outside. He signalled to me to talk quietly. I told him that they had forgotten to show him a ring called "Tell me yes". Without seeing it, he immediately told me that he would take that ring, and he gave the others back to me. I asked him if he was going to present the ring that evening and he replied: "Perhaps this evening, or tomorrow". I went to the Repossi boutique, which was closed. I therefore went back to the hotel, where I put the rings in the hotel safe. Mr Gobbo came and collected them a few days later.

I did not discuss the rings with anyone that evening.

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You have read me the third page and the first paragraph of the fourth page of Mr Repossi's statement of 29 September 2005. [Paget Note: This details Alberto Repossi's account of what happened in the shop] I wonder why Mr Repossi gives this account of events. I think I still have at home the piece of paper with the prices of the different rings selected by Dodi and the document giving the reductions offered by Mr Repossi and I will try to find them for you. I also know that a few days after the accident, Mr Repossi started giving different accounts of the events...'

Claude Roulet was then shown the CCTV footage from the Place Vendôme. This was the edited version showing only the first visit. At that time it was the only version in the possession of Operation Paget.

Claude Roulet then stated:

'You have shown me a short film from Repossi jewellers, a copy of exhibit PCE/12102005/3. I confirm that this was my first visit to Repossi's jewellers in the Place Vendôme on 30 August 1997 together with Dodi Al Fayed. This film corroborates what I have just described to you, but if you had the whole, unedited film, it would show that I did come back a bit later, when I was given the "Tell me yes" ring. And moreover, the still from the CCTV of the revolving door at the Ritz Hotel at 18:40:01 shows my second return from Repossi's, carrying a bag containing the "Tell me yes" ring.

I acknowledge that I was mistaken about the times I gave you.

...On 31 August 1997, Mr Mohamed Al Fayed asked me where the ring was. I told him that I didn't know, and it was found in the apartment in the rue Arsène Houssaye by Rene Delorme, Dodi's maître d'hôtel. I know that Mr Mohamed Al Fayed had the ring paid for, but I do not who by.'

Interviewed by Operation Paget - Statement 136B, dated 18 January 2006

'You have shown me the short film from Repossi jewellers, copy of exhibit PCE/12102005/3 which you previously showed me on my first visit to London and which has now been separated to show just one camera at a time. The quality of the images is not very good. However, camera 3 does enable me to identify the following persons:

- *Mr Repossi*
- *Mrs Repossi, who is wearing a light coloured trouser suit and has long dark hair*
- *Mr Gobbo, a sales assistant, dressed all in black*
- *There is a female sales assistant, whose name I do not know*

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On viewing the recording from camera no 3, I am next to Dodi Al Fayed when he arrives in the basement of the jewellers. It is clear from this recording, and I also remember this, that during this particular visit to the jewellers numerous rings [Paget Note: Claude Roulet in his next statement 136C corrected this sentence to include watches and bracelets] were shown to Mr Al Fayed. I remember that at the time, Mr and Mrs Repossi were looking for items that Dodi Al Fayed might like. Dodi Al Fayed was looking for the ring that he had seen with Diana, Princess of Wales, in Monte Carlo, but despite the best efforts of Mr and Mrs Repossi, they could not identify it. After a while Dodi Al Fayed chose a few pieces that he took with him [Paget Note: This was not correct – Dodi Al Fayed did not take anything with him. This was corrected in his next statement 136C] and I stayed behind to sign the receipts with Mr and Mrs Repossi, and Mr Gobbo, who filled out the forms.

As I told you during my first visit to London, this recording does not show my second visit to the jewellers, when I negotiated a price for the items chosen by Dodi Al Fayed and when Mrs Repossi showed me the ring she was wearing from the future “Tell me yes” range, and which Dodi Al Fayed subsequently chose for the Princess. I can only surmise as to the reason for this recording being missing. I do not understand why this second part of the recording was not shown to you.’

Claude Roulet then formally produced in evidence a number of relevant documents that he had brought with him.

Relevant here are:

‘Exhibit CR/3 relates to the original of your exhibit PCE/21102005/7 and is a note on Paris Ritz paper on which I have written the price of the “Tell me yes” ring on 30 August 1997 for Dodi AL FAYED. ...This document was an aide-memoire, which I read to Dodi Al Fayed when I gave him the “Tell me yes” ring.’

‘Exhibit CR/5 is the original carbon copy of the bill which I produced to you as exhibit CR/4. This document must have been given to me on 3 September 1997 when Mr Gobbo came to the Ritz Hotel to collect the items of jewellery signed over on 30 August 1997. Apart from receipt no 01554, there was a previous one on which was written all the items that had been originally selected and then returned to Mr Gobbo. A list of these items can be found at exhibit CR/1 which I produced to you, on the back of Mr Mora’s fax. It was during my second visit to Repossi the jewellers that Mr Gobbo added the ‘Engagement ring gold diamond brilliants TE & triangular, ‘Tell me yes’ ring’ on the receipt the carbon copy of which I produce to you.’

CHAPTER ONE

Interviewed by Operation Paget - Statement 136C, 11 July 2006

'You have shown me the footage of Repossi jewellers that you showed me in my previous visits to London.

I confirm that on 30th August 1997, Dodi Al Fayed attends the Repossi store in Place Vendome, because he is looking for a ring which he saw during a visit to Monte Carlo. I confirm that he did not pre-order anything. Once at the store, he is looking for the ring which he saw in the window of the Repossi boutique in Monte Carlo, but he does not find it and he is very disappointed.

In the security video, Dodi Al Fayed can be seen talking to me. He is telling me how he feels. He is disappointed that he is unable to find the item he is looking for and disappointed of the items he is being shown. He asks my opinion on how the items are that Mr Repossi and his entourage are showing him... You can observe Mr Dodi Al Fayed separating items he likes and those he dislikes on a table (Camera 3). It was also important for me to know the prices of the items, because I was to inform Dodi Al Fayed's father Mr Mohamed Al Fayed of his spending.

In the end, Dodi Al Fayed leaves the store without taking anything, other than a Repossi brochure that had been given to him. In the past, my recollection was that Dodi Al Fayed had taken some items away, but having seen the CCTV footage another time, it has refreshed my memory and I can confirm that he did not take anything.

You have asked me if Dodi Al Fayed had met Mr Repossi in the past. I do not think so. When Dodi Al Fayed and the Princess of Wales saw the ring that they liked in Monte Carlo, Mr Repossi was not there, but it is possible that Dodi Al Fayed had met Mr Repossi during the St Nicholas at the Ritz in December 1996, when Dodi was in company of an American Miss Kelly Fisher.

What is certain, having seen this video of Dodi Al Fayed's visit to the store again, is that neither Dodi Al Fayed or I took any jewellery whatsoever on leaving the store at the end of the first visit. This short video has refreshed my memory and I must amend what I said in my previous statements.'

The CCTV footage of Claude Roulet's second visit to the shop was now in the possession of Operation Paget and was therefore shown to him.

He continued:

'You have shown me a video from Repossi jewellers that you had not shown me when I was last in London ; this one shows the second visit to the store, this time without Dodi Al Fayed. This is the visit that I told you about during my last visits to London.

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You have asked me why I went to the store for a second time. This was in fact to negotiate a price for Dodi Al Fayed, on the items of jewellery he had chosen during his first visit. I also had to know if Dodi Al Fayed could pay for these with an American or British credit card. Dodi Al Fayed did not like the items of jewellery that he had seen, but wanted a gift for the Princess of Wales and maybe wanted to show them all to her so she could make a choice. From memory, I had to collect these items of jewellery.

At 6.33pm (Camera 3), you can see Mr Repossi showing me certain items of jewellery, placed together on the table, some of which were chosen by Dodi Al Fayed during his visit. Mrs Repossi, who is also there, shows me a Repossi brochure.

At 6.37pm, Mrs Repossi removes a ring called "Tell me yes" from her hand. After cleaning it, she places it on the table. I take the ring to have a look at it, place it back on the table and make a note of it. You can see Mr Repossi showing me an advert for the ring "Tell me yes", I remember this. It is at that time that Mr Repossi informs me that the ring is called "Tell me yes", it is the first time that I heard talk of this ring or the name of this ring. Mr Repossi informs me that it is the "Tell me yes" collection that is due to be launched in September. On seeing the ring, I remember thinking that Dodi Al Fayed would prefer it to the items of jewellery that had already been shown to him. This ring had not been shown to Dodi Al Fayed during his visit to the store.

You have asked me if I believe that I had already seen the "Tell me yes" ring, and that Mrs Repossi only put it on her hand to show it to me or whether I believe she was already wearing it. I am certain that she had it on her finger, and that I had not seen it before. Mr Gobbo wrote the chits that he asked me to sign. At 6.38pm, in the video, you can see me signing, Mr Gobbo turns the page and I sign again. I can confirm that there wasn't only chit No 01554 that I handed to you as exhibit CR/5 during a previous visit. There were two or more chits, and this video shows.

At 6.39pm, Mr Repossi gives me the price for the "Tell me yes" ring and I make a note of it. Watching the video of this second visit, I believe that I wrote the price of the "Tell me yes" ring on a Ritz headed note paper. Mr Gobbo places the chits in an envelope which he places on the table next to me. Mr Gobbo had already written the chits, he simply added the "Tell me yes" ring, writing "bague 'FIANCAILLES'" [Paget Note: Engagement ring]. You can see from a slight difference in his handwriting. What I do not understand is why Mr Gobbo wrote "bague 'FIANCAILLES'" and not "Tell me yes" ring.

At 6.40pm, I leave the store with a Repossi bag containing the items of jewellery chosen and the "Tell me yes" ring.

You have asked me again if this was the first time that I saw the "Tell me yes" ring. It was the first time, and the first time that Dodi Al Fayed saw it was when I took it up to the Imperial Suite at the Ritz hotel.'

CHAPTER ONE

Alberto REPOSSI

Jeweller and joint owner of Repossi.

In relation to the events in his Place Vendôme shop on 30 August 1997, Alberto Repossi was unable to deal definitively with the following points. The CCTV evidence did not assist him in clarifying these:

- Where the presentation of a prepared engagement ring took place
- His recollection about Dodi Al Fayed leaving with any jewellery
- That Dodi Al Fayed was never shown or presented with the ‘Tell me Yes’ ring in the shop
- Why it was that the first appearance of the ‘Tell me Yes’ ring was when it was shown to Claude Roulet alone
- That it was Claude Roulet who selected the ‘Tell me Yes’ ring on 30 August 1997
- Why he had no memory of the second visit to his shop and why his stated recollection of the events of 30 August 1997 were so completely contrary to the apparent facts

Interviewed by Operation Paget - Statement 176 – dated 29 September 2005

‘This year we had put forward the closure of the Paris shop for the summer holidays, but given the importance of the person concerned, we were going to open up for them, and I was going to be there myself. I went to Paris on 30 August. We had an appointment for 15h00 in our shop, 6 Place Vendôme, which we had opened specially, with all the staff. It was a hectic day. Later I was told it was 16h00. At 16h30 I was told to go to the Hôtel Ritz for 17h00. We prepared everything. As the Princess was an important celebrity, I had prepared a slightly larger ring, a ring which wasn’t in Monaco on the day of their visit. Finally, the appointment at the Ritz was cancelled and M. Dodi Al Fayed came alone, without the Princess, at 18h00.

...At about 17h30 M. Roulet and the bodyguard, Trevor Rees-Jones arrived and waited for M. Al Fayed inside the shop, near the entrance door. M. Dodi Al Fayed arrived. I saw later on the shop video that the bodyguard had gone outside. M. Roulet and M. Al Fayed went downstairs into a more private part of the shop. It wasn’t the first time that I had met M. Al Fayed. I greeted him. He spoke French well. Then I showed him the ring which he had chosen. We laughed about the name of the ring, “Say Yes”. I also suggested to him and showed him the same ring but one larger and more impressive, saying to him that it was a better proportion for Princess Diana. He said to me “I’ll take the smaller one, and give the second one to M. Roulet”, who was also there. He thanked me for opening the shop for him. He told me that he liked the ring very much and that it was “to announce the engagement with Princess Diana”.

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M. Roulet was next to him, so I think he said that to me in French, but I can't be sure. Also with us was one of my collaborators, M. Emanuele Gobbo, who is still working for me. It was a very important secret. I didn't ask if they were already engaged. It wasn't my place. Perhaps he told me all this because I had opened the shop especially for him. He closed the box in which the ring was placed and he put it in his pocket. I accompanied him to the door and he went out. There were no negotiation on the sale price. He didn't ask me the price of the ring. He was in the shop perhaps three minutes.

You ask me if I remember if Dodi Al Fayed was carrying something as he went out of the shop. I don't remember. We usually give a small bag in which to put the presentation box, but he put the ring in his pocket. I think in his jacket pocket.

Afterwards I went back down to see M. Roulet who was doing the paperwork. We wrote out the paperwork and he signed the receipt for the two rings which I had entrusted to them and he took the second ring, the larger one, with him. We spoke too about how very honoured we were and how very happy about what had happened and we were really very excited. And he went outside. We said we would telephone each other, mainly because the Princess had seen in a jewellery display window that I have in the Hôtel Ritz lobby a set of bracelets that she wanted, and she also wanted something she already had to be restyled and made more modern. We therefore wanted to make an appointment for the week after, definitely in Paris. I remember very well because I was very happy about it. M. Roulet left. He must stayed in the shop for five minutes.

My wife was on the first floor of the shop and did not take part in either this exchange or in these conversations. She didn't personally see either M. Al Fayed or M. Roulet that day. About ten minutes later, we took a car to go to the airport and we went back to Nice. The rest of the staff had to stay in the shop to close everything up, but we didn't have any other appointments that day and the shop didn't have to stay open.

M. Dodi Al Fayed and M Roulet came only once, on that day.'

Operation Paget - Exhibit TJS/37 – TJS/43

Audio tape-recorded witness interview by Operation Paget on 20 April 2006

[Paget Note: This interview was conducted in French although Alberto Repossi often replied in English.]

CHAPTER ONE

Summary of relevant parts of the interview

Alberto Repossi stated that he arrived with his wife and brother-in-law and re-stocked the Place Vendôme shop on Saturday 30 August 1997. They had travelled from Monaco. The ring that was in the workshop went firstly to Monaco and Alberto Repossi brought it with all the other jewellery.

Alberto Repossi was then shown the CCTV footage of the **first visit** to the shop. Whilst watching the video Alberto Repossi gave a commentary about what was happening.

He accepted that his wife was present in the shop and added *'No, when I showed her the statement, she said no I was there, don't you remember'*. He also stated in relation to another staff member in the shop, *'I didn't even remember the press attaché'*.

When Dodi Al Fayed entered the shop and was shown items of jewellery, Alberto Repossi stated, *'I come out of the office and I want to greet him, show to him some other items that the Princess had seen in the display window at the Ritz and that we were meant to be showing to the Princess the next week. We were meant to make an appointment'*.

He stated that he showed items to Dodi Al Fayed that he thought may be of interest to the Princess of Wales and thought that at one time he may have been showing the bigger, more embellished ring that he had brought with him.

When Dodi Al Fayed was seen on the tape to be leaving the shop, Alberto Repossi with reference to the ring stated, *'In principle he decided he was, he spoke to Mr Roulet. What he was supposed to have taken, I remember him taking and putting it in his pocket.'*

Operation Paget Comment

The CCTV showed Dodi Al Fayed in the shop for approximately seven and a half minutes and when he left it appeared on initial viewing that he picked something up. After closer viewing, it was clear that the item he picked up was in fact his own sunglasses. He did not take any jewellery with him but could be seen carrying a Repossi brochure.

Interview summary continued

Claude Roulet is seen to stay behind. Alberto Repossi stated, *'He sat down to do the paperwork, for the receipts, for the consignment. In principle we were to give Mr Roulet the second ring...'*

Asked what was taken away, Alberto Repossi stated, *'In principle what was on the paper, in principle it was the second ring and we marked the two, the one that Mr Al Fayed took, and Mr Roulet, or perhaps Mr Roulet took both, I don't remember. I always had the impression that he took it and put it in his pocket and left'*.

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Claude Roulet is seen to leave the shop at **17:56:12**.

Alberto Repossi then discussed the details of a receipt provided to Operation Paget showing two rings, one called '*Etoile*', which he claimed was the more embellished ring and one referred to as '*Bague Fiançaille*' (engagement ring) which Alberto Repossi stated was the '*Tell me Yes*' ring. [Paget Note: There was no reference on the receipt to the name '*Tell me Yes*'] (Operation Paget Exhibit PCE/12102005/2).

Alberto Repossi did not believe that any other items of jewellery were taken away or that any other receipts were signed.

Alberto Repossi was asked if he recalled Claude Roulet's second visit to the shop. He did not. He was then shown the CCTV footage of Claude Roulet's second visit to the shop. He provided a commentary.

Claude Roulet is seen to enter at **18:32:16** according to the CCTV footage. Alberto Repossi stated, '*Maybe he want other things because he don't come back to take. I'm for some items that I was probably taking back to Monaco. And we're looking at something there*'.

Although watching the CCTV footage Alberto Repossi stated that he was still unable to actually remember the second visit.

Alberto Repossi was shown the footage where he and his wife were present with Claude Roulet and where Angela Repossi appeared to remove a ring from her finger and present it to Claude Roulet. Claude Roulet's account of this, i.e. that she removed the ring on her finger and gave it to him, was put to Alberto Repossi.

As he watched the footage Alberto Repossi stated, '*He's in the process of taking it...He's taken it. He puts it to one side and then he starts writing. Or perhaps he did that diagram there, that drawing.*' It was confirmed to Alberto Repossi that Claude Roulet agreed that he was making the diagram.

[Paget Note: The diagram is that of an oblong shape with a triangle on each side – representative of the shape of the '*Tell me Yes*' ring.]

He continued, '*Perhaps he took it at that moment...He continues to look. Roulet continues to look into the box. We're also showing him some catalogue..*'

Alberto Repossi continued to watch the CCTV footage and stated, '*Is my wife in the process of making up a package? Yes. She puts it into a bag. Bags...Little bag. And perhaps we give it to Monsieur Roulet. He's making a note. Because he's looking Mr Gobbo with the receipt.*' Alberto Repossi stated that it was unbelievable and that he did not remember it at all.

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Alberto Repossi suggested that the CCTV might have been showing Claude Roulet receiving the second ring, as he still thought he remembered that Dodi Al Fayed put the smaller ring in his pocket.

Alberto Repossi then stated, *'My recollection was that Mr Dodi Al Fayed took the smaller ring. We wanted to give him a bag, as usual and he said no, no, and he took it and left and my recollection we did the paperwork afterwards. And certainly when he came back after speaking with Mr Dodi Al Fayed and having, about whether he was gonna take the second ring or not and having a bit more time. That's what I remembered'*.

A discussion then took place regarding the receipt for two rings and the invoice and other issues including the pre-selection of the ring.

Although his position was that Dodi Al Fayed had been able to be specific about which ring he and the Princess of Wales had wanted, Alberto Repossi stated that he did not think that Dodi Al Fayed knew the name *'Tell me Yes'* before he saw him in the Place Vendôme shop on 30 August 1997, because he remembered joking with him about the name:

'Maybe because, why we joke at the store in Paris about the name and I said, it's called 'Tell me yes'...sure but I talk with him about in Paris and I can't say that he knew this before because when I saw him I said to him, you know this is from the 'Tell me yes' collection and then we had a laugh. When I met Monsieur Al Fayed, apart from the two rings that I showed him we didn't have any incredible conversations, I showed him this and that, I threw in this 'Tell me yes' aspect to, to enliven the atmosphere slightly, to throw in a bit of atmosphere. In the Place Vendome. This is I remember hundred percent. And maybe I was on thinking that they know before, but it's very, and I think he said to me that they also saw the publicity, advertising.'

Operation Paget - Other Document 494

Alberto Repossi interview to camera with Daphne Barak 14 June 2006

[Paget Note: Alberto Repossi is Italian. His first language is not English (although he speaks English) and this should be borne in mind when reading transcripts of his interview.]

Alberto Repossi: *"...It was a tell me yes collection. That was an engagement collection. So, I don't know if was the case or not, in any way, she choice this ring. And I remember that I joke about this with Dodi Al Fayed, about the name. And one advertisement campaign was already on the news, on the magazine. So, in this case, Mr Dodi Al Fayed take the choice of ring, and put it on..."*

Daphne Barak: *"Both rings?"*

CHAPTER ONE

Alberto Repossi: *"No. Take just one"*

Daphne Barak: *"One of them?"*

Alberto Repossi: *"One that they seen in Monte Carlo, he put on the pocket and left. And the secretary [Claude Roulet] stayed there for the paper."*

Interviewed by Operation Paget on 5 July 2006 - Other Document 526

During this interview notes were taken contemporaneously.

Summary

The inconsistencies with his own account and that of the other witnesses and the CCTV were explained to Alberto Repossi.

Alberto Repossi was unable to give any definitive explanation for the discrepancies.

It was pointed out that from the shop CCTV it was very clear that Alberto Repossi did not present Dodi Al Fayed with two rings.

Alberto Repossi asked whether he had presented just one ring. He was told that he had not and asked to see the CCTV footage again.

Alberto Repossi was told that all Dodi Al Fayed had left the shop with was a Repossi brochure but he doubted this. He was then shown the brochure taken by Dodi Al Fayed (Operation Paget Exhibit CR/9) at which point he said, *'Oh my god, I'm going crazy.'* He said, *'After this I doubt on my memory'*.

Asked if he agreed that he had got some of the information wrong, Alberto Repossi answered that he had his doubts on the information he had relayed.

Alberto Repossi was shown the CCTV footage again.

He was asked if he accepted that on the first visit nothing was given to Dodi Al Fayed. He replied *'No. Yes. No doubt he takes his sunglasses and leaves. But he does not take a ring. I thought I saw him take something when I saw my copy of the CCTV video and I thought it was a ring'*.

Asked if he could remember without the aid of the video he replied, *'In my mind he took something. The appointment was for the delivery of a ring and to view things that he had seen in the window. And I thought it was the Paris window, but it could be Monte Carlo. It's a big thing in my story because...I don't remember nothing. No I accept that both rings were given to Roulet on the second visit. A brochure was given to Dodi Al Fayed on the first visit. The 'Tell me yes' ring was given to Roulet on the second visit'*.

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Asked if he accepted that his wife took the ring from her finger he replied, *'No. I must have asked her to put it on her finger to show the client. But I'm surprised I did it for Roulet'*.

Asked if he accepted that Dodi Al Fayed was not presented a particular *'Tell me Yes'* ring he said, *'For me, the ring was already dealt with. I pushed for the bigger ring and I showed bangles etc., for the next appointment with the Princess of Wales'*.

He was asked, *'So you didn't show him the ring prepared in Turin?'* to which he replied, *'In my mind, there were two rings on the table. I tried to give him the second ring and he kept the first, but having seen the video, maybe I take it from the window and show him rings. I don't know'*.

It was put to Alberto Repossi that Claude Roulet claimed it was on his second visit to the shop that he saw the *'Tell me Yes'* ring for the first time and also the first time that he saw the advert for the *'Tell me Yes'* ring. He stated, *'If he is telling you this, maybe he's telling the truth.'*

He was asked why the ring would be on display if it was pre-prepared to which he replied, *'At the moment I am not sure of anything.'*

Emanuele GOBBO

A sales assistant for Repossi since April 1994, working mainly in the Place Vendôme shop. He had previously worked for the Ritz Hotel, Paris. He was present in the shop on 30 August 1997 and is still employed by Repossi.

Operation Paget - Other Document 344

Audio tape-recorded witness interview by Operation Paget on 23 May 2006

Summary of relevant parts of the interview

During the interview the CCTV footage for both visits to Repossi were shown to Emanuele Gobbo.

Emanuele Gobbo stated that he had been on holiday throughout August and had returned to Paris shortly before the end of the month. He received a telephone call from Alberto Repossi on Friday 29 August 1997 requesting that he assist the following day as the Paris shop was to be opened early. On the Saturday morning whilst at the shop, Emanuele Gobbo learned that the client they were opening up for was Dodi Al Fayed who was coming in to choose some jewellery.

He detailed those present working in the shop and described how Claude Roulet and a bodyguard came to the shop followed by Dodi Al Fayed.

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He then described how in the lower showroom Dodi Al Fayed was shown items of jewellery from the displays. He assisted in bringing items to show and was in the showroom intermittently as a result of fetching items and doing other duties. He stated that the items shown were mainly rings.

Emanuele Gobbo was not aware of any previous visit to the Monte Carlo shop and neither Alberto Repossi nor any of the other staff had made mention of such a visit. He did not know of any pre-selected order from Monte Carlo. However, Dodi Al Fayed was shown a selection of jewellery brought to the shop from the Monte Carlo shop especially for him to see.

He was not aware of the Repossi factory being opened during the August holiday period to enable any ring to be prepared for this visit.

Emanuele Gobbo stated that he believed that Dodi Al Fayed was looking for an engagement ring. This was not said at all but it was his impression.

Emanuele Gobbo stated that whilst Dodi Al Fayed was present there was no mention of the *'Tell me Yes'* ring. He also stated that there was no presentation of a specially ordered ring.

Emanuele Gobbo explained that if an order was made, a file would be opened and if it was for a ring the most important thing to know was firstly the ring size.

When asked to explain how the ring size was decided upon for the ring that was selected, he said he did not know. He did not know any specific size for this ring. He stated that the rings were always made in the factory to a standard ring size, that being 53/54.

Emanuele Gobbo stated that at the end of the first visit neither Dodi Al Fayed nor Claude Roulet left with any items of jewellery.

Emanuele Gobbo stated that it was at the end of second visit by Claude Roulet alone that Claude Roulet left with the two rings, signed for on the receipt that Emanuele Gobbo himself completed. During the second visit he was in the showroom only intermittently and not when the rings were being shown. He was able to confirm that Angela Repossi packed the two items into a bag and gave them to Claude Roulet.

He confirmed that the ring he described on the receipt as an engagement ring was the ring now in the possession of Mohamed Al Fayed. He accepted that he did not at the time describe this as a *'Tell me Yes'* ring.

He stated that on 3 September 1997 he collected from the Ritz Hotel the ring that had not been chosen by Dodi Al Fayed, i.e. the larger *'Etoile'* ring. He also explained that in his view *'Etoile'* and *'Tell me Yes'* are the same range of rings.

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Emanuele Gobbo stated the he thought at one time that he had delivered some of the rings to the Ritz Hotel but he now thought he was confusing this with the fact that he collected the remaining ring on the 3 September 1997.

Emanuele Gobbo explained the system of documenting the movement of rings and other items of jewellery in the official police book and how items were accounted for using receipts.

Angela Giove Repossi

Present in the Place Vendôme shop on 30 August 1997.

Operation Paget - Other Document 321

Audio tape-recorded witness interview by Operation Paget on 20 April 2006

Summary of relevant parts of the interview

Angela Repossi stated that initially there was an appointment for 3pm however, it kept being put back. At around 5pm Dodi Al Fayed arrived. Angela Repossi could see them from the camera in the office. Claude Roulet and Dodi Al Fayed went downstairs and Trevor Rees-Jones remained upstairs. [Paget Note: This was in fact Kieran Wingfield]

It all happened very quickly because Alberto Repossi provided two rings saying that he had taken the liberty of also providing a slightly bigger ring to give the Princess of Wales a choice.

Angela Repossi was not involved in the conversation and remained in the office while her husband dealt with Dodi Al Fayed but she could see what was happening on the CCTV. She stated that Dodi Al Fayed did not tell her the reason for the purchase when he visited the shop on 30 August 1997. She stated that her husband did not show Dodi Al Fayed any other rings; it was all over in five minutes or less, because they were in a hurry.

Angela Repossi explained that they used a standard size because all or almost all Repossi rings have a spring in them. Alberto Repossi had therefore asked the workshop to do a standard size. This was given to Dodi Al Fayed and he put it in his pocket and left. Angela Repossi thought that they did a standard size for her because the Princess of Wales had slim hands. With the spring it was easy to get the rings on.

Angela Repossi was shown photographs of the ring in possession of Mohamed Al Fayed and stated that she recognised it as the one that was purchased on 31 [sic] August 1997.

Angela Repossi restated that Dodi Al Fayed put the *'Tell me Yes'* ring in his pocket and Claude Roulet took the other one. Angela Repossi described the second ring as *'more classical, a bit bigger, broad...another model.'* She stated that a receipt was made out, Claude Roulet took the other ring and left.

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Angela Repossi stated that she did not know why Dodi Al Fayed gave the other ring to Claude Roulet, other than he did not want to carry two rings or perhaps because his mind was already made up, but he took both so that the Princess of Wales could choose.

The CCTV footage of the first visit to the Place Vendôme shop was shown to Angela Repossi. Angela Repossi identified the people in the shop and gave a commentary on what she saw.

She stated that Dodi Al Fayed had taken the ring and left the shop while Claude Roulet waited to take the second ring. Claude Roulet waited for the receipt to be made out for both rings. She pointed out another box that she stated Claude Roulet would take with him. [Paget Note: He did not take anything with him.]

Angela Repossi stated that this lasted eight minutes or less, five even. She stated that it was Alberto Repossi and Emanuele Gobbo who dealt with the receipts.

Angela Repossi was informed that the CCTV footage did not appear to show the presentation or collection of a ring selected in Monte Carlo, rather that a number of rings were shown. She replied that you could not see what was on the tray, perhaps it was just two rings, the one selected and the one shown on Alberto Repossi's own initiative, but Dodi Al Fayed ended up taking the one he had already chosen.

Angela Repossi accepted that the name '*Tell me Yes*' did not appear on the list that Claude Roulet wrote. She stated that he wrote '*Etoile*' [Translation: Star] instead but that it was the same ring, as the drawing [on the list] showed. Angela Repossi confirmed that the star ring was the '*Tell me Yes*' ring. She then stated that Dodi Al Fayed was shown three rings, two in addition to the '*Tell me Yes*' ring but that only two were taken, the '*Tell me Yes*' by Dodi Al Fayed and other one by Claude Roulet, as recorded in the paperwork.

The CCTV footage showing the second visit was then shown to Angela Repossi. Claude Roulet was seen returning and going downstairs where he talked to Alberto Repossi. Angela Repossi stated that she had no recollection of this second visit.

Angela Repossi was then shown CCTV footage of herself at a display table with Alberto Repossi and Claude Roulet, with Alberto Repossi apparently removing from her hand the ring that was given to Claude Roulet [Paget Note: As described by Claude Roulet]. Angela Repossi disagreed, stating that she did not see that and that perhaps she was trying on a ring to show it to Claude Roulet.

Angela Repossi was asked for her views having seen the CCTV of both visits. She stated that two rings were taken, one was not returned and this was paid for. Asked during which visit she thought the '*Tell me Yes*' ring was taken away, she stated that she thought Dodi Al Fayed would have taken it with him, or that perhaps Claude Roulet contacted Mohamed Al Fayed before returning to take the two rings but she had no recollection of Claude Roulet having returned.

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Angela Repossi stated that, having seen the CCTV, she now felt that Claude Roulet may have taken both when he came back.

c) Operation Paget summary and comment.

In relation to the events prior to Saturday 30 August 1997

There were inconsistencies in many areas.

Timing

Mohamed Al Fayed suggests that the ring was seen on the second cruise; *'I turn now to the events immediately leading up to the crash. In August 1997 Dodi and Diana travelled to Sardinia where they joined my yacht, the Jonikal, and cruised the Mediterranean. It was during this trip that Dodi and Princess Diana met Alberto Repossi, a jeweller, in Monte Carlo and selected an engagement ring'*. This therefore would suggest 23 August 1997.

The evidence of Claude Roulet and Franco Mora indicated the 23 August date. Franz Klein's evidence was inconclusive.

Alberto Repossi and Angela Giove Repossi stated that the date was much earlier. Alberto Repossi stated that it was early August, whilst Angela Repossi stated that it was in the middle of July. The evidence of René Delorm indicated the 5 August date.

The evidence of the bodyguards on both cruises clearly stated that Repossi jewellers were not entered on either visit to Monte Carlo. In relation to their evidence, it must be accepted that the Dodi Al Fayed and/or the Princess of Wales may have identified something in a shop window without their knowledge.

Selecting a ring

Mohamed Al Fayed claimed that the couple went into the Monte Carlo shop and met Alberto Repossi and together selected a ring. Alberto Repossi denied being present in the shop and Angela Repossi corroborated her husband.

Alberto Repossi claimed the couple went into his shop and were dealt with by Lorenzo Cervetti. René Delorm stated that they entered a jeweller's during the first cruise. The bodyguards present during both visits stated that the couple never entered any jewellers shop in Monte Carlo.

The evidence of Claude Roulet and Franco Mora indicated only that an item of jewellery was seen in the window.

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Identifying the 'Tell me Yes' ring

Alberto Repossi stated that Franco Mora identified the ring as a 'Tell me Yes' ring to him. Franco Mora had no recollection of this, stating that he had never heard of the name of the ring until after the crash. Claude Roulet never knew of the name until 30 August 1997. Angela Repossi thought it was her husband who identified the ring.

Ring sizing

Alberto Repossi stated that Claude Roulet told him the ring size. Claude Roulet denied this stating that he has never known the ring size. Angela Repossi stated that they have never known the ring size and that they used a standard size ring.

Information about proposed engagement.

Alberto Repossi stated that he was told by Claude Roulet and Franco Mora that the ring was for the engagement of the Princess of Wales and Dodi Al Fayed. Claude Roulet and Franco Mora denied this, neither knew of the existence of any engagement plans.

Alberto Repossi also stated that Dodi Al Fayed told him that the ring was for engagement. Angela Repossi was only able to speak about what her husband told her.

Discussion with Dodi Al Fayed

In his statement of 29 September 2005, Alberto Repossi stated, *'We had about ten days to prepare this ring. I didn't speak to M. Dodi Al Fayed'*.

In his interview of 5 July 2006, Alberto Repossi stated, that he thought he told Franco Mora this and subsequently received a telephone call from Dodi Al Fayed, informing him to get the ring sized because it was required for the end of the month. He stated that he remembered this well.

In his interview to camera with Daphne Barak on 14 June 2006, Alberto Repossi stated, *'So, in this case, I receive a call on back, from Mr Dodi Al Fayed himself, and he said, listen, I'm very sorry but we will be engaged 1st September, so we will announce the engagement'*.

The events in Repossi Jewellers, Place Vendôme on Saturday 30 August 1997

There were inconsistencies in many areas.

Mohamed Al Fayed stated that Dodi Al Fayed went to Repossi jewellers at Place Vendôme on Saturday 30 August 1997 and collected an engagement ring that had been jointly chosen by the Princess of Wales and Dodi Al Fayed.

Alberto Repossi supported this claim as did his wife, Angela Repossi.

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Both Alberto and Angela Repossi maintained that Dodi Al Fayed was presented with the '*Tell me Yes*' ring by Alberto Repossi and that Dodi Al Fayed left the shop with the chosen ring in his pocket. Alberto Repossi also stated that he recalled joking with Dodi Al Fayed about the name of the ring during the presentation.

Mohamed Al Fayed's claim and the evidence of Alberto and Angela Repossi was contradicted by the evidence of Claude Roulet, Emanuele Gobbo and the CCTV footage.

Claude Roulet attended the jewellers with Dodi Al Fayed and stated that they looked at a number of items of jewellery including rings, a bracelet and watches. There was no pre-selected chosen ring presented, no mention of the '*Tell me Yes*' ring and Dodi Al Fayed did not take a ring with him.

It was Claude Roulet, alone on a second visit to the shop, who was shown for the first time the ring identified as the '*Tell me Yes*' ring and it was Claude Roulet who chose that ring and another larger, similar ring, to take and show to Dodi Al Fayed at the Ritz Hotel.

It was at the Ritz Hotel during the evening of Saturday 30 August 1997 that Dodi Al Fayed saw for the first time the '*Tell me Yes*' ring and it was then that he decided to take it to present to the Princess of Wales. The Princess of Wales had no part in the selection of the '*Tell me Yes*' ring.

Emanuele Gobbo, the sales assistant present on the day, corroborated Claude Roulet's evidence, as did the CCTV evidence.

Alberto and Angela Repossi stated that they had no recollection of the second visit by Claude Roulet before viewing the CCTV footage and they both claimed to have had the same recollection about events during the first visit. Viewing the CCTV footage has allowed them to recollect more accurately the events of that afternoon. It is now accepted that Dodi Al Fayed did not take a ring away and that the '*Tell me Yes*' ring was given to Claude Roulet when he attended the shop on his second visit on his own.

The evidence showed that it was Angela Repossi who packed the two rings, including the '*Tell me Yes*' ring, into a bag which she then gave to Claude Roulet at the end of his second visit.

[Paget Note: In an affidavit signed by Alberto Repossi dated 17 March 2000, he stated that he had given both of the rings to Claude Roulet. (Operation Paget Exhibit AR/1) This would indicate that in March 2000, Alberto Repossi's recollection was more accurate. This is an indication of how time may affect witness recollection and why the CCTV footage is so important in understanding what actually happened.]

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Mention of Engagement

Alberto Repossi stated that whilst he was presenting the ‘Tell me Yes’ ring to Dodi Al Fayed he was told by him that, *‘he liked the ring very much and that it was “to announce the engagement with Princess Diana”.*’ He continued, *‘M. Roulet was next to him, so I think he said that to me in French, but I can’t be sure’.*

Claude Roulet denied that this occurred or that there was any mention of engagement in the shop. Emanuele Gobbo also stated that there was no mention of engagement. Angela Repossi on her own account was not present in the show room during much of this time. The weight of evidence indicates that the subject of engagement was not discussed in Repossi’s shop.

4. Alleged Pregnancy

Mohamed Al Fayed

In his claims, Mohamed Al Fayed stated his belief that the Princess of Wales was pregnant with Dodi Al Fayed’s child. Mohamed Al Fayed has stated publicly during television interviews that both the Princess of Wales and Dodi Al Fayed told him of the pregnancy on the telephone.

Mohamed Al Fayed’s interview to camera with Piers Morgan 31 March 2003

Operation Paget – DVD 80

Piers Morgan: *“You also believe, Mohamed, strongly that Diana was pregnant at the time that she died, don't you?”*

Mohamed Al Fayed: *“This was one hundred percent.”*

Piers Morgan: *“How can you be sure of that?”*

Mohamed Al Fayed: *“Because she told me herself and Dodi told me. I know this personally.”*

Mohamed Al Fayed’s interview to camera with Richard Belzer 25 August 2003

Operation Paget – Video 7

Richard Belzer: *“There is some talk that Diana was pregnant. What do you think and what do you know about that?”*

Mohamed Al Fayed: *“Definitely.”*

Richard Belzer: *“She was?”*

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Mohamed Al Fayed: *“Definitely.”*

Richard Belzer: *“Dodi's child?”*

Mohamed Al Fayed: *“Definitely. Definitely. And Dodi confirmed this to me.”*

Richard Belzer: *“He told you?”*

Mohamed Al Fayed: *“Already.”*

Mohamed Al Fayed interview to camera with Patricia Cornwall 30 October 2003

Operation Paget – Video 5

Mohamed Al Fayed: *“She was pregnant and I know that.”*

Patricia Cornwall: *“How did you know that.”*

Mohamed Al Fayed: *“She told me on the phone.”*

Patricia Cornwall: *“She told you on the phone?”*

Mohamed Al Fayed: *“Yes.”*

Mohamed Al Fayed's interview to camera with Daphne Barak 9 February 2006

Operation Paget – Video 91

Mohamed Al Fayed: *“No, but Diana was pregnant from Dodi.”*

Daphne Barak: *“Diana was pregnant?”*

Mohamed Al Fayed: *“Yeah.”*

Daphne Barak: *“You're absolutely sure?”*

Mohamed Al Fayed: *“Definitely because I know and they told me just before that she was expecting a baby.”*

Daphne Barak: *“Do you know if it was a boy or...”*

Mohamed Al Fayed: Mohamed Al Fayed speaks of his concerns regarding embalming.

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Daphne Barak: *"And by the way, if we look, you say she was pregnant, for any reason maybe because of the angle, she looks a bit fuller."*

Mohamed Al Fayed: *"Yeah. But there's another picture which shows her another way, she's just in the beach in front of my villa shows definitely, the baby is there."*

Daphne Barak: *"Did Dodi share it with you?"*

Mohamed Al Fayed: *"Yeah definitely, herself too."*

Daphne Barak: *"What did she say?"*

Mohamed Al Fayed: *"Just happy, you know. He is going to announce their engagement, he bought her the engagement ring, everything was just going the right way [inaudible] just stop. Over the moon was all what was [inaudible] at the end of, really all the suffering she find happiness."*

Daphne Barak: *"Was it a son or a daughter? Because I know she [inaudible]"*

Mohamed Al Fayed: *"No it was just, it was only 2, 4 weeks 5 weeks something like that you know."*

Daphne Barak: *"And when did they find out, when did they tell you?"*

Mohamed Al Fayed: *"They tell me just a few days before."*

Daphne Barak: *"Did you share it?"*

Mohamed Al Fayed: *"Just keep it a secret but just before the engagement they say hey no... we are engaging because also she's expecting my baby."*

Daphne Barak: *"So you think she was like 4 or 5 weeks?"*

Mohamed Al Fayed: *"Yes."*

Daphne Barak: *"Pregnant."*

Mohamed Al Fayed: *"(nods head) That's life."*

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Operation Paget Comment

The photograph referred to by Mohamed Al Fayed allegedly showing the Princess of Wales to be pregnant was taken on 14 July 1997. The Princess of Wales and Dodi Al Fayed had not started a relationship at that time. (Operation Paget Message 330)

In his witness statement to Operation Paget, Mohamed Al Fayed did not mention how or when he was told of the pregnancy. He mentioned pregnancy only in relation to the embalming of the body of the Princess of Wales.

Mohamed Al Fayed statement to Operation Paget - Statement 163

'I suspect that the reason that the embalming was done was to conceal the fact that the Princess was pregnant with my son's child.'

...This can only have been done in an effort to corrupt body samples which would have shown that she was pregnant with my son's child.'

Pregnancy testing in France

Immediately following the crash in the Alma underpass the Princess of Wales was in a critical condition. She was treated at the scene and during the journey to the Pitié-Salpêtrière Hospital where she underwent emergency surgery in an attempt to save her life.

No pregnancy test was carried out at any time during this treatment. There was no need or relevance in carrying out such a test.

Post-mortem examinations

Following her death on Sunday 31 August 1997, the French pathologist, Professor Lecomte, carried out an external examination of the Princess of Wales' body. She did not test for pregnancy; there was no reason to do so.

Later the same day, after the body of the Princess of Wales arrived in England, Home Office Pathologist, Dr Robert Chapman carried out a full post-mortem examination at Hammersmith and Fulham Mortuary. During this examination, he saw no visible signs of pregnancy.

At the request of Operation Paget, medical evidence has been independently peer reviewed and reported on by Home Office Pathologist, Dr Richard Shepherd. Dr Shepherd stated, *'There are no pathological features to support the suggestion of a pregnancy'*.

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Further scientific test carried out on behalf of Operation Paget

Operation Paget looked for opportunities to establish scientifically whether or not the Princess of Wales was pregnant. Operation Paget was aware of a blood sample taken from the Princess of Wales by Dr Chapman at the time of the post-mortem examination at Hammersmith and Fulham Mortuary.

Advice was sought from Metropolitan Police Service (MPS) senior crime scene managers in conjunction with advice from scientists at an independent company, Forensic Alliance.

The blood taken at post-mortem examination was considered unreliable because of the amount of blood transfusion the Princess of Wales had undergone as part of her medical treatment.

On 27 July 2005, Operation Paget took possession of the wreck of the Mercedes car registration number 688LTV75. An examination of the car revealed a potential source of pre-transfusion blood from the Princess of Wales in the foot-well carpet by her seat. This blood source was considered to be a better sample to investigate and one that could provide a more reliable result. The blood sample has been confirmed as being that of the Princess of Wales.

After consultation, scientific tests were initiated by LGC Forensics (formerly known as Forensic Alliance) to determine whether or not there was any evidence of pregnancy in the blood sample. Professor David Cowan, Head of Department of Forensic Science and Drug Monitoring and Director, Drug Control Centre at Kings College, London, regarded as a world expert in his field, was brought in to lead on the testing.

Operation Paget - Other Document 377

The conclusions were as follows:

'Tests have shown that it is possible to detect the pregnancy hormone HCG in very old bloodstains. The bloodstain from the carpet was tested and no HCG was detected.'

The production of HCG varies widely between individuals in the early stages of pregnancy. Given that Professor Cowan's tests show that no HCG was detected, the final conclusion is likely to be probabilistic. This means that from the results of his analyses, it is likely that he will be more confident that [the Princess of Wales] was not several weeks pregnant, with decreasing levels of confidence working back to the point of possible conception.

The interpretation needs to be very carefully considered along with the post-mortem findings and in conjunction with timescales of possible opportunities for conception, rather than in isolation.'

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Other evidence

Operation Paget has obtained detailed evidence from the Princess of Wales' doctors, family and close friends in addition to those providing personal services to her in the days and weeks before her death. None of the friends had any knowledge of any pregnancy and most thought that either they would have been told or that the Princess of Wales would have told some of their number. Some of these friends spoke to the Princess of Wales in the days shortly before she died and some spoke to her only hours before she died. Their evidence supported the proposition that she was not pregnant at the time of her death. The personal and intimate nature of that evidence suggested it to be inappropriate to include details in this report. The detailed evidence is held within Operation Paget.

The following evidence is given here because of its relevance and because it is of a less sensitive nature.

Myriah Daniels

Myriah Daniels was an holistic healer who travelled aboard the yacht 'Jonikal' on the second cruise at the end of August 1997. She had known Dodi Al Fayed since the late 1980's and travelled with him often providing him with regular treatment.

Interviewed by Operation Paget - Statement 182

'I have been asked whether or not Diana was pregnant. I can say with one hundred per cent certainty that she was not pregnant. I will explain how I can be so sure of this fact. Firstly, she told me herself that she was not pregnant. Secondly, when you have the years of experience that I have of caring for women's bodies there are many indications as to whether or not a woman is pregnant. It is incomprehensible to me that Diana would have allowed me to carry out such an invasive treatment [deep massage] on her stomach and intestines if she thought she was pregnant...

...I have worked with women in the past, from prior to conception, through the full term of a pregnancy and I am familiar with what a pregnant body feels like even in its early stages, as well as the things that women would normally say to me about their pregnancy, no matter what stage it's in.'

'...This is a very sensitive issue for me to discuss but I know for a fact she wasn't pregnant because she told me she wasn't and through the course of my work on her body I found no indications to show that she was. If there were any chance that she were pregnant, she definitely did not know about it herself. This is supported by a direct conversation I had with Diana on board the 'Jonikal'.

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During the trip we received faxed copies of newspaper reports or sometimes one of the crew would go ashore to get the newspapers. One particular day when Diana came in for me to work with her she looked irritated, threw up her arms in the air and said in an exasperated manner 'Now they have me pregnant!' She was referring to a newspaper headline she had just seen. She said this in total dismay and disbelief. She was clearly disturbed that the newspapers were making this up about her.'

René DELORM

The butler to Dodi Al Fayed up until the time of the crash. He gives evidence about the relationship and suggests the Princess of Wales was pregnant. He has written and published a book entitled, 'Diana and Dodi, A love story.' He was in the apartment at rue Arsène Houssaye on the 30 August 1997.

Interviewed by Operation Paget - Statement 120

'...What I left out of that story was that later that evening I went to enter the living room; I coughed to announce my presence and saw the Princess sitting on the coffee table. Dodi was on one knee in front of her, caressing her belly and she was looking at her hand. The only thing I heard, was her say the word 'Yes.' I left it out because after their deaths, what I read in the press with people pretending she was pregnant, I didn't want to get involved so I left it out. I have been asked why I have not included this in my book or mentioned it prior to today. My response to this is that it was speculation and I didn't want to look like someone taking advantage and confirm the rumours. I thought if she was pregnant it would come out later.'....

Additional Information

Complaint by Michael Cole about references to pregnancy in September 1997.

On 22 September 1997, Michael Cole, Director of Public Affairs for Harrods at the time, wrote a letter 'for favour of publication' to the Editor of 'The Daily Telegraph' complaining about particular references made in an article published in the newspaper's 'Weekender' section of 20 September 1997.

Operation Paget - Other Document 22

Letter dated 22 September 1997

'Colin Randall's report on the investigation into the deaths of Dodi Al Fayed and Diana, Princess of Wales (City of Rumour, The Daily Telegraph Weekend, 20 September 1997) is one of the few painstaking pieces to appear to date, spoiled by references to pregnancy and cocaine, for which scurrilous allegations not a scrap of evidence has emerged. Pursuit of the truth is not a licence to defame the dead and a respectable newspaper like yours should not touch such worthless stuff.'

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This letter was followed by a complaint about the same article to Lord Wakeham, the Chairman of the Press Complaints Commission.

Operation Paget - Other Document 22

Letter dated 24 September 1997

'...In the article it was alleged that cocaine was found in the car in which Diana, Princess of Wales and Dodi Al Fayed met their deaths in Paris on Sunday 31 August 1997 and that the Princess was pregnant at the time of her death.

As no evidence has emerged to support these damaging allegations...'

'...I believe my letter makes the substance of my complaint clear. I should emphasise that I am acting in my capacity as a Director of a company of which the principal shareholder Mr Mohamed Al Fayed is the father of one of the two people jointly defamed, Mr Dodi Al Fayed.

In 9 years in this post, I have never troubled you before and I would not do so now if I did not believe that the conduct of The Daily Telegraph, in giving currency to nasty rumours which have no factual basis was worthy of a formal complaint.'

Michael Cole clarified his position over this complaint in his statement of 6 July 2006 to Operation Paget.

Interviewed by Operation Paget - Statement 221

'...I felt it was cruel and wrong to speculate about those so recently dead and that there should be a decent interval for questions such as the Princess's possible pregnancy to be answered in a definitive way. The PCC did not uphold my complaint. I made the complaint on my own initiative and drafted the papers that accompanied the complaint.'

Operation Paget Comment

A claim has been made that the Princess of Wales was under close surveillance by MI6 and United States agencies and that her telephone calls were intercepted and monitored. Even if that had been the case, from the evidence of those family, friends and associates who spoke to the Princess of Wales during the hours and days before her death, any monitoring of these communications would not have given rise to any suspicion that she was pregnant because she never made any such comment to them.

It was only the content of the call or calls that Mohamed Al Fayed stated he received on 30 August 1997 that would potentially have alerted the authorities in relation to pregnancy.

[Paget Note: The claims relating to United States agencies and MI6 are examined in Chapters Fifteen and Sixteen.]

CHAPTER ONE

(iii)

CONCLUSIONS

Part A – Claims outlined in Section (i)

Relationship and Engagement

Claim 1 - On Monday (1st September 1997) Dodi and Diana will declare their engagement.

Family members and numerous close friends and associates of the Princess of Wales have been interviewed and none of them was aware of any intention to get engaged or to announce an engagement. Some of those friends and associates spoke to the Princess of Wales on Saturday 30 August 1997. Those involved in the daily organisation of the Princess of Wales' life were also unaware of any engagement or announcement. An announcement of this magnitude by the Princess of Wales would have required some pre-planning, of which there was no evidence.

Stuart Benson, the General Counsel and legal advisor to Mohamed Al Fayed gives evidence of a proposed meeting with Dodi Al Fayed on 1 September 1997. He is not definitive about the purpose of the meeting but he believed it may have been in connection with Dodi Al Fayed's engagement.

There was no evidence from any family, friends, confidantes or other associates of the Princess of Wales that any announcement was to be made.

Claims 2 and 3

Claim 2 - Dodi told Mohamed Al Fayed this on Saturday evening at 10 o'clock.

Claim 3 - Diana told Mohamed Al Fayed this on Saturday evening at 10 o'clock.

These claims relate to an announcement of engagement on Monday 1 September 1997.

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Mohamed Al Fayed made these claims during interview to camera by Nicholas Owen on 3 June 1998 – *‘Diana – Secrets behind the crash’*

Mohamed Al Fayed: *“And then they call me and say what’s happening, that we are having dinner and after they are going back to the apartment and coming back on Sunday and on Monday they will declare their engagement.”*

Dodi told me that and Diana told me that on Saturday evening at ten o’clock.”

Nicholas Owen: *“Did Diana speak to you in that conversation?”*

Mohamed Al Fayed: *“Yeah.”*

Dodi Al Fayed and the Princess of Wales had access to many telephones at the Ritz Hotel, the apartment in rue Arsène Houssaye and various mobile and car telephones. Operation Paget is aware of what has been claimed, but has insufficient information to comment on the content of these telephone calls.

Claim 4 - The ‘people’ who do not want to see Dodi as step-father to the future king want Diana and Dodi dead.

The claim referred only to ‘people’ and was not more specific. Mr Al Fayed made the claim during an interview to camera in July 1998 on NBC ‘Dateline’. He stated:

Interviewer: *“Who would want Dodi and Diana dead?”*

Mohamed Al Fayed: *“The people who do not want to see Dodi to be step-father to the future king.”*

Operation Paget has found no evidence at all from anyone interviewed or coming to notice in the investigation that would support this claim.

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Claims 5, 11 and 12

Claim 5 - On the day of the crash Dodi collected an engagement ring from a jeweller adjacent to the Ritz Hotel.

Claim 11 - This ring was to be sent to Italy for sizing and Dodi was to collect it from Repossi at his shop in Paris on 30th August 1997.

Claim 12 - Mr Al Fayed has seen footage from a CCTV camera at Repossi's in Paris showing Dodi collecting the ring at about 6.00pm on Saturday 30 August 1997.

Dodi Al Fayed himself did not collect a ring from Repossi jewellers, Place Vendôme, Paris on Saturday 30 August 1997. He visited the shop with Claude Roulet, the assistant to the chairman of the Ritz Hotel and was shown items of jewellery from display cases. Dodi Al Fayed left with only a Repossi catalogue. There was no presentation of any prepared ring.

CCTV, documentary and witness evidence showed that Claude Roulet later returned to the shop alone and selected two rings. Subsequently, at the Ritz Hotel, Dodi Al Fayed selected one of those rings to present to the Princess of Wales. This ring was from the 'Tell me Yes' range, which was regarded as a range of engagement rings.

The evidence shows that the 'Tell me Yes' ring selected by Claude Roulet was not pre-selected or sent to workshops in Italy for sizing.

The only evidence to suggest (by inference) that the Princess of Wales saw an engagement ring is that given by René Delorm.

Claims 6, 8 and 10

Claim 6 - The ring had been jointly chosen and was being altered.

Claim 8 - Dodi and Diana went into Repossi's jeweller's shop in Monte Carlo and chose a ring.

Claim 10 - Dodi and Diana met Albert Repossi in Monte Carlo and selected an engagement ring.

It was alleged that the Princess of Wales and Dodi Al Fayed jointly selected the engagement ring when visiting Repossi jewellers in Monte Carlo. The evidence, together with travel scheduling, showed that Dodi Al Fayed and/or the Princess of Wales might have seen an item of jewellery in the shop window on the 5 August or 23 August 1997. No one was able to identify this item of jewellery.

CHAPTER ONE

The jewellers are unable to evidence how they were made aware of the ring size in order to alter it. They were unable to evidence the work being carried out. Repossi Jewellers did not produce any documentary evidence that the work was undertaken.

By his own account Alberto Repossi accepted that he was not present in his Monte Carlo shop and did not meet the Princess of Wales or Dodi Al Fayed.

The only evidence to suggest (by inference) that the Princess of Wales saw an engagement ring is that given by Rene Delorm.

Claims 7 and 9

Claim 7 - ‘They’ would not accept an Egyptian, naturally tanned, having curly hair as step-father for the boys.

Claim 9 - Dodi was murdered because of his intended marriage to Princess Diana and Mohamed’s belief that she was expecting Dodi’s child.

Mohamed Al Fayed made the first claim in an interview with Richard Belzer to camera on 25 August 2003. He stated:

Richard Belzer: *“Some people believe that because Diana was going to marry Dodi that they couldn't have that. That that would somehow dilute the monarchy, that they didn't want an Egyptian step-father for the boys.”*

Mohamed Al Fayed: *“Absolutely.”*

Richard Belzer: *“Just as basic as that.”*

Mohamed Al Fayed: *“An Egyptian, naturally tanned, his daddy having curly hair, you know, and he has the same. They just would not accept that.”*

The second claim was made by Mohamed Al Fayed in a letter to Sir John Stevens dated 25 November 2004. He wrote:

‘Short of assassination, they (the establishment) will not deter me from telling the world that my son was murdered because of his intended marriage to Princess Diana and my belief that she was expecting Dodi’s child.’

Operation Paget found no evidence at all from anyone interviewed or coming to notice in the investigation that would support these claims.

CHAPTER ONE

Claim 13 - The bodyguard Trevor Rees Jones made a false claim in his book that the ring had not been chosen in Monte Carlo.

Trevor Rees-Jones was the bodyguard accompanying the couple during their walk in Monte Carlo on 23 August 1997. In his statement to Operation Paget he confirmed his belief that the couple never went into Repossi jewellers whilst he was with them. René Delorm, Dodi Al Fayed's former butler, supported his evidence to some degree. In his statement to Operation Paget he stated that the visit to a jewellers was on the previous visit when a different bodyguard, John Johnson was present. However, John Johnson stated that they never entered a jewellers shop. (René Delorm also stated that he confused the two visits in his mind.)

The weight of evidence in relation to this indicated that the Princess of Wales and Dodi Al Fayed did not enter Repossi shop on either visit to Monte Carlo but on the 5 August or 23 August 1997 they might have seen an item of jewellery in the shop window.

Claim 14 - Dodi phoned Mohamed in the early evening of Saturday 30 August and said he had to return to Rue Arsene Houssaye because the engagement ring was there and he had to formally present it to Princess Diana.

This claim was made by Mohamed Al Fayed in his witness statement to Operation Paget dated 5 July 2005.

Dodi Al Fayed had access to many telephones at the Ritz Hotel, the apartment at rue Arsène Houssaye and various mobile and car telephones. Operation Paget is aware of what has been claimed but does not have sufficient information to comment on the content of any telephone calls between Mohamed Al Fayed and Dodi Al Fayed.

There is evidence that the *'Tell me Yes'* ring was at the apartment. The evidence is that they were returning to the apartment when the crash occurred.

The only evidence to suggest (by inference) that the Princess of Wales saw an engagement ring is that given by René Delorm. That same evidence would suggest that Dodi Al Fayed had earlier that evening proposed to the Princess of Wales and that the ring had been presented and accepted. This is the only evidence that supports this view.

CHAPTER ONE

Claim 15 - Diana was under close surveillance by MI6. CIA and NSA in the United States closely intercepted and monitored her telephone calls. CIA and NSA possess 39 documents consisting of 1054 pages, which relate in part to transcripts of telephone calls made by Princess Diana whilst she was with my son. 'They' would have been aware that she intended to publicly announce her engagement to Dodi on Monday 1st September 1997.

This claim is dealt with mainly in Chapters Fifteen and Sixteen of this report. Nevertheless it was clear from the evidence of those family, friends and associates who spoke to the Princess of Wales during the hours and days before her death that any monitoring of her communications would have given no indication of impending engagement or an announcement being made on 1 September 1997 or any cause for concern.

Further, according to friends and associates, there was no suggestion given in their communications that the Princess of Wales may have been pregnant.

It was only the content of the telephone call or calls that Mohamed Al Fayed stated he received and perhaps a telephone call between Dodi Al Fayed and Stuart Benson on 29 August 1997 that could have potentially alerted the authorities.

Pregnancy

Claims 17, 18, 19, 20, 24, 25, 26, 27 and 28 - All of these claims relate to the embalming of the body of the Princess of Wales.

Mohamed Al Fayed claimed that the body of the Princess of Wales was embalmed illegally in France and that this was done to conceal the fact that she was pregnant. Operation Paget has conducted extensive enquiries into these issues and the evidence and conclusions in respect of these claims can be found in Chapter Nine of this report. The evidence does not substantiate the claims.

Claim 16 - Rumours circulating among the media by 30 August 1997 that the Princess might be pregnant.

There may have been rumours circulating among the media suggesting that the Princess of Wales was pregnant.

There was no indication of pregnancy given by the Princess of Wales to her doctor, family, friends or associates.

CHAPTER ONE

Claim 21, 22 and 31

Claim 21 - Dodi confirmed to Mohamed that Diana was pregnant.

Mohamed Al Fayed's interview to camera with Richard Belzer 25 August 2003

Claim 22 - Diana told Mohamed on the phone that she was pregnant.

Mohamed Al Fayed interview to camera with Patricia Cornwell 30 October 2003

Claim 31 - Dodi and Diana told Mohamed of the pregnancy a few days before. He kept this a secret.

Mohamed Al Fayed's interview to camera with Daphne Barak 9 February 2006

Mohamed Al Fayed made all these claims in interviews to camera as shown and the actual comments made are given in this Chapter.

Mohamed Al Fayed had access to many telephones and the couple had access to a number of telephones at the Ritz Hotel, the apartment at rue Arsène Houssaye and various mobile and car telephones. Operation Paget has insufficient information to comment on the content of any telephone calls between Mohamed Al Fayed and the Princess of Wales or Dodi Al Fayed.

The evidence: pathological, scientific, medical and anecdotal showed that the Princess of Wales was **not** pregnant.

Claim 23 - Dodi was murdered because of his intended marriage to Princess Diana and Mohamed's belief that she was expecting Dodi's child.

The claim regarding the intended marriage is dealt with above at Claim 9.

There was insufficient information for Operation Paget to comment on Mohamed Al Fayed's belief about pregnancy prior to the deaths of the couple. Michael Cole, at that time the Director of Public Affairs for Harrods, in his complaint to the Press Complaints Commission on 24 September 1997, wrote that he considered references to the Princess of Wales being pregnant as defamatory and as '*giving currency to nasty rumours.*' Michael Cole in his statement to Operation Paget on 6 July 2006 stated that he made the complaint on his own initiative and drafted all the papers that accompanied the complaint.

There is no evidence that Dodi Al Fayed was murdered.

Claim 29 - There is a picture of Diana on the beach in front of Mohamed's villa that shows the baby is there.

The photograph referred to was taken on the 14 July 1997 showing the Princess of Wales wearing a swimming costume. The Princess of Wales and Dodi Al Fayed had not even started their relationship at that time. In any event all the evidence showed that the Princess of Wales was not pregnant.

CHAPTER ONE

Claim 30 - Diana was 2, 4, 5 weeks pregnant.

There was no sign of pregnancy at the post-mortem examination. Scientific tests carried out on the Princess of Wales' pre-transfusion blood have shown no evidence of pregnancy. There is witness evidence from close friends and others that the Princess of Wales in mid August 1997 was in her normal menstrual cycle. There is witness evidence that she was using contraception. If she thought she was pregnant the Princess of Wales did not tell any of her family, friends, confidantes or her doctor. The only evidence relates to her conversation with Mohamed Al Fayed.

The evidence: pathological, scientific, medical and anecdotal showed that the Princess of Wales was **not** pregnant.

Operation Paget Conclusion

Dodi Al Fayed may have been intending to propose to the Princess of Wales during the weekend of 30/31 August 1997.

The only evidence of any announcement of engagement on 1 September 1997 comes from Mohamed Al Fayed and, to an extent, from Stuart Benson.

The evidence is that the '*Tell me Yes*' ring was not selected as an engagement ring by the Princess of Wales and Dodi Al Fayed together.

The evidence from René Delorm is that the '*Tell me Yes*' ring was at the apartment to which the Princess of Wales and Dodi Al Fayed were returning at the time of the crash. René Delorm gives evidence that would suggest that Dodi Al Fayed had earlier in the evening presented the ring and proposed to the Princess of Wales and that she had accepted. His is the only evidence that supports any view that the Princess of Wales and Dodi Al Fayed were already engaged.

The weight of evidence is that the Princess of Wales was not intending to get engaged or married to Dodi Al Fayed.

The overwhelming evidence is that the Princess of Wales was not pregnant and further, that she did not believe that she was pregnant.

CHAPTER **TWO**

PERCEIVED THREATS TO **THE PRINCESS OF WALES**

CHAPTER TWO

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CHAPTER TWO

(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of the claims made by Mohamed Al Fayed

It is alleged that the Princess of Wales feared for her own safety, believed there were plans to cause her harm and expressed these concerns to other people.

Claims

1. There were clearly those, including the Princess's own mother, who were bitterly opposed to the Princess having a relationship with a Muslim. My son was of course a Muslim.
2. Prince Philip himself is now revealed as having written vitriolic letters to the Princess which demonstrate the strength of feeling which existed within the Royal Family as well as the 'Establishment'.
3. It has also emerged that the Princess video recorded intimate personal diaries outlining the treatment she had received at the hands of many members of the Royal Family and other 'Establishment' figures.

Source – 7 February 2003 Submission by Mohamed Al Fayed to Minister for Justice, Scotland, for Public Inquiry, Pages 7(1), 8(2) and 8(4)

Claim

4. Mr Burrell has recently disclosed a letter written by the Princess of Wales in October 1996 and apparently given to him for safekeeping. It includes the following passage:

'I am sitting here at my desk today in October, longing for someone to hug me and encourage me to keep strong and hold my head high. This particular phase in my life is the most dangerous. [...] is planning 'an accident' in my car, brake failure and serious head injury in order to make the path clear for Charles to marry. ...'

(This appears to be a direct lift from a newspaper article of October 2003.)

Source - Undated 'Note of Argument' Supporting Petition For Judicial Review - Minister For Justice, Scotland - In name of Mohamed Al Fayed, Page 7(11) xxii

CHAPTER TWO

Claims

5. During the summer holiday Princess Diana often told me that she feared she would be murdered by the Royal Family.

6. At one time she said that she will probably go up in a helicopter and never come down alive.

7. She told me that she had confided in her butler, Paul Burrell, and that if anything should happen to her, Paul Burrell held the secrets.

Source – 5 July 2005 Witness Statement Signed by Mohamed Al Fayed, Page 4

Claim

8. Diana told me personally, “if anything happens to me, be sure the finger is ... the person who has done it is Prince Philip”

Source - 31 March 2005 TV - ‘You’re Fayed’ – Channel 4, Mohamed Al Fayed to Camera

Claim

9. Threats she has from Prince Philip in writing, letters already in Scotland Yard’s possession.

Source - 9 February 2006 TV - Daphne Barak Videotape, Mohamed Al Fayed to Camera

[Paget Note: In this report the term Prince Philip, as used in Mohamed Al Fayed’s allegation, is repeated throughout for consistency, rather than the title, the Duke of Edinburgh.]

CHAPTER TWO

(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Introduction

It was alleged that the Princess of Wales feared that the ‘Establishment’ and/or the Royal Family wanted to cause her harm. The statements of her family, friends and contacts have been examined for evidence of such concerns and they are referred to throughout this report. The Princess of Wales’ concerns were examined in the following areas:

1. The Princess of Wales’ personal safety.
2. Surveillance of the Princess of Wales.
3. Her relationship with other members of the Royal Household.
4. The safety of people close to the Princess of Wales.

Many of those interviewed have said that the Princess of Wales compartmentalised the people she knew and it was not uncommon for friends in different groups not to meet or even know of each other.

1. Concerns for her Personal Safety

Section 1 is in two parts:

Part (a) examines evidence where the Princess of Wales has expressed her concerns specifically relating to a car accident:

- i) A note produced by Lord Mishcon, the Princess of Wales’ legal representative, giving details of a meeting with her in 1995 in which she expressed concerns for her safety.
- ii) A note left apparently in 1995 or 1996 for her butler Paul Burrell, in which she wrote of her fears of a car accident.
- iii) An incident in a car she was driving in 1995 when the Princess of Wales believed her brakes failed as a result of tampering.

Part (b) looks at the general concerns of the Princess of Wales by examining the views of those who knew her.

CHAPTER TWO

Part (a) - Concerns Relating to a Car Accident

i) The Lord Mishcon note

Lord Mishcon was the personal legal representative of the Princess of Wales. In 1995 he was general advisor to the Princess of Wales. In a meeting with her she outlined fears for her safety, including the possibility of an accident in her car. Following her death in the 1997 traffic collision, Lord Mishcon believed he should bring the content of the note to the attention of the Commissioner of the Metropolitan Police Service (MPS).

Baron MISHCON of LAMBETH (now deceased) **Legal adviser to the Princess of Wales.**

Interviewed by Operation Paget -Statement 222

On 30 October 1995, he attended a meeting with the Princess of Wales and her Private Secretary, Patrick Jephson. Following that meeting, Lord Mishcon prepared a handwritten note (Operation Paget - Exhibit VM/1).

He wrote that the Princess of Wales had told him, that '*reliable sources*' (whom she did not wish to name) had informed her that by April 1996, whether in an accident in her car such as a pre-prepared brake failure or by other means, efforts would be made if not to get rid of her, then at least to see that she was so injured or damaged as to be declared unbalanced.

The Princess of Wales apparently believed that there was a conspiracy and that both she and Camilla Parker Bowles were to be '*put aside*'.

Lord Mishcon told the Princess of Wales that if she really believed her life or being was under threat, security measures including those relating to her car must be increased. He did not believe that what she was saying was credible and sought a private word with Patrick Jephson, who to Lord Mishcon's surprise, said that he '*half believed*' the accuracy of her remarks regarding her safety.

On 18 September 1997, following the Princess of Wales' death in Paris, Lord Mishcon met with the then Commissioner Sir Paul (now Lord) Condon and then Assistant Commissioner (now Sir) David Veness at New Scotland Yard (NSY), in order to bring the note to their attention. He read out the note (Operation Paget Exhibit VM/1) and emphasised that he was acting in a private capacity rather than on behalf of his firm or the Royal Family.

A note of that meeting was produced (Operation Paget Exhibit VM/2). It details the then Commissioner's view that the facts so far ascertained showed her death was the result of a tragic set of circumstances. The note concluded that if it ever appeared there were some suspicious factors to the crash in Paris, the Commissioner would make contact at a confidential level with Lord Mishcon or his firm. Lord Mishcon agreed with this course of action.

CHAPTER TWO

Lord Paul CONDON

Former Commissioner of the Metropolitan Police Service.

Interviewed by Operation Paget -Statement 232

Lord Condon recalled the meeting with Lord Mishcon and the note produced by him. He stated that it was agreed by all present that the facts of the incident in which the Princess of Wales died, as known at that time, indicated that it was a tragic accident. It was also agreed that if at any time that situation changed and the circumstances of her death were to be regarded as suspicious, the note and the Princess of Wales' concerns would be revisited. The Commissioner asked Assistant Commissioner David Veness to monitor the situation on his behalf.

Lord Condon stated that his belief at the time of the meeting was that the car crash in Paris was a tragic accident and since that meeting nothing had been brought to his attention that would alter that view. Whilst Commissioner he would have sought a further meeting with Lord Mishcon had there been cause to do so. There was no cause to do so.

Lord Condon was shown a copy of the '*Daily Mirror*' newspaper article dated 20 October 2003, that referred to a note released by Paul Burrell in which the Princess of Wales expressed concerns for her safety. Lord Condon was not aware of that note before its publication in the newspaper in 2003.

Sir David VENESS

Former Assistant Commissioner, Metropolitan Police Service.

Interviewed by Operation Paget - Statement 227

Sir David recalled the meeting with Lord Mishcon in September 1997 to discuss the note written two years previously. Lord Mishcon wanted to bring the content of the note to the attention of the Commissioner of Police. It was agreed that if the note became relevant then Lord Mishcon or his firm must be consulted before any disclosure took place.

Sir David stated there were '*two blocks on using the document*'. Firstly, there must be some relevant suspicion concerning the death and secondly, authority must be sought from Lord Mishcon or his firm before disclosure. In his view these conditions never arose.

However, when on 20 October 2003, the '*Daily Mirror*' newspaper published the story about the letter/note in the possession of Paul Burrell, Sir David Veness and the Commissioner of the time, Sir John Stevens, reviewed the Lord Mishcon note. As a result of this review and after seeking the view of Lord Mishcon, it was agreed that the Coroner should be informed of the existence and substance of the Lord Mishcon note. Further, enquiries should be made with Patrick Jephson who was also present during the meeting of Lord Mishcon and the Princess of Wales in 1995.

CHAPTER TWO

Sir David's first knowledge of the Paul Burrell letter/note was when it was published in the '*Daily Mirror*' newspaper on 20 October 2003. He was not aware that Paul Burrell was in possession of the letter/note and not aware of anyone else who knew about his possession of it. If he had known about the contents of the letter/note before then, Sir David stated he may have instructed that Paul Burrell should be seen about it.

Patrick JEPHSON

Private Secretary to the Princess of Wales from 1990 until his resignation in January 1996.

Interviewed by Operation Paget -Statement 23

In relation to the meeting in October 1995 between the Princess of Wales and Lord Mishcon, Patrick Jephson assumed that Lord Mishcon's responsibility was primarily that of a solicitor to his client and that he was therefore obliged to take what the Princess of Wales said at face value, whatever misgivings he might have had privately.

In the circumstances, Patrick Jephson thought it highly unlikely that the concerns of the Princess of Wales were well-founded. He was however anxious not to dismiss these claims outright. She had made similar claims to him in the recent past without any evidence being found. Nevertheless, he knew that an open expression of disbelief might discourage her from sharing similar fears in future. He felt it best to try to elicit the source of her information in order to decide what credence it deserved.

However, in the time available, he was not able to establish the source with any certainty and even wondered if one existed at all. Knowing her as he did, he was fairly confident that her behaviour was not that of someone who actually feared for her life.

[Paget Note: Following the taking of this statement from Patrick Jephson in December 2003 the Coroner, Michael Burgess, was informed of the Lord Mishcon note.]

ii) The Paul Burrell note

In October 2003 the '*Daily Mirror*' newspaper printed the following extract from the note, left apparently by the Princess of Wales in Paul Burrell's office at Kensington Palace:

"This particular phase in my life is the most dangerous, _____ is planning an 'accident' in my car, brake failure and serious head injury in order to make the path clear for Charles to marry."

[Paget Notes: i) The masked section covered the words '*my husband*'.

ii) The note is referred to by some as a 'letter']

CHAPTER TWO

Paul BURRELL

Former Butler to the Princess of Wales.

Interviewed by Operation Paget - Statements 24, 24A and 24B

In February 2004, Paul Burrell sent a statement to the Coroner, Michael Burgess. He referred to the 'letter' he had received from the Princess of Wales. He stated:

'In October 1996 I received from the Princess a letter an abridged copy of which I now attach to this statement. In the course of this letter, the Princess makes reference to her fears that she would die in a road traffic accident. The Princess had mentioned similar fears to me on previous occasions and had also mentioned them to Ken Wharfe, her former close protection officer and I believe to other close friends.'

'When the Princess had spoken about dying in a car accident, her expressed rationale in thinking that that would be the way that somebody would kill her was simply that it would be the easiest way to do it without arousing suspicion.'

'When I received the attached letter from the Princess I did not become more worried or vigilant on her behalf as a result of it but took it to be a further repetition of a previously expressed fear.'

'The letter represented the only document received by or seen by me containing any reference to car accidents and it was, I believe, simply an indicator of the way the Princess was thinking and feeling at that point in time.'

'Having received the letter from the Princess I did discuss it with her, but it was clear that this was something that she felt when she wrote the letter and which did not preoccupy her thereafter so that we never discussed it again.'

Operation Paget officers met Paul Burrell in May 2004. He provided a further statement. He stated that the letter left by the Princess of Wales was more accurately described as 'a memorandum or note as there was no addressee'; it was just left inside the blotter in his office at Kensington Palace for his attention. This was her custom.

He was sure the note was received in the month of October as he related it in his mind to another incident that happened shortly afterwards at Christmas time. He believed now that it may have been written a year earlier than he first stated, perhaps in 1995. Although the year may be different the facts of the note remained the same.

He did not lay any particular weight on the note and did not discuss the Princess of Wales' fears with anybody else. There were no instructions attached to it and the Princess of Wales did not talk about it [Paget Note - In his first statement he stated they discussed it but only on one occasion]. He did not do anything about it because he thought she was just unburdening her fears again. It was one of several memoranda she wrote between 1991 and 1997, particularly around the time of her divorce.

[Paget Note: The Princess of Wales was divorced in August 1996.]

CHAPTER TWO

Paul Burrell, in relation to other fears expressed by the Princess of Wales, stated:

‘There were no other notes outlining this particular fear and I believe it has now been taken out of context and too much emphasis placed on it. I have never seen or heard of any evidence that would substantiate the fear expressed and I do not know what prompted her to write it at that time. I am not aware of any evidence that her vehicle was ever interfered with.’

Paul Burrell stated that the Princess of Wales believed that Barry Mannakee, a former Personal Protection Officer who had on occasions been assigned to her, had been deliberately killed in a motorcycle crash. The crash happened seven months after Barry Mannakee had moved from personal protection duties to more general diplomatic protection. Paul Burrell believed that the Princess of Wales never wavered from this view and this may have influenced her thinking when writing the note.

[Paget Note: The motorcycle crash involving Barry Mannakee is dealt with in section 4 of this Chapter, *‘The safety of people close to the Princess of Wales’*. The conclusion in that section is that Barry Mannakee died in an accident. There is no evidence of any suspicious circumstances associated with his death.]

Paul Burrell believed that if the Princess of Wales had been truly concerned for her safety in a car, as expressed in the note, she would not have continued to drive. In his statement of May 2004, he said:

‘As far as checking her car, not much was done. We looked under the wheel arches for things like tracking devices but did not really know what we were looking for. Any tampering could easily be done during a service and we would not know about it. Even then, Rod Gunner at BMW, Holland Park looked after her car at the time and he was very vigilant. There was no previous evidence of brake failure. She still drove herself and this did not change even though everyone seemed to know where she was going and where she would be. I believe if she had been truly concerned for her safety in a car, as in the note, she would not have continued to drive herself around in her own car. Any concerns that she had were more around media intrusion.’

It would appear that no one, other than Paul Burrell, knew of the existence of this note until its publication in 2003. Members of her family, friends and associates of the Princess of Wales have been asked about the note and their views are summarised here.

Lady Sarah McCORQUODALE **Sister of the Princess of Wales.**

Interviewed by Operation Paget – Statement 53A

She did not think the *‘Burrell letter’* was written to him and it was *‘out of character’*.

CHAPTER TWO

Lucia FLECHA DE LIMA

Friend of the Princess of Wales.

Interviewed by Operation Paget – Statement 61

She believed the '*Burrell letter*' to be a fake. She stated that Paul Burrell '*could imitate Princess Diana's handwriting, he often helped her out with Christmas cards etc. If this letter is true it would have been in a mad moment*'.

The Honourable Rosa MONCKTON

Friend of the Princess of Wales.

Interviewed by Operation Paget – Statement 43

She had looked back in her diaries of 1996 but could not equate what was said in the '*Burrell letter*' with what was going on in the Princess of Wales' life at that time.

Lady Annabel GOLDSMITH

Friend of the Princess of Wales.

Interviewed by Operation Paget – Statement 46

She did not understand the '*Burrell letter*' and could see no reason why anyone would want the Princess of Wales dead.

Shirley CONRAN

Friend of the Princess of Wales.

Interviewed by Operation Paget – Statement 39

She does not think that the Princess of Wales feared for her safety and did not think that she meant the contents of what she wrote in the '*Burrell letter*' to be taken literally.

Michael GIBBINS

Former Private Secretary to the Princess of Wales.

Interviewed by Operation Paget – Statement 60

He did not receive a letter such as the '*Burrell letter*' from the Princess of Wales and had doubts over the authenticity of the letter published in the press.

CHAPTER TWO

Kenneth WHARFE

Former Metropolitan Police Service Personal Protection Officer.

Interviewed by Operation Paget – Statement 35

He stated: *‘This particular letter had no salutations; that was very unusual for the Princess...had she intended Paul Burrell to have this letter/note she would have most certainly accompanied it with a letter addressed to Burrell – to date we have not seen this.’*

Rodney TURNER

Business and personal acquaintance.

Interviewed by Operation Paget – Statement 88

He provided motor vehicles to the Princess of Wales. The *‘Burrell letter’* really surprised him. He stated that although he had not seen the letter, as far as he was aware it was undated and to his knowledge the Princess of Wales dated everything she wrote.

Richard KAY

Journalist and press contact of the Princess of Wales.

Interviewed by Operation Paget – Statement 87

She neither spoke to him nor showed him a note about being involved in an incident such as that described in the *‘Burrell note’*. He stated that by October 1996, *‘when the Burrell note was supposed to have been written’*, the Princess was not so worried about her privacy or protection.

Grahame HARDING

Security consultant.

Interviewed by Operation Paget – Statement 26A

He provided telephones to the Princess of Wales. She never discussed with him the possibility of the brakes on her car failing, or being involved in a road traffic incident.

His Royal Highness THE PRINCE OF WALES

The note identifies *‘my husband’* as the subject of her concerns and belief that a car accident was planned, to cause her a serious head injury in order to make the *‘path clear for Charles to marry’*.

[Paget Note: There is a generally held perception that this reference is to Camilla Parker Bowles, now the Duchess of Cornwall. This is not so. The Princess of Wales did name a woman in her note. It was not Camilla Parker Bowles. Operation Paget knows the identity of the woman named. The circumstances in which she is mentioned support the view that the note is more likely to have been written in 1995.]

CHAPTER TWO

HRH the Prince of Wales stated that he had no knowledge of this note until its publication in 2003 and did not know why the Princess of Wales wrote it. The Princess of Wales did not speak to him about it. HRH the Prince of Wales knew the woman named in the note, as a family friend. There has never been any possibility at any time of marriage to her.

Operation Paget Comment

TRH the Prince and Princess of Wales divorced in August 1996. The fact that the Princess of Wales referred in the note to '*my husband*' rather than her ex-husband or some other term, lends support to the fact that it was written before that date and thus the date of October 1995 is more likely.

The claim made by the Princess of Wales in the Paul Burrell note may have been an indication that at the time of writing it she perceived threats to her position in many different ways. The note showed that her concern at that time was not, as was generally perceived, Camilla Parker Bowles. In the Lord Mishcon meeting of October 1995 (most probably the same time as the Paul Burrell note) the Princess of Wales had in fact referred to both herself and Camilla Parker Bowles being '*put aside*'.

None of the family, friends and acquaintances of the Princess of Wales were aware of the note. Some questioned its authenticity. Some believed that the original date given by Paul Burrell of 1996, i.e. post-divorce, did not fit with the Princess of Wales' state of mind at that time. She and the Prince of Wales had officially separated in 1992 and the divorce was complete in the summer of 1996. Relatives and friends believed she was looking forward to the future and her relationship with HRH the Prince of Wales had improved. They therefore believed it was more likely that the note was written in 1995, as described in Paul Burrell's second statement.

There are no other known notes outlining this particular concern.

iii) Concerns expressed by the Princess of Wales regarding her car

In 1995 the Princess of Wales believed she had problems with the brakes on her car and that they had been tampered with. She told Simone Simmons and Hasnat Khan of this incident.

Simone SIMMONS

Complementary therapist and friend of the Princess of Wales.

Interviewed by Operation Paget -Statement 63

Simone Simmons stated that one day in 1995 [Paget Note: She cannot be more specific after this length of time] the Princess of Wales telephoned her from her car saying that the brakes had failed and that she thought they had been tampered with.

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The Princess of Wales subsequently wrote a note to Simone Simmons stating that MI5 or MI6 were involved. Simone Simmons believed the note read something like:

'Dear Simone, as you know, the brakes of my car have been tampered with. If something does happen to me it will be MI5 or MI6 who will have done it. Lots of love, Diana.'

Simone Simmons did not know where the Princess of Wales got this idea from and asked her when the brakes on the car had last been checked. The Princess of Wales said that she had no idea. Simone Simmons told her to get someone to look at the car. She told her the same thing had happened to her own car in the past.

Simone Simmons believed that Patrick Jephson arranged for the Princess of Wales' car to be examined. She stated:

'It turned out to be normal wear and tear. That was the one and only time she expressed any fear for her safety to me. Diana could be quite impulsive and jumped to conclusions. She was feeling very down at the time of the brake problems because of her separation and was taking the sleeping tablets.'

After the Princess of Wales' mind was put at ease over the car's brakes, Simone Simmons never heard her voice any other concerns about her safety.

Hasnat KHAN

Friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 72

In 1995 he saw her driving a particular motor vehicle. When he next saw her in a car a couple of months later, which Hasnat Khan described as around December 1995, she was in a different car, a BMW. Hasnat Khan asked her what had happened to the previous car, as it was such a lovely vehicle. The Princess of Wales told him the brakes had been tampered with, so she had decided to change the car.

If the Princess of Wales was referring to the same car when telling Hasnat Khan of this concern, she again is talking of her concerns some time before December 1995.

Rodney TURNER

Business and personal acquaintance. He provided motor vehicles to the Princess of Wales.

Interviewed by Operation Paget -Statement 88A

He described the Princess of Wales' change to driving BMW cars in different terms. In late 1995, according to Rodney Turner, the Princess of Wales became unhappy with the arrangement she had with her car supplier. She believed that when she exchanged her vehicle at a local dealership it was then being offered for sale at a premium because she had been the previous keeper. Rodney Turner said that although the car was removed from the forecourt, she was unhappy about what had happened. He discussed the situation with her and she changed to BMW motor vehicles.

CHAPTER TWO

Rita ROGERS

Spiritual Adviser to the Princess of Wales.

Interviewed by Operation Paget – Other Document 545 and Message 1010

Rita Rogers described herself as a medium. The Princess of Wales made personal visits on a couple of occasions and they often spoke by telephone. During one of these telephone calls, Rita Rogers told the Princess of Wales that she had had a premonition that she felt the brakes on the Princess of Wales' car had been tampered with. There had been no previous conversation about such things. Rita Rogers stated that the Princess of Wales did not respond by saying that she had had such problems. Rita Rogers could not recall when she told the Princess of Wales of this premonition, but she believed it might have been at the time the Princess of Wales was seeing Hasnat Khan. [Paget Note: This would indicate September 1995 to July 1997.]

The Princess of Wales said that she would get her brakes checked and some time later telephoned Rita Rogers saying that a problem had been found with the brakes.

Steven DAVIES

Private chauffeur to the Princess of Wales: 1994 – March 1997.

Operation Paget - Other Document 512

Steven Davies now lives abroad. He stated that he looked after the Princess of Wales' cars and although he did not have control of them when she was out alone, they were garaged at Kensington Palace. He drove the cars, cleaned them, checked them and took them for service. For the last six months of his employment the Princess of Wales drove herself and he just looked after the cars.

He stated that the Princess of Wales never told him of a problem with the brakes. He had never been asked by her, or anyone else, to specifically check for brake problems. Had he been informed of such a thing he would have taken the car straight to the dealership for checking.

John DRYDEN

Car sales manager.

Operation Paget - Other Document 512

John Dryden was the sales manager at the dealership handling the cars of the Princess of Wales in 1994 and 1995. He remembered Steven Davies, in the main, driving the Princess of Wales' car. He did not remember any major problems or any safety issues, including brake problems with her cars at that time. John Dryden believed Steven Davies would have come to him with any problems as he was his point of contact at the dealership.

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Operation Paget Comment

Rita Rogers told the Princess of Wales in a telephone call of her premonition that the brakes on the Princess of Wales' car had been tampered with. It is reasonable to assume from the reaction of the Princess of Wales that there had not been a problem with her car brakes before this time. One would have expected a more significant response if the Princess of Wales had experienced such a problem.

Rita Rogers cannot be certain of the date that she told the Princess of Wales of this premonition but believed the Princess of Wales was seeing Hasnat Khan at the time. [Paget Note: September 1995 - July 1997]

The Princess of Wales told Simone Simmons and Hasnat Khan that she believed the brakes on her car had been tampered with. Simone Simmons could be no more specific than to date this as during 1995. Hasnat Khan believed this had occurred shortly before December 1995.

The Lord Mishcon meeting with the Princess of Wales, when she spoke of her concerns for her safety took place in October 1995.

The Burrell note, '*planning an 'accident' in my car, brake failure and serious head injury*' was most likely, according to the evidence, written in October 1995.

This evidence, taken together, may be an indication of how unhappy the Princess of Wales was in late 1995. If Rita Rogers' comments to the Princess of Wales about car brakes being tampered with had been during the same period one can see how it may have influenced the Princess of Wales' thoughts.

Operation Paget has found no evidence to support the Princess of Wales' stated concerns.

The Princess of Wales continued driving cars after this time.

Part (b) – Views on the Princess of Wales' Concerns for her Safety

Witnesses in the following section provided their views on whether the Princess of Wales had concerns for her safety and their assessment of those concerns. Those who provide evidence of this view are discussed first:

CHAPTER TWO

Roberto DEVORIK

A friend of the Princess of Wales, Roberto Devorik had known her since 1981. Their relationship, which was originally professional and linked to the fashion industry, progressed to friendship as he got to know the Princess of Wales while working together for various charities. He gave details of a number of conversations during which she outlined concerns for her safety.

Interviewed by Operation Paget - Statement 164

The Princess of Wales told Roberto Devorik she feared three people - Nicholas Soames, Robert Fellowes and HRH Prince Philip. She said of Robert Fellowes: *'He hates me. He will do anything to get me out of the Royals. He cost me the friendship with my sister'* and added *'Prince Philip wants to see me dead.'*

He stated the Princess of Wales had premonitions that she would be killed and was convinced that sooner or later *'they', the 'machinery' were going to blow her up'*. Roberto Devorik understood this to mean the *'Establishment'* or those working in high positions in Buckingham Palace.

November 1995. Roberto Devorik stated that the day after the broadcast of the *'Panorama'* programme featuring the interview with the Princess of Wales, which he believed to be in November 1995, they travelled to Argentina. [Paget Note: This is the interview with Martin Bashir in which the Princess of Wales discussed her private life in some detail.] They did not travel together because she was concerned for his safety. On arrival in Buenos Aires after speaking to HRH Prince William on the telephone, she told Roberto Devorik, *"after this they are going to kill me"*. He knew she was referring to the television broadcast. He asked if she meant HRH the Prince of Wales and the Princess of Wales replied, *"No. I am sure Prince Philip is involved with the security services. After this they are going to get rid of me."*

August 1996. The day after the Princess of Wales lost her 'HRH' title he accompanied her on a trip to Italy. [Paget Note: The Princess of Wales lost the HRH title on 28 August 1996.] Whilst in the VIP lounge at the airport prior to departure from London, referring to a portrait of HRH Prince Philip on the wall, the Princess of Wales said, *"He really hates me and would like to see me disappear"*. Roberto Devorik stated that the Princess of Wales used to say, *"He blames me for everything."*

During the flight to Rome the Princess of Wales said to Roberto Devorik, *"Well cross your fingers, any minute they will blow us up"*. He told her not to say such things and asked her if she really believed it would happen. She replied, *"Yes in a helicopter, a car or thing like this"*. [Paget Note: Meaning, according to Roberto Devorik, a small private aircraft.] He asked why she believed this and she said, *"Roberto you are so naïve. Don't you see they took my HRH title and now they are slowly taking my kids? They are now letting me know when I can have the children."*

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He asked why 'they' were going to kill her and she said:

"They don't want to understand me. I am a threat in their eyes. They only use me when they need me for official functions and then they drop me again in the darkness... they are not going to kill me by poisoning me or in a big plane where others will get hurt. They will either do it when I am on a small plane, in a car when I am driving or in a helicopter. The only time I really feel safe is when I am in the USA. Everybody in America likes me. I am very popular there. The 'Establishment' doesn't like me and there is no 'Establishment' there."

Roberto Devorik stated that in Rome the Princess of Wales had no bodyguards. She felt that if she was going to be 'blown up' it would happen whether she had protection or not. She also stated that she was fed up with being followed around and had anticipated she would be asked to pay for her own security following her divorce.

Roberto Devorik recalled one other occasion when he invited the Princess of Wales to lunch with an actress. He could not remember the date. The actress wanted the Princess of Wales to see a production of 'Mary, Queen of Scots' in which she was appearing. The Princess declined saying, *"I know the ending and I will finish like Mary Queen of Scots and be chopped. I am an inconvenience for them"*. [Paget Note: The production ran in London from March 1996 to July 1996.]

He last spoke to the Princess of Wales by telephone on Thursday 28 August 1997. She did not mention any fears at that time and was expecting to be home on Sunday or Monday.

Simone SIMMONS

Complementary therapist and friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 63

Telephone conversations with Operation Paget - Messages 485 and 506

Simone Simmons gave her statement to Operation Paget in September 2004. In this she said:

'I wouldn't say that Diana had any real fears for her life but in 1993/1994, because of her separation from Prince Charles, she thought there might be an Arab conspiracy against her. She thought this because of Charles' friendship with the Arabs and because of the Arab culture where women must be subservient and she had 'broken away' from her husband.'

Simone Simmons also spoke of the incident involving the car in 1995 but she never heard the Princess of Wales voice any other concerns about her safety after that.

Simone Simmons then contacted Operation Paget on 30 November 2005. (Operation Paget Message 485). She now recalled an incident in February 1997 when the Princess of Wales received a telephone call from Nicholas Soames. This information was not provided by her when making her original statement in September 2004.

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She stated that the Princess of Wales knew Nicholas Soames as he was a good friend of HRH the Prince of Wales. The Princess of Wales apparently beckoned Simone Simmons to the telephone and they placed their ears to the receiver. Simone Simmons heard a male say, *"Don't meddle in things that you know nothing about because you know accidents can happen"*. She stated there was an inflection in the voice which both she and the Princess of Wales found threatening. The telephone call reportedly took place shortly after the Princess of Wales had returned from a trip to Angola connected with an anti-landmine campaign.

An article detailing this alleged incident was published in the *'Daily Express'* newspaper on 5 December 2005.

Nicholas Soames provided a statement to Operation Paget (Statement 187) in which he categorically denied ever having such a conversation with the Princess of Wales.

St Tropez Holiday in mid-July 1997.

The following statements of Mohamed Al Fayed and Lee Sansum, a bodyguard working for Mohamed Al Fayed, refer to conversations with the Princess of Wales during this holiday:

Mohamed Al FAYED

The Princess of Wales holidayed with Mohamed Al Fayed at his home in the South of France in mid-July 1997. The Princess of Wales was accompanied by her sons. Mohamed Al Fayed described comments she made then about her safety.

Statement provided to Operation Paget - Statement 163

He stated that the Princess of Wales told him during this summer holiday that she feared she would be murdered by the Royal Family. She told Mohamed Al Fayed that she would probably go up in a helicopter and never come down alive. She also told him that she had confided in Paul Burrell and that if anything should happen to her, Paul Burrell *'held the secrets which she had entrusted to him.'*

Lee SANSUM

Bodyguard employed by Mohamed Al Fayed. He was one of the security team during the family holiday in July 1997 in the South of France. He described a conversation with her following the death of Gianni Versace.

Interviewed by Operation Paget - Statement 168

He stated that on 15 July 1997 he became aware of the death of Gianni Versace. Later that day he was aboard the *'Jonikal'* yacht and bumped into the Princess of Wales.

CHAPTER TWO

'She had obviously been crying and said, "Have you seen in the news about what's happened to Versace?" She may have referred to him by his first name. I said, "Did you know him" or "was he a friend". She said, "Do you think he was murdered?" I said, "I don't really know. I'm sure the police will find out."

The Princess of Wales then said something like, "Do you think they'll do that to me?" or "Do you think they'll kill me / murder me?" '

Lee Sansum stated that his understanding of the term 'they' was 'the 'Establishment', and by that he meant the British government.

Kevin SULLIVAN and Christopher TARR

Metropolitan Police Service Personal Protection Officers. They accompanied HRH Prince William and HRH Prince Harry on the holiday in St Tropez in 1997.

Interviewed by Operation Paget - Statements 190 and 191

Both stated that neither the Princess of Wales nor any other member of the party expressed any concerns regarding their personal security or safety.

Lady Sarah McCORQUODALE

Sister of the Princess of Wales.

Interviewed by Operation Paget - Statement 53A

Lady Sarah told her sister that '*she was wrong to get rid of her protection officer*' but the Princess of Wales said, "*There's nothing I can't deal with*". The Princess of Wales '*often felt she was better off without one*'.

Lucia FLECHA DE LIMA

Friend of the Princess of Wales from 1991 onwards.

Interviewed by Operation Paget - Statement 61

The Princess of Wales never spoke of any fear of danger, although in 1991 or 1992 the Princess of Wales believed that the IRA was planning something against her. In her statement, Lucia Flecha de Lima said:

'She often stayed away or stayed alone in Kensington Palace. She wouldn't have done so if she feared for her safety. She never feared Charles. Prince Philip tried to help her during the difficult period of her marriage, in his own way. He was sometimes a bit brutal. I have read the letters. They were not unkind. He is a clever man. He would not hurt her. The divorce was over and the finances were settled. There was no reason for anyone to kill her.'

CHAPTER TWO

Susan KASSEM

Friend of the Princess of Wales from 1994 onwards.

Interviewed by Operation Paget - Statement 42 and 42A

She stated that the Princess of Wales never mentioned any fears for her safety. If she was down about something she believed the Princess of Wales would discuss it with her but she never mentioned fearing for her life. Susan Kassem said:

'I have lots of letters from Diana. She never mentioned any fears for her own safety. I believe she had an impossible life. The press gave her no privacy. If she were down about something she would discuss it with me. She never said anything about being worried about her life. She implied she did not get on very well with the Duke of Edinburgh. I think their relationship was a little tense or awkward. I do not know why.'

Susan Kassem last spoke to the Princess of Wales on Saturday 30 August 1997. She said:

'The last time we spoke Diana had just arrived at the hotel. I think it was between 9pm and 10pm London time. I was at home. It was a very quick call and I cannot remember the content of it but it was probably words to the effect of "Have a safe flight, see you Monday". She said she would ring me the next day after she had landed and was back home. She did not say whether she would be ringing anyone else that evening and at no time did she mention any fears she may have had for her safety.'

The Honourable Rosa MONCKTON

Friend of the Princess of Wales from 1989 onwards. They holidayed together in Greece aboard a private boat in mid-August 1997.

Interviewed by Operation Paget - Statement 43

The Princess of Wales never mentioned that she feared for her life, nor to Rosa Monckton's knowledge had she written about anyone trying to kill her. She believed that the Princess of Wales would have discussed any fears she may have had with her but she had not mentioned anything. Rosa Monckton stated:

'We returned from our holiday on the 20th August and in fact, the Princess dropped me off at my home. I last spoke to Diana on the Wednesday before her death. I rang her on her personal mobile in the early afternoon. I believe her number was....., which I kept in code at the back of my diary. I was one of a very small amount of people who knew her number. She was on holiday with Dodi and we only had a very brief conversation. She told me it was 'bliss' but said that she wanted to get back home to be with her sons. She was also missing the gym.'

CHAPTER TWO

Lana MARKS

Friend of the Princess of Wales from 1996 onwards.

Interviewed by Operation Paget - Statement 115

She did not think that the Princess of Wales worried about her own safety. She thought that if the Princess of Wales had such concerns, she would have discussed them with her.

Shirley CONRAN

Friend of the Princess of Wales. She had known the Princess of Wales as an acquaintance since before the Royal marriage and they became friends in 1997.

Interviewed by Operation Paget - Statement 39

She felt certain that if the Princess of Wales had been fearful for her safety she would have told the police and would probably have mentioned it to her. She was not aware of the Princess of Wales ever having received any death threats, though they had talked at length about stalkers. The Princess of Wales was certainly not frightened on 30 July 1997 when Shirley Conran last saw her.

Lady Annabel GOLDSMITH

Friend of the Princess of Wales from the early 1980s onwards.

Interviewed by Operation Paget - Statement 46

She stated:

'I do not think at all that Diana feared Prince Charles. In fact, I don't even think it would have entered her mind. I have hundreds of letters from her and there is nothing to suggest she was scared. They are all very sweet letters.'

Jemima KHAN

Friend of the Princess of Wales since June 1995.

Interviewed by Operation Paget - Statement 105

The Princess of Wales never mentioned any fears she may have had.

Hasnat KHAN

Friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 72

Hasnat Khan stated that the Princess of Wales was concerned about her safety but was not paranoid about it. She never talked to him about any fears she had other than the incident when she claimed the brakes of her car had been tampered with.

CHAPTER TWO

Paul BURRELL

Butler to the Princess of Wales.

Interviewed by Operation Paget - Statements 24A and 24B

He stated that the Princess of Wales felt '*somewhat vulnerable*' in public but was wary of her Personal Protection Officers because their senior officer was also a Personal Protection Officer for HRH the Prince of Wales. Because of this the officers '*naturally reported on the Princess's activities.*' The Princess of Wales could have had personal security had she wanted it and was not at all concerned about her own safety. Any concerns that she had were more around media intrusion.

[Paget Note: The Princess of Wales asked for her personal protection to be withdrawn in December 1993. This had been provided by the MPS.]

Paul Burrell's view was that if the Princess of Wales really had believed there was a threat to her life she would not have continued with her mother as named executor of her will. They had fallen out before the Princess of Wales' death. She would also have ensured her personal affairs were in much better order to protect her sons' interests after her death.

Patrick JEPHSON

Private Secretary to the Princess of Wales until 1996.

Interviewed by Operation Paget - Statement 23

He believed the Princess of Wales had developed a defensive state of mind that was in his view, '*exacerbated by having unwisely dispensed with police close protection*'. He believed the Princess of Wales was under stress and he thought she was '*vulnerable to those who wished to exploit her fears for their own ends*'. He was concerned that by appearing susceptible to conspiracy theories she was, '*playing into the hands of those who wished to dismiss her as mentally frail and a liability to the Royal Family.*'

Michael GIBBINS

Private Secretary to the Princess of Wales at the time of her death.

Interviewed by Operation Paget - Statement 60

Michael Gibbins stated:

'I have been asked whether the Princess of Wales ever talked to me about her fears of being involved in a road traffic incident or any other fears in respect of her personal safety. She never talked to me about a motor accident deliberately set up to hurt her, but she was aware that because of her high profile status measures needed to be taken and that she needed to be careful. I am aware that in the car she was a touch jumpy when being followed by other vehicles or motorcycles; in my opinion more for the safety of others than concern for herself.'

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Michael Gibbins further stated on more general safety and security issues:

‘Generally the Princess was very concerned that the presence of personal protection got in the way of her having a life. She was acutely aware however that if she was on an official engagement especially abroad with her sons then her police protection was vital. If the Princess had a forthcoming engagement my office would link in with the police and they would describe what level of personal protection was in place. Whatever advice they gave was followed. Outside of these engagements I was not involved at all. I was comforted to a large degree that her drivers were ex Royalty protection officers.’

Colin TEBBUTT

Security consultant and driver for the Princess of Wales at the time of her death.

Interviewed by Operation Paget - Statement 41

Colin Tebbutt stated:

‘I have been asked whether the Princess of Wales had mentioned to me any fears of her becoming involved in a Traffic Incident. I can categorically state that whilst I was in her employ, she never mentioned to me any such fears, or any other safety fears that she had, for that matter.’

Colin HAYWOOD-TRIMMING

Former Personal Protection Officer to TRH the Prince and Princess of Wales.

Interviewed by Operation Paget - Statement 93

The Princess of Wales never expressed any concerns over her personal safety. At official engagements there were rare incidents when people would come out of crowds towards her. Hoax bomb calls and threats allegedly from the Provisional IRA were received, but this was the case with most members of the Royal Family. To his knowledge the Princess of Wales was never specifically targeted by anyone.

Kenneth WHARFE

Former Personal Protection Officer to the Princess of Wales.

Interviewed by Operation Paget - Statement 35

He travelled hundreds of miles on motorways throughout the United Kingdom with the Princess of Wales. She would often pass comment to the effect that “*we could be killed in a road accident*”. He asked her why and she replied, “*Because we spend too much time in the car*”. On passing the scenes of accidents she would say, “*That could have been us*”.

‘The Princess did not have any premonitions, she just saw car accidents as a fact of life. She never suggested to me that she might be murdered in one. Never once did she make any remarks similar to those that appeared in Paul Burrell’s letter.’

CHAPTER TWO

Rodney TURNER

Business and personal acquaintance. He provided motor vehicles to the Princess of Wales.

Interviewed by Operation Paget - Statement 88

He was not aware of the Princess of Wales having fears of being killed or injured. He stated:

'I know that she suffered from severe lows, especially during her divorce, but I am not aware of Diana having any particular fears of being killed or injured.' and

'The only other comment that springs to mind is that around the time of the divorce the IRA made some sort of announcement that she would be a target. I've looked in my files and found a press cutting dated 29th February 1996 referring to this She said, "If it's not the IRA, it's my husband." She only said it jokingly; she was not in a distressed state about it. I can say, with my hand on my heart that she did not take it seriously.'

The Princess of Wales never expressed any concerns to Rodney Turner about her safety in respect of driving. The only concern she expressed was about the photographers when they opened the car doors as she was moving off. Consequently a dead lock system was fitted to her car.

Richard KAY

Journalist and press contact.

Interviewed by Operation Paget - Statement 87

The Princess of Wales never expressed any fears of physical attack and never mentioned that she was frightened, telling Richard Kay on many occasions that *'her fame was her protection'* and *'She knew that she was never going to be Queen, but I don't think she ever said to me, somebody "is going to kill me", nothing like that.'*

Dr Lily YU

Practitioner in Chinese medicine, consulted by the Princess of Wales.

Interviewed by Operation Paget - Statement 109

During her conversations with the Princess of Wales no mention was ever made of any fears for her safety, although Dr Yu did not think she would have discussed this sort of thing with her.

CHAPTER TWO

Peter SETTELEN

Speech coach, consulted by the Princess of Wales.

Interviewed by Operation Paget - Statement 202

He had no recollection of the Princess of Wales telling him she was afraid of being killed. He recalled her once commenting on how easy it would be for someone to tamper with the brakes of a car but, given the passage of time, twelve years on, he was unable to say how fearfully it was said. He last spoke to the Princess of Wales in March 1994.

Grahame HARDING

Provided technical security advice and secure telephones to the Princess of Wales.

Interviewed by Operation Paget - Statement 26A

The Princess of Wales never spoke to him about her personal safety or protection arrangements.

Operation Paget Comment

Roberto Devorik gave the most specific information about conversations with the Princess of Wales when she did speak of her concerns. Much of his evidence referred to comments that HRH Prince Philip wanted to harm her. Where dated, these concerns were voiced by the Princess of Wales in 1995 and 1996.

Simone Simmons referred in her statement to the incident involving the Princess of Wales' car and her concern about brake tampering, but she also stated that the Princess of Wales did not have any fears for her life. It is not known why she did not volunteer the information about the alleged telephone call from Nicholas Soames when she made her statement to Operation Paget in 2004. The inference, from the context in which the telephone call was allegedly made, is that the threat was linked to the Princess of Wales' anti-landmine campaign.

Mohamed Al Fayed and Lee Sansum referred to conversations with the Princess of Wales during the St Tropez holiday in mid-July 1997 in which she expressed concerns about her safety.

The MPS Personal Protection Officers accompanying the Royal Princes on that holiday provided evidence that no one informed them of any concerns.

Family members, friends and acquaintances of the Princess of Wales commented that she did not have concerns for her safety that they believed to be genuine, or she did not talk to them about such issues.

Chapter Sixteen details enquiries made at the Secret Intelligence Service and Security Service. All enquiries there showed no link to any of these events.

CHAPTER TWO

In October 1995, the probable time that she felt her brakes were tampered with, the Princess of Wales was sufficiently concerned about her safety to call a meeting with Lord Mishcon and, it is also likely, to have left the note for Paul Burrell. In these instances the Princess of Wales essentially repeated her same basic concern.

However, one should exercise caution when considering a repeated claim to be corroborating evidence. Operation Paget has found no supporting evidence to show there were any grounds for these concerns even though they were clearly held at that time by the Princess of Wales.

2. Surveillance Issues

The Princess of Wales' concerns about eavesdropping

The witness evidence indicated that the Princess of Wales believed that her telephone conversations were being listened to; she was being monitored; or being followed. The following make specific reference to this belief.

Roberto DEVORIK

A friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 164

He recounted the Princess of Wales telling him that on one occasion she left Kensington Palace in a vehicle without telling anyone and without any security. As she drove, she believed someone was following in another vehicle. He said that, *'She didn't think they were very professional and she was sure it wasn't the police. She telephoned me very upset. She said, "Somebody wants to hurt me".'*

Richard KAY

Journalist and press contact.

Interviewed by Operation Paget - Statement 87

He asked her who would be bugging her telephone lines and she said the 'police or Security Services'. Asked why, she said it was because they wanted to know what she was doing. Richard Kay tried to reassure her by telling her that this could be in order to keep her safe because she did not have any armed protection. He also said that the Princess of Wales would change her mobile telephone number from time to time when she fell out with friends and others. As an example, early in 1997 she told Richard Kay that she had changed her number because she had fallen out with Simone Simmons.

CHAPTER TWO

Gerald POSNER

American investigative journalist and author.

Interviewed by Operation Paget - Statement 116

He referred to a recording of a telephone conversation that he listened to that he stated had been intercepted by the United States National Security Agency.

'I was able to listen to a small portion of a conversation that had apparently taken place between her and Diana, Princess of Wales during a phone conversation. That conversation was evidently intercepted electronically by the NSA, having originated from the Brazilian Embassy in Washington. I could only decipher a British woman and a woman with a slight Hispanic accent talking about hairstyles.'

This incident is examined in Chapter Fifteen. The inference from Gerald Posner is that the telephone call was listened to from the Brazilian end of the conversation rather than that of the Princess of Wales. The source, known only to Gerald Posner, has declined to meet Operation Paget and so the information remains uncorroborated.

Grahame HARDING

He is the owner of an electronics and security company. He was asked to help the Princess of Wales as she thought she was the subject of eavesdropping. He first visited Kensington Palace in 1994.

Interviewed by Operation Paget - Statement 26A

Grahame Harding stated:

'The Princess of Wales told me that she was concerned that people were listening into her conversations and that there were listening devices in her apartments including her bedroom. She talked about 'dark forces', but other than questioning the existence of listening devices, she never said who she suspected of spying on her. When she did say things like this, I thought, "Why would anyone try to do that"? She probably had all these thoughts simply building up inside her mind and in my opinion she was making something out of nothing.'

I didn't have the feeling that she was paranoid in general but I thought she was more concerned than I thought she needed to be. I tried to reassure her. I explained to the Princess of Wales, that listening devices in reality, unlike those depicted television, were more difficult to use and that their batteries were prone to fail very quickly. In order to allay her fears and to reassure her, I conducted a limited sweep of her premises using equipment that was not very sophisticated and would only locate the normal or basic type of listening devices.'

He always dealt with the Princess of Wales personally and conducted several sweeps of her apartments. These were limited to electronic sweeps as he did not have people in his organisation who did physical searches. The Princess of Wales contacted him by pager and he would call her to establish what she required.

CHAPTER TWO

In 1994, soon after the Princess of Wales started using his services:

'Whilst conducting a sweep for listening devices my equipment detected an electronic signal, which indicated that a possible bugging device may have been present behind a wall in her bedroom. Princess Diana was present when I found this signal. I did not know what was on the other side of this wall and was not able to investigate further as I did not have access. From memory on the side of the wall that I had access to, there was no evidence of disturbance to the wall or fixtures. The next time I did a sweep of this area, which was a day or two later, the signal it had gone. I did not tell anyone of my findings and do not know if Princess Diana looked into it further. I cannot give an explanation as to what caused the reading I got. It could have been innocent electronic equipment in the next room. Had it been a sophisticated listening device, I would not have expected to find it.'

'I searched for electronic devices in the Princess's apartment at Kensington Palace on three or four occasions over a period of five or six weeks, but this was in the early days. I cannot recall doing it in the later years.'

In 1995, transcripts of the Princess's personal telephone conversations with James Hewitt had been printed in the press. She said it would be nice to have a telephone that could not be traced back to her. Grahame Harding suggested obtaining a mobile telephone in his name so that he could give her the telephone but the billing would be sent to him and she could pay the bills through him. She agreed and he opened a mobile telephone account for her.

Grahame Harding told the Princess of Wales that the phone was digital and these were very hard to listen in to. He believed she spoke to her friends quite freely on that mobile telephone, but would rarely use her home telephone. Over the two years or so that he provided the Princess of Wales with her mobile telephones she asked him to change the number on numerous occasions, once after only three weeks.

Operation Paget Comment

The evidence showed that the Princess of Wales believed that her telephone conversations were being listened to and there may have been attempts to listen to her conversations at home. This was not an irrational concern. There is substantive evidence from the broadcast of her personal telephone conversations with, for example, James Gilbey, to show that conversations had been recorded.

It would appear that the mobile telephones supplied to her by Grahame Harding gave her reassurance that the digital signals, rather than the analogue signals of the James Gilbey conversation, were very difficult to intercept.

The Princess of Wales was still very wary of speaking on landlines. Although he did detect some form of signal while electronically sweeping her apartment in 1994, Grahame Harding did not find any devices. Her concerns about physical surveillance were expressed to Roberto Devorik on the one occasion she believed she was being following by unidentified people.

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The evidence of what is termed the 'Security Services' is examined in detail in Chapter Sixteen. Operation Paget has found no evidence of the Secret Intelligence Service (SIS) or Security Service monitoring telephone calls of the Princess of Wales.

3. The Princess of Wales' relationship with the Royal Family

This section looks at the evidence available with respect to the claims of Mohamed Al Fayed that the Princess of Wales feared other members of the Royal Family were seeking to do her harm. The main allegation of Mohamed Al Fayed specifically names HRH Prince Philip as being the person responsible for a conspiracy to murder his son and the Princess of Wales. He also specifically refers to HRH Prince Philip sending '*vitriolic letters*' to the Princess of Wales.

The inference throughout the allegation is that some of the malice allegedly directed towards the Princess of Wales, and part of the motive for having her killed, was because she was having a relationship with Dodi Al Fayed, a Muslim.

HRH Prince Philip, when contacted by Operation Paget, saw no reason to comment on any of these claims.

Paul BURRELL

Butler to the Princess of Wales.

Interviewed by Operation Paget - Statements 24A and 24B

He stated that the Princess of Wales' correspondence included several letters from HRH Prince Philip. He is not in possession of any of them now. Some he said could be described as startling with a tone that was quite cutting and cruel, but at other times they were supportive and kind. According to Paul Burrell, HRH Prince Philip never displayed any angry bitterness or vindictive behaviour towards the Princess of Wales and never made any threats to her, either directly or indirectly. Paul Burrell described them as having a mutual respect for each other. They got on much better than is generally perceived. HRH Prince Philip could be direct, but would also give the Princess of Wales support and wrote notes to her on many occasions.

Although there had been animosity between TRH the Prince and Princess of Wales at the time of the divorce, they were on cordial terms when she died. The last time Paul Burrell saw them together at Kensington Palace they were very friendly to one another. HRH the Prince of Wales was a kind person generally and Paul Burrell never '*...had any thought or information that he would harm the Princess in any way*'.

Paul Burrell stated that, at the time of her death, the Princess of Wales had just come out of a long-term relationship with Hasnat Khan and she was still not over it. She had ended the relationship because she could not see how it would progress with all the difficulties attached to it. He believed she was still in love with Hasnat Khan when she died.

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He also believed that the Princess of Wales would have married Hasnat Khan if she could but there were great problems because of the religious and cultural differences. He believed Hasnat Khan found her huge fame difficult to handle as he was dedicated to his profession as a heart surgeon. The Princess of Wales talked of marriage to Hasnat Khan and asked Paul Burrell, some time around December 1996, to see if a secret marriage ceremony was legally possible. He made enquiries on her behalf and found that this could not be done without informing the appropriate authorities.

Hasnat KHAN

Friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 72

The Princess of Wales had a relationship with Hasnat Khan for nearly two years, from September 1995 until just before she died. Hasnat Khan stated that the media became aware of the closeness of the relationship around November 1995.

He stated that if he and the Princess of Wales had married, as far as he was concerned, she would not have had to convert to the Muslim faith. The Princess of Wales used to read about Islam and she would tell him what she had learned. However, she never said she would convert to the Muslim faith and he never asked her to do this.

Hasnat Khan told her that the only way he could see them having any sort of normal life together was if they went to live in Pakistan as the press did not bother people there. He knew that the Princess of Wales considered this an option for a while. She even went to Pakistan to speak to Jemima Khan about life there. However, after a while she no longer talked about Pakistan and although she did not actually say so, Hasnat Khan got the impression that she no longer considered living there a possibility.

Hasnat Khan stated that around the end of 1996 or the beginning of 1997, the Princess of Wales asked Paul Burrell to talk to a priest about the feasibility of them getting married in secret. He knew nothing about this until afterwards when both the Princess of Wales and Paul Burrell told him. When he found out, he said to the Princess of Wales, *"Do you honestly think you can just bring a priest here and get married?"* He thought it was a ridiculous idea. He believed that in her head she wanted to get married but practically she had not thought about the implications. They had an argument about it once and he told her she could not just jump into something like that. She just said that everything would be alright.

Hasnat Khan did not know the Royal Family. He did not know if there would be a problem for them had she remarried.

Hasnat Khan stated he would be very naïve to think that MI5 or MI6 did not have an interest in him because of his relationship with the Princess of Wales. However, he really did not think he was ever under any threat from the authorities.

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During his relationship with the Princess of Wales he received a lot of anonymous threats through the post, some clearly of a racist nature. This was very stressful for him. He did not inform anyone and did not do anything about it, although he did mention it once to the Princess of Wales. He did not want her to worry about it as he knew she tried so hard to protect him. He destroyed all of this mail.

He thought the Princess of Wales did not have a good relationship with her mother. He believed she did not approve of her daughter seeing a Pakistani and a Muslim and the Princess of Wales stopped talking to her mother because of this.

They did not discuss her relationship with HRH Prince Charles but Hasnat Khan believed that she had got over the separation. In relation to other members of the Royal Family, the Princess of Wales was always very complimentary about Her Majesty the Queen and although she did not like HRH Prince Philip, she never expressed any fear of him.

Jemima KHAN

Friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 105

Jemima Khan was asked about the relationship between the Princess of Wales and Hasnat Khan and the visit of the Princess of Wales to Pakistan. She stated:

'...Diana and I had a discussion about how difficult a relationship with a Pakistani man could be. In retrospect, I realise that she probably wanted hints from me on how to understand the culture and endear herself to his family but I was too wrapped up in my own life to be very much help to her.'

'I used to see a lot of Diana then [Paget Note: In 1997]. Diana's second visit to Pakistan was around June 1997 and we travelled there together on my father's plane. Our trip lasted about two days as I was keen to get back to see my father. Whilst we were in Pakistan, Diana stayed with my husband and me. Although she was there to support Imran's cancer charity, she also used the opportunity to meet Hasnat's family and in particular his mother. She funded both her trips to Pakistan herself. She was very emotionally involved with Hasnat at that time. My sisters-in-law ...accompanied Diana when she went for tea with Hasnat's family.'

Father Anthony PARSONS

Carmelite Priest and friend of Paul Burrell. He described an enquiry from Paul Burrell regarding the marriage of a Muslim and a non-Catholic in a Catholic church.

Interviewed by Operation Paget - Statement 68

Father Parsons recalled an evening with Paul Burrell and his wife at Paul Burrell's home. At some point during the course of the evening Paul Burrell asked him, *"Is it possible for a Muslim to marry a non-Catholic in a Catholic Church?"* Father Parsons answered that he was, *'not sure but I would find out from the powers that be if you want me to'.*

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He was not sure exactly when Paul Burrell asked him this question, but he never followed through with it fully because it was around the time of the Princess of Wales' death. He cannot be sure, as he never kept a diary. Father Parsons stated that Paul Burrell implied the Princess of Wales was behind the enquiry without mentioning her by name and that he would appreciate the Father exercising his discretion.

[Paget Note: Paul Burrell stated that the Princess of Wales asked him to make this enquiry in December 1996. Father Parsons believed the evening with Paul Burrell was in 1997. Hasnat Khan believed this was either the end of 1996 or the beginning of 1997.]

Father Parsons recalled the question being whether a non-Catholic and a Muslim could use a Catholic church as a place to be married. He knew that in order for a Catholic to marry someone from the Church of England, permission has to be sought. He mentioned the theory in passing with his Carmelite brothers, but he certainly did not mention the provenance of the question posed.

Roberto DEVORIK

Friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 164

Roberto Devorik was asked to comment on a newspaper article in the 'Sydney Morning Herald' allegedly quoting him as saying 'The love of Diana's life was Pakistani physician Hasnat Khan.'

He stated:

'I have been asked by police to confirm that I said this and to explain the meaning behind it. I did say this but I did not actually meet Dr Khan. One day when I was at Kensington Palace having sandwiches with Diana she was keen for me to leave on time. I could tell that she was expecting somebody important. On my way out I saw a man coming in. When asked Paul Burrell told me it was Dr Khan. I cannot remember when this was. Diana told me that was the kind of man she would have married.

He was sensitive and had a great sense of humanity. She also told me that Dr Khan was a very spiritual man and very kind. I asked why she didn't marry him and she told me that there would have been a whole cultural and social problem with it. She said that she had caused a lot of anxiety to his family.'

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Earlier in part 1 (b) of this Chapter, Roberto Devorik had outlined conversations with the Princess of Wales when she talked to him of her fear of HRH Prince Philip and her beliefs that he was involved with the Security Services and wanted to get rid of her. In Statement 164, Roberto Devorik stated:

'I have been asked by police if I have any letters from Diana where she mentions or refers to her fears or dangers she had. I have a lot of letters from Diana as that was the way she liked to communicate with her friends, but none of them mention such things. She never compromised herself in her letters. She would not discuss private matters in her letters. She did mention in one letter she sent me the fact that she will become free and looked forward to using her own passport.'

Lady Annabel GOLDSMITH
Friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 46

She did not think that the Princess of Wales feared HRH Prince Charles. She had hundreds of letters from the Princess of Wales and they contained nothing to suggest that she was afraid.

As far as she was aware HRH Prince Charles would not have had a problem with the two Princes having a Muslim stepfather as he welcomed all faiths. She did not know if marrying a Muslim would have caused a problem with the rest of the Royal Family as the topic never arose in conversation.

The Honourable Rosa MONCKTON
Friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 43

She stated that HRH Prince Philip was *'entirely supportive of Diana and was trying to help her leading up to her separation from Prince Charles.'* She stated that HRH Prince Philip told the Princess of Wales *'how difficult it had been for him to get used to Royal life; having to give up a career and to always be one step behind.'*

Lucia FLECHA DE LIMA
Friend of the Princess of Wales from 1991 onwards.

Interviewed by Operation Paget - Statement 61

She stated that the Princess of Wales never feared HRH Prince Charles and that:

'Prince Philip tried to help her during the difficult period of her marriage, in his own way. He was sometimes a bit brutal. I have read the letters. They were not unkind. He is a clever man. He would not hurt her. The divorce was over and the finances were settled. There was no reason for anyone to kill her.'

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Rodney TURNER

Business and personal acquaintance of the Princess of Wales.

Interviewed by Operation Paget - Statement 88

He stated that although the Princess of Wales had been ostracised by a lot of HRH Prince Charles' friends he would never say that she feared him and that at the time of her death Rodney Turner believed she was still in love with him.

James HEWITT

Friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 97

He stated that in the period leading up to her death, the Princess of Wales' relationship with the rest of the Royal Family was 'pretty low'.

Shirley CONRAN

Friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 39

She stated that the Princess of Wales seemed fond of Her Majesty the Queen and HRH Prince Philip but she loathed 'The Palace'. Her relationship towards HRH Prince Charles was 'bitter'.

Susan KASSEM

Friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 42

She stated:

'I have lots of letters from Diana. She never mentioned any fears for her own safety. I believe she had an impossible life. The press gave her no privacy. If she were down about something she would discuss it with me. She never said anything about being worried about her life. She implied she did not get on very well with Prince Philip. I think their relationship was a little tense or awkward. I do not know why. She did not speak about other members of the Royal Family much. She said the Queen and Princess Margaret were very supportive.'

She and the Princess of Wales did not really talk about things that had happened in her life before they met in 1994 but she thought the Princess's relationship with HRH Prince Charles 'was a bit tense just before her death, just as any relationship when divorce takes place and theirs was a very public divorce.'

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Colin HAYWOOD-TRIMMING

Former Personal Protection Officer to TRH the Prince and Princess of Wales.

Interviewed by Operation Paget - Statement 93

He stated that the Princess of Wales:

'...felt that the system was against her... that the 'Establishment', that she called 'men in grey suits', i.e. the Private Secretary's Office at Buckingham Palace and at St James' Palace, did not always have her best interest at heart. She felt that they were putting obstacles in her way, and preventing her from doing some of the projects that she wanted to do. This feeling became more pronounced following the break down of the marriage, the separation and the divorce.... She never expressed to me any fears of any physical danger. She simply felt that they were putting up barriers and making her life difficult.'

Simone SIMMONS

Complementary therapist and friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 63

She stated that HRH Prince Philip wrote '*...nasty letters to Diana and also to Sarah Ferguson*' around 1993/1994, but these stopped at the time of the divorce. She read some of these letters and explained how the content of the letters was nasty in a personal sense, not a threatening one. After the crash, Simone Simmons burned all the letters and documents the Princess of Wales had given her for safekeeping.

Lady Sarah McCORQUODALE

Eldest sister of the Princess of Wales.

Interviewed by Operation Paget - Statement 53E

She stated, 'I have been asked today about my knowledge of correspondence sent from the Duke of Edinburgh [HRH Prince Philip] to my sister, Diana, Princess of Wales. Whilst she was alive I remember a conversation regarding letters she had received from her father in law; I believe these letters were in connection to her separation to the Prince of Wales and she mentioned them to me because the media had decided that these letters were attacking her, which they were not. She never mentioned receiving any threats from The Duke of Edinburgh at any time. I confirm that I have never seen any correspondence from the Duke of Edinburgh to my sister.'

Lady Sarah then explained that at the beginning of 1998, in the company of Paul Burrell, she opened a chest that had belonged to the Princess of Wales. They examined the contents for around thirty minutes. Inside was a plastic sleeve containing a large amount of correspondence regarding the Princess of Wales' divorce. Lady Sarah also described correspondence in a desk in the Princess of Wales' sitting room that was about the size of a small filing cabinet. She believed this was where the Princess of Wales kept her letters.

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Lady Sarah was certain that there were no letters from HRH Prince Philip in either the desk or the chest.

Roger MILBURN

Police Officer in the MPS.

During the course of a separate investigation, Roger Milburn made notes relating to a conversation he had with Lady Sarah McCorquodale in 2000 regarding the contents of the chest. In 2000 the chest was empty. Roger Milburn made notes of the missing property as he believed it was described to him by Lady Sarah. His notes showed one of the items as '*Letters Prince Philip*'.

Lady Sarah is aware of this anomaly between her account and Roger Milburn's, but she is sure that she has never stated the chest contained letters from Prince Philip.

Roger Milburn confirmed that during the course of his investigation the contents of the chest were never found by police or ever brought into their possession.

Paul Burrell said in his statement to Operation Paget:

'The Princess received several letters from Prince Philip but I am not in possession of any of them.'

A search has been made of relevant MPS systems to identify any reference to property that could be letters written by HRH Prince Philip. The MPS does not have any such letters. Specific enquiries have been made with the Exhibits Officer involved in the Paul Burrell trial. No letters written by HRH Prince Philip ever came into police possession in that investigation.

Operation Paget Comment

i) The Princess of Wales did receive letters from HRH Prince Philip. No one claims to have possession of any of these letters any longer.

There are differences in the accounts of the content of these letters by those who refer to them. Paul Burrell and Lucia Flecha de Lima have seen letters and stated they did not contain any threats. Paul Burrell said '*some could be described as startling with a tone that was quite cutting and cruel but at other times they were supportive and kind*'.

Simone Simmons talked of '*nasty letters*' from HRH Prince Philip in 1993/1994 but these stopped when the couple were getting divorced. She explained how the content of the letters was nasty in a personal sense, not a threatening one.

The relationship between the Princess of Wales and HRH Prince Philip was described in ways that could range from closeness to hostility. Only in the case of Roberto Devorik's accounts of his conversations with the Princess of Wales could it be described as physically threatening.

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There was an anomaly in the evidence regarding letters from HRH Prince Philip that may have been retained in a chest belonging to the Princess of Wales. Her sister Lady Sarah McCorquodale was clear in her recollection that the chest did not contain letters from HRH Prince Philip and that her sister never mentioned receiving threats from him at any time.

ii) The Princess of Wales had a very close relationship with Hasnat Khan, a Muslim, for about two years until just before her death. This relationship was not hidden, they stayed at each other's homes and Hasnat Khan met her children, HRH Prince William and HRH Prince Harry. The Princess of Wales asked her butler Paul Burrell to make enquiries about the feasibility of marrying a Muslim, Hasnat Khan.

Hasnat Khan stated he would be very naïve to think that MI5 or MI6 did not have an interest in him because of his relationship with the Princess of Wales. However, he really did not think he was ever under any threat from the authorities.

There was no evidence that during his relationship with the Princess of Wales, Hasnat Khan was subject to any threat, directly or indirectly, from the Royal Family or any other figure or agency of authority. He did receive anonymous threats through the post that he destroyed. Hasnat Khan has described such letters in terms that indicate racist motives.

4. The Safety of People Close to the Princess of Wales

It is alleged that the Princess of Wales had close friendships with two people, James Hewitt and Barry Mannakee, who were consequently subjected to threats and/or actions by the '*Establishment*'.

An article appeared in the national press in 2004 stating that James Hewitt had talked about specific threats made to him by MI5. These were linked to Barry Mannakee, a former Personal Protection Officer, sometimes assigned to the Princess of Wales, who died in a motorcycle crash in 1987.

James HEWITT

James Hewitt stated that he had a relationship with the Princess of Wales between 1986 and 1991. He gave details of the alleged warnings and threats he received during this time.

Interviewed by Operation Paget - Statement 97

He was unsure as to whether the Princess of Wales feared for her own safety. She might have made the odd passing comment about her safety, but nothing specific and nothing he thought she meant. He believed the Princess of Wales was fairly paranoid about her safety and the safety of people around her.

He had '*warnings*' from the Royal Family, in particular from George Milford-Haven, whom he described as a friend. Around 1989, George Milford-Haven said that James Hewitt should be very careful in his relationship with the Princess of Wales. The warning was very ambiguous and James Hewitt did not know if he was trying to warn him off in a friendly way or if he was acting under instruction.

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Despite this, he and the Princess of Wales carried on seeing each other until 1991 and, as James Hewitt remarked, obviously nothing happened to him. He believed the Royal Household might have felt that the relationship had gone on too long and that it would be better if it ended, although this was not something he knew for sure and he did not know why he was warned.

Around 1990, whilst stationed in Germany, he received threats regarding his relationship with the Princess of Wales. They consisted of three telephone calls over a four or five week period from an unidentified male caller. The calls were direct and not very long, each one telling him not to contact or see the Princess of Wales any longer. He again felt the threats were ambiguous and did not pay much attention to them, although he did discuss them with the Princess of Wales. He stated she was pretty non-committal and could not throw any light on who was making the threats or why.

He did not receive any other specific warnings or threats during his relationship with the Princess of Wales. Her Personal Protection Officers would often warn him to be aware of his own safety but these were warnings of a general nature that he could be in danger because of who she was. He considered the officers to be very professional.

James Hewitt believed that his relationship with the Princess of Wales was widely known amongst the police, Security Services, the Royal Household and their advisors, which would have included the Government. It seemed to him that details of their relationship were kept back until such time as its exposure in the press would have had the most impact.

He dismissed the '*Daily Mail*' article of 11 September 2004 in which it was reported that he was warned by MI5 that if he did not stop seeing the Princess of Wales he would suffer the same fate as Barry Mannakee and die in a road accident as '*complete rubbish*.' He stated he has never been warned by MI5.

The Princess of Wales did discuss Barry Mannakee with him and she told him that they had been close. She believed Barry Mannakee was killed because of this. James Hewitt understood that at the time Barry Mannakee died he had been moved to another job within the police and was no longer in contact with the Princess of Wales.

Barry MANNAKEE

i) Introduction

Barry Mannakee was a Metropolitan Police Service Personal Protection Officer who died in a road traffic crash in May 1987. He had served for a number of years providing close protection to many VIPs where the risk assessment indicated a possible threat to that person. This was a specialised post. By the very nature of the role, these highly trained officers had to be in close proximity to their principals in order to afford them the degree of protection required. At one time Barry Mannakee had responsibility for the protection of HRH Prince William and HRH Prince Harry. At times he would also assist the designated officers in the protection of the Princess of Wales.

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Seven months before his death he had been transferred from the Royalty Protection Department, which manages the personal protection of VIPs, to the Diplomatic Protection Group, which has a more general role in protecting diplomatic personnel and premises.

The collision in which Barry Mannakee died occurred in East London. He was the passenger on a motorcycle ridden by a police colleague with whom he had just finished duty. A car, driven by a seventeen year old girl who had recently passed her driving test, pulled out from a junction across the path of the oncoming motorcycle. The motorcycle rider took avoiding action but lost control of the motorcycle. Both rider and pillion passenger came off and hit the side of the car. The rider survived the impact but Barry Mannakee died at the scene. The driver of the car suffered minor injuries.

The driver of the car pleaded guilty to and was convicted of driving without due care and attention under Section 3 of the Road Traffic Act 1972. Such a prosecution was in accordance, both then and now, with the charging standards agreed between the police and the Crown Prosecution Service for this offence.

ii) Views Expressed by the Princess of Wales on Barry Mannakee's Death

Paul BURRELL

Butler to the Princess of Wales.

Interviewed by Operation Paget - Statement 24A

He stated that the Princess of Wales believed Barry Mannakee had been deliberately killed in a motorcycle accident.

Kenneth WHARFE

Former Personal Protection Officer to the Princess of Wales.

Interviewed by Operation Paget - Statement 35

He stated, *'When Barry Manakee, one of her former personal protection officers died in a motorbike accident in May 1987, she did say to me "I know your lot didn't like him, you probably bumped him off" and laughed. She did not believe that his death was anything other than an accident.'*

Hasnat KHAN

Friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 72

He stated that the Princess of Wales was convinced that Barry Mannakee was murdered. She felt it was not normal for a motorbike to have a head-on collision with a truck. Hasnat Khan told her that such things do happen.

CHAPTER TWO

Colin HAYWOOD-TRIMMING

Former Personal Protection Officer to TRH the Prince and Princess of Wales.

Interviewed by Operation Paget - Statement 93

He became aware that the Princess of Wales had expressed her view to employees at Kensington Palace that the accident in which Barry Mannakee died had been arranged. She felt that his death had been arranged by the 'system' the 'Establishment', although she never spoke to him about this personally.

James HEWITT

Friend of the Princess of Wales.

Interviewed by Operation Paget - Statement 97

He stated the Princess of Wales thought Barry Mannakee was deliberately killed because of her friendship with him. He thought she worried about James Hewitt's safety during their friendship because of her feelings about Barry Mannakee's death. He confirmed that he was never warned by MI5 that if he did not stop seeing her he would suffer the same fate as Barry Mannakee.

Peter SETTELEN

Speech coach. Consulted by the Princess of Wales. He was asked to help the Princess of Wales improve her speech making.

Interviewed by Operation Paget - Statement 202

Peter Settelen worked with the Princess of Wales over a fourteen-month period from September 1992 to December 1994. As part of his tuition process he used video recordings of clients talking through their life history. He carried out this process with the Princess of Wales. He believed that he recorded more than twenty 45-minute videotapes.

Following the arrest of Paul Burrell in connection with the theft of items of the Princess of Wales' property, Peter Settelen became aware that the MPS had recovered property, including six of the twenty or so videotapes he had made of the Princess of Wales. The videotapes did not form part of the case against Paul Burrell and, following a legal hearing over ownership of the tapes, they were restored to Peter Settelen in 2004.

The American television company NBC broadcast a segment from one of those videos showing the Princess of Wales talking about her relationship with Barry Mannakee. In it she stated, *"It was all found out and he was chucked out. And then he was killed. And I think he was bumped off. But, urm, there we are. I don't, we'll never know... he was the greatest friend I've ever had."*

Peter Settelen stated that on some days the Princess of Wales believed Barry Mannakee had been killed and on others she did not, although he never asked her outright for her opinion on his death.

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iii) The investigation into the death of Barry Mannakee

Operation Paget has completed a comprehensive review of the incident in which Barry Mannakee died. This included re-visiting eyewitnesses and reviewing all documentation still available from the original investigation, the Coroner's inquest and other legal processes. The Operation Paget Senior Collision Investigator also reviewed the technical findings of the collision. Another Collision Investigator has independently assessed those findings.

The conclusion of the review is that the original mathematical reconstruction was slightly flawed in that it incorrectly identified the point of impact. This alters to a small extent the interpretation of the way the incident occurred in terms of available reaction times of driver and rider. The conclusion however remains the same. This was an accidental fatal road traffic collision.

Although the findings of the point of impact have now been slightly revised, the prosecution of the driver would be in accordance with current charging standards under Section 3 of the Road Traffic Act, 1988.

Operation Paget Comment

This was an accidental fatal road traffic collision. Barry Mannakee did not meet his death as a result of deliberate action. The witness evidence and the technical findings support this view.

The Princess of Wales, and indeed anyone else not connected with the initial investigation, would not have seen the detailed accident report. This is illustrated by the Princess of Wales' comment to Hasnat Khan that Barry Mannakee had been killed following a collision with a truck.

The full report of the Operation Paget review is retained under Operation Paget - Other Document 396.

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(iii)

CONCLUSIONS

Part A – claims outlined in section (i)

Claim 1 - There were clearly those, including the Princess's own mother, who were bitterly opposed to the Princess having a relationship with a Muslim. My son was of course a Muslim.

There is no evidence that the fact that Dodi Al Fayed was a Muslim has any bearing on the conspiracy allegation. The Princess of Wales had a close personal relationship with Hasnat Khan, a Muslim. This lasted for around two years, from September 1995 until just before she died. They stayed at each other's homes and Hasnat Khan met the Princess of Wales' children. Indeed, the Princess of Wales explored the possibility of an inter-faith marriage to him.

No secret was made of this relationship; the media was aware of it from around November 1995 onwards.

Hasnat Khan has provided a statement to Operation Paget in which he explained:

- He did not feel it necessary at any stage of his two-year relationship with the Princess of Wales to take any action because of any threat, perceived or otherwise, made to him from any source
- He did in fact receive anonymous threatening mail in connection with the relationship but he described such letters in terms that indicated malicious racist motives. He destroyed the letters and took no action. He mentioned them only once to the Princess of Wales as he wanted to protect her from them.
- There was no relevant evidence of anyone being opposed to the relationship, other than the Princess of Wales' mother. The Princess of Wales apparently did not have a good relationship with her mother. Hasnat Khan believed they stopped speaking because of the Princess of Wales' relationship with him, '*a Pakistani and a Muslim*'
- He believed he would be, '*very naïve to think that MI5 or MI6 didn't have an interest in (him)*' because of his relationship with the Princess of Wales, but he did not think that he was ever under any threat from the authorities

During his relationship with the Princess of Wales, Hasnat Khan did not feel subject to any threat or pressure from the Royal Family or any other figure or agency of authority. There was no evidence that anyone was opposed to his relationship with the Princess of Wales other than her own mother.

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Claims 2, 8 and 9

Claim 2 - Prince Philip himself is now revealed as having written vitriolic letters to the Princess which demonstrate the strength of feeling which existed within the Royal Family as well as the 'Establishment'.

Claim 8 - Diana told me personally, *"if anything happens to me, be sure the finger is ... the person who has done it is Prince Philip."*

Claim 9 - ...threats she has from Prince Philip in writing, letters already in Scotland Yard's possession.

The Princess of Wales did receive letters from HRH Prince Philip. No one claims to have possession of any of these any longer.

Those who have seen these letters described differences in how they perceived the tone and content.

Paul Burrell, her butler, saw letters from HRH Prince Philip. He stated they did not contain any threats, but described some as *'quite cutting'* and *'cruel'*.

In his statement of May 2004 to Operation Paget Paul Burrell stated:

'Her correspondence included letters from Prince Philip. Much has been reported in the media of his dislike for the Princess but I would describe them as having a mutual respect for each other. They were similar personalities in many ways and got on much better than is generally perceived. He could be direct but would also give her support writing her notes on many occasions.'

And in his statement of April 2006 he stated:

'The Princess received several letters from Prince Philip but I am not in possession of any of them. I have seen some of them in the past and some could be described as startling with a tone that was quite cutting and cruel but at other times they were supportive and kind. He never displayed any angry bitterness or vindictive behaviour. He never made any threats to the Princess either directly or indirectly to my knowledge.'

Simone Simmons, another friend, talked of *'nasty letters'* from HRH Prince Philip in 1993/1994, but these *'stopped when Charles and Diana were getting divorced.'* Simone Simmons had read some of the letters. She explained how the content of them was nasty in a personal sense, not a threatening sense. She claimed that similar letters were also sent to the Duchess of York by HRH Prince Philip.

The relationship between the Princess of Wales and HRH Prince Philip is described in ways that could range from closeness to hostility. Only in the case of Roberto Devorik's accounts of his conversations with her could it be described as physically, or indeed life threatening. Roberto Devorik made no reference to the Princess of Wales receiving threatening letters from HRH Prince Philip, only her views on their relationship and her belief that HRH Prince Philip wanted to *'see her dead'*

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Lucia Flecha de Lima, one of the Princess of Wales' closest friends, spoke of seeing letters from HRH Prince Philip:

'Prince Philip tried to help her during the difficult period of her marriage, in his own way. He was sometimes a bit brutal. I have read the letters. They were not unkind. He is a clever man. He would not hurt her.'

Whether letters sent by HRH Prince Philip, that some witnesses describe in terms such as cruel and nasty, could be described as *'vitriolic'* is a subjective judgement.

Sub-Section 1 of this Chapter details the evidence relating to the *'Burrell'* and *'Lord Mishcon'* notes and the Princess of Wales' concern of brake tampering in her car. The notes and the *'brake-tampering'* appeared to have taken place around October 1995, a time when those close to the Princess of Wales believed she was under great stress.

Operation Paget has seen the full original notes referred to in the first two matters. HRH Prince Philip was not referred to in either of these as a source of the Princess of Wales' fears. Neither was he referred to when the Princess of Wales contacted Simone Simmons and Hasnat Khan regarding the concerns over her car-brakes.

A search was made of relevant MPS systems to identify any reference to property that could be letters written by HRH Prince Philip. The MPS do not have any such letters. Specific enquiries have been made with the Exhibits Officer involved in the Paul Burrell trial.

No letters written by HRH Prince Philip ever came into police possession during the Paul Burrell investigation.

There is no evidence that HRH Prince Philip wrote letters to the Princess of Wales in which he threatened her.

Operation Paget is not aware of anyone who has letters pertinent to this allegation.

Claim 3 - It has also emerged that the Princess of Wales video recorded intimate personal diaries outlining the treatment she had received at the hands of many members of the Royal Family and other 'Establishment' figures.

The Princess of Wales was video recorded by a speech coach, Peter Settelen, in 1992 and 1993. As part of the coaching process the Princess of Wales disclosed personal details about her own life and talked about her relationship with HRH the Prince of Wales and other members of her family.

Peter Settelen believed there were over twenty videotapes recorded during this time. Only six are now in his possession. Operation Paget has seen the six videotapes in existence and the Princess of Wales made no mention of threats to her.

The others are unaccounted for. Peter Settelen has no specific recollection of her expressing any fears on those tapes.

CHAPTER TWO

There is a recording of her concerns that a police Personal Protection Officer, Barry Mannakee, died in a motorcycle crash in 1987 as a result of being 'bumped off'. Barry Mannakee was the pillion passenger on a motorcycle being ridden by a close friend of his. That fatal road traffic crash has been fully reviewed by Operation Paget.

The conclusion remains the same as that of the original Collision Investigator. Barry Mannakee did not die as the result of a conspiracy. He died in a motorcycle accident. The rider of the motorcycle survived.

Claim 4 - Mr Burrell has recently disclosed a letter written by the Princess of Wales in October 1996 and apparently given to him for safekeeping. It includes the following passage:

'I am sitting here at my desk today in October, longing for someone to hug me and encourage me to keep strong and hold my head high. This particular phase in my life is the most dangerous. [...] is planning 'an accident' in my car, brake failure and serious head injury in order to make the path clear for Charles to marry. ...'

[Paget Note: This appears to be a direct lift from the 'Daily Mirror' newspaper article of October 2003.]

None of the friends of the Princess of Wales was aware of the 'Burrell note' before its publication, including HRH the Prince of Wales himself. The Princess of Wales appears not to have spoken to anyone after writing it, other than possibly a short conversation with Paul Burrell.

Some question the authenticity of the note on the grounds they find it hard to believe she would write such a note and because the original date of receiving the note, given by Paul Burrell, of October 1996 does not fit with the Princess of Wales' state of mind at the time. Therefore they believe it is more likely that the note was written in October 1995, a fact now accepted as a possibility by Paul Burrell.

The Prince and Princess of Wales divorced in August 1996. The fact that the Princess of Wales referred in the note to her 'husband' lends support to the fact that it was written before that date and thus the date of October 1995 is more likely.

Paul Burrell believed that the note had been taken out of context and too much emphasis placed on it. To his knowledge there were no other notes outlining this particular fear. He had never seen or heard of any evidence that would substantiate the fear expressed and he did not know what prompted her to write it at that time. He believed if she had been truly concerned for her safety in a car, as described in the note, she would not have continued to drive.

The 'Burrell note' of 1995/1996 stated her 'husband', was the subject of her fears and her belief that he planned a car accident to cause her a serious head injury in order to make the 'path clear for Charles to marry'. It is a general perception that this reference is to Camilla Parker Bowles, now the Duchess of Cornwall. This is not so. It was not Camilla Parker Bowles.

CHAPTER TWO

The Princess of Wales did name a woman in her note. The circumstances in which she is mentioned support the view that the note is more likely to have been written in 1995.

HRH the Prince of Wales stated that he had no knowledge of this note until its publication in 2003 and did not know why the Princess of Wales wrote it. The Princess of Wales did not speak to him about it. HRH the Prince of Wales knew the woman named in the note, as a family friend. There had never been any possibility at any time of marriage to her.

October 1995 was also the time that the Princess of Wales met with Lord Mishcon, when she expressed a similar fear to him, and indeed her fear that Camilla Parker Bowles was also to be '*put aside*'.

It is also around that time, October 1995 that the Princess of Wales believed the brakes on her car had failed and she told her friends Simone Simmons and Hasnat Khan. There is no evidence that the brakes were tampered with.

If one dates the '*Burrell note*' at October 1995, it is clear that the Princess of Wales had a perception at that time that someone was looking to harm her and her sense was that this was likely to be in a car.

In looking at why the Princess of Wales may have had such a fear at that time the evidence of Rita Rogers may be highly relevant.

Rita Rogers told the Princess of Wales in a telephone call of her premonition that the brakes on the Princess of Wales' car had been tampered with. It is reasonable to assume from the reaction of the Princess of Wales that there had not been a problem with her car brakes before this time. One would have expected a more significant response if the Princess of Wales had experienced such a problem.

Rita Rogers could not be certain of the date that she informed the Princess of Wales of this premonition but believed the Princess of Wales was seeing Hasnat Khan at the time. [Paget Note: September 1995 - July 1997.]

This evidence, taken together, may be an indication of how unhappy the Princess of Wales was in late 1995. If Rita Rogers' conversation about a premonition of car brake tampering had been before this time, one could see how the Princess of Wales may have been influenced by it.

It is not known if her belief that her Personal Protection Officer was deliberately killed in a motorcycle crash in 1987 influenced her thoughts.

In these separate instances the Princess of Wales essentially repeated the same basic concern. However, repetition of a concern should not be regarded as corroborating evidence.

Operation Paget found no supporting evidence to show there were any grounds for these concerns, even though they were clearly expressed and apparently genuinely held at that time by the Princess of Wales.

CHAPTER TWO

Claims 5 and 6

Claim 5 - During the summer holiday Princess Diana often told me that she feared she would be murdered by the Royal Family.

Claim 6 - At one time she said that she will probably go up in a helicopter and never come down alive.

Mohamed Al Fayed wrote in his statement:

‘Diana’s fears that she expressed to me of being murdered came flooding back to me. During the summer holiday Princess Diana often told me that she feared she would be murdered by the Royal Family. At one time she said that she will probably go up in a helicopter and never come down alive.’

Lee Sansum, a bodyguard of Mohamed Al Fayed, gave evidence that during that holiday in July 1997 the Princess of Wales asked him, “Do you think they’ll kill/murder me?” when hearing of Gianni Versace’s death.

The evidence from other sources refers to the Princess of Wales’ fears from an earlier time, around late 1995 or 1996.

Roberto Devorik, a friend of the Princess of Wales, provided information of conversations with the Princess of Wales in 1995 and 1996 where she talks of ‘they’, and more particularly HRH Prince Philip, getting rid of her, blowing her up or killing her.

The ‘Lord Mishcon note’ reinforced the Princess of Wales’ general fear, in late 1995, of unnamed people wanting to injure her or ‘get rid of her’.

When speaking to Mohamed Al Fayed, the Princess of Wales referred to going up in a helicopter and not coming down alive. She also spoke of being blown up in a plane, car or helicopter while talking to Roberto Devorik.

The Princess of Wales did express fears for her safety on a number of occasions, principally in late 1995 to Lord Mishcon, Simone Simmons, Hasnat Khan and in the ‘Paul Burrell note’; and in 1995 or 1996 to Robert Devorik.

Mohamed Al Fayed and Lee Sansum, one of Mohamed Al Fayed’s security staff, provided evidence of these fears being expressed in July 1997.

Although the Princess of Wales clearly expressed concerns over her safety, there was no evidence of any event that would have substantiated those concerns.

Claim 7 - She told me that she had confided in her butler, Paul Burrell, and that if anything should happen to her, Paul Burrell held the secrets.

Mohamed Al Fayed stated that the Princess of Wales told him that she had confided in her butler, Paul Burrell, and that if anything should happen to her, Paul Burrell held the secrets that she had entrusted to him.

CHAPTER TWO

Paul Burrell has provided two statements to Operation Paget.

In his statement of May 2004 Paul Burrell stated:

'Her correspondence included letters from Prince Philip. Much has been reported in the media of his dislike for the Princess but I would describe them as having a mutual respect for each other. They were similar personalities in many ways and got on much better than is generally perceived. He could be direct but would also give her support writing her notes on many occasions.'

'I should also point out that although there had been animosity between HRH the Prince of Wales and the Princess of Wales at the time of the divorce, they had come through that and were on cordial terms when she died. The last time I saw them together at Kensington Palace they were very friendly to each other. Although he could be mentally cruel to the Princess at times he is a kind person generally and I have certainly never had any thought or information that he would harm the Princess in any way.'

And in his statement of April 2006 he stated:

'I have been asked to expand on the comment in my book when the Princess said to me "What a secret", referring to a coming weekend. I am not prepared to say any more on this subject but can confirm that it bears no relevance to your investigation.'

Paul Burrell stated he has never seen or heard of any evidence that would substantiate the fears expressed by the Princess of Wales and he does not know what prompted her to write of her fears when she did.

There was no evidence that Paul Burrell held any 'secrets' that would assist in better understanding the events in Paris in August 1997.

CHAPTER THREE

ACTIONS OF THE PAPARAZZI IN PARIS

CHAPTER THREE

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CHAPTER THREE

(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of the claims made by Mohamed Al Fayed

Mohamed Al Fayed claims that the presence of the paparazzi created the environment in which the collision could be arranged. It is not stated if this was done knowingly or unknowingly by the paparazzi or whether outside agents were introduced to the paparazzi to facilitate this. The allegation that a member of the United Kingdom Secret Intelligence Service (SIS) was part of the paparazzi is dealt with in detail in Chapter Sixteen, however, the conclusions in respect of this are used in this Chapter.

Claim

1. It appears to me at present that the most likely cause was the paparazzi.

Source - 12 March 1998 and 11 December 1998. Live evidence to Judge Hervé Stéphan by Mohamed Al Fayed (French Dossier D4686)

This claim was supplemented in July 2005 in the statement of Mohamed Al Fayed. (Operation Paget Statement 163)

I have read the note of the conversation with Juge Hervé Stéphan on 12 March 1998 and 11 December 1998, as prepared by Hodge Malek, QC, who was representing me. The note represents the gist of the conversations but does require amplification. For example, where it is stated that I blame the paparazzi, it was within the context that they created the environment within which it was possible to murder them.

Source – Operation Paget statement of Mohamed Al Fayed 5 July 2005, Page 5 (Operation Paget Statement 163)

CHAPTER THREE

(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Introduction

‘Paparazzi’ is a term widely used to describe the group of professional photographers that followed the Princess of Wales and Dodi Al Fayed from their arrival at Le Bourget airport in Paris until the fatal crash in the Alma underpass. They did not work as a team except in the very loosest sense of the word, they were in fact rivals trying to get the best photographs to sell to the media. On Saturday 30 August 1997, some paparazzi followed the couple all day, others came and went. Some were freelance, and some worked for agencies. It is recognised that the term ‘paparazzi’ used here may include photographers and other persons who would normally be regarded as professional photojournalists.

This report assesses the evidence that supports or refutes the claim that the paparazzi were involved, knowingly or unknowingly, in a criminal conspiracy to murder the Princess of Wales and Dodi Al Fayed. It does not assess the evidence in terms of whether they inadvertently or recklessly caused the crash by their actions as paparazzi and any culpability issues arising from such a conclusion. That is a matter for the Coroner and the inquest process.

Involvement in a Conspiracy to Murder/Harm

There were primarily three ways in which the paparazzi might be alleged to have contributed to such a conspiracy, knowingly or otherwise:

- i) Members of the paparazzi group knowingly chased and harassed the Mercedes in a calculated attempt to direct the car into some pre-determined course of action that would allow the planned ‘accident’ to take place.
- ii) A third party or one or more members of the paparazzi encouraged/coerced the group to create such an environment.
- iii) Members of the paparazzi inadvertently created a situation whereby the Mercedes followed a course of action that allowed those involved in a criminal conspiracy to take advantage of the circumstances created to carry out the planned ‘accident’.

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Operation Paget has examined the evidence provided to the French Inquiry by the paparazzi who were either arrested at the scene or subsequently identified. Only one paparazzo, Pierre Suu, has agreed to see officers from Operation Paget. He was not one of those that followed the Mercedes to the scene of the crash. He arrived there some time afterwards, having followed the Mercedes driven by Dodi Al Fayed's usual chauffeur, Philippe Dourneau, to the apartment in the rue Arsène Houssaye.

To assist in answering the questions raised in (i), (ii) and (iii), this Chapter details the movements of the paparazzi from the Ritz Hotel to the Alma underpass according to their evidence. Appropriate evidence of other witnesses, and closed circuit television (CCTV) footage from the Ritz Hotel, supplements this.

Paparazzi identified outside the Ritz Hotel

The following paparazzi or press agents were identified as being present at the Ritz Hotel at the time that the Princess of Wales and Dodi Al Fayed left via rue Cambon:

Present in rue Cambon (rear entrance)

- Jacques Langevin (grey Volkswagen Golf)
- Alain Guizard (grey/blue Peugeot 205)
- David Odekerken (Mitsubishi Pajero)
- Fabrice Chassery (black Peugeot 205)
- Serge Benhamou (green Honda scooter)

Present in Place Vendôme (front entrance)

- Laslo Veres (black Piaggio Scooter)
- Serge Arnal and Christian Martinez (black Fiat Uno)
- Romuald Rat and Stéphane Darmon (blue Honda 650 motorcycle)
- Nikola Arsov (white BMW R100 GS motorcycle)
- Pierre Suu and Jerko Tomic (red BMW 750 motorcycle)
- Pierre Hounsfield (black Volkswagen Golf)
- Stéphane Cardinale (white Citroen AX)
- Dominique Dieppois (white Renault Super 5)
- Colm Pierce (no vehicle)

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Paparazzi movement as the Mercedes left the hotel

From their accounts, Pierre Suu, Jerko Tomic, Pierre Hounsfield, Stéphane Cardinale, Nikola Arsov and Laslo Veres remained at the front of the hotel. When the Range Rover and the original Mercedes driven by Jean-François Musa and Philippe Dourneau respectively, left Place Vendôme, some of these paparazzi followed and ended up outside the apartment in rue Arsène Houssaye.

The other paparazzi were to some degree or other involved in following the Mercedes on its route to the Alma underpass.

Paparazzi identified at the Place de la Concorde

Serge Benhamou, Alain Guizard, David Odekerken, Christian Martinez, Serge Arnal, Romuald Rat, Stéphane Darmon and Fabrice Chassery were identified in the Place de la Concorde, either by their own admission or from the evidence of fellow paparazzi.

Despite several witnesses, including some paparazzi, reporting camera flashes in Place de la Concorde, no photographs have been seen that appear to have been taken at this location. If any photographs were taken at this stage they were not among the films of those arrested at the scene.

Paparazzi identified en route from the Place de la Concorde to the Alma underpass

The Mercedes continued across Place de la Concorde past the junction with avenue des Champs-Élysées and turned right onto the embankment. Serge Arnal and Christian Martinez were behind it at this stage but the Mercedes accelerated away and they lost sight of it after the first tunnel, the Alexandre III. They continued to follow in that direction and came across the crash in the Alma underpass.

Romuald Rat and Stéphane Darmon were also with the Mercedes at this stage and, like Christian Martinez and Serge Arnal, they described its rapid acceleration onto and along the embankment. Again, like Christian Martinez and Serge Arnal, they maintain that the Mercedes left them behind.

These four paparazzi appeared to be the first four identified people at the crash scene. Photographs of the crash scene attributable to Serge Arnal, Christian Martinez and Romuald Rat tended to corroborate their accounts. [Paget Note: Stéphane Darmon was a motorcyclist and not a paparazzo *per se*. No photographs are therefore attributable to him.] The French Inquiry concluded from examinations of the photographs of the crashed car that the first (known) photograph at the scene was taken by Serge Arnal.

CHAPTER THREE

Stéphane Darmon

Motorcyclist to Romuald RAT.

French Dossier D241-D244

He described others near him as he approached the underpass:

'I was the first to pass the crashed car. Right behind me there was a scooter with one person on it and a motorbike.

I stopped maybe 20 metres in front of the Mercedes. Romuald got off in a hurry. He had his helmet with him and his camera round his neck. He ran towards the car.

The scooter was still in the tunnel and the photographer also hurried towards the car.

He was a man about 1m60 tall, big, slightly balding in front. He was wearing Raybans and a beige combat jacket. He was European, aged about 50. I heard someone say he had been working freelance in this job for over 20 years. He was wearing "boat" shoes. I remember he had an argument with one of the security people, a red-headed guy, at Al Fayed's home.

The other motorbike stayed at the entrance to the tunnel. This one was a Yamaha with 2 people on it, it might have been an XT 600. They never came out the other end of the tunnel. After the photos had been taken they left, not using the underpass. I didn't see them again.'

and

'As regards the vehicles that were with me when we chased after the Mercedes before it went into the tunnel, I remember that the motorbike near me was a dark-coloured Yamaha TDM 800. It stopped at the entrance to the tunnel. I don't remember seeing it after that.'

The rider of the scooter appeared to be Serge Benhamou, another paparazzo. He was riding a Honda Lead 90cc scooter and photographs of him at the crash scene showed him wearing clothing similar to that described by Stéphane Darmon. Serge Benhamou denied being so close to the events of the crash, stating that he lost sight of the Mercedes and subsequently came across the crash site when a number of people were already there. This does not accord with the early photographs of Romuald Rat showing Serge Benhamou at the scene very soon after the crash.

The Yamaha XT 600 motorcycle or TDM 800 described by Stéphane Darmon had two people on it. He did not know their identities. He stated that they did not go into the underpass. He could not say where they came from. These two people have not been identified and no one else provided details of such a motorcycle.

No paparazzi admitted to witnessing any of the movements of the Mercedes directly leading up to the crash or to being close enough themselves to have had any effect upon it.

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Paparazzi actions after the crash

The paparazzi arrived at the Alma underpass at different stages. Serge Arnal, Christian Martinez, Romuald Rat and Stéphane Darmon appear to have arrived first, quickly followed by Serge Benhamou. There was evidence that Serge Arnal attempted to call the emergency services.

Film seized from the cameras of Romuald Rat, Christian Martinez and Serge Arnal showed that they were taking photographs of the car and/or the occupants almost immediately after arrival at the scene – there were no emergency services near the car visible in their photographs.

Although some may regard the actions of the paparazzi at the scene to be morally questionable, there was no evidence to show that those arriving immediately after the crash, or those arriving later, deliberately interfered with attempts to save the passengers in the car or undertook any actions that showed they were involved in a conspiracy to harm them.

Telephone enquiries

The French Inquiry obtained telephone data for the cell sites [Paget Note: Area of usage for a mobile telephone] relevant to the Mercedes' route from the Ritz Hotel to the Alma underpass i.e. Place Vendôme, Place de la Concorde and Place de l'Alma sectors covering the period from midnight to 1am (French Dossier D6112–D6201). One of the French mobile telephone companies, Bouygues Telecom, claimed to have no data for these cell sites in this timeframe (French Dossier D6202–D6214), so that any conclusions in relation to cell site data must be incomplete.

Police Lieutenant Eric Gigou **Brigade Criminelle.**

French Dossier D6211

Referred to the lack of data from Bouygues Telecom:

'It is important to note that Bouygues Telecom, having been asked by Judicial Requisitions, replied in particular that no call made or received had been recorded by its service on 31 August 1997 between 12.00 night and 1.00 am in the sectors of the rue Cambon, the Place Vendôme, the Place de la Concorde and the Alma Bridge.

*However Dr Frédéric Mailliez, a witness examined during the expedited police investigation, stated that he had dialled the Fire Brigade control number (** ** *8 35) from his mobile telephone number ** ** *9 23, which is a Bouygues phone operating on the Bouygues Telecom network.'*

French judicial inquiry into the actions of the paparazzi

Seven of the paparazzi were arrested at the scene. Three paparazzi who left the scene were interviewed in the following week on the instructions of the Examining Magistrate, Judge Hervé Stéphan.

CHAPTER THREE

Judge Hervé Stéphan **Examining Magistrate.**

Following his investigation, he concluded in his 'Notice of Dismissal' in 1999:

'It was therefore in order to escape from the photographers, but in the absence of any criminal liability on their part, that the driver of the Mercedes, either on his own initiative or following an order given to him, pulled away quickly from the Place de la Concorde, taking a route which was possibly not the one originally planned.

As regards the journey, between that location and the scene of the accident, several witnesses have particularly mentioned either a number of motorcycles surrounding the Mercedes, or the vehicle travelling on its own at speed, or the presence of a motorcycle close to the Mercedes immediately prior to the accident.

Notwithstanding the fact that it appears impossible to elicit a consistent version from this witness evidence, it is important to note that the investigation has not in any way established the presence in the proximity of the Mercedes, either on the journey or at the time of the accident, of a vehicle belonging to any of the persons charged or to any other person identified in the investigation.

It has to be said that some of the persons charged did indeed get to the tunnel very quickly, just after the accident had taken place, and that it appears that contrary to some of their statements, they did try to catch the Mercedes up, despite its speed. However, that excessive speed was not the consequence of criminally culpable behaviour on the part of the photographers, but a result of the decision taken by the driver of the vehicle.

In attempting to establish whether motor vehicles in proximity to the Mercedes were used in a manner amounting to criminal behaviour on this last journey or at the time of the accident, it should be borne in mind that no evidence to that effect has been found in the case of the various persons under investigation. Similarly, their liability cannot be established by the mere fact that they may have belonged to a group, some of whom may have committed offences, as the existence of such a group at such a time has not in any way been proven and nor, furthermore, has the involvement of each of them in such a group. Lastly, the 'experts' reports did not find that there had been any crash involving the Mercedes and the various vehicles used by those under investigation. The reports also showed that several of the vehicles were not capable of following the Mercedes under such circumstances.

It must therefore be concluded that the behaviour of the Mercedes driver from the Place de la Concorde onwards was not the result of a criminal act on the part of the other persons present at that location and that likewise no other evidence establishes against any identified person any other offence which may have made the driver persist in the conduct chosen by him or asked of him and which may thus have represented another certain cause of the accident.'

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It could not be established whether the motorcycle(s) and/or other vehicles described by eye-witnesses around the Mercedes as it headed towards and entered the Alma underpass belonged to: (i) paparazzi known to the inquiry, (ii) paparazzi not identified in the inquiry, or (iii) any other individual. There was insufficient detail to make positive identifications.

Judge Stéphan concluded that the Mercedes pulled away quickly from the Place de la Concorde in order to escape from the photographers.

Operation Paget Comment

There was no evidence to show that the actions of the paparazzi were anything other than their normal working practice and no evidence that showed they were involved in any criminal conspiracy.

Involvement of Intelligence/Security Services

Enquiries involving the British Intelligence and Security Services are detailed in Chapter Sixteen. In summary, there was no evidence to show that either service was involved in overtly or covertly influencing or using the actions of the paparazzi on the night in order to create an environment whereby a plan to murder the Princess of Wales and Dodi Al Fayed could be put into operation.

Previously unidentified photographer

A specific claim in Chapter Sixteen was the alleged presence of an unidentified photographer outside the Ritz Hotel on Saturday night, the inference being that he was a member of the intelligence services. He was seen to be wearing a red checked shirt, apparently spoke English and had never been traced.

Operation Paget has now identified this man as Colm Pierce. He was a Paris-based Irish freelance photographer, working in Paris in that capacity.

Checks undertaken with the SIS disclosed no evidence to link Colm Pierce with that service.

CHAPTER THREE

(iii)

CONCLUSIONS

Claims outlined in section (i)

Claim 1 - It appears to me at present that the most likely cause was the paparazzi.

12 March 1998 and 11 December 1998. Live evidence to Judge Hervé Stéphan by Mohamed Al Fayed. (French Dossier D4686)

This claim was supplemented in July 2005 in the statement of Mohamed Al Fayed. (Operation Paget Statement 163)

I have read the note of the conversation with Juge Hervé Stéphan on 12 March 1998 and 11 December 1998, as prepared by Hodge Malek, QC, who was representing me. The note represents the gist of the conversations but does require amplification. For example, where it is stated that I blame the paparazzi, it was within the context that they created the environment within which it was possible to murder them.

Eyewitness accounts described motorcycle(s) and/or car(s) near to the Mercedes as it approached and entered the Alma underpass. These accounts were neither wholly consistent nor corroborative. Eyewitness accounts in rapid scenarios such as this will inevitably contain contradictions. The weight of evidence showed that vehicles did leave the scene of the crash and some appear to be still unidentified. They may or may not have been paparazzi. [Paget Note: The location and movement of vehicles at the underpass are fully examined in relation to the allegation of conspiracy in Chapter Seven.]

There is no evidence that others took advantage of an environment created by the paparazzi. Neither is there evidence that any of the paparazzi, independently or in collusion with others, undertook actions in order to create an environment that allowed others to put into operation a plan to murder the Princess of Wales and Dodi Al Fayed.

CHAPTER FOUR

HENRI PAUL
RITZ HOTEL SECURITY OFFICER AND
DRIVER OF THE MERCEDES CAR

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CHAPTER FOUR

(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

Précis of the claims made by Mohamed Al Fayed

Henri Paul was the acting Head of Security at the Ritz Hotel, Paris. It is alleged that he worked for the Security Services of France and/or the United Kingdom and was instrumental in carrying out the plan, inadvertently or otherwise, to have the Princess of Wales and Dodi Al Fayed killed in the Alma underpass.

It is further alleged that incorrect information about his fitness to drive the Mercedes due to alcohol has been deliberately disseminated to the public in order to cover up the real cause of the crash.

It is also alleged that Henri Paul's body, or the forensic samples taken from it, were swapped by 'Security Services' with those of another body or a suicide victim, with the result that the toxicological results produced within the French Inquiry do not relate to Henri Paul.

All of Mohamed Al Fayed's claims regarding Henri Paul are listed here for completeness. Those relating to Henri Paul and the Secret Intelligence Service (SIS) (8, 9 and 12) are recorded here together with the conclusions. However, the details of the investigation relating to the SIS are contained in Chapter Sixteen.

Claims

1. Attempts have been made to attribute the crash to the fact that Henri Paul had consumed grossly excessive quantities of alcohol and was consequently incapable of driving. Attempts to verify this indicate that these tests were carried out in highly unusual circumstances.
2. Contemporaneous evidence from the Ritz Hotel's video cameras from about 10 pm when Mr Paul returned to the hotel until 12.20 am when he left does not suggest that he was under the influence of alcohol.
3. The two bodyguards who were charged with protecting my son are certain that he was not under the influence of alcohol.
4. It has also been suggested that Mr Paul was an alcoholic. But on 28 August 1997 Mr Paul had had his annual medical examination in connexion with renewal of his pilot's licence and had been found fit to fly. The doctor made no mention of any alcohol or drug problems. Visual examination of his liver at post-mortem also showed it to be normal.

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5. A toxicology report relating to the post-mortem carried out on Mr Paul on 31 August 1997 identified a high level of carbon monoxide in his blood, approximately 20.7% in his blood. This blood sample contained blood from both ventricles of the heart. I understand that this average figure of 20.7% means that the level of carbon monoxide in the left ventricle of the heart must have been in excess of 28-35%.

6. Had this level of carbon monoxide been present in his blood when Mr Paul was at the Ritz Hotel, he could not have behaved in the rational, coherent and sober manner reported by those who were with him and recorded by the Ritz Hotel video cameras between 10 pm and 12.20 am.

7. The pathologists instructed by the investigating magistrate suggested that smoking and the release of carbon monoxide from the Mercedes' airbag might account for it. But other expert evidence has since confirmed;

- that smoking could not account for more than about 5-8% of this figure;
- that at post-mortem Mr Paul's lungs were found to be healthy;
- that the airbag did not release carbon monoxide when inflated;
- that, since Mr Paul was killed instantly, he could not have inhaled carbon monoxide after the crash; and
- that nobody else in the car was found to have any carbon monoxide in the blood.

Independent expert examination has concluded that it is most likely that the samples analysed, and on which great reliance has been placed by others for stating that the crash was caused by drunk driving, are not of Mr Paul's blood

Source - 7 February 2003, Submission by Mohamed Al Fayed to Minister for Justice, Scotland, for Public Inquiry, Pages 2 (v) and 3 (vi)

Claim

8. A former member of MI6 has given sworn evidence that he is aware from MI6 files that MI6 had an informant who was a security officer at the Ritz Hotel and who was of French nationality.

Source - May 2003 Petition For Judicial Review - Minister For Justice, Scotland In name of Mohamed Al Fayed, Item 16

CHAPTER FOUR

Claims

9. There is evidence that Henri Paul was in the pay of MI6. The French police did not investigate why Mr Paul was in possession of about £2000 in cash at the time of the crash or why he had more than £100,000 in thirteen separate bank accounts.

10. The explanation widely circulated for the crash is that the driver of the Mercedes, Mr Paul, had consumed grossly excessive quantities of alcohol. There are serious doubts about the scientific plausibility of this explanation. Expert evidence indicates that it is not possible to rely on the results of the tests purportedly carried out on Mr Paul's blood. It is probable that the samples analysed by the French authorities are not samples of Mr Paul's blood.

Independent experts, including Professor Vanezis, Regis Professor of Forensic Medicine in the University of Glasgow, are critical of the procedures adopted for the post mortem examination, the lack of satisfactory systems to ensure correct identification of samples, and the conclusions reached following post mortem examination of Mr Paul's body.

The supposed high level of carbon monoxide in Mr Paul's blood is inconsistent with the rational, coherent and sober manner reported by those who were with him, including bodyguards employed by the petitioner, and recorded by the Ritz Hotel video cameras immediately prior to the crash.

Source - Undated 'Note of Argument' Supporting Petition For Judicial Review - Minister For Justice, Scotland - In name of Mohamed Al Fayed, Pages 5 and 6

Claim

11. They change the blood of Henri Paul with somebody else.

Source - 25 August 2003 TV 'The Belzer Connection: Diana Conspiracy' (Mohamed Al Fayed to Camera)

Claim

12. Henri Paul was a paid informant for both MI6 and DGSE. On the night of 30th August 1997 he met with Secret Service agents in Paris and was paid the equivalent of £2000 in French Francs which was found in his pocket at the time of death. Henri Paul should never have driven my son and Princess Diana. He was doubtless working on instructions from the security services, having persuaded Dodi to deploy the decoy plan.

Source - 5 July 2005 Witness Statement signed by Mohamed Al Fayed, Page 4

CHAPTER FOUR

Claims

[Paget Note: The following claims, from a taped video interview, have been abridged where necessary to aid understanding of the issue being referred to, but Operation Paget believes they reflect the meaning of the statements made.]

13. Henri Paul was persuaded to go to Dodi and Diana because they wanted to stay the night in the suite in the hotel. Then Diana got the idea that she wanted to go to the apartment because she wanted to do packing. Next morning they were coming to London. (Henri Paul) convinced him (Dodi Al Fayed). He said that because of all the paparazzi outside in the Place Vendôme, he assured her that to be safe, they were to go out from the back entrance and no problem. Of course, he (Henri Paul) doesn't know he's going to be killed.

14. Intelligence told Henri Paul what tunnel to take because this tunnel is a very dangerous tunnel with the columns and no barriers around the place. And he convinced Trevor Rees-Jones. Also the mistake – they always have a follow- up car. Another guy called Kes Wingfield, who has also been turned against me, had to follow them and he didn't follow them.

15. The blood of Henri Paul is not his blood. They took somebody else's who committed suicide, breathed in carbon monoxide.

16. Security would never let Henri Paul go behind a wheel if they knew that he was drunk.

Source - 9 February 2006 Videotape Interview - Mohamed Al Fayed to Camera

CHAPTER FOUR

(ii)

REPORT

Introduction

Henri Paul's role and his actions leading up to the crash on Sunday 31 August 1997 are critical in assessing the murder conspiracy allegation. This chapter looks at the evidence (i) before the crash, (ii) leading up to the crash, and (iii) after the crash. This chapter is, in effect, an analysis of the sequence of events leading to the decision on the night to use a second Mercedes car from the rear of the Ritz Hotel.

Section (i) – before the crash

This section looks in detail at the following aspects of Henri Paul's personal life:

1. Character and relationships.
2. Role and position at the Ritz Hotel.
3. Driving abilities and experience.
4. Attitude to alcohol.
5. General health of Henri Paul.
6. Finances.
7. Links to Intelligence and Security Services.

Section (ii) – leading up to the crash

This section looks at the evidence of actions prior to the crash and in effect provides a sequence of events for the principal figures:

8. Actions on the day of 30 August 1997 (up to approximately 7pm).
9. Actions on the night of 30 August 1997 (from approximately 7pm–10pm).
10. The plan for Henri Paul to drive a third car from the rear of the Ritz Hotel (10pm onwards).

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Section (iii) - after the crash

This section looks at the actions of the French forensic and toxicology experts:

11. Autopsy of Henri Paul on Sunday 31 August 1997.
12. Further examination/taking of samples from Henri Paul on 4 September 1997.
13. Toxicology results – (particularly alcohol and carboxyhaemoglobin levels).
14. DNA tests of forensic samples.

Section (i) – before the crash

This section looks in detail at the following aspects of Henri Paul's personal life:

1. Character & Relationships

Henri Paul was born on 3 July 1956 in Lorient, southern Brittany. He was one of five sons to a municipal worker and a schoolteacher. He was educated at the Lyon St. Louis School, where he obtained a Baccalauréat [Paget Note: The French equivalent to A-levels], in mathematics and science. He was also an accomplished pianist.

He obtained his private pilot's licence on 27 June 1976 (Operation Paget Exhibit CG/4 – Private Pilot's Licence). At the time of his death he was instrument and night flight rated and had logged 605 hours of flying time (Operation Paget Exhibit CG/5 – Flight Log). He tried to fly at least once a month.

Between 1 December 1978 and 30 November 1979 Henri Paul underwent his compulsory one-year National Service and went to the Rochefort airbase, where he became '*Chef de Section Protection*', a security team leader. (Operation Paget Exhibit CG/1 – National Service Certificate)

Between 1983 and 1986, the year he joined the Ritz Hotel, Henri Paul sold boats (sailing boats) as a salaried employee. He had also tried to open a private detective agency but the venture did not come to fruition.

Laurence PUJOL

Partner of Henri Paul until 1995.

French Dossier D2208-D2213

In 1989, she was employed at the Ritz Hotel as a member of their office staff in the Personnel Department. She formed a friendship with Henri Paul through their work at the Ritz Hotel that developed into a relationship.

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Laurence Pujol lived with Henri Paul for approximately two years. She and her daughter moved in with him in 1990, and shared his fifth floor apartment, at rue des Petits Champs, after they had been seeing one another for about a week. Their relationship had its ups and downs and they split up temporarily, getting back together again in 1991.

In 1992 they split up once more, although they continued to have a relationship and went on holidays together even though they were no longer living as a couple. In 1995 Laurence Pujol brought the relationship to a complete end.

It would appear that apart from a single telephone call to Henri Paul in 1996 they had no further communication. She stated that he had been upset by the breakdown of their relationship but was unable to say whether he may have turned to drink following their separation.

She described Henri Paul as an entertaining and fun-loving man with a good sense of humour. He was loyal to those who knew him, which Laurence Pujol described as being one of his most significant traits. He was passionate about certain things and a perfectionist. He had an enquiring mind and had wide-ranging interests. She further described Henri Paul as a careful person, who never endangered anyone's life or safety. He rode a powerful motorbike and enjoyed flying light aircraft. He was open-minded and Laurence Pujol described how on occasions Henri Paul would take her to a bar he sometimes frequented.

Dominique MELO

Friend of Henri Paul for 20 years since school and a Doctor of Medicine. She last saw him during a short holiday in July 1997.

French Dossier D2238-D2242

In her statement to French police Dr Melo talked of Henri Paul in detail:

'To sum up Henry's personality for you, he was a secretive man who did not discuss his feelings, accepting his responsibilities and dealing with his personal problems on his own. He did not talk about his professional or his private life. He was shy, and did not show his feelings, or acted in such a way that only those close to him could interpret his moods. He was timid, and concealed this at times with provocative attitudes about things in life, expressing in words just what he felt at that moment. He was generous in thought and deed and also sensitive, giving presents that were just right for the recipient's personality, and not simply to impress. He was intelligent and cultivated without making a show of it, and when he did display these qualities it was done with subtlety, as he was interested in everything : science, international politics, aviation, and people in general.'

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As for his love life, I do not know a great deal, having only met a girl whose first name was Laurence who was his girlfriend some years ago but who he had not been seeing for two years I believe. This young woman, who I must have seen four or five times, although without having had a private conversation with her, had a daughter who meant a great deal to Henry. He was wonderful with her and the split with her mother and to an even greater extent with the child, troubled him. I do not know of him having any other serious relationships and I think, although I am not positive, that he only had short term romances.'

Claude GARREC

Long-standing and closest friend of Henri Paul. He had known him since 1973-1974 and they had shared accommodation in the 1980s. Last saw Henri Paul during the morning of Saturday 30 August 1997, when they played tennis.

Interviewed by Operation Paget - Statement 235

According to Claude Garrec, one of Henri Paul's closest friends, the break-up with Laurence Pujol made Henri Paul miserable, he stopped flying for a while, kept himself to himself more and started smoking again, having stopped in 1989-1990. He did not notice any change in Henri Paul's drinking habits.

He described Henri Paul as '*an ordinary man, but exceptional in his culture, his knowledge of music and with a big sense of humour. A conscientious man, serious, who had worked all his life*' and his view of Henri Paul as '*liking everyone*'.

Josiane LE TELLIER

Owner of a bar close to Henri Paul's home, she had known him since 1991 and described him as a good friend.

French Dossier D1028-D1029

'We talked about everything. He was cultivated, pleasant and liked to joke. He had a very caustic sense of humour that I liked...

I am shocked by the portrait that the press has painted of Mr Paul. He was not an alcoholic. He was a good man'

Operation Paget Comment

Henri Paul, according to his closest friends, was intelligent with an enquiring mind. He was loyal to his friends. While being good company in the presence of his friends, he appeared to keep personal issues to himself.

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2. Role and position at the Ritz Hotel

Henri Paul began work as a security officer at the Ritz Hotel in 1986.

Claude ROULET

Assistant to the President of the Ritz Hotel.

French Dossier D1008-D1010

He stated that Henri Paul had been introduced to the hotel by a police officer, Jacques Pocher in around 1981-1982. Jacques Pocher was a Judicial Police officer from the 3rd 'Direction de Police Judiciaire' (DPJ) [Paget Note: Equivalent to the United Kingdom's local Criminal Investigation Department]. Claude Roulet had mentioned to him that the Ritz Hotel was planning a security department at the hotel and asked if he was able to recommend anyone. Jacques Pocher recommended Henri Paul. Claude Roulet said that Henri Paul sent him his curriculum vitae, which he then forwarded to Franz Klein, now President of the Ritz Hotel. It was not until 1986 however, when the hotel's security department was eventually being established, that Henri Paul was considered for the position and eventually employed as Assistant Head of Security.

Claude Roulet stated that at the time of his death Henri Paul had been running the security department for about two months following the resignation of the former Head of Security, Jean Henri Hocquet. He described Henri Paul's role as one of controlling security personnel, managing emergencies and dealing with the recruitment and management of all security personnel. He said that he was conscientious in the workplace and was able to work on his own initiative.

Franz KLEIN

President of the Ritz Hotel.

French Dossier D2145-D2147 and D5136-D5143

He told police that at the time of his death Henri Paul had been employed as the 'Deputy Head of Security' at the Ritz Hotel in Paris since 1986. He was however temporarily performing the role of 'Head of Security' at the hotel, as this position had been vacant at the time, following the departure in June 1997 of the former Head of Security Jean Henri Hocquet. Franz Klein has provided background information in respect of Henri Paul's responsibilities at work. He was responsible for dealing with staff problems. 'He also dealt with outside contacts on security issues'. He also said, 'Chauffeuring was not part of Paul's duties'.

Franz Klein described Henri Paul as a conscientious worker who did not drink more than he should. He said Henri Paul was a discreet man and that he knew very little about Henri Paul's private life. Franz Klein was not on duty on Saturday 30 August 1997, he was on holiday.

CHAPTER FOUR

Interviewed by Operation Paget - Statement 205

Henri Paul's duties at the hotel were to follow the procedures for the security department. These included, for example, checking the alarm systems; monitoring the movement of staff in and out of the building; contacting the Fire Brigade and local police station when necessary; maintaining contact with the Préfecture of Police when necessary; attending the lobby and filtering clients as they entered the hotel; conducting fire exercises; walking around checking the hotel; vetting members of staff in conjunction with Josef Gödde (previous Head of Security); conducting checks on the hotel's two warehouses if necessary. He said that Henri Paul would be involved in the dismissal of members of staff if there was a particular problem, for example if a proven allegation of theft had been made.

Henri Paul was not a driver for any of the clients of the Ritz Hotel. Driving was not part of his job. Sometimes he drove to pick up a delivery or to transport luggage, as he did when he attended Le Bourget airport on Saturday 30 August 1997.

Jean Henri HOCQUET

Former Head of Security at the Ritz Hotel from April 1993 to June 1997.

French Dossier D2148-D2153

Jean Henri Hocquet stated:

'As far as Monsieur Henri Paul's character is concerned, he was a man with whom I got on well. It was him who got me interested in flying. He was intelligent and perceptive. He never spoke about his private life. He kept a lot of things to himself and did not talk about himself much. I recall that even though he had the professional and intellectual qualities, he never wanted the job of Head of Security.

In my opinion, he was wary of the responsibilities that went with the job. He was nevertheless faced with those responsibilities during my leave periods. However, I did occasionally have to sort certain things out upon my return.

I know that there were certain rumours about Henri Paul. It seemed as if they were triggered by jealousy because he was on good terms with the Managing Director, Monsieur Klein. I myself was not jealous of him, as certain security tasks were assigned to me alone by Monsieur Klein although M. Paul could have dealt with them.

I should add that on security matters M. Paul was first rate. Professionally speaking, M. Paul was beyond reproach.'

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Catherine ESPERANDIEU

Head of Personnel/Human Resources at the Ritz Hotel in 1997.

French Dossier D2132-D2133

She stated that there was no specific role of salaried chauffeur at the Ritz Hotel and that generally vehicles were hired when necessary with accompanying chauffeurs. It was not Henri Paul's role to drive vehicles for the hotel. She would often take lunch in the hotel with Henri Paul and she had never seen him drunk at work. She last saw Henri Paul on Friday 29 August 1997, when they had lunch together. Later that day at around 6pm they spoke on the telephone. She described him as a '*very sensitive and shy person*' who '*was fairly secretive and did not recount his weekends*'.

Laurence PUJOL

Partner of Henri Paul until 1995.

French Dossier D2208-D2213

She had heard rumours at the Ritz Hotel that Henri Paul was not liked there. However, she pointed out that the reason for this was because he was able to provide '*satisfaction to his superiors, namely Klein and Mr Al Fayed*'. She further stated that he was nicknamed '*the Ferret*' at the Ritz Hotel, because staff criticised him for '*sticking his nose in everywhere*'.

Claude GARREC

Closest friend of Henri Paul.

Interviewed by Operation Paget - Statement 235

Claude Garrec stated that Henri Paul found his job difficult and stressful, but he undoubtedly liked it. He had been introduced to the Ritz Hotel management by a friend in the police, Jacques Pocher.

Henri Paul had a good opinion of Dodi Al Fayed and got on well with him. He also had a strong respect for Mohamed Al Fayed and if he was at the hotel, Henri Paul always did his very best for him.

Henri Paul told Claude Garrec that he had the use of an Opel Kadett automatic car at the Ritz Hotel to drive to the Villa Windsor and rue Arsène Houssaye. He was required on occasions to check the security at these locations. Claude Garrec stated that Henri Paul preferred automatic cars [Paget Note: Henri Paul's own Mini was an automatic.]

Henri Paul considered that his very good working relationship with Franz Klein, President of the Ritz Hotel, did not always endear him to the rest of the staff at the hotel, including the Heads of the Security Department.

CHAPTER FOUR

Operation Paget Comment

Henri Paul took his role and responsibilities at the Ritz Hotel very seriously and was considered by those above him to be conscientious in his work. He liked his job there. The only ill feeling appeared to be from those that resented his good working relationship with the management and owners of the hotel.

3. Driving Abilities and Experience

French Dossier D710-D12 and D2150
Operation Paget – Other Document 143

Henri Paul had been on at least four driving courses in Germany run by Daimler-Benz. – 1988 and 1991. Operation Paget has documentation showing the attendance and results of 'H.Paul' at such a course on 4 and 5 June 1991.

Peter RODGER
Metropolitan Police Driving School Police Inspector.

Provided statement to Operation Paget - Statement 226

He assessed the standard of the Daimler-Benz course from documentation provided describing the exercises undertaken. (Operation Paget Other Document 143)

He stated:

'It is quite clear from the nature of some of the exercises that these are not activities which one would expect a novice driver to successfully undertake. As an example, the technique which is described for turning a car would require a reasonable degree of competence in physically controlling a car — comfortably beyond that which I would expect of a driver at driving test level. (i.e. full driving licence acquisition)

The introduction to the course material contains a reference to the fact that the training is geared towards controlling the vehicle in a critical situation.

The course laid out in the booklet concentrates heavily on the skills of handling a car, exploring methods of controlling it at, or near to, the limit of the handling characteristics of the car itself.

Some of the skills which are demonstrated in the course are not within those which I would expect at all in an 'advanced' driving course in the UK, but are clearly aimed more at the role of protecting the occupants of the vehicle from attack by others in another vehicle, or outside the car. They would belong more comfortably in an "anti-hijack" driver training programme. These include some of the methods for turning a car round, and the methods of attempting to force another vehicle off the road.

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I would emphasise, however, that the course explores a range of techniques which themselves would not be associated with a new, or novice, driver, and that the car handling skills which are demonstrated are quite "advanced" compared with those used in normal everyday driving by the vast majority of drivers.

I note that whilst the course material deals with varying road surface conditions, in terms of their effects on tyre grip, it makes no reference to the effects of changes in the vertical direction of the road — the effect of a sudden dropping away of the road at the start of a downhill section, or indeed of the opposite at the start of an upward slope. These effects are more accentuated with a sudden, rather than a gradual, change.

Attached to the material is a set of details which appear to be the results of the course, giving placings and numbers of points. These seem to relate to the dates 4 and 5 June 1991, indicating that this was when the course was conducted. The name H. Paul is included in all of the sets of results. In some cases he appears to have performed well, compared with his fellows on the course, the worst performance being 19th out of 31, the best being first place.'

Jean Henri PAUL
Father of Henri Paul.

French Dossier D106-D107

To the best of his knowledge, his son obtained his driving licence while he was doing his National Service. As far as he was aware, his son had never committed a driving offence for which he had been disqualified from driving.

Claude GARREC
Closest friend of Henri Paul.

Interviewed by Operation Paget - Statement 235

In Paris, Henri Paul drove an old black Austin Mini automatic, and in Brittany, his home area he rode a Yamaha V-max motorcycle.

To his knowledge, Henri Paul had never previously been involved in a road traffic accident and did not have any points on his licence.

Of his driving, Claude Garrec stated:

'He didn't particularly like driving cars. If he could let someone else drive, he would, or if he could avoid driving he would. He liked flying planes; that was his passion. And he also had a boat licence.

He wasn't a bad driver, but he wasn't a particularly good driver either. In passed his driving test in 1979 whilst doing his Military Service. It was renowned for being poor. The reputation was that if you managed a circuit of the compound, the instructor would issue you with a licence.

CHAPTER FOUR

Henri Paul only drove me on rare occasions, for example when he took me to Toussu le Noble airport. It wasn't a very smooth drive. It was nothing to do with speed, more the fact that he was a little brusque. Nevertheless, he never scared me. This is my personal judgement of course, and I am not a particularly good passenger, but other friends, such as Mr Dominique Melo, are in agreement with me.

I remember that Mercedes offered some driving courses to the Ritz hotel staff. In consequence of which Henri Paul went to Stuttgart on two or three occasions. I think the courses were three days and two nights, but they were not anti-hijack or terrorism courses as publicised by the Press. They were courses to teach how to control the vehicle. Timed slaloms, which Henri Paul enjoyed and at every time he enjoyed improving his times. Mercedes courses were only a PR exercise for the vehicle make.'

Claude ROULET

Assistant to the President of the Ritz Hotel.

French Dossier D710-D712

He stated that Henri Paul had been on two specialist driving courses with Mercedes in Stuttgart in 1990 and 1991. He said chauffeuring had not been part of Henri Paul's job, however he would have been perfectly capable of doing it. He did not think Henri Paul was authorised to drive limousines.

Jean Henri HOCQUET

Former Head of Security at the Ritz Hotel.

French Dossier D2148-D2153

Jean Henri Hocquet stated:

'In reply to your question, it was not at all part of M. Paul's duties to drive cars or to chauffeur people.

I remember that three years ago, he told me that he was going to drive a guest who was in danger of missing his plane. I forbade him from doing this, knowing that we had staff trained and paid to do it and that it was not his job. He possibly resented this slightly, but I was firm and in the right. What is more, if anyone had asked me to drive any vehicle, I would have refused. It was not part of my duties.

M. Paul was simply nice, and as an act of friendship and because of his good nature, he could not say 'no' and would agree to drive a vehicle.

As far as I am aware, between my departure and 30 August 1997 no changes were made to M. Paul's duties whereby henceforth he had to drive vehicles.

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In response to your question, it is correct that M. Paul did a driving course at Mercedes in Germany in 1991. This was at the request of M. Göedde [Paget Note: Previous Head of Security], who likes cars. Pairs of employees would take these courses, but not to any specific end. These courses were not relevant to M. Paul's duties. In the event of a driver really not being available, we might then possibly have called upon a member of staff who had done the course, but that is all.

I should point out that in order to drive chauffeur hire cars, you have to be authorised. There were even instances roughly three years ago when staff refused to drive because they did not yet have such a licence. The members of staff in question refused, but M. Klein [Paget Note: President of the Ritz] did not take offence, on the contrary.

However, although Mr Dodi Al Fayed did not shake hands with virtually anyone, he did do so with M. Paul. They got on well fairly quickly, each of them clearly knowing where they stood.....Knowing M. Paul, I think that he would have been unable to refuse to drive Dodi Al Fayed if he had asked him to do so. I should add however, that M. Gamblin [Paget Note: Ritz Fire Safety Officer] has told me that on the evening of 30 August 1997, M. Paul left as usual at around 1900 hrs, saying 'see you tomorrow' and without having received any 'instruction' to return at 2200 hrs to drive whomsoever.'

Joseph OREA

Commandant in the Brigade Criminelle.

French Dossier D1031

He made enquiries at the Department for the Circulation of Transport and Commerce. Henri Paul did not hold a chauffeurs' licence that would authorise him to drive hire limousines.

Jean-François MUSA

The owner of Etoile Limousine, the company that provided the Mercedes on the night of Saturday 30 August 1997.

Interviewed by Operation Paget - Statement 200

He stated that in order to become a limousine driver in France it is not necessary to take any sort of special test/exam, but a licence is required for administrative purposes only. This is known as a 'Grande Remise'. Security/protection driving courses are available in France, but the 'Grande Remise' licence is for chauffeur clients for the purpose of shopping and tourism and there is no special training required for this type of driving. There is an annual technical inspection of vehicles that are used by chauffeurs. The Préfecture of Police is responsible for this.

He knew that Henri Paul did not have a 'Grande Remise' licence.

CHAPTER FOUR

Olivier LAFAYE

Chauffeur for Etoile Limousine. He had parked the Mercedes in the Place Vendôme car park on Saturday night.

French Dossier D2578-D2581

He stated that in order to be a hire car chauffeur you needed the standard driving licence and you had to pass a medical examination, which was ratified by the competent department of the police.

Maud COUJARD

Public Prosecutor, Paris.

Recorded in the Final Notice of Dismissal - French Dossier D7576

She addressed the question of culpability of Etoile Limousine, and consequently the Ritz Hotel.

In summing up, she stated that in order to prove the offence:

'It is necessary to show that the manifestly deliberate violation of a specific security requirement or duty of care imposed by the law or by regulations exposed another to an immediate risk of death, serious injury or permanent disability.'

'It cannot however be upheld that non-compliance with the provisions of the Decree of 15 July 1955 and of the Order of 18 April 1966 which require the drivers of hired chauffeur limousines to hold a special licence, directly exposed the plaintiff to an immediate risk of death, serious injury or permanent disability, given that it involved a relatively short journey in town, in other words in a secure road traffic environment, all on board a vehicle which admittedly was a hired chauffeur limousine, but which technically is available to any driver with a class B licence. This complaint was therefore dismissed.'

Operation Paget Comment

Henri Paul had attended at least four courses specifically for driving Mercedes cars that took place a number of years earlier. He was not a registered chauffeur in that he did not hold such a licence. Whether he was acting for hire or reward or in a private capacity when driving the Mercedes in the early hours of Sunday 31 August 1997 may be a regulatory issue, but his personal driving licence allowed him to drive vehicles of that type. There was no evidence that he had driven that Mercedes previously.

His own Mini car, although obviously smaller, also had an automatic gearbox.

Henri Paul was not a novice driver.

CHAPTER FOUR

4. Attitude to Alcohol

Claude GARREC

Closest friend of Henri Paul.

Interviewed by Operation Paget - Statement 235

Specifically relating to Henri Paul's consumption of alcohol, Claude Garrec stated:

'When I went out with Henri Paul, he normally had a pastis / Ricard drink as an aperitif. Usually he had two before the meal. He didn't particularly drink wine; he used to say that he could never tell a good wine from a cheap wine. He never took a 'digestif', after dinner drink.'

And perhaps most pertinently in relation to the apparent demeanour of Henri Paul, as seen on the Ritz Hotel CCTV cameras, when he returned there just after 10pm on Saturday 30 August 1997, Claude Garrec stated:

'Henri Paul was a stocky man of about 80kg, he could have a few alcoholic drinks, but I never saw him drunk. At fetes or birthdays, when he drank a little more, you were unable to tell this from his eyes or face or the way he stood. On those occasions, he might have four Ricards, and later in the evening a few beers.'

Asked specifically of his view of how Henri Paul would have reacted if he had been asked to drive on Saturday night 30 August 1997, Claude Garrec stated:

'You have asked me whether I think that Henri Paul would have driven on the night of 30 - 31 August 1997, after consuming alcohol. On 30 August 1997, Henri Paul was acting Head of security at the Ritz, furthermore Franz Klein was not there, he was on holiday. In my opinion even if Henri Paul had drunk alcohol and had been asked to drive for Dodi Al Fayed, he could not have refused. Furthermore, Dodi Al Fayed would not have known that Henri Paul had been drinking, because Henri Paul did not display signs of intoxication even when he had consumed more alcohol than usual. It would have been a matter of pride for Henri Paul, and to refuse Dodi Al Fayed, would amount to refusing to drive for Mr Mohamed Al Fayed.'

In more general terms, Claude Garrec stated:

'When Henri Paul had a drink, he was gay, that is, he was funny.'

After fêtes, we normally stayed over at the venue. In Lorient, when there was an easy 3 kilometre route home we sometimes drove home. Henri Paul is someone who could always control himself. There had been occasions when he had driven after having drunk during the evening, but this did not affect his driving. He never had an accident. He always managed to get home after a night out and he didn't have any points on his licence.

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During the second search of Henri Paul's home address after his death, the Police found a quantity of aperitifs, but this is nothing unusual. He simply had different drinks for his different guests that he may have invited. What the Police failed to mention, is that Henri Paul also had about 240 cans of Diet Coke. He used to drink a lot of it, and get it delivered to his home address.

You ask me if Henri Paul used to drink after work. I don't know, he had a many different circle of friends and I didn't know them all. He may have had a drink on the way home, but once home, he wouldn't normally go out again. He liked reading a lot and watching films when he was at home. He never went to the cinema.'

'I do not think that Henri Paul was an alcoholic. He wasn't Tee-total, he was just normal; a 'bon vivant', his consumption of alcohol was convivial. But this doesn't mean that he would let things degenerate. I learned of the medicines Henri Paul was taking to control alcohol dependency only after his death. He never talked to me about this. In my opinion, this was a precautionary measure, because given the stressful nature of his work, he did not want this to become alcohol dependant.

In reply to your question, I never saw Henri Paul take any unlawful drugs. Never. None of our group of friends did.'

Laurence PUJOL

Partner of Henri Paul until 1995.

French Dossier D2208-D2213

She described Henri Paul as someone who enjoyed the occasional drink. She had never seen him drunk and to the best of her knowledge he did not drink for drinking's sake.

Jean HOCQUET

Head of Security until June 1997.

French Dossier D2148-D2153

'During our dinners together, we drank wine with our meals and M. PAUL never got drunk.

The only times that I saw M. Paul 'merry' was at the large drinks parties at the Ritz. But lots of people were 'merry' on those occasions because we were happy and celebrating, but nothing more than that....

I am quite positive, I have never seen Henri Paul drunk. Incidentally, I find what has been written in the press intolerable.

In reply to your question, M. Paul drowned his whisky in large glasses of water when having an aperitif.

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I recall that when he said he could not come to our Friday night meals, M. Paul would sometimes mention the fact that the next day he had to be at the controls of an aeroplane. And it is true that when he had to fly the following day, M. Paul would go to bed early in order to be on form. He was a cautious person. Moreover, the medicals that all pilots have to undergo are thorough, and an alcoholic would not manage to slip through the net. M. Paul however, never had a problem with his medicals.

Furthermore, I have never seen M. Paul drinking on duty at the Ritz. And when I was not there, or if we had to take over from one another at night, the slightest incident would have been reported to me.'

Jean Henri PAUL
Father of Henri Paul.

French Dossier D106-D107

He described Henri Paul as 'Not the sort of person who was prone to get drunk or to drink more than is sensible'.

Dominique MELO
Friend of Henri Paul for 20 years and a medical doctor. She last saw him during a short holiday in July 1997.

French Dossier D2238-D2242

In her statement to French police Dr Mélo stated:

'Moreover, for your information, I can tell you that, as a health professional, I know that the medicals for pilots are very thorough and detailed (testing for signs of exogenisation, palpation of the liver, a thorough neurological examination) and that consequently a doctor authorised to perform such an examination could not overlook symptoms of alcoholic impregnation. Henry had undergone such a medical the week before he died and he had been granted his pilot's licence.

In reply to your question, during our holiday together in Cadaques, the last time I saw Henry, he drank like everyone else, but not to excess. On the first evening he was tired and a bit more tipsy than the others. I did not see him taking any medication. He appeared normal during those holidays, just like the other times. He usually drank Perrier, cola, beer and pastis. He did not drink much wine.

Reply to Question : He drove slowly and carefully.

I have nothing further to tell you about Monsieur Henry PAUL and can only tell you that I am convinced that he would not have drunk alcohol knowing that he might have to drive a car, which leads me to believe that circumstances led him to do so.'

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Eric GIGOU

Lieutenant, Brigade Criminelle. 9 September 1997. Involved in the search of Henri Paul's home.

French Dossier D2235-D2236

Lieutenant Gigou and Captain Eric Crosnier searched Henri Paul's flat at Flat A, 33, rue des Petits Champs, Paris 1 in the presence of Laurence Pujol and Claude Garrec. During that search the following items were found:

In the lobby

- *Some cupboard shelving containing various aperitifs, which had been partially drunk to various degrees. (Crème de Cassis, Ricard, Suze, port and beer & other unopened bottles (red wine and champagne) [Paget Note: No specifics as to numbers or levels.]*

On a table in the lobby

- *A number of unopened aperitifs bottles. Martini Bianco, Vodka, Pinot, Suze and fortified wine. [Paget Note: No specifics as to quantities.]*

In the refrigerator

- *One (1) bottle of champagne*
- *Two (2) small bottles of beer*

In the kitchen cupboard

- *Opened aperitif bottles. (Ricard, Bourbon 4 Roses & Martini Bianco) [Paget Note: No specifics as to numbers or levels.]*

Other drinks in the apartment

- *Soda waters, cordial & water [Paget Note: No specifics as to quantities.]*

[Paget Note: A previous police search of Henri Paul's flat on Wednesday 3 September 1997 recorded some but not all of this alcohol; and some was listed in a different location (e.g. Martini in the refrigerator). There was no explanation for the difference in records of these searches, but it may indicate a different emphasis in the search criteria. Lieutenant Marc Monot recorded the result of the first search.]

Marc MONOT

Lieutenant, Brigade Criminelle. On 3 September 1997 he conducted the search of Henri Paul's home.

French Dossier D965-D967

Lieutenant Monot and Commandant Gerald Sanderson searched Flat A, 33, rue des Petits Champs, Paris 1, in the presence of Henri Paul's relatives, Jean Paul and Florence Paul and Mr Dominique Mélo.

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During the course of that search the following items were found:

- *'One (1) broken Casio 64KB Sf-4600 digital diary. (Recovered from Mercedes & handed over by Mr Jean Paul)*
- *Eighteen (18) pieces of paper & business cards.*
- *One (1) piece of paper on an AMF Bowling products letterhead with handwritten note 'Mr Henri Paul, for you we have taken one or even several bottles of Four Roses. Tel 97/36/03/88, pers 97/36/81/46 David, Pascale'*
- *A large quantity of packs of non-alcoholic drinks, some in the dustbin.*
- *One (1) bottle of white Martini $\frac{3}{4}$ empty in refrigerator.*
- *One (1) bottle of champagne (in refrigerator)*
- *Two (2) Ericsson mobile phones*
- *Three (3) Sagem Alize main line telephones*
- *One (1) telephone answering/fax machine*
- *Ten (10) page list headed Agenda 95 TDF'*

Operation Paget Comment

His closest friend Claude Garrec described Henri Paul as convivial, a man who would drink on occasions but he had never seen him drunk. This view was supported by other friends and colleagues

Claude Garrec also said that Henri Paul did not display signs of intoxication, even when he had consumed more alcohol than usual.

'After fêtes, we normally stayed over at the venue. In Lorient, when there was an easy 3 kilometre route home we sometimes drove home. Henri Paul is someone who could always control himself. There had been occasions when he had driven after having drunk during the evening, but this did not affect his driving. He never had an accident. He always managed to get home after a night out and he didn't have any points on his licence.'

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5. General Health of Henri Paul

Dr Dominique MELO

French Dossier D2238-D2242

[Paget Note: The use of bold type for the medicinal names is Operation Paget's own highlighting.]

'About my role as Henry's doctor. This was only, as I have said, occasional, as of roughly a year or a year and a half ago.

*I think I am right in saying that my first prescription at that time was issued at his request following a telephone conversation during which he asked me to give him a prescription for **Prozac** antidepressant and for **Noctamide**, a medication prescribed by a Parisian doctor. [Paget Note: Noctamide treats insomnia] I do not know the name of the doctor or the date of the first prescription. When I asked him how this treatment had gone, I got the impression that it agreed with him and that he had regained some enthusiasm for his work together with his joie de vivre, although from time to time depressive episodes did continue, together with feelings of extreme solitude and isolation, which led him on occasion to drink outside a social context, namely alone at home. That worried him, he was afraid that he was becoming dependent and was anxious about not being able to manage this problem on his own. That is why he consulted me and not a doctor that he did not know.'*

*'I recommended that he add two therapeutic drugs to his treatment: **Aotal** [Paget Note: Also known as **Acamprosate**] which causes a dislike of alcohol, the efficacy of which is relative, but I felt that this prescription would reassure Henry. I probably did this because he was a friend of mine and I would not have used this substance in that context with one of my regular patients; and **Tiapridal**, which is a neuroleptic usually with alcoholic connotations. It is used in large doses for persons with massive exogenisation. In Henry's case, I used this molecule in small doses, especially for its side effects (the neuroleptic is an anti-obsessional, which prevents one from dwelling on things) which enabled him to overcome his personal problems and to be effective in his work and have a regular sleep pattern.'*

'The alcoholic indication of these last two drugs, Aotal and Tiapridal, had the additional effect of reassuring and protecting him. He had the impression that he was receiving preventive treatment. On certain occasions, when Henri was freed from his professional constraints, or when he was on holiday, he did not take this medication in order to be able to drink alcohol in reasonable quantities, always in a social context. I had authorised him to do this, as Henry did not have the clinical stigmata or the behaviour of a chronic alcoholic. In fact, he led an organised life in Paris, his flat was tidy, he seemed well in himself and well turned out, he was managing to deal with the responsibilities he faced at work, and was reliable and did not forget anything.'

'As regards the prescriptions that I gave him, which were always free of charge and sent by post, three must have been repeated several times, these being the four types of medication I have told you about. I think I prescribed them on each occasion.

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You tell me that the dates were June 1996, November 1996, and March 1997, and these tie in. You tell me that I only prescribed PROZAC from March 1997. That is possible, as he must have had some left from a previous prescription from another doctor.

Reply to question: I never prescribed Tiapride Equilium (trade name) to Henri, as this is not a drug that I generally prescribe.

From a pharmacological viewpoint, the consumption of alcohol is not advised with this type of medication.'

[Paget Note: French Dossier D2243, D2245 and D2246 contained copies of printouts from Social Security records and a table of prescription medicines purchased by Henri Paul. They listed the drugs prescribed by Dr Mélo and others: Aotal, Noctamide, Prozac and Tiapridal. The records showed these purchases from June 1996 onwards.]

Dr Gilbert PEPIN

Doctor of Science, Doctor of Pharmacy, Biologist, expert at the Paris Court of Appeal. Based at the independent Laboratoire TOXLAB in Paris.

Toxicology Report

French Dossier D1329 and D1332

Dr Gilbert Pépin, a toxicologist, analysed the samples taken at the examinations of Henri Paul's body on Sunday 31 August 1997 and Thursday 4 September 1997. He reported on Tuesday 9 September 1997, listing the substances that he found in the samples. These included: a level of carboxyhaemoglobin, alcohol, fluoxetine, norfluoxetine, tiapride, cotinine and nicotine, with albendazole being found in the hair sample.

The Brigade Criminelle undertook further searches of Henri Paul's home and office on Tuesday 9 September 1997.

[Paget Note: The interpretation of these results is discussed in section thirteen of this chapter.]

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Marc MONOT

Lieutenant, Brigade Criminelle. On 9 September 1997 he conducted the search of Henri Paul's office at the Ritz Hotel.

French Dossier D2187-D2188

Lieutenant Monot together with Major Jean-Paul Copetti and in the presence of Claude Roulet and Bruno Germain (Security Officer) carried out a search of Henri Paul's office at the Ritz Hotel and found:

- *'One (1) pack IMODIUM 2mg containing single capsule (desk)*
- *One (1) empty pack AOTAL tablets 333mg (in waste basket)*
- *One (1) pack GAOPATHYL containing 5 tablets (cupboard)*
- *One (1) pack GAOPATHYL containing 6 tablets*
- *One (1) box GAOPATHYL containing broken tablets*
- *One (1) pack DOLIPRANE 500mg containing 6 tablets*
- *One (1) tube DOLIPRANE containing 16 tablets'*

Operation Paget Comment

Aotal, also known as Acamprostate, is a prescription drug that according to the Vidal Dictionary 2006, is used for '*maintaining abstinence in alcohol dependent patients*'.

Dr Dominique Mélo had prescribed Aotal to Henri Paul. It was not found in the analysis of samples taken from Henri Paul's body at the autopsy. The laboratory undertaking the analyses believed they would have identified Aotal had it been present in his body. (Operation Paget Other Document 418 and Message 644)

It is the opinion of Professor Robert Forrest [Paget Note: Toxicologist, instructed by Operation Paget] that the absence of Aotal in the toxicological results indicated that if Henri Paul had been taking Aotal, he had not taken any for at least a few days before his death.

Imodium treats diarrhoea.

Gaopathyl treats indigestion and gastric pain.

Doliprane is a French trademark for products containing paracetamol.

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Eric GIGOU

Lieutenant, Brigade Criminelle. On 9 September 1997 he was involved in the search of Henri Paul's home.

French Dossier D2235-D2236

Lieutenant Gigou and Captain Eric Crosnier searched Henri Paul's flat in the presence of Laurence Pujol and Claude Garrec.

In that search the following items were found in the bathroom:

- *'Medicines:*
- *Nifluril,*
- *Aspegic,*
- *Balsamorinol,*
- *Doliprane jeune enfant,*
- *Rhinathiol,*
- *Spasfon,*
- *Amygdospray,*
- *Ercefluril 200,*
- *Pansarol,*
- *Colyre mydriaticum,*
- *Maalox'*

[Paget Note: These medicines are commonly available for the treatment of everyday illnesses and conditions such as: fever and pain relief; inflammation; sore throat; diarrhoea; indigestion etc.

'Doliprane jeune enfant' was a paracetamol-based product specifically for children. It is not known why Henri Paul had this at home. His partner, Laurence Pujol and her daughter moved out of Henri Paul's flat in 1995.]

Claude GARREC

Closest friend of Henri Paul.

Interviewed by Operation Paget - Statement 235

Claude Garrec, Dr Dominique Mélo and Henri Paul went on holiday to Spain in the third week of July 1997. Claude Garrec claimed that Henri Paul spent hours on the telephone to work, did not relax much and appeared a little stressed.

He was unaware of any medication Henri Paul might be taking. He believed that Henri Paul would not necessarily tell him if he had an alcohol dependency problem. His opinion now is that Henri Paul would only have taken these medicines, not because he had a problem with alcohol dependency, but to avoid it becoming a problem, given the sometime stressful nature of his job.

In general terms, Claude Garrec was unaware of any health issues for Henri Paul.

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Eric GIGOU

Lieutenant, Brigade Criminelle.

French Dossier D2243-D2249

He seized twenty copies of prescriptions and related invoicing counterfoils from Henri Paul's Social Security File provided to him by the 'Centre de Sécurité Sociale'. These prescriptions were dated between June 1996 and July 1997. Copies of these prescriptions corroborate Dr Mélo's evidence.

Enquiries were made with the chemists in respect of medication found at Henri Paul's home and workplace. In brief, these enquiries revealed that he had also been prescribed 'Orcilline' [Paget Note: Antibiotic], 'Nifluril' [pain relief, anti-inflammatory], 'Doliprane' [treats fever] and 'Stillnox' [treats insomnia].

Dr Jean Claude DAGNEAUX

Company doctor for the Ritz Hotel.

French Dossier D2137-D2138

Henri Paul saw Dr Dagneaux once a year. This was normal procedure for all Ritz Hotel staff. He last saw Henri Paul at the beginning of May 1997 for his annual consultation. He had prescribed him medication on only one occasion, that being several months before August 1997. This was an antibiotic for an ear, nose and throat infection.

Dr Dagneaux had no knowledge of Henri Paul receiving any other medical treatment. He had not seen Henri Paul as a private patient at his surgery and was unaware of the identity of his General Practitioner. He was however in possession of Henri Paul's occupational health file.

Dr Diane BEAULIEU d'IVERNOIS

The doctor who carried out the medical assessment on Henri Paul for his pilot's licence.

French Dossier D7440

She carried out a medical assessment on Henri Paul on 28 August 1997 in respect of his continued medical fitness to fly and to retain his private pilot's licence. She wrote on the certificate:

'I, the undersigned, Doctor Diane Beaulieu d'Ivernois, holder of authorisation number 3198 certify that M. Henri Paul of 17, rue Blériot, 56100 Lorient born 3.7.56 in Lorient fulfils the conditions of physical and mental fitness required of non-professional pilots.'

In respect of his vision, she added to his private pilot's medical certificate issued on that day that glasses must be worn for distance work. (Operation Paget Exhibit CG/3)

CHAPTER FOUR

Civil Aviation Authority

Operation Paget - Other Document 280

This reference document collates evidence obtained from the Civil Aviation Authority (CAA) and Direction Générale de L'Aviation Civile (DGAC), its French equivalent, regarding the rules for medical fitness for civil aviation in 1997.

[Paget Note: It seems likely that Henri Paul's pilot's medical certificate was a DGAC Class Two and based on the International Civil Aviation Organisation class of medical certification for private flying.]

In order to gain such a certificate a pilot would probably have to pass a standard physical and eye examination, a urine test for blood-sugar and protein and an electro-cardiogram to look for heart disease. The pilot would have to meet a prescribed standard with regard to lung function, heart and vision, including colour vision, and hearing.

There was no requirement for a blood sample to be provided by a pilot for screening or testing for alcohol, although airlines may impose their own screening.

For commercial pilots, a pin-prick of blood is obtained to determine cholesterol and haemoglobin levels. Urine is obtained to determine the presence of blood, protein and sugar/glucose. The only circumstances where a blood/alcohol sample and test may be required by them is when a pilot is either reported on as having an alcohol dependency problem, or comes to them to assist with tackling with this type of problem.

The United Kingdom standards at the time would rely on self-declaration of alcohol or drug abuse, targeted questioning based upon the applicant's declarations, or observations at the time of examination.

The DGAC Regulations in force in 1997 refer to an X-ray examination being performed during the admission test and then every two years. Henri Paul had a large envelope in his own car at the time of his death that appears to bear the word '*Radiographie*'.

Henri Paul's parents have confirmed to Operation Paget that the envelope from the car contained what they described as '*chest x-rays*' from 28 August 1997, the day of his medical assessment.

Medical examinations and certificates, while indicating good health in general terms, do not specifically test for alcohol levels in the body at the time of examination or give indications of longer-term alcohol abuse.

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Operation Paget Comment

The evidence of Henri Paul's close friend and doctor, Dominique Mélo, was that Henri Paul was concerned over his own perceived dependency on alcohol. This concern does not appear to have been public knowledge and Dr Mélo prescribed him with medicines to assist him.

Henri Paul appeared to be in good health, although he had a number of standard medicines at home and at work to deal with everyday illnesses. The toxicology in relation to him is dealt with in section thirteen of this Chapter.

6. Finances

Jean-Claude MULES

Commandant, Brigade Criminelle.

French Dossier D4-D9

Jean-Claude Mulès recorded that at the time of his death, Henri Paul had on his person FF 12,565 [Paget Note: Estimated United Kingdom equivalent of £1,256 at a general exchange rate of 10FF = £1]

Operation Paget Enquiries

French Dossier D4-D9, D106-D107, D967-D974, D975-D985, D990-1006, D2251, D2258-D2311, D2312-D2330, D2331-D2335, D2336, D2337-D2338, D2339, D6091-D6096

With reference to the French dossier, as well as additional documents obtained from French financial institutions by the Brigade Criminelle on behalf of Operation Paget, the following details were recorded in relation to Henri Paul's accounts.

Analysis and comment on these accounts then follows, but it should be noted that, principally, only financial data for November 1996 onwards was provided.

The cash on Henri Paul's person at the time of his death did not appear to have been withdrawn from any of his bank accounts. There was no evidence in the French dossier about where this money came from, or the purpose for which Henri Paul had it.

CHAPTER FOUR

A breakdown of Henri Paul's bank accounts highlighted the following:

Caisse d'Epargne Ile de France Paris A/C No. ***1435**

This account is recorded as a '*Cheque account*' and appeared to be Henri Paul's current account, opened in 1981.

His Ritz Hotel salary of between FF 15,000 and FF 17,000 (other than November 1996 – FF 30,584) was paid into this account at the end of each month. The amount credited in November 1996 may be accounted for by the fact that employees in France are often paid an extra month's salary just before Christmas.

Henri Paul also used this account to pay for gas, electricity, television, local taxes, payments to savings accounts and payment of Diners Club Card bills, as well as other undetermined payments and cheques.

A set amount was withdrawn in the middle of each month. From November 1996 to February 1997 the amount was FF 5,154, rising to FF 5,669 from March 1997 onwards. This payment may well have been for rent/mortgage, or regular loan payments.

The account showed several large cash deposits. In December 1996, a cash deposit of FF 20,000 and cheque deposit of FF 5,970 were paid into this account. Because no specific data was provided for the period before December 1996, it was impossible to give the provenance of these funds (cash, transfer from another account, sale of shares etc).

There was a large cheque withdrawal in May 1997 for FF 80,000. It is not known whose account this cheque was paid into, but within two weeks of this withdrawal, two cash deposits, each of FF 40,000, were made back into this account.

There were no transactions (other than direct debits) out of this account after the death of Henri Paul.

On 14 October 1997 the balance on the account was FF 370,021 with Laurence Pujol shown as having power of attorney.

Barclays A/C No. ***1801**

The only data given on the account showed when it was opened on 9 June 1992 and closed on 12 June 1994.

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Barclays A/C No. ***0801**

This account was opened on 9 October 1992 and was referred to as a '*Dynamic*' account, with capital from this account invested in shares. The statements showed interest paid in and costs withdrawn by the bank every month. The balance of the account was in the region of FF 79,000, with in the region of FF 64,000 invested in shares (with a monthly fluctuation recorded). The exception to this was on 6 August 1997 when FF 40,000 was paid in (not stated if cash or cheque). It would appear that this amount was immediately invested into the same shares. This was one day after FF 40,000 cash was paid into his current account no. *****1435 at the Caisse d'Epargne, Ile de France, Paris.

Caisse d'Epargne Ile de France Paris A/C No. ***4976**

This was a '*Securities*' account opened on 11 March 1993. The funds in this account were held in shares but the amount was unclear. There was no movement on the account between 1 September 1996 and 31 October 1997, but the small dividends from the shares appeared to be paid into account no. *****9750 (below).

Caisse d'Epargne Ile de France Paris A/C No. ***9750**

This was a '*Share Savings Plan*' opened 11 March 1993. On 28 October 1997, the balance on the account was FF 2,094.

Caisse d'Epargne Ile de France Paris A/C No. ***8747**

This account was a '*Home Savings Plan*', although the monthly amounts being paid in were relatively small. The only transactions shown were monthly deposits of FF 300 from his current account, and yearly interest gained. The yearly interest paid on 31 December 1996 was FF 19,829. On 28 October 1997, the balance on the account was FF 453,087.

Barclays A/C No. ***0101**

The only data provided on this account came from a December 1995 to December 1996 yearly summary and a summary statement for January 1997. No further data was provided. On 18 and 19 December 1996 two separate deposits were made of FF 49,900.

On 23 December 1996 a deposit of FF 50,294 was made with reference to the sale of Barclays Bonds Securities C shares. On 2 January 1997, two separate withdrawals were made for the purchase of shares through Barclays and Barclays Europe for FF 99,997 and FF 49,999, leaving the account with a balance of only FF 313.

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Caisse d'Epargne de Bretagne A/C No. ***4867**

This '*Deposit*' account was also not '*in use*'. Data supplied showed one deposit in December 1996 and then no activity until just after his death. On 10 September 1997 a cash withdrawal for FF 4,000 was annulled. Then there were two cheque withdrawals, made out to Mr and Mrs Jean Paul, the first for FF 40,000 on 10 September 1997 and FF 20,000 on 16 September 1997.

BNP A/C No. **1658**

This '*cheque*' account appeared to have been opened on 10 June 1997, with a deposit shown of FF 500 the following day.

The account had a deposit of FF 40,000 on 19 June 1997, and the same amount again on 3 July 1997. The provenance of these funds remains unknown.

On 11 July 1997, FF 40,000 was transferred to a new account opened on that day (BNP A/C No. ****0916) and on 1 August 1997 a transfer of FF 39,000 was made to another new account opened on this date (BNP A/C No. ****6316)

No further transactions were made to or from this account.

On 15 July 1997 charges for safety deposit boxes were taken from this account. Henri Paul's parents stated that there was some cash inside, around FF 30,000 and a few letters and papers, given to one of Henri Paul's friends, Claude Garrec, for safekeeping.

BNP A/C No. **0916**

There was very little activity shown for this '*Property Purchase*' savings account. On the day this account was opened, 11 July 1997, a deposit was made of FF 40,000 from BNP A/C No. ****1658 (see above). On 1 August 1997, these funds were transferred in to a new account opened, BNP ****6316 (see below). No further transactions were made to or from this account, and the balance was shown as zero on 4 August 1997.

BNP A/C No. **6316**

The only activity shown in this '*Savings*' account has been covered in the two previous accounts. This account was opened on 1 August 1997 with two deposits. The first was FF 39,000 from BNP A/C No. ****1658, and the second was FF 40,000 from BNP ****0916. No further transactions were made to/from this account. The balance was shown as FF 79,000 on 4 August 1997.

Caisse d'Epargne de Bretagne A/C No. ***4457**

This '*Cheque*' account had not been used since 16 November 1988, and it had a zero balance as at 16 November 1997.

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Caisse d'Epargne Ile de France Paris A/C No. ***1490**

There was no activity shown on this 'Codevi' (deposit) account. The account was opened on 21 March 1987 and has not been used since 22 April 1995. The balance was shown on 28 October 1997 as FF 32,366.

Caisse d'Epargne Ile de France Paris A/C No. ***1482**

There was no activity shown for this 'Home Savings Plan' deposit account. The account was opened on 1 December 1987 and has not been used since 15 December 1992. The balance was shown on 28 October 1997 as FF 112,890.

Barclays A/C No. ***0851**

This account showed little activity, but appeared to be used as a savings account and for investing funds into shares. On 6 August 1997 FF 39,758 was invested into *Fonds Communs de Placement* (FCP) shares. [Paget Note: FCP in France is a form of shares co-operative, where investors aggregate money to be invested on their behalf.]

Two other accounts were referred to in the French judicial dossier. The Caisse d'Epargne savings bank stated that accounts Caisse d'Epargne Ile de France Paris no. *****1426 and Caisse d'Epargne Ile de France Paris no. *****1414 did not exist. It is not known why these were considered to belong to Henri Paul in the first place. (French Dossier D2305)

At the time of his death, Henri Paul also had a number of bank and credit cards:

- One Visa Caisse d'Epargne bank card no. ** ** ***** 9053
- One American Express credit card no. **** *1002
- One American Express card no. **** *1003
- One Diners Club International credit card no. **** *6017
- One Diners Club International credit card no. **** *0014

Transactions on these cards were not provided in the French dossier.

CHAPTER FOUR

Summary of Henri Paul's accounts

A review of Henri Paul's fifteen (15) accounts at the time of his death showed that:

- There is no data provided for one of the accounts
- Barclays A/C No. ** ** *0851 refers directly to Barclays FCP B. Invest. Patrimonial N valued at FF 105,112 (referred to in the shares portfolio below)
- Three accounts did not have any funds (some of these may have been closed)
- In the remaining ten accounts, there was in the region of £124,500 (this is an approximate value as the balance was not necessarily shown on 31 August 1997.)

In addition, Henri Paul's share portfolio at the time of his death consisted of:

Barclays Actions France C P	FF 111,458
Barclays Europe P	FF 61,149
Barclays FCP B. Invest. Patrimonial N	FF 105,112
<u>Barclays Obli-placement C FCP P</u>	<u>FF 153,766</u>

Shares total of FF 431,485 [approx. £43,148]

The combined total of funds from accounts and shares belonging to Henri Paul at the time of his death was close to £170,000.

Operation Paget Comment

It is important to try to put Henri Paul's financial situation into context alongside his personal and professional life. Henri Paul was a 41-year-old single man with no children who had worked for most of his adult life. His mother and one of his closest friends gave evidence regarding some financial aspects of Henri Paul's life.

Claude GARREC

Closest friend of Henri Paul.

Interviewed by Operation Paget - Statement S235

Claude Garrec, asked for his views on Henri Paul's finances, stated:

'As regards Henri Paul's finances, the Ritz hotel paid him a salary, but I also think that he was receiving tips from clients. Henri Paul once told me that some of the VIPs or members of Royal families staying at the Ritz would leave him very large tips. FF1000 [equivalent to £100] or FF10000 [equivalent to £1,000], the sums were limitless, depending on what help or services Henri Paul organised. The VIPs were obsessive about their security and Henri Paul would help. I believe this explains the sums of money that Henri Paul had at the time of his death.'

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On one occasion, Henri Paul told me that there was an American family who would always want to be picked up from the airport when they visited Paris and stayed at the Ritz; but they only wanted to be picked up by Henri Paul. Henri Paul told me that they left a large tip, but he didn't say how much. Generally, when I went out with Henri Paul, he always paid in cash.'

'His flat, 33 Rue des Petits Champs, was rented from an agency in Avenue de l'Opera; from memory, he paid FF6000 per month [£600]. He also owned a studio flat in the 11th arrondissement [district], Rue Sedaine, which he rented to a student called Sylvie Lambert. His mortgage for this property was with the 'Caisse d'Epargne', and the rent paid covered the mortgage, but I do not know how much this was.'

[Paget Note: Henri Paul rented the flat in which he lived, but owned a flat that he rented out to Sylvie Lambert, a student. Rent paid by Sylvie Lambert was not apparent in Henri Paul's bank records, which may indicate that it was paid in cash.]

'Henri Paul had a safety deposit box with the 'Bank Nationale de Paris' (BNP). When it was cleared after his death, there was an amount of cash, not a fortune, but it is for Henri Paul's parents to tell you what the sum was. Otherwise, there was nothing else.'

Asked about the large number of bank accounts that Henri Paul held, Claude Garrec stated:

'It has been suggested in the Press, that Henri Paul had twenty accounts. This is not true. In France, when you open an account at a Bank, the Bank creates sub-accounts, which are linked to the first, for savings, or your house, or simply to keep track of your funds. Given this, and my experience working in financial matters, I can tell you that a large number of accounts are not something that is unusual.'

You have asked me whether I know where Henri Paul found money to invest in shares. I believe that he would invest the large tips from the hotel into buying and selling shares, but he never discussed his shares or his accounts, and it is not something that I would discuss. I have no knowledge of an inheritance or previous properties that he may have financially benefited from.'

And asked about the cash on Henri Paul's person at the time of his death:

'At the time of Henri Paul's death, it has been publicised that he had a large amount of money in his pocket. I signed for this money, which was in an envelope when the Police restored it. It was certainly not a wedge of money, and I can say that I had seen him with larger sums on previous occasions. He told me that needed to have cash at his disposal to assist Ritz clients and VIPs, as he was often required to pay up front for services or purchases that they had asked him to make. Henri Paul told me that rich people never had money on them. He would be reimbursed by the Ritz, which would bill the client.'

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Henri Paul had recounted to me that he had accompanied Ritz clients from the Emirates to the Galleries Lafayette [Paris department store], and pay for items for them up front; he said that these people were the type to buy a whole rail of clothes. As for his tips, Henri Paul was a modest man, who wasn't into expensive clothes or cars, and who's only extravagance was flying. He wouldn't have been able to spend all his tip money, so he must have placed them into his accounts undeclared. Also, despite his closeness to Franz Klein, it is probable that he would not have told anyone at work about his tips.'

Asked about the cost of Henri Paul's hobby, flying aeroplanes, he stated:

'Henri Paul passed his pilot's licence in 1976, but he had already been flying for a while and had participated in the 'Tour de France' for young pilots competition at the age of seventeen. In 1994 he passed his instrument rated night flying licence (instrument rating), which is quite an achievement. I exhibit as CG/4 a photocopy of Henri Paul's private pilots' licence, and CG/5 a photocopy of Henri Paul's flight log. Henri Paul used to hire small planes from time to time, generally four-seaters. At a guess, in 1997, it would cost FF1000 [approximately £100] per hour, but you would only pay for the amount of time the plane was off the ground. On occasion, he flew my wife, my daughter and I to Deauville which is 35-40 minutes flying time away.'

And specifically in relation to any possible payments from security services:

'My belief is that Henri Paul was never paid by the Security Services...'

[Paget Note: Henri Paul's relationship with French Security Services is discussed in sub-section (7).]

Gisèle PAUL

Mother of Henri Paul.

Operation Paget - Other Document 518

Henri Paul told his mother, Gisèle Paul, about his work at the Ritz Hotel. She explained that on one occasion he went to a boutique to buy textiles with the wife or daughter of a Saudi Arabian Prince and that he had to pay for everything. He told her that he was later reimbursed and given a FF 5,000 tip [Paget Note: £500]. She said that on other occasions clients left tips for him in envelopes with the hotel reception or the concierge. These could be very large tips, and he did not declare them. In her opinion, these tips were a likely source of the money found in his accounts.

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Richard TOMLINSON

Former British Secret Intelligence Service officer.

French Dossier D5160

In evidence before Judge Stéphan in August 1998, he stated:

'I should point out that it is very common for national security services to try and recruit members of security staff in the big hotels as they are very well placed to pick up information.....I should explain that only MI6, Mossad and the CIA pay their informants, unlike other countries, including France, who would never pay such sums to their informants. The French intelligence services can pay foreign informants, but not French nationals, and not that much money'.

Paul LAFFAN

Police Officer and Accredited Financial Investigator at the United Kingdom Assets Recovery Agency. He has analysed the financial data available for Henri Paul.

Operation Paget - Other Document 392

He calculated that Henri Paul's worth at the time of his death was FF 1,677,500, equivalent to £170,497, using the exact rate of exchange on 31 August 1997. This did not take into account the market value of property that he owned. It should also be noted that the value of his assets has not been set-off against his mortgage loan and credit card liabilities at the time of his death.

Claude Garrec clarified that Henri Paul had taken out a protected loan with Caisse d'Epargne, Ile de France, Paris. The amount of this loan was unknown to Claude Garrec, but Henri Paul's beneficiaries would have benefited from this loan following his death. The remainder of the funds would therefore appear on the final balance.

Paul Laffan stated that, taking into account the lack of evidence to suggest that Henri Paul had an extravagant lifestyle, as confirmed by his close friend Claude Garrec, together with the evidence of his share dealing, it would be reasonable for him to have built up healthy balances in his accounts.

French police enquiries revealed that at the time of his death, Henri Paul had two savings/life insurance policies with 'AXA Assurances Vie'.

The beneficiary of both policies was Laurence Pujol, who stood to benefit in the sum of FF 413,414 [approximately £41,341] upon Henri Paul's death. (French Dossier D6091-D6096)

In the ten-month period between November 1996 and August 1997, Henri Paul had FF 172, 992 paid into his account by the Ritz Hotel. It was unclear whether this amount was before or after taxes and deductions, but no tax payments were identified from his accounts (other than local 'council' taxes). This equated to an average monthly salary of FF 17,299, which is approximately £20,500 salary over the period of a year in 1996-1997.

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Much emphasis has been placed on the large amounts of money being deposited and withdrawn from Henri Paul's accounts. The movement of cash started long before July 1997, when the Princess of Wales and Dodi Al Fayed started their relationship. Furthermore, the movement of these accounts (of up to FF 80,000 = £8,000) can at times be attributed to the purchase and sale of shares and at other times to inter-account transfers.

If Henri Paul were in the paid employment of security or intelligence services, Operation Paget would have expected the payments to be either in cash (for small amounts) or into covert accounts (larger amounts).

Operation Paget Comment

Paul Laffan pointed out that from his experience of investigating the proceeds of crime, when an individual is attempting to conceal clandestine or illicit income, it is usual to see a significant amount of traffic on the accounts. Cash deposits are normally transferred out of or between accounts immediately after they are credited, until they have been sufficiently layered to disguise their origin.

This layering process is not evident within Henri Paul's accounts.

Henri Paul had deposited around £43,000 in cash/cheques/unknown method into his accounts in the last eight months of his life. Although these amounts were inconsistent with his salary, they were not so large as to be conclusive of Henri Paul's involvement in illicit or clandestine activity.

In France, if a bank considers a financial transaction to be unusual, they can contact TRACKFIN, an inter-Ministerial Department, who will assess if the circumstances require further examination. They can contact a judge, who in turn can instruct the police to make enquiries. In 1997 TRACKFIN was a very new service. Even today, the financial section of the Brigade Criminelle considers banks to be reluctant to engage with this service. There was no evidence that any of Henri Paul's transactions attracted such an inquiry.

It is impossible at this stage to explain all of the movements of cash and finance into and between Henri Paul's accounts. There could be a number of reasons why someone in Henri Paul's position would need or receive quantities of cash. His closest friend Claude Garrec stated that large sums of cash were commonplace for Henri Paul because of the services he provided to wealthy clients of the Ritz Hotel, and his parents talked of him receiving £500 tips from wealthy clients.

Claims that Henri Paul received cash payments from intelligence or security services could not be proved or disproved from this evidence. His cash flow could not be accounted for solely from known income sources. In the absence of more specific information, different inferences and interpretations can be made in respect of his finances.

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Richard Tomlinson, a former SIS officer, stated in evidence to Judge Stéphan:

‘I should explain that only MI6, Mossad and the CIA pay their informants, unlike other countries, including France, who would never pay such sums to their informants. The French intelligence services can pay foreign informants, but not French nationals, and not that much money’.

7. Links to Intelligence and Security Services

Claims have been made that link Henri Paul both to the British Secret Intelligence Service and to French security services. These alleged links are dealt with in detail in Chapter Sixteen. However, that alleged link with the SIS is also referred to here for completeness and to give a full understanding of the evidence relating to Henri Paul. This section however, focuses primarily on his alleged links to French security services.

Marc MONOT

Police Lieutenant, Brigade Criminelle. On 3 September 1997 he conducted a search of the home of Henri Paul.

French Dossier D975-D985 and D990-D1006

In Henri Paul’s telephone notebooks (computerised at home and hard copy in his office) there were names of police stations, police officers and names and telephone numbers for two people next to the letters DST. [Paget Note: The abbreviation DST stands for ‘*La Direction de la Surveillance du Territoire*’. The organisation deals with espionage; terrorism; the protection of the French economy; serious and organised crime; and the non-proliferation of nuclear, biological and chemical weapons.]

Isabelle DEFFEZ

Police Lieutenant, Brigade Criminelle. On 3 September 1997 she conducted a search of the office of Henri Paul.

French Dossier D2204-D2206

Lieutenant Deffez examined Henri Paul’s mobile and home call data from midday on Saturday 30 August 1997 to 12.30am on Sunday 31 August 1997. She recorded the subscriber details of numbers dialled or received. The telephone numbers associated with the DST do not appear in this call data.

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French Ministry of the Interior

Operation Paget Correspondence 875

In response to a request by Operation Paget for judicial assistance, the Deputy Head of the DST confirmed in a French Ministry of Interior note addressed to the Head of the Brigade Criminelle that:

‘Henri Paul, born 3rd July 1956 in Lorient (56), is known to our Department, as a former Head of Security at the Ritz Hotel, 15 Place Vendôme, Paris (1e). As such Henri Paul has been in touch with members of the DST specifically tasked with enquiries in hotel circles.’

Operation Paget Correspondence 905

In a French Ministry of Interior note, it was confirmed that the DST had no information on the whereabouts of Henri Paul following his departure from the Ritz Hotel at 7pm and his subsequent return at 10.10pm.

The Direction Générale de la Sécurité (DGSE)

Operation Paget Message 331

The DGSE is the French equivalent in very general terms to MI6. They responded verbally through the Brigade Criminelle that Henri Paul was not known to them.

Richard TOMLINSON

Worked for the British Secret Intelligence Service (SIS), commonly referred to as MI6, between 1991-1995.

French Dossier D5156-D5162

Interviewed by the French Examining Magistrate, Judge Hervé Stéphan, in August 1998

Richard Tomlinson’s reference to a security officer at the Ritz Hotel working for MI6 is dealt with in detail in Chapter Sixteen and relates to an operational file he read while working for the SIS in the early 1990s.

Richard Tomlinson did not specifically name Henri Paul as an MI6 informant. He told Judge Stéphan: *‘I cannot say for sure that it was Henri Paul but I am positive that it was a Frenchman working in the security department of the Ritz Hotel.’*

‘I am certain that this money originated from MI6. This is speculation on my part, but if he was an MI6 informant, it would be quite normal for him to receive money.’

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And in his 1999 sworn affidavit he stated:

'I cannot claim that I remember from reading this file that the name of the person was Henri Paul, but I have no doubt with the benefit of hindsight that this was he.'

Richard Tomlinson has been interviewed by Operation Paget and accepted that the person referred to in that file was not Henri Paul. He did still believe that a person in Henri Paul's security position at a major city hotel would be likely to be recruited by an intelligence or security agency.

Gerald POSNER

American author and journalist. A 'source' told him that the DGSE were with Henri Paul on the evening of Saturday 30 August 1997.

Interviewed by Operation Paget - Statement 116

These claims are dealt with in full in Chapters Fifteen and Sixteen. The claims and conclusions are summarised here.

Gerald Posner spoke to a source of his in the United States of America's National Security Agency (NSA), who had learned from colleagues in French security that Henri Paul apparently had a meeting with a member of the DGSE during the evening of the 30 August 1997. The source stated that Henri Paul was an informant and that it was his informant handler whom Henri Paul met.

Gerald Posner's information on Henri Paul was that *'His position at the hotel evidently enabled him to obtain details on high-ranking visitors and any liaisons with which they may have been involved. As opposed to high intelligence, this was evidently the level and quality of information Henri Paul pass to the French security agencies. He was a paid informant and no more'*.

In relation to the alleged meeting on Saturday 30 August 1997 Gerald Posner stated:

'Although I was not told what this meeting was about that day I was told what it was not about. It had nothing to do with Diana, Princess of Wales. I was told the subject did come up but only in general conversation and that it was pure coincidence that this meeting took place on the same day as the crash occurred.'

The same source also said that Henri Paul was allegedly paid FF 12,560

[Paget Note: This was the amount officially shown in the dossier as being recorded in Henri Paul's possession at the time of the crash.]

The source did not comment on why Henri Paul was paid that amount or what it was for. The source did not know if Henri Paul was paid for specific information or given a regular retainer.

Richard Tomlinson, a former SIS officer gave evidence to Judge Stéphan that French intelligence services can pay foreign informants but not French nationals.

[Paget Note: The DGSE stated that they had no knowledge of Henri Paul]

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Gerald Posner was also told by the same source that Henri Paul had relations with the DST and the 'Renseignements Généraux' (RG) [Paget Note: A French police department roughly equivalent to Special Branch in the United Kingdom] but that these were less formal.

[Paget Note: DST confirmed that Henri Paul had contacts with them to assist in hotel enquiries – see above.]

Gerald Posner asked his NSA source if the source would speak to Operation Paget and the source declined. Operation Paget has no details of this person and no way of identifying him/her.

Claude ROULET

Assistant to the President of the Ritz Hotel, Paris.

Interviewed by Operation Paget - Statement 136B

He explained that Henri Paul certainly informed the police about the arrival of certain guests. This is the practice in lots of hotels, especially hotels of that star rating. Claude Roulet admitted having done this himself on occasion. The French police never paid for this kind of information, and at most, they gave a token bottle or book at the end of the year.

Given his position at the Ritz Hotel, Henri Paul would without doubt have been in contact with the RG, who were always interested in knowing about visits by certain guests. When Claude Roulet passed on information to the RG, he would leave an envelope addressed with a false name with the hotel concierge. This was the normal routine.

Claude GARREC

Closest friend of Henri Paul.

Interviewed by Operation Paget - Statement 235

He explained his view of Henri Paul's work with the French security services:

'My belief is that Henri Paul was never paid by the Security Services, it was simply part of his role as Ritz security.'

'If a foreign diplomat came to stay at the Ritz, it was Henri Paul's responsibility to liaise with that country's Security Services and Protection Officers from these countries, in order to ensure that the correct arrangements were being made at the hotel. In consequence, he also liased with the French Security Services to make sure the arrangements were correct and within the parameters of the Law, i.e. in respect of the foreign Security Services carrying firearms in the hotel, etc...

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If Henri Paul had secret rapports with Security Services, I did not know about them; and I can't see Henri Paul leading a double life or being a spy. His contact with the Security Services was purely in relation to his work at the hotel. He also liased with the local Police, in respect of security barriers outside the hotel for VIPs and clearing clients' parking tickets, and even the more specialised VIP Police for the visits of Madonna or Elton John.

Another anecdote Henri Paul mentioned was that by telling the Security Services about the visit of certain persons, if the guest was having difficulty in obtaining a landing permission for a particular airport, the Security Services could facilitate their arrival. Even if the French government didn't particularly want the client in France, for a political reason, by being informed and facilitating their arrival, they would know where this person would be staying. Henri Paul was confidential about his work and didn't mention any names.

On another occasion, Henri Paul had cause to deal with coordinating the response to the death of one of the United States Ambassador's in the hotel pool. It was all in the line of his work at the hotel.'

Operation Paget Comment

Henri Paul had two telephone numbers alongside 'DST' in his telephone contact lists. The DST has confirmed that Henri Paul was known to them and was tasked with 'enquiries in hotel circles'. They denied being with him on Saturday 30 August 1997.

The DGSE stated that they did not know Henri Paul. Gerald Posner gave 'source' information that they were with Henri Paul on Saturday night. Even if correct, the source stated that the meeting was of a routine nature and not connected to the Princess of Wales' visit to Paris. She was apparently only discussed in passing.

Claude Garrec stated that:

'If Henri Paul had secret rapports with Security Services, I did not know about them; and I can't see Henri Paul leading a double life or being a spy. His contact with the Security Services was purely in relation to his work at the hotel. He also liased with the local Police, in respect of security barriers outside the hotel for VIPs and clearing clients' parking tickets, and even the more specialised VIP Police for the visits of Madonna or Elton John'.

[Paget Note: Law enforcement agencies, as a matter of course, encourage close contacts with heads of security at major hotels.]

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Section (ii)

This section looks at the actions of Henri Paul and other principal figures before the crash, and provides a chronology of events. There are three separate time periods:

8. Actions on the day of 30 August 1997 (up to approximately 7pm).
9. Actions on the night of 30 August 1997 (from approximately 7pm – 10pm).
10. The plan for Henri Paul to drive a third car from the rear of the Ritz Hotel (after 10pm).

8. Henri Paul's actions on the day of 30 August 1997

Henri Paul appeared to have known of the visit of the Princess of Wales and Dodi Al Fayed on Friday 29 August 1997. He made plans with other staff on that day to meet and assist the couple on their arrival on Saturday 30 August 1997.

Henri Paul drove Dodi Al Fayed's Range Rover to Le Bourget airport on Saturday and collected the staff accompanying the couple and their baggage. Kieran Wingfield, one of Dodi Al Fayed's bodyguards, travelled in this car.

His usual chauffeur, Philippe Dourneau, in a hired Mercedes S600, collected Dodi Al Fayed and the Princess of Wales. Trevor Rees-Jones, his principal bodyguard, accompanied them.

a) Prior knowledge of the visit

Franz KLEIN

President of the Ritz Hotel. He was in day-to-day control of the Ritz Hotel, but was on holiday in Antibes in August 1997.

French Dossier D5136-D5143

Franz Klein stated that he spoke to Dodi Al Fayed on 18 or 20 August 1997, who said that he was planning to go to Paris with his '*girlfriend*' at the end of the month. Franz Klein knew this to be the Princess of Wales. Then, two or three days before their arrival, he found out that they would be arriving on Saturday 30 August 1997. Dodi Al Fayed telephoned Franz Klein from the boat on Friday 29 August 1997 to say he was travelling to Paris the following day.

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Claude ROULET

Assistant to the President of the Ritz Hotel.

French Dossier D5144-D5150

He recalled being informed by Dodi Al Fayed a couple of days before the visit that he would be coming to Paris with the Princess of Wales. Claude Roulet stated that he was involved in making the arrangements for their visit.

Interviewed by Operation Paget - Statement 136A and C

Claude Roulet believed he was told the flight details on either 27 or 28 August 1997. He stated that Mohamed Al Fayed or Franz Klein told him the date of arrival one or two days beforehand.

On Friday 29 August 1997 Mohamed or Dodi Al Fayed again told him of the arrival time at Le Bourget airport.

On Friday 29 August 1997 he informed Henri Paul of the visit. Claude Roulet confirmed that Henri Paul was not meant to be on duty that weekend, but came in to help with the arrival and transport of Dodi Al Fayed and the Princess of Wales from the airport.

Philippe DOURNEAU

Dodi Al Fayed's regular chauffeur in France.

French Dossier D4907-D4911

On Friday 29 August 1997, Henri Paul asked Philippe Dourneau, Dodi Al Fayed's regular driver, to have a Mercedes ready in order to collect the couple from the airport and that he himself would be driving the Range Rover.

Jean-François MUSA

Owner of Etoile Limousine and a professional chauffeur.

French Dossier D713-D717

On Friday 29 August 1997 Henri Paul asked him to make himself available for chauffeur duties outside the Ritz Hotel at about 5pm the next day.

Interviewed by Operation Paget - Statement 200

Jean-François Musa stated:

'I don't remember what I did during the day on Saturday 30 August 1997, but I got to the Ritz late in the afternoon. I was with the Range Rover by about 17.00hrs or 18.00 hrs. As far as I know there was no reason why Mr Paul couldn't have driven later that day if required, but I didn't ask why he couldn't have driven that evening, as I felt it was an honour for me.'

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Gérald GUEHENEUX

A freelance security officer occasionally employed at the Ritz Hotel. He was employed at the rue Arsène Houssaye apartment on Saturday 30 August 1997.

French Dossier D2170-D2173

He stated that he had been given instructions by Henri Paul to provide external security at Dodi Al Fayed's apartment. On Friday 29 August 1997, Henri Paul told him that Dodi Al Fayed and the Princess of Wales would be arriving in Paris on Saturday 30 August 1997. He was asked to stay at the apartment, together with the Ritz Hotel fire safety officer, Didier Gamblin, until the couple left, which he believed was to be the afternoon of Sunday 31 August 1997.

Didier GAMBLIN

On security duty outside the rue Arsène Houssaye apartment.

French Dossier D2174-D2178

'On 30 August 1997 I started work at 2 p.m. on Mr Paul's instructions. That had been agreed since the previous Thursday and confirmed on Friday 29.8.97. [Paget note- this is the only reference to Henri Paul possibly knowing on Thursday of the visit]

I was supposed to be at the entrance of the building at 1 rue Arsène Houssaye, in the lobby near the concierge's room.

My job was to make sure that when they arrived the Princess and Dodi did not have any problems with the paparazzi, knowing they had been followed by them for quite a while. Then we were to help them in and out of the building if necessary.'

b) The morning of 30 August 1997

Henri Paul played tennis with Claude Garrec, as was their custom.

Claude Garrec

Interviewed by Operation Paget - Statement 235

Claude Garrec described his time with Henri Paul on Saturday morning 30 August 1997. He collected Henri Paul from his flat, sometime shortly after 9.25am, to play tennis. They drove thirty minutes to the tennis courts, passing through the Alma underpass en route. They played for about one hour then returned to a bistro, 'Café Pelican' near Henri Paul's apartment, for a drink. Claude Garrec drank a beer and Henri Paul had cola.

Henri Paul seemed in good spirits. He was happy, because he had just passed his annual pilot's medical assessment. They spoke about everyday things. Henri Paul told him that the Princess of Wales and Dodi Al Fayed were due to arrive at Le Bourget airport at around 3pm that afternoon and that he was to collect them. He did not appear star-struck; he had already met them before.

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He did not mention what they were intending to do whilst in Paris. Claude Garrec was not sure if Henri Paul himself was aware of their plans. He asked him what a woman like the Princess of Wales was doing with a man like Dodi Al Fayed, and Henri Paul said, “*Dodi Al Fayed is a nice guy*”.

When they parted they simply said “*See you tomorrow*”, but that could either mean that they would see each other or speak by telephone. Claude Garrec did not see or speak to Henri Paul again before he died.

c) The early afternoon of 30 August 1997

Badia MOUHIB

Female friend of Henri Paul, she had known him for three weeks.

French Dossier D2222-D2224

She told police that she had last spoken to Henri Paul on Saturday 30 August 1997 some time between 12pm and 1pm. She had called him on his home telephone number, which was the only number she had for him. She told him how she was doing and he told her that he could not see her that evening, but that she should ring him the next day at 3pm. She did not visit Henri Paul at his address that day.

Josette ZEITOUN

Neighbour of Henri Paul.

French Dossier D2253-D2256

She told police that she had seen Henri Paul leaving his flat at about 1pm on 30 August 1997. She said that he was in the company of a young blonde woman but she did not know who she was.

Bernard LEFORT

Barman at the Bar de Bourgogne, close to Henri Paul’s home.

French Dossier D1026-D1027

Bernard Lefort, when interviewed on 5 September 1997, stated:

‘On Sunday 31 August, at around 3 or 4pm, a young blonde woman, aged about 25, came into the bar asking for “Monsieur Henri”. At that time, not knowing the name of the customer, and being unaware that he had been involved in the accident, I was unable to help this lady who, incidentally, it was the first time I had seen. She was not a journalist, I am sure about that.’

[Paget Note: Henri Paul’s parents described a blonde woman turning up at Henri Paul’s flat in the days after his death and asking for a memento by which to remember him. She gave her name as Françoise, but they have no other information about her.]

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d) Saturday afternoon, 3.20 pm (approximately)

The Princess of Wales, Dodi Al Fayed and their party arrived at Le Bourget airport.

Kieran 'Kes' WINGFIELD

Bodyguard accompanying Dodi Al Fayed and the Princess of Wales. He flew with them to Le Bourget airport, Paris. He travelled in the Range Rover driven by Henri Paul that afternoon.

Interviewed by Operation Paget - Statement 20A

'We arrived at Le Bourget Airport and the paparazzi were already there. Two vehicles were there and Trevor and Philippe were with Dodi and the Princess and I went in the black Range Rover with Henri Paul and a couple of lasses and René [Paget Note: René Delorm, butler to Dodi Al Fayed.] That was the first time I met Henri Paul. He drove us from the airport and he drove all right. He kept convoy under pressure and he did ok.

When we left the airport we didn't know where we were going. Trevor and I had our 2-way radios to communicate between us. En route Trevor said the Princess had an appointment, I think it was with a hairdresser, and we were told to go to the apartment [Paget note - Dodi Al Fayed's apartment in the rue Arsène Houssaye] to drop the bags off. We dropped the maids and the kit at the apartment and it was then late in the afternoon that I twigged that we were definitely staying in Paris - but I thought we'd be staying at the Ritz and not there.

I do also recall that I paid a visit to the Villa Windsor at some point in the afternoon and spoke with Ben Murrell. I cannot remember why I went there but there would have been a reason.'

[Paget Note: Philippe Dourneau drove Dodi Al Fayed, the Princess of Wales and Trevor Rees-Jones to Villa Windsor in the Mercedes. Henri Paul and Kieran Wingfield, having dropped the luggage and other members of the party at the rue Arsène Houssaye apartment, briefly joined the group at Villa Windsor. Henri Paul and Kieran Wingfield then followed the Mercedes to the Ritz Hotel, arriving at the rear entrance in rue Cambon.]

e) Arrival at the Ritz Hotel – 4.32pm

Jean-François MUSA

Owner of Etoile Limousine and chauffeur.

French Dossier D4934-D4937

Henri Paul asked Jean-François Musa to drive Dodi Al Fayed to Repossi jewellers in Place Vendôme opposite the Ritz Hotel, which he did. At about 6pm, Henri Paul told Jean-François Musa to drive the Range Rover for the rest of the evening, whilst Philippe Dourneau drove the Mercedes S600.

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Pierre HOUSSAIS

He worked at the security entrance of the Ministry of Justice, situated at the Place Vendôme, next to the Ritz Hotel. He had known Henri Paul for some time.

French Dossier D2220-D2221

He remembered seeing Henri Paul in the late afternoon of Saturday 30 August 1997 standing outside the Ritz Hotel watching the movements of the journalists present. He had also seen him a few hours before, when Henri Paul had told him he had been to collect the Princess of Wales and Dodi Al Fayed from Le Bourget airport. He was not specific as to times.

François TENDIL

Security officer at the Ritz Hotel, he began work at about 7pm on Saturday evening, 30 August 1997. He spoke with Henri Paul before Henri Paul left the hotel.

French Dossier D2160-D2163

At around 7pm at the hotel, Henri Paul told François Tendil that he was just finishing work for the day. The Princess of Wales and Dodi Al Fayed had already left the hotel by this time and Henri Paul told him that the evening would be quiet as the couple were not expected to return.

François Tendil nevertheless asked for instructions in case of an unexpected change of plan and had to press Henri Paul for this because as far as Henri Paul was concerned the arrangements were made and the couple would not be returning. Henri Paul did however tell him that if there were any problems he could be reached on his mobile telephone. This was the usual procedure; Henri Paul was always contacted on his mobile telephone. Henri Paul then left the hotel. He did not tell François Tendil where he was going.

François Tendil stated:

'When, upon the couple's return, I had occasion to call him, and the situation was really unclear, I reached him on his mobile. I cannot tell you if there was any background noise, Mr Paul told me that he would be there straight away, and this he did in a matter of minutes at most.'

Didier GAMBLIN

Fire safety officer at the Ritz Hotel, he assisted by providing security at the entrance to the apartment building at rue Arsène Houssaye on 30 August 1997.

French Dossier D2174-D2178

'The couple arrived at about 7.15 in the evening. My colleague and I had been told by Mr Paul that the car was leaving the Ritz to go to the flat. But when they were approaching we were not warned that they were about to arrive, as sometimes happens.'

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I phoned Mr Paul to ask if we were just supposed to protect the couple or if we should also stop the photographers taking any pictures. Mr Paul said we should just protect them and let the photographers take pictures, as long as the paparazzi didn't come near the cars and stayed at the end of the street...

Mr Paul had rung me to say that the couple were due to come out at 9 pm but it took longer. Mr Paul told me he was going to leave the hotel. That call was made at about 7.30. Mr Paul had come to the end of his day and he was going home, he told me that in so many words. He also said that my job would be finished when the couple left the flat to go to a Paris restaurant, "Le Benoit". That was what had been arranged.

My colleague Gérald was due to stay over for the night because he was on night duty and I was coming back at about 8 o'clock the following morning (31.8.97) to work the Sunday with Gérald. Gérald was due to finish about 9.30 on the morning of 31.8.97. Mr Paul would definitely have come and joined me in rue Arsène Houssaye at about 8 o'clock, as he had told me. We were going to look after the couple in the daytime on Sunday and when they left the flat.

The couple came out at about 9.45 in the evening. Although we had come to an agreement with the paparazzi they did not do what we had asked the Mr They came closer to the car than expected, although they didn't rush forward as they had done when the couple arrived. But when the couple's car drove off they went completely crazy. They called their motor bikes and set off like lunatics to follow the car. They could have knocked pedestrians over on the pavement. People had to press themselves against the wall to let the paparazzi's motor bikes past, they were driving on the pavement...

I was surprised to hear that the couple had come back to the hotel instead of going to the "Le Benoit" restaurant. I think that must have been decided in the car because of the number of paparazzi following the car. I think they decided it was better to have dinner at the hotel, where Dodi was at home and it would be quieter for them.

Mr Tendil told me there had been a lot of trouble when the couple got to the hotel at about 10 o'clock. The outside grilles had had to be closed, which is only done when there is an invasion of paparazzi.

I was also surprised when I heard that Mr Paul was at the hotel in the evening because he had told me on the phone he was going home. Mr Tendil explained that he had told Mr Paul about the problems and said the couple were coming back to the hotel, so Mr Paul returned to the hotel.'

David BEVIERRE

Ritz Hotel security officer.

French Dossier D2179-D2182

He saw Henri Paul at about 7pm on the hotel CCTV system leaving via the front entrance. The front entrance leads onto Place Vendôme. He later saw Henri Paul return to the hotel just after 10pm.

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[Paget Note: CCTV evidence from the Ritz Hotel showed Henri Paul leaving the hotel through the front entrance revolving doors at 7.01pm. He turned left, walking into Place Vendôme.]

Operation Paget Comment

The Princess of Wales and Dodi Al Fayed had travelled from Le Bourget airport to the Ritz Hotel via the Villa Windsor. Around 7pm, they travelled to the rue Arsène Houssaye apartment.

Henri Paul and Claude Roulet put in place many of the travel and security arrangements for the arrival of the couple on Saturday 30 August 1997. Most of this appeared to have been done on Friday 29 August 1997. They appeared to have known about the visit one or two days beforehand.

Henri Paul drove the Range Rover to Le Bourget airport to collect some of the party. He dropped some of the party and the luggage at Dodi Al Fayed's apartment in rue Arsène Houssaye. He then drove Kieran Wingfield to Villa Windsor to meet up with the couple who were being driven by Philippe Dourneau.

The Mercedes and the Range Rover were driven to the Ritz Hotel. The couple stayed there until around 7pm, when they left for the rue Arsène Houssaye apartment. Jean-François Musa had taken over driving duties for the Range Rover as arranged the previous day by Henri Paul.

Henri Paul went off duty, not expecting to return to the hotel that night.

It is not known why Henri Paul asked Jean-François Musa to cover driving duties from around 6pm onwards rather than continue to drive himself.

9. Henri Paul's Actions on the Night of 30 August 1997

This sub-section examines the hours from 7pm until the time Henri Paul was recalled to the Ritz Hotel by the night duty security officer at approximately 10pm.

After finishing his work for the day, Henri Paul left the Ritz Hotel just after 7pm. François Tendil, the night duty security officer, called Henri Paul on his mobile telephone at around 10pm to tell him that the Princess of Wales and Dodi Al Fayed had unexpectedly returned to the hotel.

Of particular relevance are:

- i) Henri Paul's whereabouts in the three hours between 7pm and 10pm and**
- ii) His recall to the Ritz Hotel on Saturday night at around 10pm.**

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i) Henri Paul's whereabouts from 7pm – 10pm

Didier GAMBLIN

Fire safety officer at the Ritz Hotel. He assisted by providing security at the entrance of the apartment building at 1 rue Arsène Houssaye on 30 August 1997.

French Dossier D2174-D2178

'Mr Paul told me he was going to leave the hotel. That call was made at about 7.30. Mr Paul had come to the end of his day and he was going home, he told me that in so many words...'

'I was also surprised when I heard that Mr Paul was at the hotel in the evening because he had told me on the phone he was going home.'

Claude ROULET

Described talking to Henri Paul outside the Bar de Bourgogne at around 7.30pm on Saturday night. The bar was very close to Henri Paul's home address.

French Dossier D710-D712, D1008-D1010, D2129-D2130, D5144-D5150

In his first statement to police on the day after the crash, 1 September 1997, he stated that he saw Henri Paul at about 7.30pm in the 'Bar de Bourgogne' in the rue des Petits Champs.

The following day, in his second statement to police, it is recorded:

'To reply to your question, I do not know where Mr Paul was between the end of his shift and his return to the hotel. Nobody at the hotel knows this at this point in time. I have just heard that he might have been with friends. I do not think that he was far away from the hotel as it took him fifteen minutes by car to arrive from the time of the telephone call.'

It was not clear here if Claude Roulet was merely stating that he did not know where Henri Paul was for the full three hours that were unaccounted for. Six days later he was again very specific when challenged on the particular point of seeing Henri Paul.

In his statement to police of 8 September 1997 he said:

'You inform me that according to the accounts of staff in the 'Bar de Bourgogne', Henri Paul was not in that café on Saturday 30 August at around 1930hrs as I have stated but that he was there the day before. However, my recollection is that it was that evening. I remember that Henri was at the bar. I called him and he came out and chatted with me for a few moments.'

I cannot tell you anything about the café staff, as I did not pay any attention to them.'

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Interviewed by Operation Paget - Statements S136A and S136B

He was able to be specific that it was the night of Saturday 30 August 1997 because he was able to reference it to the events of that night.

'On 30 August 1997 I finished work and left The Ritz at around 1900 or 1915hrs having asked Dodi if there were any further instructions [Paget Note: According to the CCTV footage, Claude Roulet left the hotel at about 8.20pm, a fact he acknowledged in a later statement]. Dodi and the Princess left via the rear door to go to the Rue Arsene Houssaye before I left. They were supposed to go to Chez Benoit, so I did not leave any instructions for the staff.'

*As I was walking home, via the Rue des Petits Champs, I saw Henri Paul in the Bar de Bourgogne, it was five or seven minutes away from The Ritz. He was on his own at the bar by the glass door, which was open. He was drinking something, but I cannot say what it was. We briefly exchanged a few words. I told him that I was in a hurry because I wanted to grab a bite to eat before going to wait for the couple outside Chez Benoit. After I left Henri Paul, I do not know what he did. I do not remember if his car was parked opposite. At the time, I was living at **, rue Montmartre in the second arrondissement. Henri Paul was not meant to be on duty on 30 or 31 August 1997, but he had come to help out for the arrival of Dodi and the Princess. He finished work at around 1900hrs, and he was not due back in until Monday, 1 September 1997.'*

[Paget Note: Claude Roulet's evidence placing Henri Paul at the 'Bar de Bourgogne' was first given on 1 September 1997. Claude Roulet has been interviewed a number of times during the course of this inquiry, and has stood by this recognition evidence.]

Claude Roulet made two attempts that evening to speak with Henri Paul on the telephone. This was to complain about the length of time it took to get through by telephone to the security officer at the hotel.

Claude Roulet rang Henri Paul's mobile telephone number at 9.57pm and immediately after, at 9.58pm, his home telephone. There was no reply to either call, Claude Roulet reaching voicemail and answerphone. [Paget Note: These calls were confirmed by telephone data from Claude Roulet's telephone.]

Bernard LEFORT

Waiter at the 'Bar de Bourgogne', he was working in the bar on the evening of Saturday 30 August 1997. He had known Henri Paul for two weeks.

French Dossier D1026-D1027

He told police on 5 September 1997 that to the best of his recollection he did not see Henri Paul in the bar that evening or during that day, and that on the occasions that he had seen Henri Paul in the bar during the month of August 1997 he had never served him alcohol.

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He worked from 12.30pm until 11pm on Saturday 30 August and was away from around 4pm to 4.30pm shopping. All the time he was there he was behind the bar. He had been helping his sister out in the bar since 15 August 1997 and in that time he believed he had seen Henri Paul about three times.

He believed that Henri Paul had been in the bar on Friday 29 August 1997, at around 6pm, for a shandy.

Myriam LEMAIRE

Owner of the 'Bar de Bourgogne'.

French Dossier D1024-D1025

On 4 September 1997 she told police that Henri Paul had been a regular in her bar for a month and a half.

She stated that he called in on Friday 29 August 1997, at around 8.30pm, and had a shandy.

She worked from 11am on Saturday 30 August to 1am on Sunday 31 August 1997. She did not see Henri Paul during that day.

She thought that he did not have a car, as she always saw him on foot.

Josiane LE TELLIER

Owner of a bar called 'Le Champmeslé' just off rue des Petits-Champs, about 50 metres from the 'Bar de Bourgogne' and Henri Paul's home address.

French Dossier D1028-D1029

In her statement of 5 September 1997 she said:

'I knew Mr Paul very well as he lived in the same area as me. In fact, we have been acquainted since about 1991 and in that time we had developed a good relationship.

With regard to the day of Saturday 30th August, I saw Henri at about 22.00 hours. He came into the bar and shouted out "see you soon, girls". We saw him take his car, a black Austin Mini that he habitually parked at our establishment. He waved and drove off very calmly.

He arrived from the direction of his home and he was holding a small white bag.'

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Telephone conversation with Operation Paget - Message 762

Further to her interview on 5 September 1997, Josiane Le Tellier said that Henri Paul came into her bar between 9.30-9.45pm on Saturday 30 August 1997. She said that he was in the bar for a short while, did not have a drink, and did not appear drunk. He made an appointment to meet up with friends from the 'Bar de Bourgogne' later that evening at around midnight. They were in the 'Champmeslé' at the time, but she does not know their details. He then left in his car, which was parked directly outside the bar.

Jean-Paul COPETTI

Commandant, Brigade Criminelle.

French Dossier D2253-D2256

He led enquiries to establish Henri Paul's whereabouts between the time he left work on the evening of 30 August 1997 at about 7pm and the time he returned to work shortly after 10pm. These enquiries were restricted to Henri Paul's apartment building at 33, rue des Petits Champs, and to the nearby business premises on the rue Chabannais and the rue des Petits Champs.

The enquiries made did not identify any other witnesses to Henri Paul's whereabouts during this three-hour period.

François TENDIL

Telephoned Henri Paul around 10pm to inform him of the couple's return to the Ritz Hotel.

French Dossier D2163

'When, upon the couple's return, I had occasion to call him, and the situation was really unclear, I reached him on his mobile. I cannot tell you if there was any background noise, Mr Paul told me that he would be there straight away, and this he did in a matter of minutes at most.'

Claude GARREC

Closest friend.

Interviewed by Operation Paget - Statement 235

He was unaware of Henri Paul's whereabouts during these hours, despite subsequently speaking to mutual friends in an attempt to find out.

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Gerald POSNER

American Author and Journalist.

Interviewed by Operation Paget - Statement 116

He claimed that an unnamed source linked to intelligence agencies in the USA had information that Henri Paul spent the last hours before the crash with the DGSE. He said:

'Although I was not told what this meeting was about that day I was told what it was not about. It had nothing to do with Diana, Princess of Wales. I was told the subject did come up but only in general conversation and that it was pure coincidence that this meeting took place on the same day as the crash occurred. He was paid FF12,560.'

There was no corroboration for this information and the source cannot be identified.

Operation Paget Summary

Didier Gamblin, a work colleague, stated that Henri Paul told him in a telephone call at around 7pm on Saturday evening that he was going home after finishing work.

Claude Roulet and Josiane Le Tellier gave recognition evidence of seeing Henri Paul near his home address, at around 8.30pm and 9.30pm-10pm respectively. Both knew Henri Paul very well. They were not giving visual identification of an unknown person.

Claude Roulet saw him in the 'Bar de Bourgogne' on Saturday evening. The bar was close to Henri Paul's home address, about five to seven minutes' walk from the Ritz Hotel. Claude Roulet referenced this specifically to Saturday 30 August 1997 because he was able to relate it to the events of that evening, in particular, the couple's intention to dine at the Chez Benoît restaurant.

Josiane Le Tellier talked of Henri Paul briefly entering her bar, the 'Champmeslé', at around 10pm before he headed off in his car. This coincides with his return to work at that time on Saturday 30 August 1997. She mentioned Henri Paul making arrangements with friends in the bar to meet them later that night. None of these people appear to have made their knowledge of Henri Paul known to police, or subsequently to Claude Garrec when he made his own enquiries to trace Henri Paul's whereabouts on the Saturday night.

François Tendil called Henri Paul on his mobile telephone at around 10pm. He could not provide any information as to his whereabouts. He could give no information about background noise that may have assisted linking Henri Paul with a location.

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Myriam Lemaire and Bernard Lefort, two of the staff at 'Bar de Bourgogne', interviewed on 4 and 5 September 1997, stated that Henri Paul was in their bar on Saturday 30 August 1997. They were less familiar with Henri Paul, having known him for six weeks and two weeks respectively. They stated that Henri Paul drank a shandy in the bar on Friday evening, 29 August 1997. There was no indication of how they referenced this date.

The police officer responsible for local enquiries, Jean-Paul Copetti, could not trace further witnesses to the whereabouts of Henri Paul.

ii) Henri Paul's recall to the hotel at around 10pm

There were three questions pertinent to Henri Paul's recall:

- a) Did Henri Paul believe his work was finished for the day when leaving the Ritz Hotel around 7pm?
- b) Who made the decision to change the couple's dinner venue from the Chez Benoît Restaurant to the Ritz Hotel and when was this done?
- c) How was Henri Paul recalled to the Ritz Hotel around 10pm, following the return of the couple?

a) Did Henri Paul believe his work was finished for the day when leaving the Ritz Hotel at around 7pm?

Didier GAMBLIN

On security duty outside the rue Arsène Houssaye apartment.

French Dossier D2174-D2178

Didier Gamblin said in his statement to French police:

'Mr Paul had rung me to say that the couple were due to come out at 9 p.m. but it took longer. Mr Paul told me he was going to leave the hotel. That call was made at about 7.30. Mr Paul had come to the end of his day and he was going home, he told me that in so many words. He also said that my job would be finished when the couple left the flat to go to a Paris restaurant, "Le Benoit". That was what had been arranged.

My colleague Gérald was due to stay over for the night because he was on night duty and I was coming back at about 8 o'clock the following morning (31.8.97) to work the Sunday with Gérald. Gérald was due to finish about 9.30 on the morning of 31.8.97. Mr Paul would definitely have come and joined me in rue Arsène Houssaye at about 8 o'clock, as he had told me. We were going to look after the couple in the daytime on Sunday and when they left the flat.'

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François TENDIL

Night Duty Security Officer, Ritz Hotel.

French Dossier D2160-D2163

In the hotel at around 7pm Henri Paul told him that he was just finishing work for the day. The Princess of Wales and Dodi Al Fayed had already left the hotel by this time and Henri Paul told François Tendil that the evening would be quiet as the couple were not expected to return.

François Tendil nevertheless asked for instructions in case of an unexpected change of plan, and had to press Henri Paul for this because, as far as Henri Paul was concerned, the arrangements were made and the couple would not be returning.

Jean-François MUSA

Owner of Etoile Limousine and occasional chauffeur. He described the couple leaving the apartment in rue Arsène Houssaye.

Interviewed by Judge Devidal - French Dossier D4934-D4937

'As it happened, the departure was delayed and it was only at around 2100 or 2130 hrs that the couple emerged and we set off again. We actually ended up going to the Ritz, obviously there had been a change of plan on their part. At the Ritz I found to my surprise that Mr Paul had returned, because when we parted company he had said to me 'call me when you get finished this evening so that I can make the arrangements for tomorrow.'

Claude ROULET

Assistant to the President of the Ritz Hotel.

Interviewed by Operation Paget - Statement 136A

He stated that Henri Paul finished work at around 7pm on Saturday 30 August 1997 and was not due back in until Monday 1 September 1997.

Operation Paget Comment

(a) Did Henri Paul believe his work was finished for the day when leaving the Ritz Hotel at around 7pm?

The evidence of Didier Gamblin, François Tendil and Jean-François Musa indicates that Henri Paul considered his work finished for the day when he left the Ritz Hotel at around 7pm on Saturday 30 August 1997. He did not expect the Princess of Wales and Dodi Al Fayed to return to the hotel. He believed they would be dining later at Chez Benoît restaurant in the centre of Paris as planned. Neither he nor the couple had any reason to return to the Ritz Hotel that night.

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b) Who made the decision to change the couple's dinner venue from Chez Benoît restaurant to the Ritz Hotel and when was this done?

The Princess of Wales and Dodi Al Fayed were driven from the Ritz Hotel to the apartment in rue Arsène Houssaye at around 7pm by Philippe Dourneau. They then left the apartment around 9.30pm to go to Chez Benoît Restaurant situated in the Paris 11 District, the eastern part of the city centre.

Claude Roulet had booked the Chez Benoît restaurant at Dodi Al Fayed's request. En route to the restaurant the plan changed. Dodi Al Fayed told his chauffeur, Philippe Dourneau, to go to the Ritz Hotel instead.

Dodi Al Fayed then spoke to Claude Roulet on his mobile telephone at around 9.40pm and told him that the change of plan was due to the actions of the paparazzi around their car. Claude Roulet was waiting outside Chez Benoît to ensure that things ran smoothly when the couple arrived.

Claude ROULET

Assistant to the President of the Ritz Hotel.

French Dossier D710-D712

In his statement to French police on 1 September 1997 Claude Roulet said:

'The couple had been planning to have dinner at Benoit's Restaurant, I booked the table in my name, but at the last minute they decided to eat at the Ritz. I was notified of this change of programme when I was outside Benoit's, it must have been 2145hrs.

I then called the hotel to cancel the booking at Benoit's, to let the Ritz restaurant know, and to inform Security that they would be coming.

They had just arrived when I got through to Security, and the paparazzi were in a pack after them. I went home shortly after that. I called Monsieur Paul at around 2315 hrs to find out how things were going. He seemed as he normally was, perfectly calm, and told me that he was in perfect control of the situation. As he was not in the picture at all himself, he did not say anything to me about the couple's intentions for the rest of the evening.'

French Dossier D1008-D1010

In a further statement to French police on 2 September 1997 Claude Roulet said:

'With regard to the evening of Saturday 30th August 1997, Henri Paul had in actual fact left his department at 19.00 hours, as planned in his schedule.

It was in fact the unexpected arrival of Dodi Al Fayed and Princess Diana, following Dodi's last minute decision to dine at the hotel and not Chez Benoît, as initially planned, that led to him returning to the hotel at 22.10 hours.

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In fact, with the arrival of Dodi and Lady Di and the paparazzi following them, it was chaos in the entrance to the hotel and the foyer guard, Mr François Tendil had therefore called him on his mobile. Mr Paul then told him that he was on his way – this was on his own initiative.'

French Dossier D5144-D5150

Interviewed by Judge Hervé Stéphan in the French inquiry

On 25 August 1998 Claude Roulet gave evidence before the Examining Magistrate:

'At Dodi's request I had already reserved a table in my name at Chez Benoit. At around 1930 hrs, having heard nothing further, I finished work with a view to returning home. I was not supposed to go back [to work], as the couple were not expected back at the Ritz and they had their own security. However, in order to avoid any problems at all, I went and waited outside Chez Benoit at around 2045 hrs.

Not having had any news, I called the apartment and got through to Dodi's maître d', René Delorm, who told me that the couple were not ready to go out. I called back at around 2115 or 2120 hrs, and René told me that they were drinking champagne. I changed the reservation at Chez Benoit to 2130 hrs. I called back at around 2130 hrs and René told me that the couple were getting ready to leave. I asked René to call me as soon as the couple were leaving the apartment. I myself called Philippe Dourneau, who was waiting in the car, in order that he could call me when the couple got into the car.

At roughly 2135 hrs I was informed by Philippe Dourneau that the couple were leaving Rue Arsène Houssaye. At roughly 2140 hrs, René and Philippe called me at the same time and Philippe put Dodi on. Dodi said that he was cancelling Benoit because there were far too many people around them and it was awful and that he would feel a lot more at ease being at the Ritz. I told him that I was going straight to the Ritz. He told me that it was not worth it but that I should get in early in the morning as there was lots to do.

I called the hotel in order to have a table made ready in the restaurant, to get the reservation at Chez Benoit cancelled, and to warn security of their impending arrival. There was a problem in getting through to the security officer in the hotel lobby. When I got through to him he told me that the couple had already arrived and that it was chaos in front of the hotel. I therefore went back home.

As I have said, I tried to get through to Henri Paul to tell him that it was not good enough that it took so long to get through to the security officer in the lobby. I had no intention whatsoever of asking him to come back to the Ritz. As I could not get through to Henri Paul, I resolved to speak to him the next day. I called Mr Tendil, the guard in the lobby, again at around 2325 hrs but it was Henri Paul who answered. I was very surprised and asked him what he was doing there. I subsequently found out that it was Mr Tendil who had informed him of the situation and of the presence of the paparazzi. Henri Paul decided to return to the hotel off his own bat and without being asked by Mr Tendil or myself, that anyway is what he said to me himself over the phone.'

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Interviewed by Operation Paget - Statement 136

On 8 March 2005, Claude Roulet was interviewed by Brigade Criminelle officers in France in the presence of Operation Paget:

'Question: "Do you know who decided the organization of the evening of 30 August 1997?"

Answer: "As regards the first part of the evening, it was Dodi Al Fayed. I had suggested to him two or three restaurants, one of them on an island in the Bois de Boulogne which was isolated and ideal for security, but he preferred to book at Chez Benoît in rue Saint Martin, Paris 3. It was I who made the reservation in my name, on 30 August in the morning I think, and I kept Mr Mohamed Al Fayed informed from the Ritz Hotel.

Later on I went to wait for them outside Chez Benoît, I waited at least an hour because during that time they were drinking champagne in the apartment at rue Arsène Houssaye, Paris 8. Then I was notified at the same time by Dodi's maître d'hotel, René, and his driver Philippe Dourneau that they were in the car, then the same driver called me back ten minutes later to ask me to cancel Benoît's, and he immediately passed me to Dodi Al Fayed who told me he preferred to go to the Ritz as there were too many journalists round the car. At that moment he seemed to me very calm on the telephone.

then told him that I was going to join him, but he told me it was better for me not to come there until the next morning when he would need me. On my mobile I then immediately phoned the Ritz for the concierge to cancel Benoît's, to warn the restaurant of the couple's arrival, then security in the person of Mr Tendil, after a new security employee had some difficulty putting me through. After that I went directly home."

René DELORM

Butler to Dodi Al Fayed. He was present when the couple left the apartment in rue Arsène Houssaye to have dinner.

Interviewed by Operation Paget - Statement 120

'I have been asked if, when they left the flat I knew where the Princess and Dodi were going and what their demeanour was. When they left, they were a happy couple going to have a great evening after a great cruise. The paparazzi situation had gone. I didn't speak to them after they left the apartment. I knew that they were going for dinner but I didn't know where. I knew they were going to return around midnight and I had been told to have the champagne ready. I was not aware they were going to the Ritz. I think that I found out later on.'

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Philippe DOURNEAU **Chauffeur to Dodi Al Fayed.**

French Dossier D1044-D1052

In his statement to French police, dated 3 September 1997, Philippe Dourneau said:

‘François (Musa) and I waited in the cars for instructions to go to the ‘Chez Benoît’ restaurant, and at around 2130 hrs we were informed that we would be leaving for the restaurant. I started making my way there, but during the journey, Mr Dodi asked me to inform Mr Roulet, who was at the restaurant, that he would rather dine at the Ritz given the pressure from the paparazzi who were following us.

Mr Dodi said this to me, adding that it was ‘too much’, that it was ‘mad’, what with all these paparazzi. He was angry and annoyed. This change of direction did not pose any problems from a security or any other viewpoint.

There were lots of paparazzi, and they were coming from all angles, from the front and behind. They were all over the place. Some of them were ‘recceing’, travelling in front of our vehicle to see where we were going. I think it was this that was annoying Mr Dodi, because when the paparazzi were behind us and out of sight, it was bearable.

Once we got to the hotel, there was a sea of people. Mr Dodi made a gesture of annoyance when the doorman opened the door for him and people rushed up to him. It was a slightly aggressive movement. However, the Princess pacified him and I also suggested that he smile so as to avoid walking into a trap because of the situation.’

French Dossier D4907-D4911

Interviewed by Judge Hervé Stéphan in the French inquiry

On 28 April 1998 Philippe Dourneau gave evidence before the Examining Magistrate:

‘We went to Arsène Houssaye. From that moment on, the paparazzi were constantly in attendance. Their presence was stressful for the couple. As I said, Dodi ended up getting cross as he was beginning to have really had enough of them. This occurred as he went into the hotel for the last time.’

Interviewed by Operation Paget - Statement 157

On 13 May 2005 Brigade Criminelle officers in France on behalf of Operation Paget interviewed Philippe Dourneau:

‘Question: “At what point would Dodi make his decision as to destination?”

Answer: “When he got into the car, except when he had warned me in advance of a planned destination, like the evening of 30 August planned as usual at Chez Benoît.”

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Question: “At 9.30 pm when you left the flat in the rue Arsène Houssaye, what was your destination and who took the decision?”

Answer: “When we left the destination planned in advance was the Chez Benoît restaurant, situated near Les Halles, rue Saint-Martin, Paris 11, but 10 or 15 minutes after we left when we were in the middle of the rue Saint-Honoré, PARIS 8, seeing that we were being followed by a lot of paparazzi, Dodi told me to forget Chez Benoît and go straight to the Ritz.”

Question: “Who was in the car from the flat to the Ritz?”

Answer: “Dodi Al Fayed, the Princess of Wales, Trevor Rees Jones and myself.”

Question: “Who notified the Chez Benoît restaurant and the Ritz of the change of programme?”

Answer: “I do not remember. I only remember that Mr Roulet was waiting for us outside Chez Benoît, but I do not remember who notified him either. If those people were notified, it was either by me and I would then have done it using my mobile phone, or it was by the bodyguard and he would have done it on his mobile, but I think it was probably I who did it.”

Question: “Do you remember any other telephone conversations made during that journey, particularly by Dodi?”

Answer: “No, not at all.”

Jean-François MUSA

Owner of Etoile Limousine and a professional chauffeur.

French Dossier D4934-4937

On 30 April 1998 Jean-François Musa appeared before Examining Magistrate Judge Devidal:

‘Then it was mooted that we would be accompanying the couple to a restaurant, where Mr Roulete, who was assistant to the President, would be waiting to meet them. As it happened, the departure was delayed and it was only at around 2100 or 2130 hrs that the couple emerged and we set off again. We actually ended up going to the Ritz, obviously there had been a change of plan on their part. At the Ritz I found to my surprise that Mr Paul had returned, because when we parted company he had said to me “call me when you get finished this evening so that I can make the arrangements for tomorrow.” ’

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Interviewed by Operation Paget - Statement 200

'At about 20.00 hrs or 20.30 hrs Philippe received a phone call. I think it was from Angelo, the guard at the apartment. I think I knew we were going to Le Benoit restaurant but I'm not sure now. We took the cars to the front of the apartment where the paparazzi were still pushing around. We left the apartment and when we got to Faubourg St. Honore I realised that we weren't going to Le Benoit. As we got close to the Ritz I realised that was where we were headed. I had Kes Wingfield with me; all the others were in the S600 driven by Philippe Dourneau. I didn't know what was going on so I was just followed the other car.'

Trevor REES-JONES

Bodyguard to Dodi Al Fayed.

Interviewed by Operation Paget - Statement 104

'Later that evening we had been told by the Princess, that they were going to a restaurant that evening and through Rene Delorm, we were trying to get the name of it. We never managed to get the information but I don't know if that was because Rene didn't know or wasn't prepared to tell us. We didn't know any times or any details...

I cannot recall the route that we took that evening when returning from the apartment to the Ritz but I do know that we did not go via the tunnel. It may have been via the Champs Elysees, which is the obvious route. I do not know why Philippe Dourneau used the front of the hotel to drop off the couple upon their return rather than the entrance in rue Cambon. The front is the normal drop-off point. The back is a narrow one-way street but I suppose it depends on traffic and approach to the hotel as to which is the easier...

On that last trip from the apartment to the Ritz I decided with Kes to travel in the backup vehicle with him. I cannot recall who was driving us but I do know it was a known driver. This was because Dodi and the Princess were getting stressed by the whole press business and I decided to let them have more space.

We were right behind so there was no compromise in their security. Philippe Dourneau was driving the principals. Initially they had been heading to a restaurant though I never found out which one it was or where it was. I knew the time we were leaving the apartment but that was about it. It was only as we were travelling en route that I realised the destination had changed and we were now clearly heading for the Ritz and no longer for the restaurant. I do not know when that decision was made or why, perhaps it was a snap decision by Dodi as a result of being upset by the press attention. I cannot recall whether there was any radio or mobile phone contact between Philippe and us.'

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Kieran 'Kes' WINGFIELD **Bodyguard to the Al Fayed family.**

French Dossier D1035-D1043

On 2 September 1997 Kieran Wingfield gave this account to police:

'At around 2130 hrs we left the apartment for the Ritz. The paparazzi took some pictures as we left, but they were less insistent. On the way, we were followed constantly by fifteen or so paparazzi. However, Dodi did not tell us where we were going. I therefore took the customary security measures for such eventualities, informing my superiors of our itinerary.'

Interviewed by Operation Paget - Statement 20A

'We went up to the apartment and whilst we were there Trevor asked Dodi 'What do you intend?' to try and find out what we'd be doing later on. Dodi said that they were going for a meal and when Trevor asked where, Dodi said, "You'll find out when we get there". We didn't know where we were going so we couldn't do a recce or anything.'

'Trevor tried to press on and find out the location of the restaurant but we weren't told where it was.'

'Trevor was just going back upstairs when they came down and we left. Dodi said that we were going to the Ritz. I was never told about any other intended restaurant or destination.'

'It was a fast drive and nothing out of the ordinary happened. Ordinarily we would have called ahead to the Ritz to arrange for a reception. I don't know why we didn't on this occasion.'

[Paget Note: There was a discrepancy over who was in the Mercedes. Philippe Dourneau and Jean-François Musa stated that Trevor Rees-Jones was in the Mercedes. He stated that he travelled in the back-up Range Rover on this journey, to give the couple more privacy.

Kieran Wingfield was the only witness who believed the intention was to travel to the Ritz Hotel rather than another restaurant. Most of the other witnesses knew the restaurant specifically as the Chez Benoît.]

CHAPTER FOUR

Operation Paget Comment

(b) Who made the decision to change the couple's dinner venue from Chez Benoît restaurant to the Ritz Hotel and when was this done?

When the couple left the apartment in rue Arsène Houssaye at around 9.30pm they were intending to dine at a Paris restaurant, Chez Benoît. Claude Roulet, the manager at the Ritz Hotel, had booked the restaurant earlier in the day on behalf of Dodi Al Fayed.

While driving across Paris to Chez Benoît, Dodi Al Fayed changed the plan. Because of the attention of the paparazzi, when in rue Saint-Honoré, Philippe Dourneau was redirected to the Ritz Hotel. Dodi Al Fayed took this decision around 9.40pm.

The couple arrived at the Ritz Hotel at around 9.50pm [Paget Note: The time is shown on the CCTV camera in the Place Vendôme entrance to the hotel]. As the arrival was unscheduled and unplanned, the arrangements for their entry to the hotel did not run smoothly and the paparazzi were very intrusive. Dodi Al Fayed appeared to be annoyed at the behaviour of the paparazzi and was not impressed with the response of the hotel security staff.

c) How was Henri Paul recalled to the Ritz Hotel at around 10pm following the return of the couple?

François TENDIL

Night Duty Security Officer, Ritz Hotel.

French Dossier D2160-D2161

'At around 2150hrs, Dodi Al Fayed and the Princess returned to the hotel, followed by the photographers. I therefore telephoned Henri Paul as arranged. He again did not say where he was when he got my call. He simply told me that he was on his way.'

'I must have made the call one or two minutes after 2200hrs and Henri Paul arrived at the Ritz between 2205 and 2210hrs.'

[Paget Note: A call was received on Henri Paul's mobile telephone number at 10pm from the switchboard of the Ritz Hotel, Place Vendôme. (French Dossier D2204).]

Interviewed by Operation Paget - Statement 135, March 2005

'Question: "Why did Henri Paul return to the hotel?"

Answer: "Because when he left the Ritz at the end of his shift at 7.00 pm, I asked him what I was to do if Lady Diana and Dodi Al Fayed returned to the hotel. Incidentally I had to ask him that question three times. He replied that I should warn him by calling him on his mobile. So when the couple returned unexpectedly that is what I did. It was I and I alone who took the decision to call Henri Paul. He was surprised that they had returned." '

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Thierry ROCHER

Night Duty Manager, Ritz Hotel.

French Dossier D2134-D2136

'With regard to the evening of 30/08/97, I was in the hotel when Dodi Al Fayed and Princess Diana arrived at around 21.50 hours. As this arrival was not planned, it resulted in a certain disorder in the columns around the hotel's entrance where the paparazzi were gathered. Mr Tendil, the Night Security Manager, alerted Mr Paul on his mobile telephone at around 21.50 – 21.55 hours.'

According to what Mr Tendil told me, Mr Paul apparently said: "I'm not far away, I'm on my way". He did actually arrive at the hotel very quickly. He passed the turnstile at 22.07 hours (seen on the security film).'

David BEVIERRE

Ritz Security Officer.

French Dossier D2179-D2182

'I immediately went to the foyer. It was about 22.00 hours. There, my colleague, François Tendil, told me that the Princess and Dodi had arrived and were in the "L'Espadon" restaurant and I was to position myself outside in front of the hotel.'

So I positioned myself in front of the hotel iron grille, next to the dog-handler. I then saw that there were a lot of journalists in front of the Ritz. It was at this point that Mr Tendil told me to keep a close eye and that he was going to call Mr Paul to notify him of the situation.'

O.E. [on examination]: I think that François Tendil called Mr Paul because he had been told to call him in the event of a problem. In fact, in cases like this, we always notify the Head of Security or his deputy. I stayed in front of the hotel for about an hour, during which time Mr Paul arrived about a quarter of an hour after Mr Tendil's call.'

Claude ROULET

Assistant to the President of the Ritz Hotel.

French Dossier D1008-D1010

'In fact, with the arrival of Dodi and Lady DI and the paparazzi following them, it was chaos in the entrance to the hotel and the foyer guard, Mr François Tendil had therefore called him on his mobile. Mr Paul then told him that he was on his way – this was on his own initiative.'

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French Dossier D2129-D2130

'I should also add that I tried to reach Henri Paul at what must have been around 2155 hrs on Saturday 30 August to inform him of a problem with a temp.

I first of all called him on his normal phone, but there was no reply, I got the answering machine. Then I called him on his mobile and it was on voice mail. I did not leave a message.'

French Dossier D2131

Claude Roulet refined these times:

'I want to amend my statements concerning the last calls I made to Mr Paul. When I checked the bills for my mobile I realised that I had given you the wrong times. I actually tried to contact Mr Paul without success on his mobile at 9.57 in the evening and at home (landline) at 9.58 on 30 August 1997.'

[Paget Note: Henri Paul's mobile telephone billing showed a call received at 9.57pm being passed to voicemail – the calling number belonged to a Ritz Hotel mobile telephone.

The billing data for Henri Paul's home telephone showed no calls made or received beyond 1.32pm on Saturday 30 August 1997. It did not record Claude Roulet's unanswered call at 9.58pm. (French Dossier D2204)

Interviewed by Judge Hervé Stéphan in the French inquiry - D5144-D5150

'As I have said, I tried to get through to Henri Paul to tell him that it was not good enough that it took so long to get through to the security officer in the lobby. I had no intention whatsoever of asking him to come back to the Ritz. As I could not get through to Henri Paul, I resolved to speak to him the next day.

I called Mr Tendil, the guard in the lobby, again at around 2325 hrs but it was Henri Paul who answered. I was very surprised and asked him what he was doing there. I subsequently found out that it was Mr Tendil who had informed him of the situation and of the presence of the paparazzi. Henri Paul decided to return to the hotel off his own bat and without being asked by Mr Tendil or myself, that anyway is what he said to me himself over the phone.'

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Operation Paget Comment

(c) How was Henri Paul recalled to the Ritz Hotel around 10pm following the return of the couple?

François Tendil, the Ritz Hotel night duty security officer, called Henri Paul back to work because of the unexpected return of Dodi Al Fayed and the Princess of Wales. He took sole responsibility for this. He stated that Henri Paul was '*surprised*' that the couple had returned.

This call was made at 10pm, shortly after the return of the couple.

There was no evidence that Henri Paul had any idea before this time that the couple would be returning to the hotel. All of the evidence showed that he believed he had finished work for the day around 7pm. He arrived at the Ritz Hotel in his own car about five to ten minutes after taking the call from François Tendil. [Paget Note: Henri Paul was seen on the Ritz Hotel CCTV cameras returning to the hotel.]

There was no evidence that anyone at the Ritz Hotel expected the couple to return to the hotel that night.

10. The plan for Henri Paul to drive a third car from the rear of the Ritz Hotel

This plan, put into place on the night of Saturday 30 August 1997, had three key aspects:

1. The use of a third car (i.e. the second Mercedes, an S280, registration number 688LTV75) from the rear of the Ritz Hotel in rue Cambon, rather than the original Mercedes S600 (registration number 405JVJ75) and Range Rover that were waiting in front of the hotel with regular chauffeurs.
2. The decision for Henri Paul in particular to drive this third car.
3. How Mercedes 688LTV75 was selected as the third car.

To understand these aspects, it was important to analyse the sequence of events at the hotel following the arrival of the couple there at about 9.50pm until their departure from the rear of the hotel at around 12.20am. The sequence of events was compiled on the basis of:

- Witness accounts describing what happened in and around the hotel that night
- Ritz Hotel CCTV footage for that period

The actions, movement of principals and decisions made in the two and a half hours before the Princess of Wales and Dodi Al Fayed left the Ritz Hotel were crucial. Therefore the sequence of events is covered in great detail.

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Evidence from the CCTV images at the Ritz Hotel has been used wherever possible to test and corroborate witness accounts.

There was no CCTV coverage of:

- The Bar Vendôme – the bodyguards went here on returning to the Ritz Hotel and had some food. Henri Paul joined them later
- The Espadon Restaurant – Dodi Al Fayed and the Princess of Wales initially went into this restaurant on returning, but very quickly moved to the Imperial Suite on the first floor
- The door of the Imperial Suite - the couple spent most of their time in this first floor suite, having food brought to the room

The foyer immediately outside the Imperial Suite was covered by CCTV.

There was no audio track to the CCTV.

First copy videotapes were provided to Operation Paget by the French authorities on 27 January 2006. Before that, Mohamed Al Fayed provided Operation Paget with his second-generation copies, consisting of nine tapes with limited views from a limited number of cameras.

[Paget Note: Timings on the different cameras within the Ritz CCTV system were not accurately synchronised. This is not unusual. The times shown in this report have been adjusted to show a real constant time rather than the time on the video frame. The 24-hour clock is used here, as on the tapes.]

1. The use of a third car (the second Mercedes, registration number 688LTV75) from the rear of the Ritz Hotel in rue Cambon rather than the original Mercedes S600 and Range Rover waiting in front of the hotel with regular chauffeurs.

Sequence of Events:

CCTV Images – The return of the couple to the Ritz Hotel at 21.52

21.52 The Princess of Wales and Dodi al Fayed go directly to the Espadon Restaurant in the Ritz Hotel. The bodyguards Trevor Rees-Jones and Kieran Wingfield exit the hotel, then re-enter walking towards the restaurant, before returning back along the main corridor and into the Bar Vendôme inside the hotel.

The Princess of Wales and Dodi Al Fayed did not stay in the restaurant to eat.

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Thierry Rocher **Night Duty Manager, Ritz Hotel.**

Interviewed by Operation Paget - Statement 137

'The couple had just arrived, they wanted to dine in the restaurant but Dodi did not want everyone to be looking at the Princess as the restaurant was full, and he decided to go up and dine in the Suite. I accompanied them and Dodi asked me why there had been that muddle at the entrance to the hotel.'

[Paget Note: The Imperial Suite, Room 102, is on the first floor of the Ritz Hotel looking out over the front of the hotel to the Place Vendôme.]

22.04 Trevor Rees-Jones, Kieran Wingfield, and François Tendil escort the couple to the Imperial Suite. Thierry Rocher joins them en route. The couple are then left alone and the bodyguards return to the bar. The CCTV footage does not show Dodi Al Fayed talking to anyone between leaving the restaurant and arriving at the Imperial Suite where, just before entering, he appears to speak to Trevor Rees-Jones and Kieran Wingfield, who turn and go downstairs.

Trevor Rees-Jones **Bodyguard to Dodi Al Fayed.**

French Dossier D2471

'We went back inside the hotel and adjourned to the bar. Dodi and Lady Di went upstairs to the Imperial Suite, I do not know why they left the restaurant. When I saw the couple leaving the restaurant, Wingfield and I joined them and accompanied them to the Suite. Dodi told us to go back to the bar for dinner without giving us any indication as to what the subsequent programme might be.'

22.07 Henri Paul returns to the hotel and can be seen on CCTV entering the front revolving door. François Tendil, who appears to be waiting for Henri Paul to arrive, greets him followed by Thierry Rocher. All three enter the Bar Vendôme. François Tendil and Thierry Rocher leave the bar almost immediately, returning for a moment before departing again at 22.09.

Interviewed by Operation Paget - Statement 104

'We went back to the bar and ordered a sandwich and a drink. That was when I saw Henri Paul for the first time that evening. He got himself a drink at the bar and came to sit down with us.'

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French Dossier D2471

'In the bar, we ordered dinner and were joined by Henri Paul. He had a drink, I do not know what it was, but it was yellow-coloured. While we had dinner, Paul came and went about the hotel, he was perfectly normal. I did not sense him being on edge, he was just as he usually was in my dealings with him.'

'After a while, Paul had another drink. At that time, none of the three of us, that is Paul, Wingfield or I, knew what the plans were for the rest of the evening.'

Kieran Wingfield

Bodyguard to the Al Fayed family.

Interviewed by Operation Paget - Statement 20A

'Henri Paul ordered a drink, which he drank. I asked what he had and he said 'ananas', which I understand to mean 'pineapple'. I thought it was pineapple cordial. That was what it looked like, one of the cordial's they have in France. The barman brought it with a carafe of water and Henri Paul poured water into it. He might have had some ice in it too but I cannot recall for sure.'

'I understand that the drink is said to have been a drink like Pernod. I can say that I didn't smell Pernod and I think I would have done.'

22.08 Trevor Rees-Jones leaves the Bar Vendôme, removes his mobile telephone from his belt and exits the hotel. Cameras show him talking on the phone until 22.23. It is possible that this call was to Reuben Murrell.

Reuben Murrell

Security guard at the Villa Windsor.

Interviewed by Operation Paget - Statement 211

'The next call I got from Trevor was from the Ritz when they were having a meal in the small restaurant. This call was more social than operational. He told me Dodi and Diana had been due to have a meal at a restaurant but had been disturbed and had gone to the Ritz. I don't know the nature of the disturbance. This was a further example of plans being changed with no real structure. Trevor asked me about Henri Paul. I got the impression that Trevor and Henri Paul did not hit it off and Trevor was asking me who he was. Trevor had observed him taking a drink and offered drinks to Trevor and Kes, which they thought was highly unprofessional. Trevor did not specify that it was an alcoholic drink but the fact that this was mentioned led me to believe that it was alcoholic drink to which he was referring.'

[Paget Note: It is not known if this telephone call is the one Trevor Rees-Jones was seen making on camera, as Reuben Murrell cannot give a precise time.]

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The Bar Vendôme food and drink bill

French Dossier D2193

This bill was shown as open between the times of 10.06pm and 11.11pm, for the table used by Trevor Rees-Jones, Kieran Wingfield and Henri Paul. It showed the following purchases:

- Sliced bread
- Matchstick potatoes
- 2 Schweppes tonic
- 1 Schweppes tonic
- 1 Schweppes tonic
- 1 Ricard
- 2 Patisserie of day
- 2 Coffees
- 1 Ricard

It is not possible to say at what time exactly between 10.06pm and 11.11pm Henri Paul ordered these Ricards or when he drank them, but the following evidence described how they were served to him.

Sébastien TROTE

Barman in the Bar Vendôme.

French Dossier D2154-D2156

He was a casual barman in the 'Bar Vendôme' and was on duty on Saturday 30 August 1997. He last saw Henri Paul at about 11pm that night. He recalled seeing him in the 'Bar Vendôme' at a table with the bodyguards. Sébastien Trote took Henri Paul's first order and served him his first glass of Ricard. He said,

'The measure was a normal one and I saw him top up the 33cl glass with water until it was three quarters full.'

Philippe DOUCIN

Barman in the Bar Vendôme.

French Dossier D2157-D2159

He was the barman/headwaiter who served Henri Paul's second glass of Ricard. He recalled Henri Paul sitting at the table with the bodyguards. On clearing their table, Philippe Doucin recalled that amongst the items he removed was a *'nearly empty glass of Ricard from in front of M Paul.'* When Philippe Doucin cleared the table, Henri Paul ordered another Ricard. Philippe Doucin served him a 5cl measure, together with an accompanying jug of water.

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22.16 Thierry Rocher enters a service elevator with two waiters (he has been out of sight of CCTV cameras for about five minutes, having walked down the hotel corridor in the direction of the restaurant). The elevator runs behind the restaurant and exits near room 119 on the first floor.

22.18 Thierry Rocher exits the elevator with one waiter and walks towards the Imperial Suite.

22.19 Thierry Rocher meets with Dodi Al Fayed, who is waiting for him in the foyer outside the Imperial Suite. The waiter takes a trolley into the suite. Dodi Al Fayed and Thierry Rocher speak for nearly a minute and a half. Thierry Rocher appears to give Dodi Al Fayed something to sign, which he does. Dodi Al Fayed returns to the suite and Thierry Rocher walks in the direction of the stairs.

Thierry ROCHER
Night Duty Manager, Ritz Hotel.

French Dossier D2134-D2136

He provided an account of this conversation.

'I went upstairs to outside the Imperial Suite where the couple had taken refuge and Dodi came and asked me why there had been a mess on his arrival. At the end of our conversation and after I had informed him of Mr Paul's presence in the hotel, he asked me to let Mr Paul know that a third car would be ready in rue Cambon and that they would leave via that exit. This information was to remain confidential and only Mr Paul was to be informed.'

Interviewed by Operation Paget - Statement 137

'I informed Dodi Al Fayed that Mr Paul had returned to the hotel. Dodi told me I had to inform him that there would be a third car in the rue Cambon, that he would leave the hotel that way and that that had to remain confidential. From memory he did not ask me to organize that third car, he simply told me that it would be there and that only Mr Paul was to be informed about it. Dodi did not give me the reasons for that decision.'

Thierry Rocher appears to have then provided a statement to Mohamed Al Fayed. Mohamed Al Fayed provided this to Operation Paget on 17 July 2006

Thierry Rocher appeared to have been shown a copy of his statement to the French inquiry and said he would *'now point out some of these inaccuracies and clarify areas of ambiguity'* in that statement.

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He continued in this new statement:

'I conveyed to Henri Paul exactly the instruction given to me by Dodi Al Fayed that a third car would leave from the Rue Cambon exit. That information was confidential and only Mr Paul was to be informed. I was not told by Dodi that Henri Paul was to drive that car. When I conveyed this message to Henri Paul he asked no questions whatsoever and seemed to simply accept the instruction.'

Mohamed Al Fayed's Park Lane Control Room Staff

The control room was based at Park Lane and controlled and monitored the movements of key Al Fayed family members.

On the night of Saturday 30 August 1997, the team consisted of:

- David Moodie (Team Leader)
- Martin Quaife
- Shaun Smith

David MOODIE

Team leader at Park Lane Control Room.

Operation Paget - Other Document 190

He stated that on 30 August 1997 there had been calls into the Operations Room from the bodyguards to the effect that Dodi Al Fayed and the Princess of Wales were 'getting stressed' and the bodyguards felt they were 'a bit undermanned'. David Moodie was on call but asleep when a call from Kieran Wingfield was put through to him in the early hours. He was told that the party had not left the Ritz Hotel together and that there had been a plan hatched by Dodi Al Fayed for the vehicles to leave from the front and rear of the hotel. [Paget Note: David Moodie now lives in Australia and conveyed this information by telephone.]

Martin QUAIFE

In the Park Lane Control Room.

Interviewed by Operation Paget - Statement 144

He was in the control room at the time that Kieran Wingfield telephoned. He was aware that the couple had been at the Ritz Hotel. He stated that he 'was unaware of and had nothing to do with the decoy plan'. His understanding was that 'Mr Al Fayed and his son dealt with it' and that if he had known about it he would have 'voiced a negative opinion about it'.

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Shaun SMITH

In the Park Lane Control Room.

Interviewed by Operation Paget - Statement 175

He stated he had no specific recollection of communication from the bodyguards and as far as he knew they did not communicate anything about a decoy plan.

Mohamed Al Fayed

Provided statement to Operation Paget in July 2005 - Statement 163

Mohamed Al Fayed referred to the time at the Ritz Hotel and his knowledge of the decoy plan:

'Dodi and Princess Diana arrived back at the Ritz from Rue Arsène Houssaye at about 10pm on 30 August, and soon after that my son telephoned me. He told me that there was a lot of paparazzi activity around the Ritz but that he intended to return to Rue Arsène Houssaye. I told him that he should stay at the Ritz where they would be comfortable and secure. Dodi said he had to return to Rue Arsène Houssaye because the engagement ring was there and he intended to formally present it to Princess Diana.'

I had no idea whatsoever of the decoy plan which was put into operation whereby Princess Diana and Dodi would leave from the staff entrance of the Ritz in Rue Cambon in a limousine without a backup car. Had I been aware of such a plan I would have vetoed it absolutely. Dodi did not inform me of the plan, nor did either of the bodyguards, Trevor Rees-Jones or Kes Wingfield. Their instructions are quite clear. They were experienced men who had been fully trained in security procedures and they knew full well the principals should never travel without the backup car. They neither telephoned me nor Park Lane control room, to advise of the intended plan.'

Operation Paget Comment

1. The decision to use a third car from the rear of the hotel

Dodi Al Fayed called Thierry Rocher to the Imperial Suite and at 10.19pm the two men spoke. Thierry Rocher told Dodi Al Fayed that Henri Paul had returned to the hotel. In all three statements by Thierry Rocher he is consistent in his assertion that Dodi Al Fayed told him that a third car would be used from the rue Cambon exit. He told Thierry Rocher that this information was to be passed to Henri Paul and it was to remain 'confidential'.

There was no indication in any of Thierry Rocher's accounts that he was to tell Henri Paul that he would be the driver, nor was there any indication of how this third car was to be arranged.

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There was no evidence at this point (10.20pm) that Dodi Al Fayed had conveyed this plan to any other person. This included his father, Mohamed Al Fayed, although in the telephone call to England around this time Dodi Al Fayed did tell him of the presence of the paparazzi and of his desire to return to the apartment in rue Arsène Houssaye to formally present the Princess of Wales with an engagement ring.

2. The decision for Henri Paul in particular to drive this third vehicle

The sequence of events continues

The evidence showed that it was not planned for Henri Paul to return to the Ritz Hotel on Saturday night. Nor was there any plan for him to drive any vehicle later that night. He had been driving the Range Rover quite competently earlier in the day, having met the Princess of Wales and Dodi al Fayed at Le Bourget airport. Neither of the couple travelled in the Range Rover with Henri Paul. He followed in convoy behind the Mercedes driven by Philippe Dourneau.

CCTV Images

22.25 Henri Paul leaves the Bar Vendôme and walks along the corridor to the Hall Vendôme, where he meets Thierry Rocher and François Tendil. They appear to talk and Henri Paul appears to laugh.

22.26 Henri Paul and Thierry Rocher walk along the corridor together. François Tendil follows.

22.27 Henri Paul waves to the chauffeurs Philippe Dourneau and Jean-François Musa, who are standing near the revolving door. A conversation takes place between Henri Paul, Thierry Rocher, François Tendil, Philippe Dourneau and Jean-François Musa.

Thierry Rocher and Philippe Dourneau have a brief conversation by the revolving door. They exit the hotel and go to the parked Mercedes S600. Philippe Dourneau gets in the rear left of the car (Dodi Al Fayed's usual position in the car).

Henri Paul walks along the hotel corridor towards the restaurant.

22.28 Thierry Rocher and Philippe Dourneau return to the hotel. Thierry Rocher is now holding a small rectangular object. [Paget Note: This is believed to be Dodi Al Fayed's cigar case, as seen in other paparazzi photographs]. Thierry Rocher enters the hotel and goes up the stairs to the Imperial Suite. He enters the foyer area and stands at the door to the Imperial Suite holding the object. He leaves after 25 seconds and goes back downstairs.

Henri Paul enters a room to the right of the restaurant. [Paget Note: The floor plan of the Ritz Hotel shows this to be a WC. He returns to the Hall Vendôme at 22.30.]

22.30 Thierry Rocher and Henri Paul meet at the bottom of the stairs. They talk to one another near the pillars to the foot of the stairs. Thierry Rocher leans close to Henri Paul's left ear as they then walk together towards the main reception desk.

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Thierry ROCHER

French Dossier D2135

'I returned downstairs and I met Mr Paul as he was coming out of the Bar Vendôme. Roughly ten minutes had elapsed since his arrival. After I had given him Dodi's message, he thanked me and said "I am going to finish my Ricard with the Englishmen. Mr Paul's behaviour appeared perfectly normal to me. I did not find him to be irritated, anxious or excited.'

Interviewed by Operation Paget - Statement 137

'Question: "At 10.24 pm you met Mr Tendil and Mr Paul in the hotel lobby. What did you talk to them about?"

Answer: "I immediately informed Mr Paul confidentially about Dodi's instructions, and then I engaged in small talk with him and Mr Tendil who had approached in the meantime."

Question: "At 10.27 pm you speak with Philippe Dourneau in front of the revolving door of the hotel, then you go outside. What did you talk about?"

Answer: "Trivialities."

Question: "At 10.29 pm you converse with Henri Paul in the Vendôme lobby. What are you talking about?"

Answer: "I do not remember, trivialities I think." '

Summary of the situation at 10.30pm

Thierry Rocher, after being told of the plan to use a third vehicle from the rear of the Ritz Hotel by Dodi Al Fayed, carried out Dodi Al Fayed's instruction to inform Henri Paul confidentially.

CCTV recordings showed two conversations taking place between Henri Paul and Thierry Rocher (at around 10.25pm and 10.30pm) after Thierry Rocher came down from the Imperial Suite. Thierry Rocher believed that he informed Henri Paul in the first conversation.

This was the first time that Henri Paul became aware of a plan to leave the Ritz Hotel using a third car from the rear entrance – less than two hours before the couple left on the final journey. He could not have known of the plan before returning to the Ritz Hotel at 10pm.

It is not known if at this time a decision had been made that Henri Paul was to drive the Mercedes. Thierry Rocher was sure that he did not pass such a decision to Henri Paul.

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Henri Paul, after being told of the plan to exit via the rue Cambon, told Thierry Rocher that he was going to finish his Ricard with the 'Englishmen'. This would be unusual, and out of character according to his friends and colleagues, if he knew at that time that he would be driving Dodi Al Fayed and the Princess of Wales later that evening. Henri Paul did indeed return to the Bar Vendôme at 10.44pm and rejoined the bodyguards.

Sequence of events continues

22.34 Henri Paul walks to the revolving door and exits the hotel.

22.36 Henri Paul is standing between the Range Rover and his Mini, smoking. A puff of smoke is clearly visible on the CCTV image.

22.43 Henri Paul approaches the revolving door of the hotel. He meets François Tendil and Thierry Rocher and they walk together to the entrance to Bar Vendôme.

22.44 Henri Paul enters the Bar Vendôme. Trevor Rees-Jones and Kes Wingfield are still there at this time.

Trevor REES-JONES

Bodyguard to Dodi Al Fayed.

Interviewed by Operation Paget - Statement 104

Trevor Rees-Jones described the time in the Bar Vendôme with Henri Paul:

'He kept popping in and out during that time. I don't recall having much conversation with him, I was mainly talking to Kes. Henri Paul seemed to be busy and I assumed he was still on duty because he was at the hotel. When Kes and I had finished our sandwiches we went back up to the suite to sit outside and wait for our departure times. I can't remember who we would have taken over from outside the suite but one of the Ritz security would have been present up until then.'

French Dossier D2471

'After a while, Paul had another drink. At that time, none of the three of us, that is Paul, Wingfield or I, knew what the plans were for the rest of the evening.'

Kieran WINGFIELD

Bodyguard to the Al Fayed family.

French Dossier D1035-D1043

In his first statement to police on 2 September 1997 he said:

'After our snack, Trevor and I went and sat outside the suite (Imperial). Henri PAUL came twice, the first time to ask us if everything was alright and the second time to say that everything had been arranged with Dodi.'

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French Dossier D5071

In his evidence before Judge Devidal on 3 July 1998 he stated:

‘We did in fact have dinner there, Mr Paul was with us and had a drink that to me looked like pineapple juice. I would add that Mr Paul’s behaviour was completely normal, that he in no way whatsoever had the appearance of a man who had been drinking and that if, as has been said in the press, he had drunk alcohol that night, you certainly could not tell. At one point, Mr Paul went off upstairs to the suite where Dodi and the Princess were, and a few minutes later he returned and told us that there had been a change of plan. He told us what the new arrangements were. Trevor and I were not happy with these new arrangements and we decided to call our boss in London, i.e. Mohamed Al Fayed’s head of security. However, Henri Paul told us that it was not worth contacting him as Mohamed Al Fayed had given the plan his blessing. Henri Paul then left to sort out the car. Five minutes later, Dodi arrived at the door to the suite and asked us if we were happy with the plan.’

[Paget Note: This account of Kieran Wingfield is confusing in that at first it appeared that Henri Paul told the bodyguards of the new plan while they were downstairs and presumably in the Bar Vendôme. However, he then said that five minutes later Dodi Al Fayed appeared at the door of the suite and talked of the plan, indicating they were in the foyer outside the suite.]

Interviewed by Operation Paget - Statement 20A

Kieran Wingfield stated:

‘The first I knew of the plan to leave was about 15 minutes before departure.’

[Paget Note: This evidence indicated that the bodyguards were not aware of a new plan while they were in the Bar Vendôme with Henri Paul. The three left the bar at 11.08pm. At this time the only people it could be said who were aware of the plan to exit via rue Cambon in a third car were Dodi Al Fayed, Thierry Rocher and Henri Paul.]

Sequence of events continues

From **23.08** the bodyguards were in position outside the Imperial Suite.

Dodi Al Fayed and the Princess of Wales were already in the suite, having gone there at **22.04**. Dodi Al Fayed came out of the room once at **22:19** to talk to Thierry Rocher.

The Princess of Wales and Dodi Al Fayed stayed in the suite until leaving at **00.06**. They went to the rear of the hotel in order to be driven back to the apartment.

The sequence of events from **23.08** continues to examine when and how Henri Paul was selected to drive the third car.

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23.08 Trevor Rees-Jones and Kieran Wingfield leave the Bar Vendôme followed by Henri Paul. Trevor Rees-Jones and Kieran Wingfield go upstairs towards the Imperial Suite, Henri Paul talks with François Tendil in the Hall Vendôme.

23.10 Henri Paul exits the hotel, walks to the Range Rover and appears to have a conversation with the driver, Jean-François Musa.

23.12 He then walks towards the paparazzi in Place Vendôme and people gather near him. He then walks back towards the hotel and enters.

23.12 Henri Paul talks to François Tendil in the corridor near Hall Vendôme. It is at this point that he crouches and ties his shoelaces. This takes 44 seconds.

23.14 Henri Paul joins Trevor Rees-Jones and Kieran Wingfield at the top of the staircase by the Imperial Suite. This is the first time that Henri Paul appears outside the Imperial Suite.

23.17 A waiter brings a trolley to the Imperial Suite door and a few seconds later Thierry Rocher follows and goes to the suite door. Henri Paul moves forward to a position close to the door near Rocher. He appears to be listening to what is being said but the doorway is not visible.

23.18 Henri Paul stands between Trevor Rees-Jones and Kieran Wingfield and appears to talk to them.

23.19 Henri Paul goes downstairs and exits the hotel.

23.20 Kieran Wingfield suddenly throws out his arms, clasps his hands together and slumps forward in his chair. He gets out of the chair and walks towards the Imperial Suite door, returning to his seat 15 seconds later. Trevor Rees-Jones remains seated. The bodyguards talk continuously until 23.26, when Henri Paul returns.

23.21 Henri Paul, having exited the hotel, moves towards the gathered paparazzi and appears to light a cigarette/cigar.

23.25 He re-enters the hotel and walks along the corridor towards the rear of the hotel.

23.26 Henri Paul rejoins Trevor Rees-Jones and Kieran Wingfield outside the Imperial Suite. Kieran Wingfield walks down the corridor and descends to the Hall Vendôme on the ground floor. He looks outside the hotel entrance towards the Place Vendôme.

23.28 Kieran Wingfield then returns upstairs at 23.28. He appears to talk to Trevor Rees-Jones and Henri Paul, holding his arms outstretched.

23.30 Thierry Rocher and another member of staff appear outside the Imperial Suite. He and Henri Paul descend to the Hall Vendôme together, where François Tendil hands Henri Paul the telephone.

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[Paget Note: Claude Roulet in his statement to the French inquiry on 19 September 1997, French Dossier D2131, said:

'At 11.26 pm I rang the colonnade to speak to Mr Tendil and I actually got Mr Paul. He told me that the couple were there and there were quite a lot of people outside the hotel but he had the situation under control. He seemed quite normal to me, just the same as usual.']

23.30 Kieran Wingfield sits down in the foyer outside the Imperial Suite. He appears to talk to Trevor Rees-Jones and gesticulates with his arms. The door to suite 105, next to where Kieran Wingfield is sitting, opens and he goes across to a woman at that door.

23.31 He sits down again and continues talking to Trevor Rees-Jones in an animated fashion. The woman closes the door. It is not known why she spoke to the bodyguards.

23.32 Henri Paul talks to Thierry Rocher and François Tendil in the Hall Vendôme. The conversation appears to be very jovial at this point.

23.35 François Tendil exits the hotel, leaving Henri Paul and Thierry Rocher talking.

23.36 Henri Paul returns to the Imperial Suite and appears to talk to Trevor Rees-Jones and Kieran Wingfield.

23.37 Henri Paul gestures towards the Imperial Suite door on more than one occasion.

23.37 Trevor Rees-Jones leaves Henri Paul and Kieran Wingfield and walks into the corridor to use his mobile phone.

23.38 Henri Paul joins Trevor Rees-Jones in the corridor.

23.40 Trevor Rees-Jones finishes his telephone call and talks to Henri Paul before they both return to the foyer outside the Imperial Suite.

Witness Evidence

Trevor REES-JONES

Bodyguard to Dodi Al Fayed.

French Dossier D2470

'At one point, Dodi emerged. Paul was there. Dodi told us that we needed a third car at the rear of the hotel and two cars in front of the Ritz to serve as decoys. I was not happy, as Dodi was splitting the two security officers up, but I toed the line. It was Dodi too who decided that Paul would drive the car.

We got these instructions roughly half an hour before we left. I myself remained upstairs, and I think Wingfield went downstairs with Paul, but I am not sure, it is a vague memory.'

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French Dossier D2014

Interviewed by Judge Stéphan on 19 December 1997

'At one point, while all three of us were outside the suite, Dodi opened the door and said that we would be leaving in a third car and that the Mercedes and the Range Rover should remain outside the Ritz. I do not know why Dodi took that decision. He did not say. I do not know if he did it to get away from the journalists. I imagine that the Mercedes that was called was a Ritz vehicle that was collected from the garage. I was not involved in that, what mattered to me was that there was a car to take us. I asked Dodi where he wanted to go and he told me that we were going to the apartment on the Champs Elysées.'

Interviewed by Operation Paget - Statement 104

'Whilst we were waiting outside the suite, Henri Paul had been into the suite to see Dodi on a number of occasions. I don't know the content of their conversations. I think he was the only one to go in apart from possibly restaurant staff. I don't remember any other members of the management team coming to speak to Dodi. Later Dodi stuck his head out of the door to tell us that they were leaving or would be leaving soon. He told me that he wanted to leave from the back of the hotel with Henri Paul driving just him and the Princess. He told me "You and Kes stay at the front to appear that we're leaving from there" I told him that wasn't going to happen. I don't know if Henri Paul took any part in deciding how the couple were going to leave the hotel. In any event the verbal command came from Dodi. I do not remember whether Henri Paul was present when the command was given. No other member of staff would have heard this instruction. Dodi had remained in the suite and I didn't see him until he came out to speak to us about the arrangements for leaving the hotel.'

Although neither Kes nor I had a problem with Henri Paul driving, I strongly advised Dodi that we should leave from the front where the usual driver Dourneau was waiting.'

'Dodi would not listen to my reasoning and was having none of it. I told him that if he insisted on this plan of leaving from the rear that I would also insist that I should at least travel with him so that he had some security, leaving Kes at the front of the hotel to leave with the other vehicles. That was the compromise that I managed to get from him. As far as I was concerned until he had told me otherwise, it had been my understanding that we would all be leaving from the front of the hotel in the two vehicles. I insisted as forcefully as I could that we should not leave from the rear. At the end of the day his original idea was just him, the Princess and the driver in one vehicle. If I had really started to kick up a fuss he would have just told me to do as he said and to go to the front so I had to make a decision on the ground at the time. I had to decide on the best compromise that I could reach with him without throwing him into making another rash decision to go alone. If I kept insisting his idea was wrong and that we should be leaving from the front he would have got more het up about me challenging him again and again.'

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It was probably the most heated debate we'd had on that holiday as I had to try and emphasise as much as I could what Kes and I wanted to do but ultimately he was the boss and he had the authority to dismiss us if he wanted to. Kes and I could not have carried him kicking and screaming to the front of the hotel and thus a workable compromise had to be made. The alternative would have been Kes and me being sent to the front of the hotel and leaving in the cars waiting outside whilst the couple left alone without any security cover.'

'I cannot recall if I had any discussion with Henri Paul or other members of the Ritz staff about the plan. I did not consider driving as I didn't know Paris well enough and had not done so on any previous occasion.'

Kieran WINGFIELD

Bodyguard to the Al Fayed family.

French Dossier D1035-D1043

'After our snack, Trevor and I went and sat outside the suite. Henri Paul came twice, the first time to ask us if everything was alright and the second time to say that everything had been arranged with Dodi. On that occasion, I noticed that Henri Paul had just smoked a cigar, I could smell it on his breath. I am positive, he did not smell of alcohol and his behaviour was perfectly normal. Then, at around 2315 hrs, just after Henri Paul called by for the second time, Mr Dodi opened the door of his suite to ask me how many paparazzi there were. I told him, after checking, that there were at least thirty or so of them opposite and roughly a hundred passers-by and onlookers at the sides. [Paget Note- Kieran Wingfield actually checked the front of the hotel at 23.27 according to the CCTV images, so is therefore mistaken about the time or the sequence in which he did things.]

Mr Dodi told me that we would be leaving the hotel in the next few minutes using the plan he had devised, which consisted of using another Mercedes and another chauffeur. I thought he was talking about François, but if the paparazzi saw him move, they would have realised what was going on. Mr Dodi then told me that it was Henri Paul. As I did not know Henri Paul prior to that day, it did not come as any surprise that Mr Dodi should nominate him to set off. Mr Dodi explained his plan to me, which consisted of leaving the hotel via the rear, making the paparazzi think they would be leaving from the front. It was arranged that they would go straight back to the apartment off the Champs Elysées.'

'I therefore went to the front of the hotel. I signalled to the chauffeurs in order for them to bring the cars to the entrance as usual, giving the impression that the couple would be leaving in five minutes. I also signalled to them with my hand to indicate '5 minutes'. Five minutes later, I received the message on my mobile from the guard at the rear that the couple had left the Ritz. I then got into the Mercedes and we set off five minutes later. It was 0020 hrs.'

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French Dossier D5071

Interviewed by Judge Devidal on 3 July 1998

'At one point, Mr Paul went off upstairs to the suite where Dodi and the Princess were, and a few minutes later he returned and told us that there had been a change of plan. He told us what the new arrangements were.'

Trevor and I were not happy with these new arrangements and we decided to call our boss in London, i.e. Mohamed Al Fayed's head of security. However, Henri Paul told us that it was not worth contacting him as Mohamed Al Fayed had given the plan his blessing. Henri Paul then left to sort out the car. Five minutes later, Dodi arrived at the door to the suite and asked us if we were happy with the plan. We told him that we were not at all happy and that we should call his father back. Dodi then told us once more that it was not worth doing this, as his father was in agreement. We dug our heels in at this point, telling him that it was impossible for him to go off in a vehicle without a bodyguard. Dodi then agreed that one of the bodyguards could go in the car he was to take, while the second one would be in another vehicle.'

Interviewed by Operation Paget - Statement 20A

'The first I knew of the plan to leave was about 15 minutes before departure. Dodi popped his head out and said that the two of them – Dodi and the Princess – were to go in another car from the rear of the hotel with just a driver. Then he went back into the suite. This plan was a bad idea. Trevor and I spoke to each other and decided we would say to Dodi to go from the front of the hotel. Trevor knocked at the door and said this and Dodi said to us, "Its been okayed by M F, its been okayed by my father", those were his exact words. I have no knowledge of any phone calls between Dodi and Mohamed Al-Fayed.'

'Trevor said to Dodi, 'you need a back up vehicle and a bodyguard' but Dodi said 'no'. We said to him 'look you must have someone with you' and then he said ok but told us that as there was only one car, only one of us could go. Dodi told us that he wanted our two vehicles to remain at the front and that he would use another vehicle to go from the rear. Dodi said that one of us was to go to the front and indicate that they'd be out in 5 minutes.'

'Trevor was very frustrated about Dodi's plan for the departure from the hotel. I would emphasise that it was Dodi's plan. He said he was going to have it out with him. We talked it out between us and Trevor calmed down. Trevor remained totally professional, he was just frustrated at the lack of information and the disregard of his advice. I said to him that I'd go in the car instead but Trevor said, 'No, I've said I'll go so I'll go.'

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'When we were waiting outside the suite, Henri Paul did come up just before we left. Again he wasn't drunk. There was no slurring of his words and when he walked up the corridor he wasn't falling around. He was quite tactile - he would touch your arm when he was talking to you - and he stood very close to me. I don't smoke and neither does Trevor and I was close enough to smell cigars on him but not drink. He was off to one side and I don't remember him having any input into the arrangements. I don't remember Henri Paul going in the suite.'

'Something was said about the other car but I wasn't involved in arranging it'

'I went down to the front of the hotel while they went to the back. I gave the 5-minute sign - hand held up with fingers and thumb spread - to the drivers as instructed by Dodi and got the car moved forward. This was intended to give the paparazzi the impression that Dodi and the Princess would be coming out in five minutes. Then I waited at the front of the hotel.'

Other Witness Evidence

Information, or opinion, relating to the decoy plan and the choice of Henri Paul as driver.

Philippe DOURNEAU
Chauffeur to Dodi Al Fayed.

French Dossier D1048

'I do not know who took the decision to carry out this manoeuvre. It might have been the English security people, but it could equally have been Mr Dodi himself on seeing the incredible number of people. I would remind you that the windows to the Imperial suite overlook the front of the Ritz on the Place Vendôme side.'

Interviewed by Operation Paget - Statement 157

'Question: "Were you surprised not to have been chosen as the driver to drive the couple away from the rue Cambon?"'

Answer: "No, in view of the decoy set up for the paparazzi."

Question: "Did Mr François Musa appoint the driver of the new Mercedes?"

Answer: "I do not know who took the decision to appoint Henri Paul as the driver, I only learned of it shortly before the departure."

Question: "Did the choice of Henri Paul surprise you?"

Answer: "No, as that same morning he had already driven the Range Rover." '

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Jean-François MUSA

Owner of Etoile Limousine and professional chauffeur.

French Dossier D714

He stated:

'I returned to the front of the hotel, where an English bodyguard, the one out of the two who did not get in with Diana and Dodi, came and explained to me how things were scheduled for the end of the evening. It had been arranged, I do not know by whom, perhaps by Dodi Al Fayed himself or by the English security people, that Philippe Dournon (sic) and I should create a diversion by making out that we were preparing to leave from the front of the hotel in the Mercedes and the Range Rover, whilst Dodi and Diana left via the Rue Cambon in the S280 Mercedes driven by Henri Paul, with Trevor, the other bodyguard, alongside him.

In reply to your question, I think it was the English security people who asked Mr Paul to drive the Mercedes because at one stage one of the bodyguards came and asked me where the chauffeur who had driven the Range Rover in the afternoon was, i.e. Mr Paul.'

In his evidence to Examining Magistrate Judge Devidal on 5 January 1999 - French Dossier D7015, he stated:

'It was not I who took the decision to entrust the vehicle to Mr Paul, that decision was imposed on me by the Ritz authorities. I must say that Trevor Rees Jones asked for the drivers to appear, shortly before the couple left. Philippe Dourneau and I came forward. Trevor told us that it was not us he wanted to see but the third driver, to be more precise the man who had driven the Range Rover in the afternoon. The man in question was Henri Paul, and we then left, my colleague and I, and we told the members of the French security, "They want Mr Paul". At that time we did not know for what reason they wanted to see Henri Paul.'

'I will add that the assistant doorman/car parker who went to get the vehicle from the car park was authorized to drive that type of vehicle and could perfectly well have done so, as could Philippe Dourneau, but it was clear that the decision to take Henri Paul as the driver had been taken at Dodi Al Fayed's level and that there was nothing further to be said.'

Interviewed by Operation Paget - Statement 200

'I don't know who made the plan to leave by the rue Cambon, it was all being done inside and I was outside. I don't think it could have been anyone except Dodi or Henri Paul. I am sure it wasn't the bodyguard's idea. The family always make the decisions not the bodyguards. The Al-Fayed's are very strict; they get what they want. Philippe Dourneau didn't like the idea of someone else driving Dodi as he saw it as his job; he was very disappointed.'

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He continued:

'I was worried about Henri Paul driving. I knew he didn't have a 'Grande Remise' licence - the special licence to drive limousines - but I felt I had no choice. There was pressure to say yes; it was impossible to say no. I don't know what would have happened if I'd said no, but the consequences would not have been good for us as a company. The Ritz was our only client. I would say no now as I feel I have more influence. There was not really the option to get another driver, as there wouldn't have been time. I was surprised they didn't use Philippe Dourneau as the driver; he was there and available.'

Thierry ROCHER

Night Duty Manager, Ritz Hotel.

Interviewed by Operation Paget - Statement 137

'Question: "Do you know who took the decision regarding Henri Paul as driver?"

Answer: "I do not know." '

In his statement provided by Harrods to Operation Paget on 17 July 2006

'With reference to the third car which was due to leave from Rue Cambon it was Kes Wingfield who addressed the two chauffeurs Philippe Dourneau and Francois Musa. He described to them the decoy plan. I have no idea who had instructed Kes Wingfield as to the decoy plan because until then I believed it was confidential between myself, Dodi Al Fayed and Henri Paul. This conversation with the chauffeurs took place shortly after midnight.'

Francois TENDIL

Night Duty Security Officer, Ritz Hotel.

Interviewed by Operation Paget on - Statement 135

'Question: "Did you speak with anyone in the entourage regarding a new itinerary?"

Answer: "Yes, I spoke about it with Henri Paul. Incidentally it was he who told me about it. The bodyguards were also in the picture."

Question: "Who decided to change the itinerary?"

Answer: "In view of the very large number of very excited persons who were in front of the hotel, it was decided to change the itinerary. It was therefore either Henri Paul, or the bodyguards or all of them together who decided, with Dodi Al Fayed's agreement, to change the itinerary. Without Dodi's agreement there would have been no change."

Question: "According to what you have just said, it was Henri Paul who informed you of the change of itinerary and the departure from the rue Cambon; how was it announced to you, and in whose presence?"

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Answer: "He told me in person and in the presence of the bodyguards."

Question: "When Henri Paul told you that, did he tell you he was going to drive the vehicle?"

Answer: "Yes, he told me; I told him it was not for him to do so in view of his position at the heart of the hotel; he was the head of security, and that that was rather the job of Dodi Al Fayed's usual driver. In my opinion that decision was taken by Dodi Al Fayed and by him alone."

Question: "When did you learn the details of this departure and of the use of the decoys?"

Answer: "When Henri Paul announced to me that there was a change of itinerary."

Question: "At 10.28 pm you talk with Mr Philippe Dourneau, Dodi Al Fayed's driver; what did you talk about, was it the itinerary?"

Answer: "I do not remember what we were talking about but certainly not the itinerary because that subject was discussed unexpectedly at the last moment, in the half hour preceding the couple's departure." '

Jean Henri HOCQUET

Head of security at the Ritz Hotel until June 1997.

French Dossier D2148-D2153

When asked about Henri Paul driving the Mercedes that night he stated:

'As regards the night of 30 to 31 August, it is quite possible that Mr Dodi Al Fayed asked M. Paul to drive. I have no information to support this hypothesis, but you have to bear in mind that on 30 August 1997, it was Dodi Al Fayed who asked M. Paul to come, as a driver, to Le Bourget.'

Although Jean Henri Hocquet stated that it was Dodi Al Fayed who asked Henri Paul to drive to Le Bourget airport, Jean Henri Hocquet had left the Ritz Hotel two months before this incident.

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Operation Paget Comment

2. The decision for Henri Paul in particular to drive the third vehicle

a) The evidence of Trevor Rees-Jones and Kieran Wingfield

b) Comparison of CCTV images with the evidence given by Trevor Rees-Jones and Kieran Wingfield

c) Other Witnesses

a) The evidence of Trevor Rees-Jones and Kieran Wingfield

Both stated that Dodi Al Fayed told them face to face of the plan to use a third vehicle from the rear of the hotel and that Henri Paul would be the driver.

Trevor Rees-Jones consistently stated that Dodi Al Fayed opened the door of the Imperial Suite and told him and Kieran Wingfield about the plan. He believed Henri Paul was present too but in his statement to Operation Paget in 2004 he stated he could not now remember specifically if Henri Paul was there or not at the time. He was not certain about the specific time that this information was given. In his first statement he estimated *'roughly half an hour before we left.'*

The bodyguards were positioned outside the Imperial Suite from around 11.10pm. Dodi Al Fayed and the Princess of Wales left the suite at 12.06am.

Kieran Wingfield was less consistent. In his first statement (2 September 1997) he was clear that Dodi Al Fayed told him while outside the Imperial Suite that it was his plan to use Henri Paul and that they *'would be leaving the hotel in the next few minutes.'* He also states that immediately before this Henri Paul had told him that *'everything had been arranged with Dodi.'*

In his interview with Judge Devidal in 1998 he stated that Henri Paul, after going upstairs to the Imperial Suite, returned to tell him there was a new plan and told him of the arrangements. By inference this was while the bodyguards were still downstairs in the Bar Vendôme. However, he continued in the interview to say that *'five minutes later'* Dodi Al Fayed, at the door of the Imperial Suite, asked them if they were happy with the plan. If the inference from the word 'upstairs' is inaccurate, then the two accounts are broadly similar.

[Paget Note: These statements of Kieran Wingfield were written in French and then read over to him in English by a translator. Kieran Wingfield signed in agreement with the verbal translation that relies on the skill of the translator.]

In his final statement to Operation Paget in 2005, recorded in English, he states that the first he knew of the plan to leave from the rear of the hotel with just a driver was when Dodi Al Fayed popped his head out of the Imperial Suite about fifteen minutes before departure and told them about it.

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The bodyguards go on to explain the actions they took before departure to facilitate this plan, but they are clear that the plan was imposed on them by Dodi Al Fayed.

b) Comparison of CCTV images with the evidence given by Trevor Rees-Jones and Kieran Wingfield

Trevor Rees-Jones stated that Henri Paul had been into the Imperial Suite to see Dodi Al Fayed on a number of occasions. This was not supported by the CCTV images.

Kieran Wingfield stated that Trevor Rees-Jones knocked at the Imperial Suite door to challenge Dodi Al Fayed on the plan. This is not supported by the CCTV images.

The CCTV showed two occasions that Dodi Al Fayed may have been at the door of the Imperial Suite speaking to those outside, just before he and the Princess of Wales emerged.

23.18 Thierry Rocher appears to push a doorbell and stands at the door of the Imperial Suite. Henri Paul, Trevor Rees-Jones and Kieran Wingfield are already outside the suite when Thierry Rocher arrives. Henri Paul walks forward and leans on a table and appears to be listening. Thierry Rocher in his statement of 17 March 2005 (Statement 135) cannot recall this conversation but does state that he only learned the details relating to the departure at about ten past midnight. At 23.18.33 Thierry Rocher departs and Henri Paul appears to speak to the bodyguards before he himself goes downstairs.

23.20 Kieran Wingfield walks towards the Imperial Suite door and returns to his seat 15 seconds later. Because the door of the suite cannot be seen it is not known who, if anyone, was at the door. The bodyguards then talk continuously until **23.26**. Henri Paul is not present at this time.

Trevor Rees-Jones stated that he was informed by Dodi Al Fayed '*roughly half an hour before we left.*' The couple left the suite at 12.06am, so Trevor Rees-Jones would have been describing events at around 11.30pm. He believed that Henri Paul was present when he was informed, but cannot be sure.

Kieran Wingfield in his first statement said that he was informed of the plan by Dodi Al Fayed at around 11.15pm, shortly after being told by Henri Paul. In his statement in 2005 he said he first knew of the plan '*about 15 minutes before departure.*' The second description obviously puts this time later, at around 11.50pm.

Without audio it cannot be ascertained exactly what occurred at 23.18 and 23.20.

The duration of the second possible conversation, 15 seconds, makes it unlikely that the bodyguards could have protested about the plan directly to Dodi Al Fayed for long if they had known about it at this point.

From **23.37** until **23.40** Trevor Rees-Jones makes a mobile telephone call.

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In his statement of December 2004 (Operation Paget Statement 104), Trevor Rees-Jones talked in general terms about the night, *'I can't remember if it was Kes or myself who telephoned London. I don't remember informing London personally but they would have been told what was happening because that was part of the SOPs to inform them of any moves'*. He cannot recall the specifics of any telephone calls that evening.

The telephone billing of Trevor Rees-Jones' mobile telephone is no longer available. Likewise, the Log of Calls from the bodyguards to the Control Room in Park Lane for the night of Saturday 30 August 1997 is no longer available. It has proved difficult to corroborate the content of that telephone conversation and hence one can only speculate about the other party and the content of Trevor Rees-Jones' telephone call.

c) Other witnesses

They give no direct evidence of who took the decision to appoint Henri Paul as the driver of the Mercedes. There were general comments and presumptions made that Dodi Al Fayed would have made or authorised the decision. For example:

Jean-François Musa:

'It was clear that the decision to take Henri Paul as the driver had been taken at Dodi Al Fayed's level and that there was nothing further to be said' and

'I don't think it could have been anyone except Dodi or Henri Paul. I am sure it wasn't the bodyguard's idea. The family always make the decisions not the bodyguards.'

Philippe Dourneau:

'I do not know who took the decision to carry out this manoeuvre. It might have been the English security people, but it could equally have been Mr Dodi himself on seeing the incredible number of people. I would remind you that the windows to the Imperial Suite overlook the front of the Ritz on the Place Vendôme side.'

François Tendil:

'It was therefore either Henri Paul, or the bodyguards or all of them together who decided, with Dodi Al Fayed's agreement, to change the itinerary. Without Dodi's agreement there would have been no change.'

Thierry Rocher:

'I have no idea who had instructed Kes Wingfield as to the decoy plan because until then I believed it was confidential between myself, Dodi Al Fayed and Henri Paul. This conversation with the chauffeurs took place shortly after midnight.'

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3. How the Mercedes S280 was selected as the third car

Sequence of Events continues

This was now approximately 40 minutes before the couple left the Ritz Hotel.

CCTV Images

23.41 Trevor Rees-Jones and Kieran Wingfield leave the Imperial Suite foyer, go downstairs and exit the hotel to the front with François Tendil and Thierry Rocher.

23.44 The four men enter the hotel and Thierry Rocher and the bodyguards climb the Imperial Suite stairs. They turn right and walk along a corridor to the rear of the hotel.

23.45 They enter the service elevator at the rear of the hotel, descend and exit into rue Cambon.

23.46 They stand outside the service door and then walk down the road past Bar Hemingway towards the Salon de Nuit before returning to the service door where they have a brief conversation.

23.47 They walk towards the Salon de Nuit area and Thierry Rocher then leads them back past the Bar Hemingway through the rear lobby.

23.49 The three men then return to the front of the hotel along the 'Display Corridor'.

23.50 The bodyguards return to their position outside the Imperial Suite. Henri Paul joins them.

[Paget Note: Henri Paul exited the hotel with François Tendil at 23.46. He is seen smoking in the Place Vendôme. It is at this time that the Mercedes S600 driven by Philippe Dourneau and the Range Rover driven by Jean-François Musa drive around the Place Vendôme in an effort to confuse and distract the paparazzi. Philippe Dourneau admits this was a spontaneous idea on his part.]

00.00 Henri Paul leaves the Imperial Suite area and moves downstairs. When he has left, Trevor Rees-Jones and Kieran Wingfield walk towards the door of the Imperial Suite. After 30 seconds, they walk away from the door. It cannot be seen if Dodi Al Fayed or anyone else was at the suite door at that moment.

00.01 Trevor Rees-Jones immediately goes to the top of the stairs and beckons François Tendil and Thierry Rocher and meets them half way up the stairs.

00.03 After apparently going to the WC on the ground floor, Henri Paul meets Philippe Dourneau, Jean-François Musa, François Tendil and Thierry Rocher as they enter the revolving door at the front of the hotel. Philippe Dourneau and Jean-François Musa move towards the stairs leading up to the Imperial Suite. Henri Paul continues out into Place Vendôme and crosses the roadway immediately in front of the hotel. He

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appears to talk to the paparazzi and the crowd gathered. It is apparent that he is smoking.

00.04 Philippe Dourneau and Jean-François Musa descend the stairs. [Paget Note: The cameras do not cover the top of the staircase, so there is no CCTV coverage of the men speaking to Trevor Rees-Jones] Trevor Rees-Jones and Kieran Wingfield walk along the first floor corridor towards the rear of the hotel then return at 00.05 to the corridor outside the Imperial Suite.

00.05 Dodi Al Fayed and the Princess of Wales exit the Imperial Suite and are met by Kieran Wingfield. They remain here momentarily. Trevor Rees-Jones is at the top of the stairs.

00.06 Trevor Rees-Jones then descends to the Hall Vendôme and meets Henri Paul coming in from Place Vendôme. Trevor Rees-Jones calls him and they both go upstairs. Dodi Al Fayed, the Princess of Wales, Trevor Rees-Jones and Kieran Wingfield depart towards the rear of the hotel. Henri Paul waits and joins them at the end of the corridor by the staircase.

00.06 Kieran Wingfield leaves the party and goes downstairs into Hall Vendôme where he meets François Tendil and Thierry Rocher.

00.06 Dodi Al Fayed, the Princess of Wales, Trevor Rees-Jones and Henri Paul walk along a corridor that leads to the service lift at the rear of the hotel (This is the route reconnoitred by Trevor Rees-Jones earlier.)

00.07 Kieran Wingfield and Thierry Rocher exit the hotel to the front. They meet with Philippe Dourneau and Jean-François Musa, the chauffeurs, in Place Vendôme.

00.08 Dodi Al Fayed, the Princess of Wales, Trevor Rees-Jones and Henri Paul exit the lift on the ground floor into the service area and wait here. Henri Paul and Trevor Rees-Jones check the rue Cambon in the following minutes and speak to Dodi Al Fayed and the Princess of Wales. (The group wait here for 12 minutes while a car is being arranged at the front of the hotel)

00.09 Kieran Wingfield and Thierry Rocher return to the peristyle (inner entrance) in the hotel. Philippe Dourneau and Jean-François Musa then enter with Sébastien Cavalera, the night doorman in charge of parking at the Ritz Hotel. The three of them go to the key cabinet.

00.09 Kieran Wingfield, Thierry Rocher, Philippe Dourneau, Jean-François Musa and François Tendil meet and talk in the middle of the peristyle.

00.10 They split up. Kieran Wingfield, François Tendil and Thierry Rocher return to the hotel through the revolving door. Philippe Dourneau and Jean-François Musa go into Place Vendôme.

00.11 Henri Paul, having been passed the telephone by a security man at the rear door, passes it to Trevor Rees-Jones. The call lasts just over a minute.

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00.11 In Hall Vendôme François Tendil enters from outside and walks towards the Hall telephone, followed by Kieran Wingfield and Thierry Rocher. The telephone in the Hall is not directly visible, but from the camera at the main reception desk the three men can be seen standing in the vicinity of the phone. Thierry Rocher and François Tendil walk away, leaving Kieran Wingfield out of direct view but by the telephone.

(**Trevor Rees-Jones** (Statement 104) said *‘The car was called forward and I spoke to Kes on the telephone’*. Kieran Wingfield does not refer specifically to this telephone call.)

00.12 Henri Paul stands outside the hotel in rue Cambon. He appears to wave and re-enters the hotel. Paparazzi in rue Cambon walk down the road towards the service exit. Trevor Rees-Jones ends his telephone call and returns to the service area. Kieran Wingfield rejoins Thierry Rocher and François Tendil near the revolving door.

00.13 Kieran Wingfield gives a signal by apparently holding up his fingers and a closed hand to his ear. This signal is in the direction of the main reception steps of the front of the Ritz Hotel.

(**Kieran Wingfield** (French Dossier D1038) stated *‘I also signalled to them with my hand to indicate ‘5 minutes.’*’)

00.14/15 Henri Paul enters an office at the rear of the hotel and leaves after around 20 seconds. What he does inside cannot be seen.

00.15 François Tendil goes to the Hall Vendôme telephone. He hands the telephone to Kieran Wingfield. The call ends within 30 seconds. Kieran Wingfield then exits the front of the hotel into Place Vendôme and goes to the front right hand door of the Range Rover.

(**François Tendil** (French Dossier D2162) stated *‘...it was only about a minute before the couple left that Mr Paul called me on the wall-mounted security phone in Hall Vendome to tell me that he was about to leave...’*)

00.15 Henri Paul speaks to Dodi Al Fayed and the Princess of Wales by the service door. The Princess of Wales salutes Henri Paul as if jokingly obeying instructions. Trevor Rees-Jones and Henri Paul continue to check the rue Cambon exit.

00.17 The Mercedes S280 pulls up outside the hotel in rue Cambon. Henri Paul exits, followed by the Princess of Wales and Trevor Rees-Jones with Dodi Al Fayed following them. The Mercedes driven by Henri Paul leaves the Ritz Hotel.

00.17 The security guard in the service exit at the rear of the hotel can be seen on the telephone.

(**Kieran Wingfield** (French Dossier D1038) stated *‘5 minutes later I received a message on my mobile phone from the guard at the rear that the couple had left the Ritz ...it was 00.20 hrs’*)

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00.18 At the front of the hotel Kieran Wingfield walks towards the hotel entrance where he talks to Thierry Rocher and François Tendil for a few seconds before returning to the Mercedes S600. The Mercedes and the Range Rover then leave.

Witness evidence

Regular Etoile Limousine chauffeur Olivier Lafaye had driven the Mercedes S280, registration number 688LTV75, during the day of Saturday 30 August 1997. After finishing his final driving assignment of the day he parked the car in the usual place, the Place Vendôme underground car park, at around 8.15pm, leaving the keys in accordance with standard procedures inside the Ritz Hotel.

When the Princess of Wales and Dodi Al Fayed used this car on the journey to the Alma underpass it was believed to be the only occasion that they had been in this vehicle. Until then Philippe Dourneau had driven them in the higher-powered Mercedes S600, registration number 405JVJ75,.

Philippe Dourneau can recall no other occasion when he did not drive Dodi Al Fayed while he was in Paris.

However, Jean-Francois Musa did drive Dodi Al Fayed the very short distance from the Ritz Hotel to Repossi Jewellers on Saturday afternoon in an E class Mercedes belonging to Etoile Limousine.

Olivier LAFAYE

Chauffeur at Etoile Limousine. He drove Mercedes 688LTV75 for most of Saturday 30 August 1997. He described how at 7.40pm he was still at the airport dropping a client off before returning to the centre of Paris and parking the vehicle in the Place Vendôme car park at around 8.15pm.

French Dossier D2578-D2581

Olivier Lafaye described parking the Mercedes at the end of his days' work:

'At exactly 6 p.m. I did the last job of the day, a trip to Roissy II for my client Mrs Mataga, who was leaving for Tokyo. I left the airport again at about 7.40 to take the car back to the Ritz. When I got to the hotel I asked my colleague Gérard Pratt if I was supposed to do the usual standby duty, which is always from 7 to 9.

Since obviously it was about 8.15 when I got back to the Ritz, Gérard was doing the standby duty. Anyhow I asked the car valet if I was still needed that day. It was a goodwill gesture on my part because any job that's needed after 7 in the evening is done by the person on standby, who in this case was Gérard.

The valet, who that evening was a man called Jacques, told me there were no more jobs so I decided to park the Mercedes on the 3rd level of the Vendôme underground car park as I did every evening.

After that I returned the car keys to the valet in a sealed envelope. I had written "688" on the envelope. Those were the first three figures of the number plate and the*

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star stood for Etoile Limousine. I left the Ritz and walked home. I should say that the Etoile Limousine chauffeurs normally take the luxury cars home with them if they have a garage. Since I don't have one I always park the car in the Vendôme car park. In theory the Mercedes 280 S was not due to go out again on the evening of 30 August 1997, unless anything unexpected came up. That's why I always leave the keys with the doorman.'

Jean-François MUSA

Owner of Etoile Limousine and professional chauffeur.

Interviewed by Operation Paget - Statement 200

Jean-François Musa described the security arrangements in the Place Vendôme car park:

'In respect of the security of the vehicles, all my cars are parked at the Place Vendôme car park. In 1997 I rented three or four spaces in the public area on level one but I can't remember if we always parked in the same place. The chauffeurs that have a private garage at home are allowed to take their cars home. We did not allow cars to be left unattended in the street overnight. There are video cameras in the car park but they are used only for viewing and do not record. It is still the same now. Other than that there were no special security arrangements at the car park.'

Trevor REES-JONES

Bodyguard to Dodi Al Fayed.

French Dossier D2470

He stated:

'When I went downstairs with the Princess and Dodi, we had to call Paul, who was in the lobby. When we went out via the back exit, the car had not yet arrived. Dodi and the Princess waited in the corridor, they appeared very relaxed. I myself was in the street, where there were two or three journalists with a small white or very light coloured hatchback and possibly a scooter. Actually, there were not many journalists about.'

The car arrived, Henri Paul replaced the chauffeur, I got the couple into the car very quickly and got in myself into the front right hand seat.'

Interviewed by Operation Paget - Statement 104

'Kes went out to the front, Dodi, the Princess, Henri Paul and I, walked through the hotel to the rue Cambon exit. Neither Kes nor I were in love with this idea so we weren't making a big song and dance about it. I certainly wasn't. The cars were called forward as normal and I then telephoned Kes when we were leaving from the rear so that he could get into one of those vehicles to join us at the apartment. I thought he would probably arrive first.'

As far as I could see there was no reason for carrying out this exercise whereby the principals left by the rear exit rather than the front. Why Dodi decided on this obscure

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idea I cannot say. I wouldn't necessarily call it a decoy exercise but I think that is what Dodi wanted although that's only an assumption. I was never given a reason.

Whilst waiting at the rear of the hotel for the vehicle I do not remember any specific conversation between Henri Paul and me. The couple appeared happy compared to how they had been earlier in the evening when they arrived upset at the Ritz. I did not make any further attempts to change the plans at this stage, it was too late. I had said my bit and I was going to speak to Dodi either later that evening or the next morning as I've already stated. I did not try and force the issue. The car was called forwards and I spoke to Kes on the telephone.'

Kieran WINGFIELD

Bodyguard to the Al Fayed family.

French Dossier D1035-D1043

'In contrast to the Mr Dodi's obvious anger at around 2150 hrs when he arrived at the Ritz, when he told me of his plan to leave the hotel via the rear he was happy, as was the Princess. They were laughing and joking.

Ironical as it may sound, I had never seen the pair of them, Mr Dodi and Princess Diana, as happy as when they were able to leave quietly via the rear of the hotel.

I therefore went to the front of the hotel. I signalled to the chauffeurs in order for them to bring the cars to the entrance as usual, giving the impression that the couple would be leaving in five minutes. I also signalled to them with my hand to indicate '5 minutes'. Five minutes later, I received the message on my mobile from the guard at the rear that the couple had left the Ritz. I then got into the Mercedes and we set off five minutes later. It was 0020 hrs.'

Interviewed by Operation Paget in 2005 - Statement 20A

'The next thing that happened was that Dodi and the Princess exited the suite. My opinion was that they had both had a drink and that they were enjoying themselves. We chatted with them briefly. Our fear was that they'd go on somewhere else after the hotel like a nightclub and that would have been even more difficult for us to manage. There were just the two of us anyway and now we were being split up. I said to the Princess something like "You going straight back then, no night clubs?" She was laughing and said something like "No, we've had enough tonight. We're going straight back."

After that I went down to the front of the hotel while they went to the back. I gave the 5-minute sign - hand held up with fingers and thumb spread - to the drivers as instructed by Dodi and got the car moved forward. This was intended to give the paparazzi the impression that Dodi and the Princess would be coming out in five minutes. Then I waited at the front of the hotel.'

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Philippe DOURNEAU **Chauffeur for Dodi Al Fayed.**

French Dossier D1048

'We took up our positions and awaited instructions. The English security people then asked to see us. We went into the hotel and they asked us where the third chauffeur was, the one with the grey hair. François [Paget Note: Musa] and I thought they must be talking about Henri Paul, but we did not know where he was. It was Trevor and Kerian who asked us these questions, but as this was not really any of our business we returned to our cars without being told anything about the programme. Later, François discreetly gave the key to the Mercedes 280 to the doorman. Then, a bodyguard came to see each of us in order to get us to put on an act and make out we were leaving: we were to put the headlights on and switch on the engine attracting the paparazzi's attention, while the couple left via the rear.'

And interviewed by Judge Stéphan in April 1998 - French Dossier D4908:

'Reply to Question: "In respect of what happened at the hotel exit, it was the bodyguards who came over to speak to myself, Musa and Henri Paul. They asked where the grey-haired man was. We thought they meant Henri Paul. I was still to drive the 600, and Musa the Range Rover. I do not know at what point I found out that it would be Henri Paul driving the S280."

Question : "What did you think about this plan of action?"

Answer: "It was understandable that the couple should want to escape the attentions of the paparazzi and to get away discreetly via the Rue Cambon. However, I was surprised that they should decide to use Henri Paul or any other chauffeur to drive them, but it is true that as the paparazzi knew me it was best for me to remain with the 600."

Reply to Question: "This was the first time since I had been driving for Dodi Al Fayed that I had not driven him myself."

Reply to Question: "As regards the lap of the Place Vendôme that I did with Musa in the two cars, this was my own idea in order to gauge the reaction when the couple did leave the hotel. This shows the prevailing state of tension, as we never do that sort of thing as a rule." '

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Interviewed by Operation Paget - Statement 157

‘Question: “What did you know about the plan for the departure from the Ritz on the evening of 30 August 1997?”

Answer: “Nothing at the beginning. I only learned a few minutes before their departure through Trevor Rees Jones or Kes Wingfield that I was to remain in front of the hotel at the wheel of the Mercedes, with François Musa at the wheel of the Range Rover, and that during that time the couple would leave by the rue Cambon in another Mercedes belonging to Etoile Limousine.”

Question: “Did you know who was going to drive this new vehicle?”

Answer: “No.”

Question: “When one of the bodyguards informed you of the departure plan, who was present?”

Answer: “I think I was in front of the hotel in the company of François MUSA, and perhaps others whom I do not recall.”

Question: “How was the vehicle later used by the couple chosen?”

Answer: “It was François Musa who chose that vehicle” ’

Jean-François MUSA

Owner of Etoile Limousine and a professional chauffeur.

French Dossier D713-D717

‘At around a quarter past midnight, Mr Roulet, the Director of the Ritz, came and asked me if I had a vehicle, specifically a Mercedes 300, available. I then went and looked at the board where we keep the keys to our cars and I saw the keys to the petrol engined Mercedes S280. I took them and gave them to a car jockey from the hotel so that he could collect it from the Vendôme car park and take it to the Rue Cambon. I pointed out to Mr Roulet that I did not have a driver for the car, but that I could drive it myself, but was told to remain in front of the hotel.

I returned to the front of the hotel, where an English bodyguard, the one out of the two who did not get in with Diana and Dodi, came and explained to me how things were scheduled for the end of the evening. It had been arranged, I do not know by whom, perhaps by Dodi Al Fayed himself or by the English security people, that Philippe Dournon (sic) and I should create a diversion by making out that we were preparing to leave from the front of the hotel in the Mercedes and the Range Rover, whilst Dodi and Diana left via the Rue Cambon in the S280 Mercedes driven by Henri Paul, with Trevor, the other bodyguard, alongside him.

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In reply to your question, I think it was the English security people who asked Mr Paul to drive the Mercedes because at one stage one of the bodyguards came and asked me where the chauffeur who had driven the Range Rover in the afternoon was, i.e. Mr Paul.'

French Dossier D4934-D4937

In his interview before Judge Devidal in April 1998

'There was a large crowd, and shortly before midnight Philippe Dourneau and I hit upon the idea of staging a mock departure, thinking that this would facilitate the couple's actual departure by wrongfooting the paparazzi. At that stage there was still no question of a departure from Rue Cambon with another vehicle.'

It was after midnight that I was asked to come to the front of the hotel with Philippe Dourneau, and when I got there I saw the English bodyguards, who asked me where the third chauffeur was. I did not understand who they were talking about, but when they described him I realised that it was Monsieur Paul they were referring to. I asked that someone go and get him and I then went out of the hotel. A few moments later, Mr Roulet came and asked me if I could provide a Mercedes S Class. I went to check what cars I still had available, and there was one left, so I said that I had one vehicle available but no chauffeur, and that I could drive it. He then told me that I should remain at the wheel of the Range Rover in order to keep the paparazzi occupied in the Place Vendôme and that I should have my vehicle driven by a car jockey to the Rue Cambon. It was then that I found out that it would be Mr Paul driving it.'

French Dossier D7015-D7016

Again before Judge Devidal in January 1999

'It was not I who took the decision to entrust the vehicle to Mr Paul, that decision was imposed on me by the Ritz authorities. I must say that Trevor Rees Jones asked for the drivers to appear, shortly before the couple left. Philippe Dourneau and I came forward. Trevor told us that it was not us he wanted to see but the third driver, to be more precise the man who had driven the Range Rover in the afternoon. The man in question was Henri Paul, and we then left, my colleague and I, and we told the members of the French security, "They want Mr Paul". At that time we did not know for what reason they wanted to see Henri Paul.'

I must say that Trevor Rees Jones had already come to the Ritz several times and he must have known Paul's duties at the hotel. A few minutes later, Mr Roulet asked me to make a new car available and explained that the vehicle would be driven by Henri Paul and that the couple would leave via the rue Cambon. I then offered to drive the vehicle myself, he refused, telling me that I had to stay in the Place Vendôme at the wheel of the Range Rover to hold the attention of the journalists. Obviously this stratagem had been organized at Dodi Al Fayed's level and I was not allowed the possibility of refusing. I must also say that all that was organized in a situation of urgency which did not leave much time for anyone to stand back. I think that between the moment when Trevor called the drivers and when the vehicle set off, less than ten minutes elapsed.'

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Interviewed by Operation Paget - Statement 200

'At around 23.40hrs I met Claude Roulet in the canopy area at the front of the hotel. He said they needed an extra car. I had no more drivers so the doorman and I looked in the cabinet to see what car keys were there. The keys from International are kept in the same cabinet, as are any keys for the Ritz clients' own cars. There were none from International and only one, the Mercedes S280, from my company. That is how the car was chosen - it was the only one available. They wanted an S class and this was the only S class left, so there was no choice. There were no keys from International and even if there had been, I would not have taken the decision to use an International Limousine car. It was definitely Claude Roulet who I spoke to. It was definitely not Thierry Rocher. I've known Claude Roulet well for a long time and I am not mistaken; he was wearing a suit and tie. At the time Philippe Dourneau was also certain it was Roulet, but he changed his view a few months later. It might have been pressure from the Ritz but I don't know why. Mr. Roulet said they didn't need a driver, as Henri Paul would be driving. I said I would get the car but I think Mr. Roulet said I should send someone else. Frederic Lucard, a temporary driver for me, was working as the car jockey so I sent him to get it and instructed him to go the rue Cambon.

I was worried about Henri Paul driving. I knew he didn't have a 'Grande Remise' licence - the special licence to drive limousines - but I felt I had no choice. There was pressure to say yes; it was impossible to say no. I don't know what would have happened if I'd said no, but the consequences would not have been good for us as a company. The Ritz was our only client. I would say no now as I feel I have more influence. There was not really the option to get another driver, as there wouldn't have been time.'

[Paget Note: Jean-François Musa referred to Claude Roulet in his statements. All of the evidence points to this being a case of mistaken identity. The actions he referred to related to Thierry Rocher but Jean-François Musa is convinced it was Claude Roulet.]

Francois TENDIL

Night Duty Security Officer, Ritz Hotel.

French Dossier D2162-D2163

'It was only roughly half an hour later, prior to the couple leaving, that Mr Paul mentioned a third car to us. He did not explain to us what Dodi Al Fayed's intentions were for the rest of the evening and how they would be put into effect.

At no time was I directly informed of the positioning of the Mercedes in the Rue Cambon, until the last moment that is. I remained at the front (Place Vendôme) with Mr Rocher and one of the bodyguards, Mr Wingfield. It was only about a minute before the couple left that Mr Paul called me on the wall-mounted security phone in the Hall Vendôme to tell me that he was about to leave. I understood that he would be accompanying the couple back to the Rue Arsène Houssaye and that apparently it was him that would drive them.'

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Interviewed by Operation Paget in March 2005 - Statement 135

'Question: "Did you speak with anyone in the entourage regarding a new itinerary?"

Answer: "Yes, I spoke about it with Henri Paul. Incidentally it was he who told me about it. The bodyguards were also in the picture."

Question: "Who decided to change the itinerary?"

Answer: "In view of the very large number of very excited persons who were in front of the hotel, it was decided to change the itinerary. It was therefore either Henri Paul, or the bodyguards or all of them together who decided, with Dodi Al Fayed's agreement, to change the itinerary. Without Dodi's agreement there would have been no change."

Question: "According to what you have just said, it was Henri Paul who informed you of the change of itinerary and the departure from the rue Cambon; how was it announced to you, and in whose presence?"

Answer: "He told me in person and in the presence of the bodyguards."

Question: "When Henri Paul told you that, did he tell you he was going to drive the vehicle?"

Answer: "Yes, he told me; I told him it was not for him to do so in view of his position at the heart of the hotel; he was the head of security, and that that was rather the job of Dodi Al Fayed's usual driver. In my opinion that decision was taken by Dodi Al Fayed and by him alone." '

Thierry ROCHER

Night Duty Manager, Ritz Hotel.

French Dossier D2134-D2136

'I should like to make a point. With regard to the third car which was to be positioned in rue Cambon, I was present at the meeting between Dodi's bodyguard (the survivor) and the chauffeurs (François and Philippe). He asked them if everything was ready with the third car. It was 00.10 hours.

The chauffeurs did not know but Mr François Moussa [TN: Suggest correct spelling is Musa], co-manager of the company Etoile Limousine, suggested taking one of his cars that was parked in the Vendôme car park.

It was a casual vehicle jockey who went to collect the car and park it in rue Cambon. The two chauffeurs asked the English bodyguard who was going to drive the third car.

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He replied that it was Mr Paul who was going to drive it. He asked them to prepare the two cars on the Vendôme side in order to create a diversion.

The Englishman called Mr Paul and said to him in English “Henri, you’re leaving from rue Cambon” and Mr Paul immediately went towards that exit.’

Interviewed by Operation Paget - Statement 137

‘Question: “When did you learn the details of the organization of the departure?”

Answer: “It was later, about ten minutes past midnight from the bodyguard Kes Windfield.” (sic)

Question: “At 11.30 pm you are outside the Imperial Suite with Mr Tendil and Mr Paul. Why?”

Answer: “Surely to check that everything was going all right.”

Question: “Between 12 midnight and 12.10 am there are a lot of discussions between you, Mr Tendil, Mr Paul and Mr Dourneau, and some movements by all of you between the hotel and the place Vendôme. Why?”

Answer: “Kes Windfield went out onto the porch of the hotel and asked François Musa and Philippe Dourneau if everything was ready for the third car. They did not understand what he was talking about. Kes then explained to them that they were going to use a decoy in the place Vendôme with the couple’s usual two cars. He then asked Mr Musa if there was another vehicle and at that moment Mr Cavalera, the night parking doorman at the Ritz, indicated that there was a third vehicle belonging to Mr Musa’s company in the Ritz basement car park. He then told a hotel jockey to go and find the car, giving him the keys and telling him to bring it to the rue Cambon. Henri Paul at that moment was in the place Vendôme and joking with the photographers. At that moment Mr Musa and Mr Dourneau asked in my presence who was going to drive the third car and Kes replied that it would be Henri Paul; he then called Henri Paul and said to him, “Henri you leave from the rue Cambon”.

Question: “Do you know who took the decision regarding Henri Paul as driver?”

Answer: “I do not know.” ’

And in his statement provided to Operation Paget by Mr Al Fayed on 17 July 2006 - Other Document 22

‘With reference to the third car which was to leave from Rue Cambon, it was Kes Wingfield who addressed the two chauffeurs Philippe Dourneau and Francois Musa. He described to them the decoy plan. I have no idea who had instructed Kes Wingfield as to the decoy plan because until then I believed it was confidential between myself, Dodi Al Fayed and Henri Paul.

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This conversation with the chauffeurs took place shortly after midnight. In the police statement of 10 September 1997 I am quoted as saying;

“The chauffeurs were not aware of it but Mr Francois Musa, co-manager of Etoile Limousine company suggested taking one of his cars which was parked in the Vendome parking lot.”

This is totally untrue and I did not say it. It was in fact the hotel porter Mr Cavalera who suggested that he had a vehicle available, and he could arrange for that to be brought up to Rue Cambon. A car jockey was then sent to collect the vehicle.

The two chauffeurs asked Wingfield who was to drive the car from Rue Cambon. Wingfield categorically stated that it would be Henri Paul. He then instructed Francois Musa and Philippe Dourneau to prepare two cars at the front of the Ritz to act as a decoy. Henri Paul was at the front of the hotel joking with the paparazzi. Kes Wingfield waved to him and called him over. He said “Henri, you are leaving by Rue Cambon”. Henri Paul did not question that instruction.’

[Paget Note: It would appear that Thierry Rocher is indeed mistaken about who suggested taking a car from Etoile Limousine – both Jean-François Musa and Sébastien Cavalera confirm that it was Jean-François Musa’s suggestion. Likewise his memory that Kieran Wingfield called over to Henri Paul in front of the hotel saying ‘Henri, you are leaving by Rue Cambon’ is not supported by the CCTV images. At that time Kieran Wingfield was outside the Imperial Suite. Henri Paul returned to the first floor before Kieran Wingfield then went downstairs.]

Sébastien CAVALERA

Night doorman in charge of parking.

Interviewed by Operation Paget - Statement 155

‘Question: “Who informed you of their departure?”

Answer: “I could sense it because there was a group gathered in the hotel peristyle comprising Mr Philippe Dourneau, Dodi Al Fayed’s driver, Mr Thierry Rocher, Mr François Tendil, Mr François Musa the boss of Etoile Limousine, and one of Dodi Al Fayed’s two bodyguards, the one who was not in the Mercedes, as well as Mr Henri Paul I think.

All these persons were discussing in fact to know which side to have the couple leave as discreetly as possible, and I realized that the couple were going to leave when François MUSA asked me for the keys to the Mercedes, since this group of persons had agreed to get a vehicle out and park it in the rue Cambon to have the couple leave by the rear.”

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Question: "Who chose the Mercedes car?"

Answer: "I think it was François Musa as it was he who asked me for the keys to the Mercedes and giving me its registration number which I do not remember now. I then took the keys to the Mercedes from the case in the cupboard in the peristyle; I gave them to a car jockey to go and fetch the car from the underground car park and put it outside No. 38 rue Cambon. I sent the jockey as I was the only night doorman present that evening." '

Frédéric LUCARD

Chauffeur, also responsible for parking vehicles at the Ritz Hotel.

French Dossier D6074-D6079

'Shortly before midnight on 30 August 1997, Jean-François Musa personally came to see me and told me quietly, "Right, Fred, would you please get the Mercedes 688 out of the car park and take it to the Cambon entrance, do it quietly, try to see you're not being followed, it's for the princess, they are going to leave on the Cambon side and Mr Paul will drive." I remember answering him, "And that's all, he's going to drive?" I made that remark as I was surprised that it was neither Jean-François Musa nor Philippe Dourneau who was going to drive the 688 at the Cambon side, since they had the means to get to the entrance on the Cambon side discreetly, via the hotel basement. In so far as Philippe Dourneau was the Al Fayed family's usual driver in Paris, and he had driven the couple that same day, I did not understand this sudden change of driver'.

He continued:

'I got out of the vehicle, with the engine running, the driver's door was open and I stood watching the service door. A few seconds after my arrival the Princess and Dodi Al Fayed came out followed by the bodyguard. I then opened the rear left-hand door, the couple got in, the Princess sliding over to the right-hand rear seat. During the same period of time, the bodyguard came round the vehicle from the back and sat in the front right-hand seat. Then Mr Paul in turn came out. He spoke to me, saying "I'm going to drive". I told him I knew and that the car park ticket was under the sun visor. I am positive that before sitting in the vehicle Mr Paul spoke to the photographers who were present, in the rue Cambon. I could not be absolutely precise as to his words but he said to them something like, "Don't try to follow us; in any case you won't catch us." '

Operation Paget Comment

3. How The Mercedes S280 car was selected

The statements of the witnesses have been compared to the CCTV images where possible.

At **00.00** Trevor Rees-Jones and Kieran Wingfield walked towards the door of the Imperial Suite and after 30 seconds walk away. Henri Paul was not present at this time. The CCTV did not cover the door itself, so it was not possible to state whether it was open or not.

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However, at **00.01** Trevor Rees-Jones and Kieran Wingfield undertook a series of actions, beginning with calling Ritz Hotel night duty staff upstairs.

At **00.03** Philippe Dourneau and Jean-François Musa talked to the two bodyguards on the stairs in the hotel. This corresponded to their account of being asked the whereabouts of the *'third chauffeur'*, *'the one with the grey hair'*, *'the man who had driven the Range Rover in the afternoon'* – in other words, Henri Paul. They did not know where Henri Paul was at that time. In fact he was in front of the Ritz Hotel in the Place Vendôme, apparently talking to the paparazzi at this time. He walked back into the hotel and went upstairs at **00.06**.

After Henri Paul went upstairs to the first floor, Kieran Wingfield came down.

At **00.07** Kieran Wingfield, Thierry Rocher, Philippe Dourneau and Jean-François Musa were in conversation in front of the hotel.

At **00.09** they are in conversation in the peristyle, where they are joined by Sébastien Cavallera, the doorman in charge of car parking.

Philippe Dourneau and Jean-François Musa described being informed of the decoy plan at this time by Kieran Wingfield. This could only have taken place at one of these two meetings, barely ten minutes before the couple left. Logically, the decoy plan and decision to use Henri Paul must have been made by this point. Kieran Wingfield can only have been confirming information, rather than initiating a new plan.

The witnesses then gave evidence of discussions about the third car. This appeared to have been the subject of the second meeting, as the car keys were obtained at this time.

All of the evidence indicated that no one had actually arranged to have a third car available. This resulted in Jean-François Musa, at the last minute, searching for a car from his company, Etoile Limousine. He had not expected to do this. Indeed, only moments earlier he thought the couple would still be using the Mercedes S600 and the Range Rover vehicles from the front of the Ritz Hotel.

There was only one other Mercedes available. Olivier Lafaye had parked it at 8.15pm.

The Princess of Wales and Dodi Al Fayed during this time had made their way to the rear of the hotel and were waiting to leave. It was not clear what would have happened if Jean-François Musa had not offered a car just before departure, as there appeared to be no contingency plan. Sébastien Cavallera, the doorman passed the car keys to the car jockey Frédéric Lucard, who delivered the Mercedes S280 from the Vendôme car park to the rue Cambon.

At **00.10** the impromptu meeting at the front of the hotel ended, François Tendil having belatedly joined the group. Philippe Dourneau and Jean-François Musa returned to their vehicles in Place Vendôme, now aware of the decoy plan. Kieran Wingfield, Thierry Rocher and François Tendil went back into the hotel.

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At **00.11** Kieran Wingfield can be seen standing next to the telephone in Hall Vendôme. At the same time, Henri Paul is handed the telephone by the security guard in the rear service area. He then hands the telephone to Trevor Rees-Jones. It is believed this is the call when Trevor Rees-Jones asks for the car to be brought to the rear.

At **00.12** Trevor Rees-Jones returns to the service area. At the same time, Kieran Wingfield rejoins Thierry Rocher and François Tendil in Hall Vendôme.

At **00.17** The Princess of Wales, Dodi Al Fayed, Henri Paul and Trevor Rees-Jones leave in the Mercedes from the rear of the Ritz Hotel.

Kieran Wingfield, Philippe Dourneau and Jean-François Musa remain with the Mercedes and the Range Rover in front of the Ritz to create the diversion. They then drive to the apartment in rue Arsène Houssaye via rue Cambon.

Operation Paget Comment

Section 10

- i) The decision to use a decoy plan
- ii) Selection of Henri Paul as the driver
- iii) Selection of the Mercedes S280

i) The decoy plan

According to Thierry Rocher's evidence, Dodi Al Fayed told him at around 10.20pm of the plan to use a third vehicle from rue Cambon. When Thierry Rocher told Dodi Al Fayed that Henri Paul had returned to the hotel he was instructed to inform Henri Paul of the plan confidentially.

The evidence of Mohamed Al Fayed is that Dodi Al Fayed told him on the telephone, presumably from the Imperial Suite, that he was very keen to return to the apartment in rue Arsène Houssaye in order to present the Princess of Wales with an engagement ring. Dodi Al Fayed also mentioned the presence of the paparazzi.

At around 10.25pm Thierry Rocher informed Henri Paul of the plan.

There was no evidence that Henri Paul had any knowledge of the plan before this time. There was no evidence that Henri Paul had an opportunity to persuade Dodi Al Fayed to undertake such a plan involving the use of a third car from the rear of the Ritz Hotel.

Henri Paul had been unexpectedly recalled to work at 10pm by François Tendil. He arrived only a few moments later, at 10.07pm in his own car. His mobile telephone showed no calls being made during those times.

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At the hotel, his movements are accounted for until Thierry Rocher saw him at around 10.25pm and told him of the plan. He did not go to the Imperial Suite before that time.

ii) Selection of Henri Paul as driver

There would appear to be only two likely scenarios for this selection: either Dodi Al Fayed decided that Henri Paul would drive or Henri Paul offered to do so.

The bodyguards, although their evidence was not consistent in terms of times and location, make clear that Dodi Al Fayed told them that Henri Paul would be driving the third car. They stated that they did not have a problem with Henri Paul driving, but disagreed with the plan to leave from the rear of the Ritz Hotel and without any security. There was no evidence that Trevor Rees-Jones or Kieran Wingfield encouraged or coerced Dodi Al Fayed into this decision, if he made it, or had the opportunity to do so.

Thierry Rocher was clear that his instruction to Henri Paul on behalf of Dodi Al Fayed did not include telling him that he would be the driver. Following this meeting Henri Paul returned to drink one of his Ricards in the Bar Vendôme. This might appear to be irrational behaviour if he knew at that point that he would be driving Dodi Al Fayed and the Princess of Wales later.

If Henri Paul had persuaded Dodi Al Fayed to allow him to drive the Mercedes there were important points in the tracking of Henri Paul's movements:

- i) He was informed at 10pm by Ritz Hotel night security, François Tendil, that the couple had unexpectedly returned to the Ritz Hotel.
- ii) He arrived there within five to ten minutes of being informed.
- iii) He did not go to the Imperial Suite on arrival.
- iv) He first went to the area outside the Imperial Suite at 11.14pm. The only obvious time he was there when the door may have been opened and Dodi Al Fayed had the opportunity of speaking was at 11.18pm. If Dodi Al Fayed had given instructions at this stage he would have no reason to know that Henri Paul had been drinking Ricard downstairs. This was in the presence of Thierry Rocher, Trevor Rees-Jones and Kieran Wingfield. Thierry Rocher had no recollection of speaking with Dodi Al Fayed at this point.
- v) Before this time the CCTV images recorded Henri Paul from the moment he arrived. He was off camera only when he was in the Bar Vendôme with the bodyguards, when he appeared to be in the WC or was moving from one location to another and was lost for a few seconds. At no time was he out of view for more than two minutes. He was not seen to make any calls on his mobile telephone and his billing did not record any calls.

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[Paget Note: Henri Paul was seen to use a landline telephone twice – at around 11.30 pm. This corresponded to the call from Claude Roulet. At 12.11am, as the group were preparing to leave from the rear of the hotel, he handed the telephone to Trevor Rees-Jones.]

There was no obvious way that Henri Paul could have persuaded Dodi Al Fayed to use him as a driver, particularly against Dodi Al Fayed's wishes.

If Henri Paul was acting under the instructions of intelligence or security agencies to persuade Dodi Al Fayed to use him, there was no obvious means by which they communicated from 10pm onwards, when Henri Paul was recalled to the hotel.

According to the evidence of other witnesses such as Jean-François Musa and François Tendil, Dodi Al Fayed would have had to authorise such a decision, Henri Paul could not impose it upon him.

As the time of departure neared, the bodyguards passed information that Henri Paul would be driving the third car to the staff in the Ritz Hotel.

Only the bodyguards gave positive evidence that Dodi Al Fayed took this decision and that they were carrying out his instructions.

iii) Selection of the Mercedes S280

The witness and CCTV evidence was that as the couple emerged from the Imperial Suite to return to the apartment in rue Arsène Houssaye, no one had actually arranged for a third vehicle to be available.

Jean-François Musa, the owner of Etoile Limousine, supplied the car following discussions at the front of the hotel involving Kieran Wingfield and the Ritz security staff just before 12.10am. The Mercedes S280, registration number 688LTV75, was the only suitable vehicle available. It had only been returned to the Place Vendôme car park a few hours earlier after being used most of the day by another Etoile Limousine driver, Olivier Lafaye.

There appeared to have been no contingency plan if Jean-François Musa had not had this vehicle available. It is not known how the travel arrangements would have had to change and whether Philippe Dourneau would have driven them in the usual Mercedes. This flurry of late activity may indicate that the decoy plan had not been considered in great detail.

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Section (iii)

Section (iii) examines the following matters:

11. First autopsy of Henri Paul by Professor Lecomte - Sunday 31 August 1997;
 - a) Procedures and processes at the autopsy
 - b) The taking of forensic samples at the autopsy
 - c) Conclusions on the cause of death
12. Second autopsy and taking of samples from Henri Paul by Dr Campana on 4 September 1997.
13. Toxicological results on samples taken from Henri Paul – particularly relating to alcohol and carboxyhaemoglobin levels.
14. DNA tests of forensic samples:
 - a) By the French authorities
 - b) By Operation Paget.

[Paget Note: The word ‘autopsy’ is used when referring to post-mortem procedures in France, the French word being ‘autopsie’. The British experts refer to ‘post-mortem examinations’. Autopsy and post-mortem examination refer to the same process, but neither appears to have a clear definition.]

11. Autopsy of Henri Paul on Sunday 31 August 1997

[Paget Note: Dr Richard Shepherd, Consultant Forensic Pathologist, BSc, MB, BS, DMJ, FRCPath, FFFLM, has examined and commented on the documentation relating to the post-mortem procedures on Henri Paul on behalf of Operation Paget.]

The evidence provided by the first medical staff at the scene of the crash showed that when they arrived, Henri Paul was already dead.

Dr Frédéric MAILLIEZ

Doctor of Medicine, practising on behalf of SOS Médecins and SAMU.

French Dossier D143-D144

An off-duty doctor who arrived almost immediately after the crash. He noted that the driver was *‘stuck in the twisted metal and [he] had no illusions about his condition’*

Sergeant Xavier GOURMELON

Sergeant with the Sapeurs-Pompiers (Fire Service), trained in medical emergencies.

French Dossier D4816-D4817 and D6849

He made his initial assessment at 12.32am and noted that the driver was in cardiac arrest, trapped, inaccessible and apparently dead.

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Dr Arnaud DEROSI **SAMU doctor.**

French Dossier D4694-D4696 and D6843

Checked the wreckage at about 12.40am and noted that the driver was dead.

Henri PAUL was taken directly to the mortuary at the Institut Médico-Légal (IML), 2 Place Mazas, Paris and his body was given the identification number 2147.

[Paget Note: Dodi Al Fayed, who was pronounced dead at the scene, was also taken to the IML mortuary and his body was given the identification number 2146. The Princess of Wales and Trevor Rees-Jones, who were both still alive at the scene, were taken to the Pitié-Salpêtrière Hospital for emergency medical treatment.]

a) Autopsy procedures and processes - Sunday 31 August 1997 – Henri Paul

- i) **The evidence from the French inquiry**
- ii) **The comments of Dr Richard Shepherd, adviser to Operation Paget**
- iii) **The views of the experts working with Mohamed Al Fayed**

i) The evidence from the French inquiry

Maud COUJARD

Deputy Public Prosecutor. She attended the scene and issued instructions to relevant parties to carry out specific actions.

French Dossier D1308, dated 31 August 1997

Maud Coujard requested Professor Dominique Lecomte, an expert on the list of the Paris Court of Appeal, to carry out a full autopsy of Henri Paul to ascertain the circumstances and causes of death and to seek any evidence of an offence. She was also to produce a detailed description of the body and hand to the police any projectile or other object discovered in the body. She was also to remove in two identical batches, a sample of blood and, where necessary, viscera.

Commandant Jean-Claude MULES

Officer of the Brigade Criminelle. He was present at the scene of the crash.

French Dossier D90

Operation Paget - Other Document 422

He was present at the scene of the crash and at the autopsy of Henri Paul. He provided identification evidence.

[Paget Note: Operation Paget Other Document 422. In describing his presence at the autopsy of Henri Paul and the earlier external examination of Dodi Al Fayed by Professor Lecomte, Commandant Mulès accepted that he made an error in mixing body numbers 2146 and 2147. Photographs taken of both Henri Paul and Dodi Al Fayed at the IML show that the bodies were correctly labelled, Dodi Al Fayed – 2146 and Henri Paul – 2147. Operation Paget Exhibit PCE/19 and PCE/20]

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Professor Dominique LECOMTE **Pathologist and Head of the IML.**

French Dossier D789/3

Professor Lecomte detailed the procedures and findings of her autopsy in a report dated Monday 1 September 1997. In conclusion she wrote:

'The post mortem examination conducted on the body of Henri PAUL, aged 41, enables us to make the following conclusions :

- *no lesions to the organs, notably the heart or brain, suggesting a pre-existing condition;*
- *the injuries found are primarily traumatic in nature, with a section of the cervical spine and displacement, a rupture of the spinal cord and rupture of the descending aorta;*
- *the multiple fractures noted, primarily to the spinal column, the ribcage, pelvis and legs are consistent with trauma.*

I certify that I personally carried out the tasks assigned to me and that the contents of this report are true and accurate. '

Operation Paget Comment

Discrepancies - There were some obvious discrepancies in the recorded detail of the autopsy, for example:

Henri Paul's Weight and Height:

Professor Lecomte recorded his body weight as 73kg and height as 1.72m (French Dossier D789/11).

His body map showed the weight as 76kg – (French Dossier D789/2).

Commandant Mulès recorded the body weight as 76kg and height as 1.67m (French Dossier D90).

The time of the examination was not clear

Professor Lecomte stated the autopsy began at 8am (French Dossier D1323 and D4412). In her statement to Operation Paget she stated 8.30am (Statement 129).

[Paget Note - There were other issues of a more technical nature raised by Dr Richard Shepherd, the expert advising Operation Paget, and by the medical/forensic experts retained by Mohamed Al Fayed. The detail of these follows later in this chapter.]

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Jean Claude MULES **Brigade Criminelle Officer.**

Interviewed by Operation Paget - Other Document 422

Commandant Mulès was asked to assist with the apparent discrepancies in respect of the recording of Henri Paul's height and weight, i.e. D789/11 - 73kg and 1.72m and D90 - 76kg and 1.67m. He explained that as the bodies arrived at the IML they were undressed, washed if dirty, weighed and measured by one of the IML employees. Professor Lecomte also measured the body on the mortuary slab after cutting the Achilles tendons in order to obtain the height when the body is fully extended. Commandant Mulès stated that it was normal for him to make his notes at autopsy examinations on a scrap of paper and that he subsequently used this paper to make his statement. Following this, he would destroy the scrap of paper. He thought it likely that he did the same for this autopsy, but could not specifically recall.

ii) The comments of Dr Richard Shepherd, adviser to Operation Paget

Operation Paget – Other Document 527

- *The photographs that were taken in early September, [Paget Note: At the examination carried out by Dr Campana, 4 September] although of poor quality in the form in which I have seen them (colour photocopies), would appear to correlate with the diagrams made by Professor Lecomte and the injuries described in her report.*
- *The discrepancies in height, weight and IML numbers between the various forms and documents and between Professor Lecomte and Major Mules show a poor system of recording and reproducing these simple facts.*
- *The injuries described by Professor Lecomte are typical of those received in a road traffic accident.*
- *The injury to the aorta would have resulted in an immediate cessation of circulation of blood below the level of transaction.*
- *I cannot exclude the possibility that if the heart continued to beat following severing of the aorta that blood would circulate through the lungs and the upper body. In my opinion, if this is the case, then it is most unlikely that this circulation would continue for more than a very short time, considerably less than half a minute.*
- *The fact that there are "very significant haemorrhagic effusion both left and right" (D789/8) (haemothoraces) shows that the circulation (in the sense of a beating heart) must have continued for a period of time to enable the haemothoraces to accumulate. Instantaneous death would not be associated with a haemothorax of any significant size.*

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iii) The views of the experts working with Mohamed Al Fayed

Operation Paget - Other Document 22

Mohamed Al Fayed has used the services of eminent scientists over a number of years to interpret and analyse the medical and forensic issues in France.

These experts include:

Peter Vanezis, Professor in Forensic Medical Sciences: OBE MB, ChB,MD,PhD, FRCPath, FRCP (Glasgow), DMJ (Path).

John Oliver, Professor of Forensic Toxicology: B.Sc, PhD, Chartered Scientist, Chartered Chemist and Fellow of the Royal Society of Chemistry.

Atholl Johnston, Professor of Clinical Pharmacology at St Bartholomew's Hospital and the Royal London School of Medicine and Dentistry, Queen Mary and Westfield College, University of London.

Patrice Mangin, Professor of Legal Medicine and Director of the Institute of Legal Medicine, Lausanne University. Graduate in medicine, certificate of special studies in neurology, certificate of special studies in forensic medicine.

Thomas Krompecher, Professor of Forensic Pathology (Switzerland): M.D. Board certified in forensic medicine and pathology. Member of the British Association of Forensic Medicine. Expert in the field of forensic pathology.

Wolfgang Eisenmenger, Professor of Forensic Medicine at the School of Medicine of the University of Munich, Director of the University Institute of Forensic Medicine of Munich and President of the German Society of Forensic Medicine.

Mohamed Al Fayed has made a number of their reports available to Operation Paget. In order to present their views on these issues in their own words the following pages contain direct lifts from some of that documentation. They are dated:

- (a) 1997
- (b) 2001
- (c) 2004

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(a) September 1997 [Exact date not known]

This extract is believed to be from a report by Professor Peter Vanezis.

He attended Paris in the week of the autopsy and commented on the initial post-mortem report of Professor Lecomte:

'Comments regarding post-mortem examination on Paul Henri carried out by Professor Lecomte on 31 August 1997.

The examination findings regarding the external and internal gross observations were reported in the conventional manner expected of a pathologist dealing with a road traffic accident case.

Although it appears that all the areas of trauma were documented in some detail, the style and presentation of the report indicate that it was not dealt with as a suspicious death, i.e. one that may well be the subject of criminal or civil litigation. In this respect I would make the following observations:

- 1. There are very few measurements to indicate the dimensions of the injuries,*
- 2. There is no indication that photographs of the injuries were taken,*
- 3. There is only one person mentioned in the report as being present at the autopsy - a Mr. Mules,*
- 4. There is no indication that the body had been identified to the pathologist,*
- 5. All samples taken were not fully documented as to where they were taken from. This is not an issue with vitreous humor, urine, bile, which is self-explanatory. As far as blood is concerned, it would have been highly desirable for the origin of the blood to have been noted, i.e. was it taken from the sub-clavian vein, femoral vein, inferior vena cava, heart, body cavity, etc.,*
- 6. It is the usual practice in suspicious death cases, as in this case, that it is noted to whom the pathologist handed the samples in order to maintain their integrity throughout the investigation.*
- 7. It appears that the autopsy findings had been delivered to the prosecuting authorities before full analysis has been conducted on the samples from the different body fluids.*

Specifically with regard to the sampling of blood, there are a number of aspects of that part of the investigation which have not been made clear in the report:

- 1. The time after death at which the samples were taken is not noted.*
- 2. The site of sampling is not noted,*

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3. *The fate of the blood samples from sampling to analysis is not clear, i.e. at what stage were the samples stored and whether they were stored under appropriately refrigerated conditions.*

All the above questions need to be clarified because in a trauma victim with such extensive injuries there is a great deal of blood loss from blood vessels. Hence it is difficult to obtain, in many cases, a sufficient quantity of blood which comes purely from within a blood vessel. It is well known that in such cases it is easy to contaminate a blood sample when sampling. Furthermore, the levels noted, although apparently high, are not reliable in the manner in which they are presented, i.e. the results of one blood sample (divided in two and examined by two laboratories) are presented with no indication as to where this blood had come from. [Paget underlining] Furthermore, other blood samples as well as urine, vitreous humor and bile which have been sampled, have not apparently been analysed to confirm the finding in the one sample.

A high blood alcohol in one sample may occur for a number of reasons other than from the intake of the appropriate amount into the body to give such a high level. The action of bacteria in blood, the presence of high sugar, sampling from an area close to the stomach or from the portal vein may all give an exaggerated inordinately high reading. There are well-documented cases with high alcohol levels with no evidence that the appropriate amounts of alcohol to account for such levels had been ingested.'

Operation Paget Comment

Professor Vanezis noted a number of areas that he believed were not reported on adequately. In particular he referred to the absence of detail regarding the sampling site of the blood taken. As he indicated, this was different from samples such as vitreous humour, where the sampling site is self-explanatory.

(b) 20 December 2001

Operation Paget Other Document 22

Professors Eisenmenger, Krompecher and Mangin compiled an 'Experts report based on documents'-

'The body of Mr. Henri Paul was carried to the morgue of the Institute of Forensic Medicine of Paris, where an autopsy was performed at the request of the Public Prosecutor of the Tribunal de Grande Instance of Paris, in the morning of 31st August 1997, by Madame la Professeure Dominique Lecomte. The results of this autopsy were subject to a report dated 1st September 1997 (ref. No. D 789/1-13). In this connection, the examination of this report suggests to us a number of remarks which, for a satisfactory understanding of the sequence of facts, we deem essential to set forth here:

- *The report does not mention either the hour at which the operations were performed or the names of the persons who took part in them, even as observers.*

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- *No mention is made of a photographic documentation, although one was also collected.*
- *No precise indication is given concerning the means that made it possible to identify the body.*
- *The description of the clothes is non-existent.*
- *During the external inspection, the colour of the lividity is not mentioned.*
- *The description of the wounds is imprecise: it does not include any measurements or any positioning in relation to the usual anatomic marks.*
- *The description of the left lower limb is missing, whereas, in the discussion part of the report, a fracture of the left knee is mentioned.*
- *The search for a false mobility of the thoracic wall is not mentioned.*
- *A detailed description of the face, including, in particular, one of the eyes, of the contents of the mouth and of possible lesions of the dental arches are missing.*
- *The hair is not described, even though samples were taken on several occasions for toxicological analyses whose results were decisive.*

As far as the autopsy proper is concerned, we find the following anomalies:

- *The colour of the muscle masses is not mentioned.*
- *The brain was not weighed.*
- *The extent of the hematomas on the interior side of the scalp was not evaluated.*
- *The measurements of the skull, including, in particular, the thickness of the wall of the skull cap, are not mentioned.*
- *The contents of the trachea are not defined.*
- *The cervical spine is mentioned at the beginning of the report as being intact, even though, further down, the existence of major traumatic lesions is detailed: "multiple fractures at the level of the vertebral body of C3 and of the vertebral body of C5, with bursting in multiple fragments." It should be noted that, at this level, the report mentions the existence "of a free section of C6 with displacement", which is incomprehensible in our eyes (which force could have caused a clean severing of the body of a vertebra?).*

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- *At the level of the thorax, the effusions of blood were not measured and the multiple rib fractures are described with no indication of their vital or non-vital character.*
- *At the level of the abdomen, the intraperitoneal haemorrhagic effusion was not measured and the intestinal content is not mentioned.*
- *The colour of the renal parenchyma is not defined even though there evidently is a picture of internal haemorrhage.*
- *The urine is mentioned as being rosy in colour, with no other explanation, even though the kidneys, the ureters and the wall of the bladder are reported as intact.*
- *As far as the skeleton is concerned, in addition to the remarks already made concerning the cervical spine and the left knee, we find that a precise exploration of the junction of the cervical and spinal medulla and of the cervical medulla was not performed after the opening of the medullary canal.*

As far as the discussion and the conclusion of the autopsy report are concerned, we find that the expert did not answer the questions asked by the judge (causes and circumstances of death).

The description of the samples is unacceptable. In fact:

- *No mention is made of the hour, of the anatomic origin and of the respective quantities and volumes of the samples described.*
- *The information concerning the devices used for collecting these samples is not given (plastic or glass containers, presence or absence of preservatives).*
- *The labelling is not specified, and, generally, the legal procedure of affixing the seals in the presence of a judiciary police officer is absolutely not mentioned.*
- *Moreover, we observe that no histological investigation was performed.*
- *We add that a document attached to the expert's report (ref. No. D789/1) refers to samples different from those mentioned in the report.*
- *Moreover, this document, which includes entries apparently unrelated to the case (Andrieux), contains a mere list of samples, with no other item of information.*

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- *It is extremely surprising to discover a second document, apparently identical to the previous one, which, however, bears the words 'filled out on 1st September 1997' and on which the number of samples is increased, especially as regards urine, gastric content, hairs and viscera. No explanation is given concerning the reasons which led to the drafting of this second document, although it is physically impossible, 24 hours after a standard autopsy, to collect urine and gastric content again.*

There should be noted the existence of a complementary experts' report by Madame la Professeure Lecomte, dated 6/11/1997 (ref. No. D2010), which speaks of a "clear rupture of the descending aorta in the ischemic (isthmic?) region ... immediately mortal.'

(c) 24 August 2004

Professor Mangin wrote to Mohamed Al Fayed.

Operation Paget - Other Document 22

He made the following points:

'....2. Blood toxicological analysis of the driver, Henri Paul, revealed high carboxyhaemoglobin concentrations (20,7% and 12,8%) which is inexplicable despite the experts' attempts (Lecomte and Pepin) to explain the results. Therefore, one can wonder if the samples which have been analysed are indeed those of Henri Paul. This question is all the more relevant that the samples procedure during the autopsy of the body of Henri Paul appears questionable (poorly written labels, names crossed out, no matches between the samples mentioned in the autopsy report and those actually made...). Under these conditions, I would like to know if the procedures of right practice to protect the chain of custody have been applied.

3. Whereas Henri Paul has been described as a person consuming alcoholic beverages to excess, why does the autopsy report not include biological analyses of liver, or even pancreas or other viscera ? Indeed, in such a case, it seems to me of the most elementary investigation.

4. Generally speaking, one is stricken by the quality of the autopsy report of the body of Henri Paul. We are talking about an expeditious and unclear report including contradictions, and obviously not in conformity with the standards required in forensic medicine (cf. the recommendations mentioned earlier). Why did Prof. Lecomte not consider advisable to bring more attention to such an exceptional case, and particularly important anyway if we consider the circumstances?'

Operation Paget Comment

It was clear from the documentation of these experts that they had severe reservations about the quality of the autopsy undertaken on Henri Paul on 31 August 1997 and on the standard of the documentation associated with those actions. Among the conclusions was the hypothesis that a sampling error had to be contemplated i.e. that a sample (or samples) sent to the laboratories for testing did not belong to Henri Paul.

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This hypothesis was proposed for the 31 August 1997 autopsy carried out by Professor Dominique Lecomte.

There was no indication that such concerns about the standard of the pathology related to the second examination of Henri Paul by Dr Campana, in the presence of Judge Hervé Stéphan, on Thursday 4 September 1997.

The medical experts looking at these issues on behalf of Mohamed Al Fayed had not concerned themselves with the conspiracy allegation but merely the rigour of the scientific work undertaken. One must take all of the evidence in the round to judge if their hypothesis is impossible, possible or probable. This is discussed at the end of the section.

b) Samples/specimens taken at the autopsy of 31 August 1997

- i) The evidence from the French inquiry**
- ii) The comments of Dr Richard Shepherd, adviser to Operation Paget**
- iii) The views of the experts working with Mohamed Al Fayed**

i) The evidence from the French inquiry

Professor Dominique LECOMTE **Pathologist and Head of the IML**

French Dossier D1323 and D4412

There were two reference numbers for this report. This indicated that the report at reference D1323 in the French dossier was later copied, when all of the forensic/medical and other expert reports were subsequently collated for distribution to the interested parties, in accordance with standard French procedures. In the French dossier numbering system this meant that the report appeared again in the dossier at position D4412.

Professor Lecomte reported in relation to the taking of samples from Henri Paul:

'The post mortem examination was conducted at eight o'clock in the morning on 31 August 1997, in other words, a few hours after the accident. The blood was taken from the left hemithorax area, in which there was a major haemothorax following a clean cut of the descending thoracic aorta, level with the isthmus. As a result, the left hand side of the heart was exsanguinated and the heart only yielded a few drops of blood, which were insufficient for conducting proper tests.

In total, five bottles of blood were, taken from the same area, i.e. the area of the left haemothorax.

Urine was taken from the bladder, which was intact. Hair was taken from the occipital region of the scalp. Samples were also taken from various organs (liver, kidney, spleen, lungs, gastric contents) as well as anatomo-pathology samples (brain, heart and various organs) and we also took, as matter of routine, a sample of the vitreous humour.'

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Professor Lecomte took further samples from Henri Paul later in September 1997.

French Dossier D1462, repeated at D4390

In a report dated 9 September 1997 Professor Lecomte stated that on that same day:

‘Two spinal cord samples were taken from the body of Mr Henri Paul bearing the N° 2147 at the Medico-Legal Institute and placed in frozen storage.’

French Dossier D1576

Professor Lecomte described taking further samples of hair from the body of Henri Paul at the IML on 9 September 1997.

Operation Paget Comment

Although this appeared to be a straightforward explanation of the sequence of sample taking there was confusion in the documentation relating to the blood samples in particular.

Document D4412, referred to above (relating to the area of blood sampling in Henri Paul’s body on 31 August 1997) should have appeared in the French dossier originally at position D1323. It did not. This position in the French dossier (D1323) was a copy of the document referring to the taking of spinal cord (D1462). The details of the change of this report and, more importantly, its effect on the conclusions drawn from the dossier material are explained towards the end of this section.

Professor Lecomte

Interviewed by Operation Paget - Statement 129

‘Question: “How did you take the samples of blood and viscera?”

Answer: “We always make an incision from the chin to the pubis, we remove the chest wall and we then have before us the heart and lungs. We sample the cardiac blood by making an incision at the entry to the heart in the lower vena cava. As to the viscera, they are always sampled after macroscopic examination.”

Question: “From where did you take the sample of blood?”

Answer: “As I have just said, I took the sample from the heart even though I found a haemothorax.” [Operation Paget underlining]

Question: “Do you use a scoop to take samples?”

Answer: “Yes, it is a cleaned scoop. It is the very first action, the first sample at the start of the autopsy.”

Question: “Do you have a photograph of this scoop?”

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Answer: "No. But I can show you one."

Question: "Who labelled the samples?"

Answer: "I did, at the end of the autopsy".

Question: "Was the blood treated with a view to preserving it?"

Answer: "One of the three flasks intended to receive the blood contains white powder (sodium fluoride) put into it by the assistant. The peripheral blood is placed in this flask, and cardiac blood which is pure is placed in the other flasks."

Question: "What happens to the samples?"

Answer: "The flask is immediately hermetically sealed and placed in a box with the other flasks by myself." '

Relevant documentation in the French dossier – samples/specimens

a) French Dossier D789/1

Within the dossier was an unsigned form dated 31 August 1997. The word '*Andrieux*' [or *Andreux*] appeared at the top of the page and then a list, apparently of the following samples taken at the autopsy:

'Expert : Dr. Lecomte I.M.L. no. 2147
Body of : X male (Scored through) PAUL Autopsy of 31 August 1997

NUMBER :

<i>Blood</i>	<i>5</i>
<i>Organs</i>	<i>4</i>
<i>Muscle</i>	
<i>Urine</i>	<i>1</i>
<i>Bile</i>	<i>1</i>
<i>Vitreous humour</i>	<i>1</i>
<i>Gastric contents</i>	<i>1</i>
<i>Hair</i>	<i>1</i>
<i>Histology</i>	
<i>pail</i>	<i>1</i>
<i>jar</i>	

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b) French Dossier, an un-numbered form, but in the position of D1322

(Also referred to by Operation Paget as UK485)

This was apparently dated 1 September 1997. It was the same template as above at D789/1 but was clearly a different form, not merely an addition to D789/1.

*'Expert: Prof. Lecomte Body of: X Male (PAUL Henri)
Forensic Institute No 2147 Autopsy, 31.8.97
(sheet completed 1.9.97)*

NUMBER:

<i>Blood</i>	<i>5</i>
<i>Organs</i>	<i>5 + 5</i>
<i>Muscle</i>	<i>0</i>
<i>Urine</i>	<i>1 + 1</i>
<i>Bile</i>	<i>1</i>
<i>Vitreous humour</i>	<i>1</i>
<i>Gastric contents</i>	<i>1 + 1</i>
<i>Hair</i>	<i>1 + 3</i>
<i>Histology</i>	
<i>Pail</i>	<i>1</i>
<i>Jar</i>	

[Paget Note: These two forms, apparently completed on Sunday 31 August 1997 and Monday 1 September 1997 respectively, are clearly completed with differing entries.]

Commandant Jean-Claude MULES

French Dossier D90

He was present during the autopsy and recorded that blood, urine and other 'routinely' taken samples were taken.

Interviewed by Operation Paget - Other Document 422

Commandant Mulès was asked to explain his role at the autopsy examination of Henri Paul. He stated that it was his job to inform the Professor of the circumstances of death, and if necessary to take possession of any physical trace evidence and to note any marks found on the body. In this case however, because Professor Lecomte had already carried out the external examinations of the Princess of Wales and Dodi Al Fayed, she was already in possession of the circumstances. It was also his job to assist Professor Lecomte during the autopsy with whatever she required of him and to write a statement at the conclusion of it.

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Commandant Mulès explained that as the body samples were taken during this autopsy, as with any other autopsy it is the job of the '*Identificateur*' [Paget Note: A technician at the examination with responsibility for assisting the pathologist when taking samples] to seal these samples. He said that it should be part of his overall function to place the exhibits under seal, however Professor Lecomte did not follow this protocol and insisted on overall control herself.

He stated that present during the autopsy of Henri Paul, in addition to himself, were Professor Lecomte, the '*Identificateur*', Mr Chevriers, who is now deceased, and finally the police photographer whose identity he could not recall. Commandant Mulès said that Professor Lecomte had specifically requested that he, Commandant Mulès, be present during the autopsy because of his experience and professionalism and because they had worked together on important cases on many previous occasions.

He stated that normally in the case of fatal road traffic crashes it would be the job of one of the Judicial Police accident investigators to assist the Professor during autopsy. However, in this case he believed that a decision was made at a high level to have him assist the Professor because of his experience and expertise.

Commandant Mulès was asked whether or not there was a difference in France between an autopsy for a Fatal Road Traffic Incident (RTI) and an autopsy for a serious crime, in respect of the number and types of samples taken. He said that from his experience there was a difference, although he could not detail what these were. He then went on to describe, in specific terms, the samples that would generally be taken when dealing with an autopsy but pointed out that additional samples may be taken depending on the cause of death, i.e. poisoning or shooting.

Commandant Mulès said that standard samples taken in the present day would be:

- Cardiac blood - 2 x *Scellé* [Paget Note: Sample]
- Peripheral blood - 1 x *Scellé*
- Urine
- Viscera i.e. lungs, pancreas, liver and kidney
- Also a sample of the brain, heart, stomach contents, bile and head hair

He stated that in his experience, although '2 x *Scellé*' was normal for cardiac blood, one or both of these '*Scellés*' could in practice be divided into two or more samples under the control of Professor Lecomte. In other words, a single blood exhibit or '*Scellé*' can be divided into any number of separate samples in different vials.

He also said that if dealing with a crime-related autopsy, additional exhibits or '*Scelles*' can be taken, e.g. bullet fragments in the case of a shooting incident, and any other samples deemed to be relevant by the Professor.

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Commandant Mulès was asked whether he could recall how many blood samples were taken from Henri Paul during the autopsy of 31 August 1997. He could not recall. He was asked whether he could remember where exactly the blood samples were taken from. To the best of his recollection they had been taken from the thoracic area. He was asked if he could recall how the blood samples were taken. He could not, but stated that normally a ladle with a small lip was used so that it could be poured into the sample bottles.

Commandant Mulès was shown the document (French Dossier D789/12) and he agreed that the directive to Professor Lecomte was for two identical batches to be taken. Asked whether he could recall if any peripheral blood was taken, he could not.

Commandant Mulès was shown two other documents (French Dossier D789/1 and UK485) – [Paget Note: UK 485 will be discussed later in respect of the position and numbering of this document within the French dossier.] He was asked if he could account for the apparent discrepancy over the number of samples that were taken. He could not account for what had been written on these documents as he did not complete them and could not now recall specifically how many samples were taken. He said that the documents bearing details of the apparent discrepancies were internal IML documents, not police documents. Commandant Mulès was asked who '*Andrieux*' was, i.e. the name recorded on (French Dossier D789/1) He did not know.

Operation Paget Comment

The difference in the two forms above (French Dossier D789/1 and UK485) may indicate a division of some of the samples at some time during or after the autopsy. The Public Prosecutor's order, given by Maud Coujard, had directed the removal of two identical batches of blood and where necessary viscera. This did not explain all of these variations, for example organs changing from '4' to '5+5'.

There was clearly a discrepancy in these accounts regarding the site from which Professor Lecomte took the blood samples on 31 August 1997, in addition to anomalies relating to the other samples. She stated that she labelled the samples at the end of the examination.

To understand the difference in accounts it is particularly important to examine the documentation and labelling of the samples of **blood**. To aid such understanding, the following section examines the evidence of the taking of blood samples and then other forensic samples:

(i) Blood samples taken at the autopsy on Sunday 31 August 1997

(ii) Other samples taken at the autopsy on Sunday 31 August 1997

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(i) Blood samples taken at the autopsy on Sunday 31 August 1997

There are three areas of the body to consider for the site of blood samples in terms of this report:

- heart
- chest cavity (hemithorax)
- femoral vein/artery (in this case, the top of the thigh)

The documentation in the French judicial dossier described the toxicological analyses of three blood samples taken on Sunday 31 August 1997. One went to what can be described as the police toxicologist, Professor Ivan Ricordel, on Monday 1 September 1997. One went to an independent toxicologist, Dr Gilbert Pépin, on Monday 1 September 1997. The third went to Dr Pépin on Thursday 4 September 1997. The third sample was photographed and the photograph is in the French Dossier D1329/5.

This photograph showed a glass vial of blood fitted with a self-crimping screw top. The photograph, which was of a Polaroid type, had a date recorded on it of '8 9' 97.' If the camera were correctly set up, this photograph would be after analysis of the sample.

The label on the vial, in printed type showed:

'Reference number : 972147 [Paget Note: Henri Paul's IML Reference]

Name : Paul Henry (sic)

Date : 31/08/1997 [Paget Note: The figure 8 is handwritten - beneath cannot be seen]

Sang Cardiaque

Medecin : Lecomte'

The number 2147 was also on the screw top, handwritten.

This clearly showed the blood as being taken from the heart (*cardiaque*).

Professor Ricordel and Dr Pépin referred only to 'blood' samples in their toxicology reports for these samples. They did not specify the sample site of the blood. There were no photographs of the two blood samples, which would appear consistent with the format of the reports that they completed in respect of their analyses of these two samples i.e. blood alcohol only.

In his toxicology report of Tuesday 9 September 1997, in which he collated his findings (French Dossier D1340), Dr Pépin stated '*the blood taken on 31/08/1997 at the post mortem was an intra-cardiac sample*'.

This appeared to indicate that Dr Pépin believed that both of his samples were cardiac blood.

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Judge Hervé STEPHAN

French Dossier D1319-D1320

On Monday 8 September 1997 Judge Stéphan, now in charge of the investigation, passed an instruction to Professor Lecomte in the following terms:

'Assignment - Further to the post-mortem examination of Henri Paul on 31 August 1997, to clarify the exact conditions and precise location in which the samples, mainly of blood, were taken.'

[Paget Note: Operation Paget underlining.]

[Paget Note: With most of the samples taken at autopsy it was of course clear where they were taken from, e.g. vitreous humour from the eye, but blood could be taken from a number of different sites as it circulates in/around the body.]

Professor Dominique LECOMTE

French Dossier D4412 and D1323

She responded to this 'assignment' on Tuesday 9 September 1997. The important elements of this response are highlighted by Operation Paget in bold:

*'The post mortem examination was conducted at eight o'clock in the morning on 31 August 1997, in other words, a few hours after the accident. **The blood was taken from the left hemithorax area, in which there was a major haemothorax following a clean cut of the descending thoracic aorta, level with the isthmus. As a result, the left hand side of the heart was exsanguinated and the heart only yielded a few drops of blood, which were insufficient for conducting proper tests. In total, five bottles of blood were, taken from the same area, i.e. the area of the left haemothorax.** Urine was taken from the bladder, which was intact. Hair was taken from the occipital region of the scalp. Samples were also taken from various organs (liver, kidney, spleen, lungs, gastric contents) as well as anatomo-pathology samples (brain, heart and various organs) and we also took, as matter of routine, a sample of the vitreous humour.'*

This appeared to clarify the position. Professor Lecomte took five bottles of blood from the chest cavity (haemothorax) area and not the heart as described on the sample bottle. This difference between cardiac/heart and haemothorax is particularly important when analysing the toxicology tests undertaken on the blood samples.

Intra-cardiac blood was essentially a pure sample. Blood in the chest cavity may have contaminants that could affect the sample purity. The diminished purity may very well then have adversely affected any quantitative analysis of that blood.

There was another problem in the French judicial dossier with this apparently straightforward explanation. As outlined earlier, document D4412 above detailing the sample sites should first have appeared in the dossier at page D1323. This would have followed the 'assignment' of Judge Stéphan of 8 September 1997 (French Dossier

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D1319-D1320) to which it referred - where he required an explanation of where the blood samples were taken from.

This report did not appear at French Dossier D1323. D1323 now erroneously showed a report relating to spinal cord.

The French Judicial Dossier – Replacement of Document D1323

Summary

The original document in the French Dossier numbered D1323 describing the blood sample sites at the autopsy of Sunday 31 August 1997 had been replaced with another document referring to spinal cord samples. The following explanation of the detail of how this was discovered is, by its very nature, complicated.

The **effect** of the change was that many medical/forensic experts, including those advising Operation Paget, were working on a false premise that the blood taken on Sunday 31 August 1997 was ‘cardiac blood’, from the heart. Operation Paget believe the blood was actually taken from the hemithorax, ‘chest cavity’, a site that gives much less reliable quantitative measurements due to a higher risk of being affected by contaminants. This risk is particularly pertinent when looking at the results of the levels of carboxyhaemoglobin found in Henri Paul’s body.

The apparent clarification, in D4412, of the site of blood samples at the autopsy of 31 August 1997 failed to do this because of the first error in the marking of the French judicial dossier. To understand how this error occurred, and just as importantly the implications of it, one must first understand how the French judicial dossier is compiled.

Detail

As documents relevant to the French inquiry were placed in the judicial dossier they were given consecutive numbers, prefixed with the letter D. Hence ‘D1’ is the first document and numbers rise consecutively as the dossier builds over time. Each piece of paper is hand marked with its D number as it comes into the system, usually in the top right hand corner by the Examining Magistrate’s clerk. Thus, all the D numbers are handwritten.

Within the French system, the Examining Magistrate may, at an appropriate time, collate all material relevant to a particular subject e.g. medical treatment, technical analysis etc. This is often before the Judge sends out expert reports to the ‘interested parties’. When a number of ‘D’ documents are collated together in this way they are entered in the dossier again and given another number corresponding to their new position. The repeated document is therefore given a second ‘D’ number to indicate its second position in the judicial dossier. The document also stays in its original position. Many documents in the dossier appear more than once with the appropriate number of ‘D’ references attached.

D4412, the explanation of blood sample sites, was such a document.

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D1319 and D1320 of Monday 8 September 1997 referred to the assignment of Judge Hervé Stéphan to Professor Lecomte asking for an explanation of where she took the samples from in Henri Paul's body, particularly with reference to the blood.

D1323 should be the response to this. This was apparently provided by Professor Lecomte on Tuesday 9 September 1997 and given the handwritten number D1323. After the initial entry at D1323 it was later collated among a group of experts' reports, as described above, probably in early 1998. Consequently it appeared in a second position in the dossier at D4412. This copied second document correctly bore the number D4412, and alongside that, the original number of D1323.

March 1998 - The collated group of documents (the conclusions of the expert reports on medical and other matters) was sent out to legal representatives of the interested parties. The report relating to the site of blood samples was marked with two numbers, D4412 and D1323. This is entirely in line with French procedure and one could conclude that in March 1998 D1323 (the original entry) and D4412 (the repeated entry) were in their correct places in the dossier.

The error in relation to D1323 was uncovered only when one looks at the French judicial dossier as it stands now.

March 1998 onwards - A copy of the complete judicial dossier was provided to interested parties by the French authorities. This included Mohamed Al Fayed and the Metropolitan Police Service. (This dossier continues to be used by both parties)

The dossier, for some unknown reason, now showed D1323 as a different report. It was a report of Professor Lecomte describing the taking of spinal cord samples on Tuesday 9 September 1997. The original D1323 was now missing. It only appeared in the dossier in its repeated position at D4412.

As D1323 was copied in the dossier and placed at D4412 it must have been in the dossier at some point. It is not clear to Operation Paget how the original D1323, describing the number and site of samples at Henri Paul's autopsy (particularly of blood), had been changed to the new D1323, which was a reference to the sampling of spinal cord.

New D1323 - The report on spinal cord samples, now at position D1323, itself appeared in the dossier at D1462, its correct position. The '*assignment*' from the Examining Magistrate to take spinal cord was at position D1461 - the response would naturally appear, as it did, at D1462. Therefore there were now two identical entries relating to spinal cord, at D1323 and D1462. This could not be correct.

Operation Paget does not know how the spinal cord report has had its original handwritten number (D1462) replaced by the hand written number D1323, before the report was placed in the dossier. (at position D1323)

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Judge Hervé STEPHAN **Examining Magistrate.**

Interviewed by Operation Paget - Statement 240

Judge Stéphan when asked about the report D1323 said that he did not know anything about the specifics of a particular document, but in general terms stated:

‘Reply to question: “Theoretically, the documents in the file relating to an investigation are filed and numbered in the order in which they arrive in the investigating chambers. The magistrate may sometimes try to file the documents in a certain logical order, but he is restricted in that endeavour by the obligation to provide the parties with a complete and numbered copy each time they ask for it. The response to a request for an expert’s report can therefore end up much further on in the file.”

Reply to question: “In theory it is the clerk who files documents in the case papers, but the magistrate can do it too.”

Reply to question: “We always had a complete copy; it was the clerk who dealt with requests for copies he received.” ’

To summarise:

The sequence of events in the compilation of the French judicial dossier was believed to be:

Pre-March 1998 – D1319 Judicial order from Judge Stéphan to Professor Lecomte dated 8 September 1997 – to describe the site of forensic samples at the autopsy of Henri Paul, particularly blood.

D1323 **Report of Professor Lecomte, dated 9 September 1997 - included the site and number of blood samples.**

D1461 Judicial order from Judge Stéphan to Professor Lecomte to take spinal cord samples – dated 9 September 1997.

D1462 Report of Professor Lecomte confirmed spinal cord taken on 9 September 1997.

D4412 Photocopied repeat of D1323.

D4390 Photocopied repeat of D1462.

(D4412 and D4390 are repeats - collated into one section prior to sending to interested parties.)

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The French judicial dossier currently has the following order of documents:

- Post-March 1998 – D1319** Judicial order to Professor Lecomte dated 8 September 1997 - to describe the site of forensic samples at the autopsy of Henri Paul, particularly blood.
- D1323 **Report of Professor Lecomte confirmed spinal cord taken on 9 September 1997.**
(This was now an exact copy of report D1462, with the number D1323 handwritten on it.)
- D1461 Judicial order to Professor Lecomte to take spinal cord samples – dated 9 September 1997.
- D1462 Report on spinal cord taken on 9 September 1997.
- D4412 Photocopied repeat of the original D1323.
(site of blood samples)
- D4390 Photocopied repeat of D1462.

To further complicate matters, the document that appeared in the dossier at D1322 was not actually numbered. It appeared to be an unsigned IML mortuary form detailing number of samples and is referred to earlier in this Chapter as UK485.

Implication of the Missing ‘Original’ Report D1323

Much of the documentation of the medical experts/legal representatives retained by Mohamed Al Fayed showed they have asked, over a number of years, for specific information on forensic sampling sites relating to the body of Henri Paul. There appeared to be no response to the judicial ‘*assignment*’ of D1319-D1320 in the appropriate place in the dossier (D1323 – having now been replaced with the spinal cord reference). The experts believed the issue had not been addressed.

The response of Professor Lecomte was in fact in the dossier, but only at D4412, some way further on and it was not preceded by the judicial ‘*assignment*’ explaining its relevance. In 2005 the dossiers provided to Operation Paget and Mohamed Al Fayed’s lawyers were compared and found to contain the same numbering issues.

Most of the toxicological reports from France upon which the experts retained by Mohamed Al Fayed were reliant referred to ‘*cardiac blood*’ not ‘*haemothorax blood*’. The French toxicologist, Dr Pépin, was understandably relying on the labels on the samples being correct - ‘*Sang Cardiaque*’. Dr Pépin, as an independent expert, was not privy to the judicial dossier and had no idea of the contents of D1323.

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As will be explained in greater detail in section thirteen, 'Toxicology Results', the location of the sample sites had a great effect on the interpretation and analysis of the toxicology tests in relation to the high levels of carboxyhaemoglobin (approximately 20%) found in Henri Paul's body. Essentially, quantitative measurements of carboxyhaemoglobin in samples taken from the chest cavity (haemothorax blood) are likely to be inaccurate and cannot be relied upon.

The site of the sample could also affect blood/alcohol levels. However, in the case of alcohol there were other more reliable samples available, such as vitreous humour that supported the blood findings.

(ii) Other Samples taken at the autopsy on Sunday 31 August 1997

French Dossier D1329

This showed photographs of Henri Paul's samples delivered to Dr Gilbert Pépin's laboratory on 4 September 1997. These were the only photographs in the dossier of the samples. All of the samples, listed below, appeared to show '*Paul Henry*' (sic), IML reference 2147 and the camera date stamp of '8 9'97';

1. Cardiac blood (as detailed earlier, this was the second sample of blood from the 31 August 1997 autopsy to be received and tested by Dr Pépin. It was labelled '*Sang cardiaque*').
2. Gastric Contents – glass jar with metal screw top, a printed label, the '8' in the date 31/08/1997 was apparently handwritten.
3. Lung – plastic pot with screw top, printed label, the '8' in the date was printed, not handwritten.
4. Liver – plastic pot with screw top, as lung.
5. Kidney – plastic pot with screw top, as lung.
6. Spleen – plastic pot with screw top, as lung.
7. Pancreas – plastic pot with screw top, as lung. However, '*Pancreas*' was handwritten – the printed label appeared to show the word '*Scellés*' i.e. 'samples', a general term that appeared to be clarified with the handwritten addition.
8. Vitreous Humour – glass tube with rubber top, '8' in the date was possibly hand-written.
9. Urine – one self-crimping vial – the whole of this label was handwritten, not printed.

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[Paget Note: It is not known why the urine sample was the only sample handwritten and not a pre-printed label. Neither is it known why pancreas was handwritten on a printed label or why the number '8' was handwritten for the month on some exhibits. Commandant Jean-Claude Mulès, present at the autopsy, cannot remember why this occurred.]

[Paget Note: A sample of hair was also in the box of samples. The photograph of this hair sample does not appear on the report at D1329 but is attached to a separate report dealing with its analysis (French Dossier D1337). This will be discussed later in this section.]

The ongoing legal processes in France - The samples of Henri Paul

Mohamed Al Fayed is challenging the accounts given by Professor Lecomte and Dr Pépin relating to the taking and testing of samples, alleging falsification of data that would support his contention that the toxicology results, in one way or another, did not relate to Henri Paul. The Court of Versailles currently has conduct of this legal process.

Operation Paget officers have visited the first judge appointed to the case in Versailles, Judge Bellancourt, and have spoken to the judge now in charge of the case, Judge Poux. They have provided necessary documentation to Operation Paget under an International Letter of Request. As the case is ongoing in France, Operation Paget will only use the information pertinent to the British conspiracy allegation in this report, and then only in summarised form.

Professor Dominique LECOMTE Pathologist and Head of the IML.

Operation Paget - Other Document 430

Professor Lecomte now appeared to be saying that she took three blood samples from Henri Paul at the autopsy of Sunday 31 August 1997, rather than five.

Professor Lecomte appeared to be stating a view that the figure '5' for blood samples related to the combined figure of '3' samples taken during her autopsy and '2' samples taken from a further examination carried out by Dr Campana on 4 September 1997, in the presence of the Examining Magistrate Hervé Stéphan. This second examination will be discussed later in this chapter.

When describing the site of the sampling she referred back to D1323, i.e. blood was taken from the left haemothorax. This document did categorically state that five blood samples were taken by her on 31 August 1997.

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To recap, the response of 9 September 1997 to Judge Stéphan (French Dossier D1323) stated:

*'The post mortem examination was conducted at eight o'clock in the morning on 31 August 1997, in other words, a few hours after the accident. The blood was taken from the left hemithorax area, in which there was a major haemothorax following a clean cut of the descending thoracic aorta, level with the isthmus. As a result, the left hand side of the heart was exsanguinated and **the heart only yielded a few drops of blood, which were insufficient for conducting proper tests.***

***In total, five bottles of blood were taken from the same area, i.e. the area of the left haemothorax.** Urine was taken from the bladder, which was intact. Hair was taken from the occipital region of the scalp. Samples were also taken from various organs (liver, kidney, spleen, lungs, gastric contents) as well as anatomo-pathology samples (brain, heart and various organs) and we also took, as matter of routine, a sample of the vitreous humour. I certify that I personally carried out the task assigned to me and that the contents of this report are true and accurate.'*

Professor Lecomte could shed no light on the difference in forms D789/1 and D1322 (also referred to earlier as UK 485), listing the number of samples taken at the autopsy. They were filled out apparently on Sunday 31 August 1997 and Monday 1 September 1997.

Operation Paget Comment

Professor Lecomte appeared to be saying the figure of '5' blood samples was achieved by adding '3' samples taken by her on 31 August 1997 to the '2' taken by Dr Campana on 4 September 1997.

Professor Lecomte in referring to the two samples of blood taken in the presence of Judge Stéphan was believed to be referring to the femoral blood samples taken by Dr Campana at the second examination of Henri Paul on Thursday 4 September 1997. This was done in the presence of the Judge Hervé Stéphan and the toxicologist Dr Pépin. Dr Campana described in detail the taking of the samples at that examination.

However, looking at forms D789/1 and D1322 (referred to earlier as UK 485) it is difficult to conceive a situation where they do not indicate that on 1 September 1997, three days before Dr Campana's examination, the form at that time showed the figure '5' for blood.

Operation Paget is in close contact with the Judge and is kept informed of developments in the case. The key issue was whether any discrepancy in processes and procedures was indicative of a cover-up or involvement in conspiracy by the French pathologist, the French toxicologist and any other unknown individuals. The full evidence is summarised at the end of this section.

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Professor Dominique LECOMTE **Pathologist and Head of the IML.**

Operation Paget Other Document 430

Continued her evidence to Judge Bellancourt by providing a list of bodies at the IML mortuary that were subject to autopsies. (For the dates of 28, 29, 30 and 31 August 1997 and 1 and 2 September 1997) The causes of death are not included in the information. The numbers given are:

Thursday 28 August	– 7
Friday 29 August	– 15
Saturday 30 August	– 1
Sunday 31 August	– 1 [Paget Note: Henri Paul]
Monday 1 September	– 5
Tuesday 2 September	– 17

This confirmed information previously given by Professor Lecomte to Operation Paget (Statement 129) that she only carried out an autopsy on Henri Paul on Sunday 31 August 1997. Although Professor Lecomte was the head of the IML she did not carry out any of the 45 other examinations. Five pathologists are named as carrying these out: De Brier, Mercier, Vorhauer, Spithakis and Campana.

Commandant Jean-Claude MULES **Brigade Criminelle.**

Interviewed by Operation Paget - Other Document 422

He confirmed that he went to the body reception area of the IML mortuary in the early hours of Sunday and saw only Dodi Al Fayed and Henri Paul there. Dodi Al Fayed's external examination took place there. Henri Paul's body was then taken to the autopsy area for full examination. Commandant Mulès explained that these areas were different from the area where the refrigerated bodies were stored.

He explained how normally, when a body arrived at the IML it was dealt with by the '*Identificateur*,' i.e. measured, weighed and tagged. It would then be placed in a refrigerator to await examination by the pathologist. In this case however, because it was a Sunday and autopsies are not normally performed on a Sunday, the only bodies not in the fridges were those of Henri Paul and Dodi Al Fayed.

Commandant Mulès confirmed that other than Henri Paul, to his knowledge, no other autopsy took place at the IML that Sunday.

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(ii) Comments of Dr Richard Shepherd – re the samples taken at the autopsy of 31 August 1997

Dr Richard SHEPHERD BSc, MB, BS, FRCP_{ATH}, FFFLM, DMJ
Consultant Forensic Pathologist and adviser to Operation Paget.

Operation Paget - Other Document 527

He commented:

- *The exact site of sampling of the blood specimens taken on 31st August 1997 must be in doubt although it appears most likely that all of the blood samples were taken from the left haemothorax.*
- *The exact number of blood samples taken on 31st August 1997 is also in doubt, Prof Lecomte variously states that three and five were taken.*
- *Samples taken from a haemothorax should have been labelled as such and not labelled as Cardiac Blood.*
- *There appears to be a general lack of clarity about sampling, labelling and documentation of the samples taken on 31st August 1997. Prof Lecomte stated that "exhibiting is not an issue for the medical examiner" however Major Mules records that that it should have been his job to seal the exhibits but Prof "Lecomte didn't follow this protocol and insisted on overall control herself.*
- *The samples taken on 4 September 1997 have been labelled and documented with much greater care.*
- *The toxicologists need to be aware of the exact site of sampling especially if it is from an unusual site or contained in a bottle labelled as originating from some other site.*
- *In general terms knowledge of the presence or absence of preservative would be of importance to the toxicologist.*

Operation Paget - Summary of Sampling Issues

- There was no explanation for the different weights and heights of Henri Paul referred to by Professor Lecomte and Commandant Jean-Claude Mulès.
- There was no explanation for some of the sample labels being handwritten and some being pre-printed.
- There was no explanation for the different figures on documents D789/1 and D1322, for example '4 viscera' on '31/8/97' and '5+5 viscera' on '1/9/97'. There was no explanation of the word 'Andrieux' handwritten on Document D789/1.

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- There was no explanation for the blood samples from the hemithorax (chest cavity area – blood taken from this area is called haemothorax blood) being placed in vials labelled '*sang cardiaque*' – heart blood. (Although there was only one photograph of a blood sample and this clearly showed '*sang cardiaque*' there was no evidence in any documentation to indicate the other two samples were properly marked as haemothorax).
- There was no apparently logical/reasonable explanation for the change in the number of blood samples taken on 31 August 1997 to be changed from '5' to '3'.
- It was not possible to say with any certainty how many blood samples were taken on 31 August 1997. The evidence in the French dossier accounted for three blood samples – one went to Professor Ricordel and two to Dr Pépin for analysis. If there were two other blood samples taken on 31 August 1997 they were not referred to anywhere in the French dossier in terms of toxicological analysis or destruction.

c) Conclusions on Cause of Death – Henri Paul

Professor Dominique LECOMTE Pathologist and Head of the IML.

1. French Dossier D91

She produced her immediate conclusions at 10am on 31 August 1997. She stated that death was due to multiple injuries with multiple fractures of the cervical spine, rupture of the spinal cord and aorta, and crushing of the thorax.

2. French Dossier D789/3 and D4417

Professor Lecomte's report of 1 September 1997 expanded on these findings:

- *'no lesions to the organs, most notably the heart and brain, suggesting a pre-existing condition;*
- *the lesions observed were essentially traumatic, with a break of the cervical spine and displacement, rupture of the spinal cord and rupture of the descending aorta;*
- *the multiple fractures noted, primarily to the spinal column, the rib cage, the pelvis and the lower limbs are consistent with traumatic impact.'*

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3. French Dossier D2010

Professor Lecomte provided a supplementary report on 6 November 1997 in which she stated:

'the autopsy of Henri Paul led to the discovery of a clean rupture in the ischaemic region of the descending aorta – four centimetres beneath the arch – which was a fatal lesion from the outset. There was also a fracture of the spinal column with displacement level with C6 and a rupture of the spinal cord.'

There was no record of X-rays being taken at the autopsy.

12. Second autopsy of Henri Paul's body and the taking of forensic samples - 4 September 1997 by Dr Jean Pierre CAMPANA

On Thursday 4 September 1997 Dr Jean-Pierre Campana, a pathologist, carried out a further examination of the body of Henri Paul at the IML in Paris.

Judge Hervé Stéphan, the Examining Magistrate appointed two days earlier to investigate the causes of the crash, had issued the judicial instruction for this examination on the same day. The judge attended the examination himself, together with Dr Gilbert Pépin the toxicologist.

Judge Hervé STEPHAN **Examining Magistrate.**

Interviewed by Operation Paget - Statement 240

Judge Stéphan was asked why he had requested a second post mortem examination.

'When the case was referred to me, the Public Prosecutor's Department had already ordered at the time of the post mortem on Henri Paul that samples be taken for blood alcohol.

When Henri Paul's blood alcohol results as taken by Doctor Ricordel were passed to me they may have come as a surprise to some people.

I therefore decided to do something that I had never done before, namely to go with my clerk, in the presence of officers of the Judicial Police from the Brigade Criminelle to the Institute of Forensic Medicine where the body of Henri Paul was located. M. Gilbert Pépin, a national expert in toxicology, accompanied me there. Some samples were taken from the body of Henri Paul, placed under seal and photographed and given to the expert for testing. His test confirmed the blood alcohol that had been detected previously.

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Reply to question: 'I acted in accordance with the Penal Procedural Code. I appointed one of the most highly qualified experts in France who moreover was registered on the list of the Court of Cassation and was unanimously recognised. It was not possible for a private expert to get involved in taking samples on behalf of one of the parties. None of the parties needed to be present when this sampling was done, and it was certified as having been properly conducted by the clerk.'

I should point out that I acted on my own initiative in having this new sample taken and I had not received any request to that effect.'

The following documents were taken from the French dossier and show the authorities used by Judge Stéphan at that time in ordering this second examination.

French Dossier D1351-D1352

This referred to the assignment of Dr Campana to take samples.

'Order for appointment of expert. 4 September 1997

Appoint Dr Campana, Institut Médico-Legal

ASSIGNMENT

In my presence, to take the necessary samples, particularly of blood and hair, from the body of Henri Paul, currently held at the Institut Médico-Légal in Paris.'

French Dossier D1330–D1331

This referred to the appointment of Dr Pépin to analyse the samples taken.

'I appoint Mr Gilbert Pepin an expert registered on the list of the Court of Cassation

Mission

To analyse the samples of blood and tissues which will be taken today at 5.00 pm in my presence and yours from the body of Henri Paul at the Institute of Forensic Medicine for the purpose of carrying out a full toxicological analysis (alcohol and presence of any toxins).'

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French Dossier D959-D960

This referred to the attendance of Judge Stéphan at the examination and the taking of samples from Henri Paul at the IML.

‘At 17.00 on 4 September 1997

I, Hervé Stéphan, Examining Magistrate, Paris Regional Court, assisted by Laurence Maire, having regard to Article 92 of the Code of Criminal Procedure and notice having been given to the Public Prosecutor at the Court of our offices, went to the Institute of Forensic Medicine, 2 Place Mazas, 75012 Paris, where we carried out the operations described below in the presence of:

Dr Campana

Dr Pepin

Police Captain Christian Le Jalle

Police Lieutenant Daniel Bourgois

Police Constable Christophe Boulet

I was taken to see a body, which I was informed was that of Henri Paul. I requested the officers from the Forensic Science and Identification Service to photograph the body and face.

Dr Campana then took a blood sample from the right femoral artery and after that from the left femoral artery, making up two vials, identified by IML labels as no 972147.

The vials were placed under seal number ONE (right artery) and TWO (left artery) respectively.

A sample of muscle tissue was then taken and placed under seal number THREE. A sample of hair was also placed separately under that seal but inside the same vial in a separate section.

A similar sample (muscle tissue and hair) was placed under seal number FOUR.

It should be noted that in the case of the blood sample placed under seal number ONE the vial was filled one tenth full and in the case of seal number TWO (left femoral artery) the vial was filled one third full.

The vials were placed in identified and sealed envelopes.

Sealed exhibits TWO and THREE were handed over immediately to Dr Pepin. The operation was completed at 17.45.’

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Dr Jean Pierre CAMPANA

Forensic pathologist.

French Dossier D1353-D1354

Dr Campana reported on his assignment:

'I have accordingly carried out my assignment at the Institut Médico-Légal in Paris in the presence of Mr Hervé Stéphan, Examining Magistrate.

The body submitted to me is that of Mr Henri Paul, no 2147 on the Institute register. The body has multiple injuries and has undergone a post-mortem examination.

I stripped the two femoral veins in the Scarpa triangle and took two blood samples of a few ml at that point (blood was scarce and those few ml were obtained by massaging the raised limbs).

I also took two samples of hair and muscle from the quadriceps.

Hence a total of two vials of blood and two jars each containing a sample of muscle and hair. These were placed under seal.

I certify that I carried out the task assigned to me in person.

Paris 4.9.97

Dr J-P CAMPANA'

Dr Gilbert PEPIN

Doctor of Science, Doctor of Pharmacy, Biologist, expert at the Paris Court of Appeal. Based at the independent Laboratoire TOXLAB (TOXLAB) in Paris.

French Dossier D1332/5

Dr Pépin described witnessing the taking of the samples and referred to a sample of blood, Seal number 2. He took this sample back to his laboratory that evening.

'Having been given the mission, we went to the Institute of Forensic Medicine, 2 Place Mazas, 75012 Paris, on 4 September 1997, and witnessed the taking of samples from the body of Henri Paul carried out by Dr Campana in the presence of the officer of the criminal investigation police and of Mr Stéphan, the Examining Magistrate.

SEAL No. TWO

- sample of left femoral blood

The seal was intact'

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Dr Gilbert Pépin's written responses to questions put by Operation Paget

[Paget Note: Dr Gilbert Pepin has provided the investigation with a written report of his work based on questions put by Operation Paget.]

Operation Paget - Other Document 265, (i) Page 118 and (ii) Page 523

In written communication with Operation Paget, Dr Pépin's report contained the following information:

(i) With regard to taking a blood sample from the femoral vein on Thursday 4 September 1997

'In order to deal with all these hypotheses [Paget Note: Concerning Henri Paul's alcohol level] it was decided at my request to take a sample of blood from the femoral vein which is the optimal site (the best protected site from possible contamination to obtain a blood alcohol reading). This was done in agreement with Professor Lecomte.'

(ii) With regard to the continuity of that femoral blood sample

'It should be recalled that inter alia one sample was taken at around 1800hrs on 04/09/1997 from the properly identified body of Monsieur Henri Paul by Doctor Campana, in the presence of Doctor Pepin himself, from the left femoral vein. The vial of blood, which was fitted with a self-sealing tamper-proof cap, was placed under seal in the presence of Doctor Pepin, who signed that seal, and the Examining Magistrate. This exhibit was then, before all the assembled persons, handed to Doctor Pepin in person, who immediately and personally took it back to his laboratory. The following morning, he himself unscrewed and thus himself unsealed the vial in order to extract the blood from it with a view to having the accredited person carry out the test. As a result, any falsification or error involving the vial was impossible.'

Christian LE JALLE

Police Capitaine in the Criminal Investigation Department, an officer of the Judicial Police in Paris.

French Dossier D1032

Capitaine Le Jalle was the Judicial Police officer present at the examination of Thursday 4 September 1997. He produced the following report of his attendance.

'At sixteen thirty hours on the fourth September nineteen hundred and ninety-seven, Continuing the service of the Letter Rogatory mentioned in the first Official Report,

On the request of Mr Stephan, Principal Judge, state having gone in his company and that of his Clerk of the Court to the Medico-Legal Institute, place Mazas in Paris 12 for the purpose of being present during further blood samples taken from the body of the late Henri Paul.

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Recall that the deceased underwent an autopsy on 31/08/97 at the same premises.

Where, at seventeen hundred hours, we were taken to the body of the aforementioned person, bearing a label numbered 2147 on the ankle.

On the instructions of Mr Stephan, Magistrate, and in the presence of Mr Pepin, medical expert, Mr Campana, forensic expert, took four samples which were immediately seized and placed under seals as follows:

Seal ONE: blood sample taken from the right femoral artery

Seal TWO: blood sample taken from the left femoral artery

Seal THREE: sample of muscular tissue and hair

Seal FOUR: sample of muscular tissue and hair

At the end, seals TWO and THREE were handed to Mr Pepin, expert doctor. During this operation, our colleagues Daniel Bourgois, Lieutenant and Christophe Boulet, Gardien de la Paix, from the Criminal Records Office took photographs.

An Official Report relating to the investigations was drafted at the scene by His Honour the Examining Magistrate.

Our tasking in support of the Magistrate came to an end at seventeen thirty hours. We returned to the department for the purpose of drafting this document.'

Daniel BOURGOIS
Police Lieutenant.

French Dossier D1318

Lieutenant Bourgois produced the following report of his attendance at the examination of Henri Paul. The officer, when compiling this report, referred to attendance on 5 September 1997, together with Police Constable Vinsonneau. It is believed that was a straightforward error in the date by the police officer.

'I hereby report that on 5 September 1997, at the request of Mr Stéphane, Examining Magistrate, Paris Regional Court, I went to the Paris Institute of Forensic Science, accompanied by Police Constable Vinsonneau, during the visit by the Examining Magistrate. I am submitting the attached two copies of the photographs taken on that occasion, together with a plan of the premises.'

Photographs of Henri Paul taken at this second examination are in the possession of Operation Paget (French Dossier D1311-D1315).

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Dr Richard SHEPHERD BSc, MB, BS, DMJ, FRCPath, FFFFLM.
Consultant Forensic Pathologist and adviser to Operation Paget.

Operation Paget – Other Document 527

He commented:

- *Five photographs were taken apparently on 5th September 1997 by Police Lieutenant Bourgois during the visit of the magistrate to witness the recovery of further samples (femoral blood & hair and muscle) from the body by Dr Campana. However the examining magistrate records the visit at 17.00 on 4th September 1997 and Dr Campana record this visit to be on 4th September 1997.*
- *The absence of any sign of dissection of "Scarpa's Triangle", the anatomical area located in the femoral region (top, front) of the legs, would support the fact that the photographs were taken before Dr Campana recovered the additional samples and so the photographs could not have been taken on the 5th September 1997.*
- *There is no record that X-rays were taken and none have been seen by me. It is not standard practice in the UK to take X rays in road traffic fatalities.*
- *Dr Campana indicated that he removed two blood samples each of " .. a few ml.." from the femoral veins in Scarpa's triangle (femoral region). He also took samples of hair and muscle at that time. This report is dated 4th September 1997. I note that Juge Stephan recorded that the blood samples were taken from the left and right femoral arteries, while Dr Campana states clearly "vein" in his report.*
- *Anatomically the artery and the vein are in such close proximity in the femoral region that without careful dissection to separate these two vessels the blood recovered from this area is, in fact, a mixture of both venous and arterial blood.*
- *Dr Campana also records that he took samples of "hair and muscle". It is not clear exactly what is meant by this phrase however it is most likely to represent separate samples of muscle and samples of hair. Officer Le Jalle records that the pieces of hair and muscle were placed in separate parts of the same exhibit containers.*
- *The procedures used to label and exhibit the samples taken by Dr Campana as seen in the photographs) is considerably more detailed and precise than the procedures used at the time of the first examination on 31st August 1997.*
- *Dr Campana indicated that on 5th September 1997 he took samples of head hair and pubic hair.*

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- *The erroneous use of the term "cardiac blood" in relation to the samples taken by Dr Campana is noted by Prof Lecomte both in her interview dated 9th March 2005 and her statement dated 31st May 2006.*
- *I have seen some photographs of the sample recovered by Dr Campana that was taken by Dr Pepin. The main label clearly states "Cardiac blood" but there is a hand written note "FG" apparently to indicate that this sample is from "Femoral Gauche" and this is confirmed by the exhibiting labels also seen in the photographs.*
- *On 9th March 2005 Prof Lecomte handed to the officers a glass flask (bottle) labelled "Henri PAUL 912147" dated "04/09/1997" and inscribed "fluoridated cardiac blood Dr Campana". [Paget Note: This is the sample of femoral blood now in the possession of Operation Paget] Examination of photographs shows the label to read "Cardiac Blood" but also that there is a hand written note "F D" presumably representing "Femoral Droit."*
- *The samples taken on 4th September 1997 have been labelled and documented with much greater care.*
- *The toxicologists need to be aware of the exact site of sampling especially if it is from an unusual site or contained in a bottle labelled as originating from some other site.*
- *In general terms knowledge of the presence or absence of preservative would be of importance to the toxicologist.*

[Paget Note: The police/legal attendees at the examination, Judge Stéphan and Capitaine Le Jalle referred to blood from the femoral artery; the two medical experts, Doctors Campana and Pépin described it as the femoral vein.]

Operation Paget Comment

The second examination of the body of Henri Paul, Thursday 4 September 1997

Present at this further examination and sample taking were:

Judge Hervé Stéphan	-	the Examining Magistrate
Dr Jean-Pierre Campana	-	court appointed pathologist
Dr Gilbert Pépin	-	court appointed toxicologist
Capitaine Christian Le Jalle	-	officer of the Judicial Police
Police Lieutenant Daniel Bourgois	-	police photographer
Police Constable Christophe Boulet	-	police photographer

Judge Stéphan, the Examining Magistrate, and Dr Pépin, the court appointed toxicologist, attended the examination undertaken by Dr Campana on Thursday 4 September 1997.

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Dr Campana took two samples of femoral blood from the top of the thigh and two samples of muscle and hair from the quadriceps. Femoral blood from Scarpa's Triangle is much more reliable for accurate toxicology testing than blood scooped from the hemithorax, as in the autopsy of Sunday 31 August 1997. Following immediate challenges to the blood/alcohol levels in Henri Paul's blood, Judge Stéphan was ensuring that the second samples were taken from an appropriate area of the body to provide accurate results, albeit at that time the blood from the first autopsy, on Sunday, was believed to be cardiac blood, '*Sang cardiaque*'.

One of these samples of femoral blood was given directly to the toxicologist Dr Gilbert Pépin, who immediately took it back to his laboratory in Paris. Toxicology testing began the following day. This vial of blood had a pre-printed label of '*Sang Cardiaque*' but the letters '*FG*' were added. [Paget Note: This is believed to represent '*Femoral Gauche*' - left femoral.] The envelope containing the vial also showed '*Femoral Gauche*' and '*Scelle No Deux*'. The vial itself was marked '2' on its cap.

The other femoral blood sample remained at the IML. This was handed to Operation Paget in March 2005 and is held as Operation Paget Exhibit reference DGT/1. This vial had the handwritten addition '*FD*' i.e. '*Femoral Droite*' - right femoral.

Operation Paget was informed that the blood had not been retained continuously at the appropriate temperatures and thus any toxicological analysis undertaken would be unreliable, this in addition to the sample being eight years old. However, the sample has been DNA tested. The blood was that of Henri Paul, matching the DNA profile of his mother. This is examined further in 'Section 14' of this chapter looking at DNA tests.

Dr Pépin also took possession of one of the muscle/hair samples but no toxicology tests were carried out on this. The other would have been retained at the IML. It is believed that this has now been destroyed.

Photographs were taken of the body of Henri Paul at the examination.

Further Samples

On 5 September 1997 Dr Campana again took hair/pubic hair samples from the body of Henri Paul. The samples previously taken were apparently insufficient for analysis.

On 9 September 1997 Professor Lecomte again took more hair/pubic hair samples (as well as samples of spinal cord). The hair samples from 5 September 1997 were apparently still insufficient for sequential toxicology testing.

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13. Toxicology results

Forensic samples were taken on:

1. 31 August 1997: the initial autopsy by **Professor Lecomte**

- i) Blood samples were tested on 1 September 1997
- ii) Other forensic samples, including blood, were tested on 4 September 1997 onwards

2. 4 September 1997: further examination by **Dr Campana**

- i) Femoral blood sample, tested on 5 September 1997 onwards
- ii) Muscle/hair, no toxicological results

3. 5 September 1997: hair taken by **Dr Campana**

Hair was taken on this occasion because the hair from the original autopsy on 31 August was insufficient for ‘sequential’ toxicological testing.

4. 9 September 1997: hair and spinal cord taken by **Professor Lecomte**

Hair was taken again on this day because the hair from 5 September 1997 was again insufficient for ‘sequential’ toxicological testing.

The first tests, to measure blood/alcohol levels in Henri Paul’s blood, were carried out on Monday 1 September 1997. **Professor Ivan Ricordel** carried out the first test and **Dr Gilbert Pépin** then carried out a control test.

Section 13 examines:

(a) Toxicological analyses of the samples taken from the body of Henri Paul on:

- i) Sunday 31 August 1997 (Professor Lecomte)
- ii) Thursday 4 September 1997 (Dr Campana)

(b) The levels of **carboxyhaemoglobin** found in the blood of Henri Paul.

(c) The levels of **alcohol**

The legal basis for blood/alcohol testing of Henri Paul

Dr Gilbert Pépin, in written responses to Operation Paget, explained the legal basis for testing Henri Paul’s blood in these circumstances:

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Operation Paget - Other Document 265, Page 351

'The car accident in which Mr Henri Paul the driver of the vehicle died was a fatal road traffic accident and it was therefore obligatory to determine the concentration of ethanol in the blood of the deceased driver - (according to the French law of 9 July 1970) any driver involved in a road traffic accident causing physical injury can and must first be subject to alcohol testing.'

[Paget Note: The limit for prosecution in drink/driving cases in France is 0.5g/l alcohol to blood. In the United Kingdom it is 0.8 g/l. It is impossible to say what this difference equates to as a specific amount of alcoholic drink - there are many factors involved in individual cases such as weight, lifestyle, tolerance levels and food intake.]

(a) (i) Toxicology analyses of samples from the autopsy of 31 August 1997

Blood Samples Tested on Monday 1 September 1997

Bernard PAGES
Public Prosecutor.

Interviewed by Operation Paget - Statement 242

When asked of the decision to test for blood/alcohol in Henri Paul, Bernard Pagès stated:

'I arrived in Paris in the early afternoon of 31st August and I immediately met with Mrs Coujard with whom I had a meeting that evening in the office of Mrs Martine Monteil, the head of the Brigade Criminelle at the time.

In my capacity as Head of the Section, given that it was an incident within my remit, it was my responsibility to direct the inquiry and supervise the investigators' work assisted by Mrs Coujard. I designated this Magistrate to particularly follow this Inquiry, given that she had known it from the start. The investigation was dealt with in the same way as those usually dealt with by the Section.

One of our preoccupations was to very rapidly obtain results of samples taken from the driver in order to verify the level of blood alcohol. We tested the blood alcohol level as quickly as possible, by tasking Professor Ricordel who was in charge of the laboratory of the Préfecture de Police in Paris. We also had a second expert analysis carried out by the laboratory of Doctor Pepin.'

Question: "Why was it not Mrs Coujard, but you that designated Professor Ricordel and Doctor Pepin to conduct tests for blood alcohol on the samples taken from Henri Paul?"

Answer: "I was Head of the Section, I signed the requisitions. For this type of analysis, Professor Ricordel and Doctor Pepin were the experts that we regularly used. Mrs Coujard could just as equally have signed the requisitions." '

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The first test for blood/alcohol on Henri Paul's blood

Ivan RICORDEL

Doctor of Pharmaceutical Science, Former Chair of Chemistry and Toxicology to the Armed Forces, Professor of Medicine of the Val-de-Grâce, Director of the Toxicology Laboratory for the Préfecture of Police for Paris.

Professor Ricordel was the first scientist asked to undertake blood/alcohol testing on Henri Paul's blood. He could, in general terms, be considered to be the '*police scientist*' for Paris.

Summary

On Monday 1 September 1997 Professor Ricordel received a blood sample and tested it that day for blood/alcohol levels. He reported a level of **1.87 g/l**.

French Dossier D818-D822

On Monday 1 September 1997 Professor Ricordel was tasked with carrying out a blood alcohol analysis of a sample of blood taken from Henri Paul on 31 August 1997. Professor Ricordel's laboratory is based in the same building as the IML in Paris.

The requisition from Bernard Pagès was written in the following terms:

'Given the investigation into the death of Henri Paul by the Paris Criminal Investigation Department, and considering article 74 of the Penal Procedural Code and in the light of the urgency of the matter, I request Professor Ricordel, an expert at the Court of Appeal, to establish the quantity of alcohol in the sample of blood taken from the body of Henri Paul by Professor Lecomte during the post mortem on 31 August 1997. A report on the tests will be produced and sent by the said expert after confirming its contents as true and accurate.'

Professor Ricordel responded to the instruction from the Public Prosecutor:

'After being assigned, the following was obtained on 1 September 1997 from the Institute of Forensic Medicine, Paris 12 : A cylindrical flask made of transparent plastic material sealed by a white screw cap containing a glass bottle. This bottle was labelled as follows :

No. IML : 2147 'XM' 31.8.97 LECOMTE

Conclusion - The test ordered on the blood taken by Doctor LECOMTE (sic) on 31 August 1997 from the body of : Henri PAUL produced the following findings :

***The analysis showed an ethyl alcohol content of :
1.87 grams per litre of blood.***

*I certify that I personally carried out the task assigned to me.
Paris, 1 September 1997.'*

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[Paget Note: There was no photograph of this bottle. It is not known if this sample had a pre-printed or handwritten label. The label on Professor Ricordel's sample according to his account showed 'XM'. This was believed to indicate:

X - unknown

M - male

Other labels that were printed at the time showed the name as '*Paul Henry*'.

Henri Paul's IML tag number was 2147.]

Commandant Jean-Claude Mulès **Officer of the Brigade Criminelle**

Interviewed by Operation Paget - Other Document 422

Asked how bodies arriving at the IML were described, Commandant Mulès said that normally the term '*X Homme*' or '*X Masculine*' were used on documents such as these when the identity of the deceased is not known or in doubt. He could not account for why the sample of blood sent to Professor Ricordel for blood alcohol examination was marked 'XM', but said 'XM' means '*X Masculine*'.

Commandant Mulès said this was probably a simple case of the '*Identificateur*' forgetting to add the name '*Henri Paul*'. In respect of why the word '*Cardiaque*' had been recorded onto the sample bottles when it appeared that the blood was taken from the chest cavity, Commandant Mulès said that he understood '*Cardiaque*' to mean exactly what it says, i.e. that it has come from the heart and not from veins and/or arteries.

Operation Paget Comment

It is not known why Professor Ricordel's sample shows 'XM' and other samples apparently taken at the same time show '*Paul Henry*'.

Professor Ricordel does not indicate in any of his reports where he believed the blood to be sampled from in Henri Paul's body. From Professor Lecomte's description of the autopsy (French Dossier D1323 and D4412) this could only be blood from the hemithorax, i.e the chest cavity.

Second test (control) on the blood of Henri Paul - following Professor Ricordel's initial test

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Gilbert PEPIN

Doctor of Science, Doctor of Pharmacy, Biologist, expert at the Paris Court of Appeal. Based at the independent Laboratoire TOXLAB (TOXLAB) in Paris.

Summary

On 1 September 1997 Dr Pépin tested a sample of blood from Henri Paul for blood/alcohol levels. This followed the analysis of Professor Ricordel above and was undertaken as a control test. This was standard procedure covered under French legislation relating to blood/alcohol testing.

He concluded a blood alcohol level of **1.74g/l** for Henri Paul.

French Dossier D824-D828

Operation Paget - Other Document 265, page 353

Dr Pépin was tasked to undertake a blood/alcohol control test following Professor Ricordel's tests. He described the reason for this control test:

'I was consulted for a second assessment after Professor Ricordel, to carry out just a control blood alcohol test on the blood of Henri Paul by the Public Prosecutor by fax at 11.38 hrs on 1.9.97 i.e. 1 to 2 hours after Professor Ricordel's findings were made known to Mr Al Fayed and his lawyers. They immediately challenged that result hence the second assessment which the Public Prosecutor immediately requested be undertaken by me.'

He went on to explain why only blood/alcohol levels were analysed on Monday 1 September 1997:

'In the event of a fatal road traffic accident it was mandatory in 1997 to determine the concentration of alcohol in the driver's blood; consequently as far as I am aware no test to detect the presence of medication/drugs or carboxyhaemoglobin was requested by the magistrate and therefore none was performed by Professor Ricordel.'

Thus the blood/alcohol analyses carried out on 1 September 1997 were obligatory because of the nature of the fatal road traffic crash, irrespective of which other offences were being looked at.

French Dossier D823

Dr Pépin's instructions from the Public Prosecutor were clear:

'The Public Prosecutor at Paris Regional Court given the investigation being conducted... for the death of Henri Paul by the Paris Criminal Investigation Department...requisition Dr Pépin, expert at the Court of Appeal for the purpose of proceeding with the measurement of alcohol in the sample of blood taken by Professor Lecomte during the autopsy conducted on 31 August 1997 on the body of Henri Paul. - Paris 1 September.'

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Dr Pépin reported - French Dossier D824-D828

On submission of the assignment, the following was obtained from the registry of the Institut Médico-Légal, 2 place Mazas, 75012 Paris:

- *one standard glass flask of blood with a self-crimped screw top and an adhesive label marked as follows*
 - *Henri Paul*
 - *Institut Médico-Légal no 2147*
 - *31 August 1997*
 - *Professor Lecomte*

It is therefore definitely the sample taken by Professor Lecomte in the course of the autopsy on the body of the above. The seal was intact.

This analysis produced the following result in Henri Paul's blood
- ethanol = 1.74 g/litre'

There was no photograph of this bottle. It is not known if this was a pre-printed label or handwritten.

Dr Pépin in his report at the time stated the label on this sample showed the body as Henri Paul, IML number 2147. It is not known why Dr Pépin's sample had a name as opposed to 'XM' as described in Professor Ricordel's statement.

Dr Pépin did not specifically indicate on 1 September 1997 where he believed this blood was sampled from in Henri Paul's body. In his '*Reports Summary*' at French dossier D1340, believed written on 9 September 1997, he stated that:

'...the blood taken on 31/8/97 at the post mortem was an intra-cardiac sample, whereas the blood taken on 4/9/97 was taken from the femoral artery'

This indicated that he believed he was analysing cardiac blood samples from 31 August 1997.

[Paget Note: Again from Professor Lecomte's description of the autopsy (French Dossier D1323 and D4412) this could only be blood from the hemithorax, chest cavity.]

Further toxicology tests conducted by Dr Pépin - 1 September 1997: blood sample of Henri Paul

Dr Pépin carried out additional toxicology tests on the sample of blood he received on 1 September 1997. In order to understand why these further tests were done, and whether they were formally authorised, one must look at Dr Pépin's work on this blood sample in full.

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The instruction sent by the Public Prosecutor's Office to both Professor Ricordel and Dr Pépin was a standard printed form on which the details relating to this specific case had been handwritten. (French Dossier D1307 and D823).

The content of the individual forms was identical, except that Dr Pépin's form had a handwritten addition – '*control analysis*', as he was tasked with the control test following Professor Ricordel's original test.

There are two options on this form for which tests can be requested:

- '*blood alcohol*' and/or
- '*carbon monoxide*'.

The forms sent to Professor Ricordel and Dr Pépin had the carboxyhaemoglobin option crossed out. Dr Pépin has explained that this was an historic form and that in the past it was an extremely common occurrence for people to die of carbon monoxide poisoning due to malfunctioning heating systems. That was why carbon monoxide had been included in the proformas. (Operation Paget Other Document 382)

The result of the blood alcohol test carried out by Dr Pépin's laboratory was formalised in a report dated 1 September 1997. He gave the blood alcohol level as 1.74 g/l as described above (French Dossier D824-D828). Attached to Dr Pépin's report was an *analysis chart* timed at '*13.19*' on 1 September 1997.

On 3 September 1997 Judge Hervé Stéphan issued an order to Dr Pépin under Article 156 of the Code of Criminal Procedure:

French Dossier D1327

'Mission - To carry out a full toxicological analysis of the samples taken during the autopsy of Henri Paul (blood and viscera) in order to identify the presence of any toxins and medicinal substances. To make any arrangements that might be necessary to allow second expert opinions.'

This order related to the samples taken by Professor Lecomte on Sunday 31 August 1997 and collected from the IML on Thursday 4 September 1997.

Dr Pépin confirmed this in his interview:

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Interviewed by Operation Paget on 20 January 2006 - Statement 181

'Question: "We understand that your report 971037 relates to Judge Stéphan's request of 3 September 1997 for full toxicology received by you on 4 September 1997. Is that correct?"

Answer: "Yes."

Question: "We also understand that you would be unable to carry out any toxicology tests or even to collect samples in the absence of such a request. Is that correct?"

Answer: "Yes." '

Dr Pépin provided his 'Expert Toxicology' report to the Judge on 9 September 1997. (French Dossier D1329)

Attached to this report were a number of charts relating to procedures carried out during the course of the toxicological testing. As would be expected, the majority of these bear the dates of Thursday 4 September 1997 onwards. However there were six 'Millenium Spectrum Review' reports showing a date of 1 September 1997 - timed between '15.37' and '15.45'. (French Dossier D1329 pages 36c - 39)

These charts referred to cotinine, caffeine, fluoxetine and fluoxetine metabolite and lidocaine. [Paget Note: Also known as Lignocaine.]

Dr Pépin was asked about these charts during this interview:

'Question: "We would like to draw your attention to pages 36C, 37, 38 and 39: they relate to a report entitled Millenium Spectrum Review Report, which appears to have been produced in relation to Henri Paul. In the results, it refers to the presence of cotinine, caffeine, lidocaine, fluoxetine and fluoxetine metabolite. The date this report was printed is 1 September, which is prior to your appointment as an expert. Are you able to explain this?"

Answer: "Professor Ricordel carried out a blood alcohol test on the blood of Henri Paul on 1 September. Two hours later, because his results were immediately challenged by the lawyer, I was requested to carry out a further test. I did not know his results from the first analysis. I therefore did my blood alcohol analysis and I made use of various methods [to detect] any possible products that might cause interference in order to guarantee the quality of my results; these methods have nothing to do with those used in carrying out a blood alcohol test. Later on, having been officially appointed by Mr Stephan on 3 September to carry out full toxicology, I incorporated the toxicological investigations that I performed previously to guarantee the result of the first test." '

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Dr Pépin clarified that lidocaine was not actually detected. The Millenium Spectrum chart in this case related to an internal standard for the machine to show it was functioning correctly.

In other words, when he received the sample of blood on Monday 1 September 1997 for blood/alcohol testing, Dr Pépin carried out further toxicological screening in which he identified cotinine etc. He stated this was done to identify any products that might interfere with the blood/alcohol analysis.

Professor Robert Forrest believed Dr Pépin may have been carrying out further tests due to expediency, to see what else may have been in Henri Paul's system, in anticipation of further tests being requested. The other substances would not have affected the blood/alcohol quantitative reading. The results would inform the interpretation of that reading.

Operation Paget - Other Document 265, page 450

The confusion around where Dr Pépin's authority came from to carry out these additional tests on this blood sample was added to by an answer he provided to another question posed by Operation Paget –

'Question: "Have you measured the carboxyhaemoglobin in the blood of other drivers who have died as a result of road traffic crashes in which the airbags and pre-tensioners were deployed? If so, what results did you obtain? Is it possible to examine your results?"

Answer: "No. It is forbidden to carry out analyses other than for blood alcohol and drugs on bloods taken in the event of a serious road traffic crash. If an expert carries out tests for which he was not assigned, he could be struck off." '

Operation Paget Comment

The evidence indicated that Dr Pépin carried out some toxicological tests on the blood he received on 1 September 1997. The Public Prosecutor did not specifically request them.

He explained that he did this as a legitimate verification that there was nothing in Henri Paul's blood that would affect the blood/alcohol results.

Professor Forrest considered a more likely explanation that the extra tests were carried out by Dr Pépin in anticipation of being asked to do these tests in the future.

[Paget Note: Professor Forrest is the toxicology adviser to Operation Paget.]

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It remains unclear whether Dr Pépin had authority to deal with the sample of blood in the manner in which he did. In any event, it is an internal French regulatory matter. The impact for Operation Paget of Dr Pépin carrying out the extra tests has only been to complicate our understanding of the tests and results. Although this may not have been accepted practice it did add to knowledge of the toxicology of Henri Paul's blood.

A more critical issue for the Operation Paget investigation into the conspiracy allegation is whether Dr Pépin, by carrying out these extra tests, somehow added to the conspiracy evidence. Of his own accord, Dr Pépin openly included the dated and timed charts (*Millenium Spectrum Reviews*) of 1 September 1997 within his official judicial report of 9 September 1997. This supported the contention that he was not acting in an underhand or devious manner, as he put his results into the official dossier for the attention of the Examining Magistrate.

Toxicology results for other samples taken during the autopsy of 31 August 1997

Blood samples from the autopsy of 31 August 1997 were analysed by Professor Ricordel and Dr Pépin on Monday 1 September 1997 (as described at (i) above).

On Thursday 4 September 1997 Dr Pépin was provided with other forensic samples from that autopsy and asked to undertake toxicology tests on them.

Wednesday 3 September 1997

French Dossier D1327

Dr Pépin received an instruction dated Wednesday 3 September 1997 from the newly appointed Examining Magistrate, Hervé Stéphan, in the following terms:

'Mission - To carry out a full toxicological analysis of the samples taken during the autopsy of Henri Paul (blood and viscera) in order to identify the presence of any toxins and medicinal substances. To make any arrangements that might be necessary to allow second expert opinions.'

[Paget Note: The judge in this instance did not specifically mention alcohol.]

Judge Stéphan, in his statement to Operation Paget (Operation Paget Statement 240) said that he asked for full toxicology tests *'because this enables you to have a wider investigative spectrum. It is true that usually in a road traffic accident we just test for blood alcohol'*.

Thursday 4 September 1997

On 4 September 1997 Dr Pépin received the following samples (including another sample of blood) from the autopsy of 31 August 1997 and was asked to undertake more tests. They were contained in one plastic box (photographed).

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1. Cardiac blood (this is the second sample of '*cardiac blood*' from the autopsy of 31 August 1997 received by Dr Pépin).
2. Gastric Contents – glass jar with metal screw top printed label, the '8' of 31/08/1997 was apparently hand written.
3. Lung – plastic pot with screw top, printed label, '8' for the date was printed not handwritten.
4. Liver – plastic pot with screw top, as above.
5. Kidney – plastic pot with screw top, as above.
6. Spleen – plastic pot with screw top, as above.
7. Pancreas – plastic pot with screw top, as above. '*Pancreas*' is handwritten – the printed label appears to show '*Scelles*' i.e. samples.
8. Vitreous Humour – glass tube with rubber top, '8' for the date possibly handwritten.
9. Urine – one self-crimping vial – the whole of this label is handwritten, not printed.

Again it is not known why the urine sample was the only sample handwritten and not a pre-printed label. Neither is it known why pancreas was handwritten on a printed label or why the number '8' for the month is handwritten on some exhibits.

[Paget Note: A sample of hair was also in the box of samples. The photograph of this hair sample does not appear on the report at D1329 but is attached to a separate report dealing with its analysis (French Dossier D1337). This will be discussed later in this section.]

Dr Pépin and his staff at Toxlab carried out tests on these samples over the following days.

French Dossier D1329 pages 29-33

In his expert's report dated 9 September 1997, Dr Pépin responded to the Examining Magistrate's instruction. His report included the following observations:

[Paget Note: These were later interpreted by Professor Robert Forrest for Operation Paget.]

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'The complete toxicological report on the samples taken from the body of Henri PAUL reveals:

In the blood:

- ethyl alcohol = 1.74 g/litre

The presence of:

- fluoxetine = 0.12 µg/ml (therapeutic levels 0.09 to 0.5 µg/ml)

- norfluoxetine = 0.18 µg/ml (therapeutic levels 0.15 to 0.5 µg/ml)

- tiapride = 0.006 µg/ml (therapeutic levels 1 to 2 µg/ml)

compounds normally found:

- fatty acids, cholesterol

- nicotine, cotinine, caffeine

The presence of:

- carboxyhaemoglobin = 20.7 %'

[Paget Note: As will be discussed in the findings of Professor Robert Forrest, it is crucial to understand that this carboxyhaemoglobin level of 20.7% is for blood taken from the hemithorax (chest cavity) rather than 'pure' blood from the heart itself.]

In the stomach contents:

- ethyl alcohol = 1.91 g/litre

The presence of:

- fluoxetine = 0.68 µg/ml

- norfluoxetine = 0.82 µg/ml

The absence of:

- tiapride

In the urine:

- ethyl alcohol = 2.18 g/litre

The level of 2.18 g/l found in the urine confirms that Mr Henry PAUL was in the elimination phase

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Still in the urine the presence of:

- **fluoxetine** = 0.26 µg/ml
- **norfluoxetine** = 0.42 µg/ml
- **tiapride** = 2.73 µg/ml
- *compounds normally found:*
 - fatty acid, cholesterol
 - nicotine, cotinine, caffeine

In the vitreous humour:

- **ethyl alcohol** = 1.73 g/litre

In the viscera:

- | | |
|---------------------------|--|
| - in the liver: | fluoxetine = 5.50 µg/g
norfluoxetine = 6.90 µg/g
tiapride < 0.05 µg/g (below detection limit) |
| - in the spleen: | fluoxetine = 0.62 µg/g
norfluoxetine = 0.66 µg/g
tiapride < 0.05 µg/g |
| - in the lungs: | fluoxetine = 5.33 µg/g
norfluoxetine = 6.05 µg/g
tiapride < 0.05 µg/g |
| - in the pancreas: | fluoxetine = 0.18 µg/g
norfluoxetine = 0.17 µg/g
tiapride < 0.05 µg/g |
| - in the kidneys: | fluoxetine = 0.29 µg/g
norfluoxetine = 0.05 µg/g
tiapride < 0.05 µg/g |

- *The level of ethanol found in the vitreous humour is very close to the level found in the blood, which is in agreement with the scientific data which indicate an alcohol/blood ratio to alcohol/vitreous humour close to 1. The level of 2.18 g/l found in the urine confirms that Mr Henry PAUL was in the elimination phase.'*

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Dr Pépin then continued, interpreting his results in order to understand the effects and implications of these substances found.

'Fluoxetine is the active principle of Prozac, a medicine entered on List I, issued only on medical prescription. The indications given by the 1997 Vidal dictionary are as follows:

- "- Major (ie clear) depressive episodes*
- Compulsive obsessional disorders"*

The level found is therapeutic. Its half-life is about 4 days while the half-life of its active metabolite, norfluoxetine, is about 7 days. The Vidal dictionary states: "fluoxetine may affect attention and the ability to react. For this reason it is advisable to warn drivers of vehicles and users of machinery of this risk".

Tiapride is the active principle of Tiapridal or Equilium, medicines on List 1, issued only on medical prescription. The indications given by the 1997 Vidal dictionary are as follows:

- "- States of agitation and aggressiveness, particularly in alcoholics*
- Intense, intractable algias*
- Abnormal choreal type movements"*

In the blood, the level found is subtherapeutic (therapeutic levels 1 to 2 µg/ml). Its half-life being extremely short, of the order of 3 to 4 hours, this indicates a dose, before death, at least greater than 5 half-lives. As regards taking alcohol and driving, the 1997 Vidal dictionary states:

"alcohol leads to an increase in the sedative effect of neuroleptics. The impairment of wakefulness may render the driving of vehicles and the use of machinery dangerous. For this reason the taking of alcoholic drinks and medicines containing alcohol must be avoided". Moreover, "tiapride must be used with caution by drivers of vehicles and users of machinery".

As tiapride has a cerebral tropism, it would be relevant to have a sample of brain or spinal cord.'

Tests on the hair samples taken on 31 August 1997

These were reported separately.

French Dossier D1337

The Examining Magistrate requested analysis of the hair taken at the autopsy of 31 August 1997 for drugs and any other substance, particularly medicinal. Dr Pépin, having tested the hair on 5 September 1997, responded:

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Description of sample

One black plastic jar containing a lock of hair 3.9 centimetres long. The jar was marked as follows:

- *IML: 972147*
- *NAME: Henri Paul*
- *DATE: 31.8.97*
- *HAIR*
- *DOCTOR: LECOMTE*

General Conclusions

Tiapride 7.8 ng/mg

Fluoxetine 1.1ng/mg

Albendazole 7.1ng/mg

Tiapride is a neuroleptic of the benzamide family, active ingredient of Tiapridal®, Equilium® and Tiapride Panpharma®.

Fluoxetine is a serotoninergetic antidepressant, active ingredient of Prozac®.

Albendazole is an anti-parasite substance of the benzimidazole family, active ingredient of Zentel®

Remark:

The size of the sample was insufficient for a sequential month by month analysis to study the taking of medicines over a period.'

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Operation Paget – Summary of Results

Samples taken by Professor Lecomte at the 31 August 1997 autopsy of Henri Paul

- i) Blood samples passed to Professor Ricordel and Dr Pépin on Monday 1 September 1997

In tests carried out on 1 September 1997:

Professor Ricordel found a **blood/alcohol level of 1.87g/l**

Dr Pépin found a **blood/alcohol level of 1.74g/l**

- ii) Other Forensic Samples Passed to Dr Pépin on 4 September 1997 - including another blood

Tests were carried out from 4 September 1997 onwards at TOXLAB.

Dr Pépin found:

- a) Alcohol levels:

- 1.91 g/l in the **stomach**
- 2.18 g/l in the **urine**
- 1.73 g/l in the **vitreous humour**

[Paget Note: Vitreous humour is considered to be one of the most reliable sites for taking samples for alcohol measurement as it is not affected by changes in the bloodstream and is relatively protected from interference of contaminants.

In his report of these results to the Examining Magistrate, dated 9 September 1997, Dr Pépin provided a figure of 1.74 g/l alcohol in the blood.

Dr Pépin did not carry out a quantitative blood/alcohol analysis on the blood delivered to him on 4 September 1997. He carried out a qualitative analysis for '*volatile substances*' that detected the presence but not a quantity of alcohol.

He re-used the quantitative figure from his analysis of Monday 1 September 1997 in the report of 9 September 1997. Hence 1.74 g/l is not a corroborating figure for the first test results but a repeat of the same figure.]

- b) Carboxyhaemoglobin

20.7% Carboxyhaemoglobin in the **blood**.

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c) Other Substances

Fluoxetine, Norfluoxetine and Tiapride in the **blood, urine**.

Fluoxetine and Norfluoxetine in the **stomach contents, liver, spleen, lungs, pancreas**.

Fluoxetine in the **kidney**.

Tiapride, Fluoxetine and Albendazole **in the hair**.

[Paget Note: Fluoxetine is the active element in Prozac, which is an anti-depressant or stimulant. Norfluoxetine is a metabolite of fluoxetine produced in the body. It is itself pharmacologically active.

Tiapride is commonly used to treat agitation or aggression.

Albendazole is an anti-parasitic agent, used for the treatment of intestinal worms.

Other common substances were identified – fatty acids, cholesterol, nicotine, cotinine and caffeine.]

(a) (ii) Samples taken during the examination of 4 September 1997 by Dr Campana

On Thursday 4 September 1997 Judge Hervé Stéphan ordered a second examination of the body of Henri Paul by a different court appointed expert, Dr Jean-Pierre Campana. The judge and Dr Pépin, the appointed toxicologist, attended this examination in person. Dr Campana took samples of '*femoral*' blood and '*muscle/hair*'. Dr Pépin took immediate possession of the femoral blood for testing the following day (5 September 1997)

i) Femoral Blood Sample

Gilbert PEPIN

Doctor of Science, Doctor of Pharmacy, Biologist, expert at the Paris Court of Appeal. Based at the independent TOXLAB in Paris. He attended the examination of Henri Paul on 4 September 1997 and took away a sample of femoral blood.

French Dossier D1332

On Thursday 4 September 1997, Judge Hervé Stéphan gave the following instructions to Dr Pépin concerning the samples to be taken at the examination of Henri Paul's body that day by Dr Campana (French Dossier 1330-1331):

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'Mission

To analyse the samples of blood and tissues which will be taken today at 5.00 pm in my presence and yours from the body of Henri PAUL at the Institute of Forensic Medicine for the purpose of carrying out a full toxicological analysis (alcohol and presence of any toxins)'

Toxicology results for the **femoral blood sample** taken during the examination of 4 September 1997. (French Dossier D1332)

Dr Pépin detailed the results of his analyses of this femoral blood:

'The complete toxicological report on the samples taken from the body of Henri PAUL reveals:

In the blood:-

ethyl alcohol = 1.75 g/litre

The presence of:

- **fluoxetine = 0.12 µg/ml (therapeutic levels 0.09 to 0.5 µg/ml)***
- **norfluoxetine = 0.16 µg/ml (therapeutic levels 0.15 to 0.5 µg/ml)***
- **tiapride = 0.007 µg/ml (therapeutic levels 1 to 2 µg/ml)***

compounds normally found:

- fatty acids, cholesterol*

The presence of:

- **carboxyhaemoglobin = 12.8 %**''*

[Paget Note: This quantitative test for carboxyhaemoglobin levels was carried out on the purer sample of blood from the '*femoral*' region of Henri Paul's body and not the more easily contaminated '*chest cavity*' area, as was the case with the sample from 31 August 1997.]

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Véronique DUMESTRE-TOULET

Doctor of Pharmacy based in Bordeaux. The Examining Magistrate tasked Dr Dumestre-Toulet to look at Carbohydrate-Deficient Transferrin (CDT) in Henri Paul's blood. In some circumstances this can be a measure of alcohol consumption over a period of time.

French Dossier D1508-D1509

On 11 September 1997 Judge Hervé Stéphan issued a further instruction relating to the blood taken by Dr Campana on 4 September 1997. He appointed in addition to the first registered expert, Dr Gilbert Pépin, a non-registered expert, who he required to be sworn, on the grounds of her specifically recognised expertise relating to the assignment:

'To analyse the blood sample taken from the body of Henri Paul in my presence on 4 September 1997 in order to determine alcohol consumption habits by measuring deglycosile transferrin/beta globulin.'

French Dossier D1514-D1515

Dr Dumestre-Toulet found the rate of deglycosyled transferrin detected in Henri Paul's blood to be 32UI/I, which in her opinion was above the critical threshold of 20UI/I.

She stated that the deglycosyled transferrin rate is abnormal if over 20UI/I in men and 26UI/I in women. It is indicative of either chronic alcoholic intoxication or a rare genetic defect (frequency 1/500) in which the deglycosyled transferrin rate is high without any alcohol consumption. Deglycosylated tranferrin is a literal translation from the French. The compound is the same as that described by the term Carbohydrate Deficient Transferrin (CDT).

Dr Dumestre-Toulet stated that the level of 32UI/I was slightly higher than the critical threshold of 20UI/I set in the literature. *'It is consistent with moderate chronic alcoholism for at least a week.'*

Professor Forrest cautioned on relying too heavily on CDT levels. He commented on CDT tests in his conclusions. CDT tests can provide strong, but not absolutely compelling evidence that Henri Paul was a chronic user of excessive amounts of alcohol. Professor Forrest stated:

'Issues arise in respect of use of the Carbohydrate Deficient Transferrin (CDT) test in the assessment of alcohol consumption in life using samples collected after death.'

'There are difficulties in the execution of the assay with there being no agreement as to the best analytical method available. There are also difficulties in standardising the assays.'

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The assay is not particularly specific for heavy drinking; other causes of liver dysfunction can also be associated with low levels of circulating Carbohydrate Deficient Transferrin (CDT) in life. An additional complication is that after death there have been suggestions that the processes of putrefaction can result in the stripping of carbohydrate from the Transferrin molecule leading to relatively high concentrations of Carbohydrate Deficient Transferrin in post mortem blood even in non drinkers.

Nonetheless, the current consensus within the Scientific Literature is that Carbohydrate Deficient Transferrin has some utility in the assessment of heavy drinking in freshly collected post mortem blood samples.

An issue might arise in whether or not the sample intended for analysis of Carbohydrate Deficient Transferrin should be maintained at 4°C whilst posted, or whether it can be sent by ordinary post under most circumstances. Currently, the advice given in the United Kingdom is that the sample for this assay can be sent by ordinary post to a specialist laboratory.

In general, because of the difficulties between different assays the best person to interpret the result of a particular assay on a particular sample is the Analyst, or the Director of Laboratory where the assay was carried out. Consequently, the opinion expressed in this case by those who carried out the assay that the result is likely to reflect regular heavy drinking by the deceased driver, during the period leading up to the crash, is one with which I would agree.'

ii) Hair/Muscle Samples taken by Dr Campana on 4 September 1997

The only reference to testing of these samples was contained in Dr Pépin's reports. He stated that there was insufficient hair to carry out sequential testing and the sample was only of use for genetic fingerprinting. There was no evidence that it was used for this purpose. It would appear that the muscle section of these samples has never been toxicologically tested.

Operation Paget – Summary of Results

Samples from Dr Campana at the examination of Henri Paul on 4 September 1997

Dr Pépin himself took the left femoral blood sample from the IML to TOXLAB on 4 September 1997. Tests began on 5 September 1997.

Dr Pépin found:

- i) blood/alcohol level of 1.75g/l.
- ii) presence of fluoxetine, norfluoxetine and tiapride
- iii) carboxyhaemoglobin of 12.8%
- iv) compounds normally found; fatty acids, cholesterol etc.

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Dr Dumestre-Toulet found in relation to CDT:

- i) the level of 32UI/I is slightly higher than the critical threshold of 20UI/I set in the literature. *'It is consistent with moderate chronic alcoholism for at least a week.'*

Hair samples taken on 5 September 1997 by Dr Campana

Dr Pépin again reported that there was insufficient sample to carry out a sequential testing of the hair for any substances present.

Hair and spinal cord samples taken on 9 September 1997 by Professor Lecomte

Hair samples

Hair was taken from the body of Henri Paul on four occasions: 31 August, 4 September, 5 September and 9 September 1997. [Paget Note: In addition to testing for the presence of drugs and medicinal substances, hair can be used to carry out sequential testing i.e to build up a picture of the time period over which the substances had been taken.]

It was not until Professor Lecomte took a sample of hair on Tuesday 9 September 1997 that there was sufficient length of suitable hair for sequential testing.

Dr Gilbert PEPIN

Judge Hervé Stéphan tasked Dr Pépin to analyse the hair sample of 9 September 1997 in order to provide a sequence of the presence of substances over the previous months, (French Dossier D1523):

'To analyse the hair samples taken from Henri Paul by Professor Lecomte in accordance with my order of 9 September in order to make a chronological assessment of the doses of medicinal drugs detected in your previous reports.'

The hair was handed over personally to Dr Pépin on 16 September 1997 and he reported his results on 19 September 1997 (French Dossier D1524). In summary he analysed the presence of substances in the hair over a three-month period. He found:

August – the presence of **Tiapride** (trade name Tiapridal or Equilium), **Fluoxetine** (trade name Prozac) and **Albendazole** (trade name Zentel)

July - the presence of **Tiapride and Fluoxetine**

June – the presence of **Tiapride and Fluoxetine**

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This sequential testing indicated that Henri Paul had been taking Tiapride and Prozac for at least a period of three months and Albendazole for around one month. Albendazole (Zentel) is used for the treatment of intestinal worms. It is a prescription only medicine in France, but Dr Devaux, Deputy Director of Toxlab, told Operation Paget that some French pharmacists might sell this to customers known to them, without prescription, on the understanding that it would be used for the treatment of animals.

Spinal Cord Samples

Judge Hervé Stéphan tasked Dr Pépin to analyse the spinal cord sample taken on 9 September 1997, (French Dossier D1521):

'To analyse the sample of spinal cord taken from the body of Henri Paul by Mrs Lecomte by virtue of my order dated 9 September 1997 for the purpose of revealing the presence of medicinal products and determining their concentrations; to provide any useful information'

Dr Pépin had previously indicated (French Dossier D1329) that, *'As tiapride has a cerebral tropism, it would be relevant to have a sample of brain or spinal cord.'*

Dr Pépin reported his results on 17 September 1997 (French Dossier D1522):

'The complete toxicological report on the samples taken from the body of Henri Paul reveals:

In the spinal cord: - The presence of:

- fluoxetine = 0.47 µg/g*
- norfluoxetine = 0.96 µg/g*
- tiapride = 0.12 µg/g*

Analysis of the spinal cord reveals the presence of the same medicines as in the victim's blood, namely: the serotonergic antidepressant and its active metabolite from the proprietary medicine PROZAC (fluoxetine and norfluoxetine) and the neuroleptic belonging to the family of benzamides from the proprietary medicines TIAPRIDAL or EQUILIUM (tiapride). The fixing on the nervous tissues of the active principles of these molecules certainly indicates that Mr Henri Paul was under the influence of these medicines at the time of the accident.'

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Operation Paget – Summary of Results

Hair and spinal cord samples taken on 9 September 1997

Dr Pépin found in sequential testing of hair:

August – the presence of **Tiapride** (trade name Tiapridal or Equilium), **Fluoxetine** (trade name Prozac) and **Albendazole** (trade name Zentel)

July - the presence of **Tiapride and Fluoxetine**

June – the presence of **Tiapride and Fluoxetine**

And in the spinal cord he found:

Presence of Fluoxetine, Norfluoxetine and Tiapride

Operation Paget - Summary of Toxicology Tests

Tables summarising the results of the toxicological tests are included at Appendix A at the end of this chapter.

(b) Carboxyhaemoglobin levels in Henri Paul's body

The carboxyhaemoglobin levels found in Henri Paul's body have been the subject of much discussion since the crash. Part of the allegation of conspiracy was supported by the view that Henri Paul could not possibly have acted in the apparently normal way he did on Saturday 30 August 1997 if he had very high levels of carboxyhaemoglobin (HbCO) in his body. This is particularly so if those carboxyhaemoglobin levels were combined with alcohol.

Judge Hervé Stéphan attempted to obtain an explanation for the level of 20.7% carboxyhaemoglobin found in the blood of Henri Paul from the 31 August 1997 autopsy.

French Dossier D5218-D5219

In an order dated 19 June 1998 Judge Hervé Stéphan appointed Professor Lecomte and Dr Pépin to undertake the following mission:

'In view of the carboxyhaemoglobin level revealed in the blood of Henri Paul, namely 20.7%, to provide any information of use concerning the possible explanations for the origin of such a level, and its significance.'

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Professor Lecomte and Dr Pépin compiled a joint report dated 16 October 1998.

French Dossier D5220-D5228

In this report they put forward an explanation for the level of 20.7% as follows:

'Origin of the level of 20.7 % of carboxyhaemoglobin in the blood of Henri Paul

The inquiry has informed us that Mr Paul was a heavy smoker. Classically, in heavy smokers a level of 10 % of carboxyhaemo-globin is found in the blood. The level which we found in the cardiac blood is 20.7 % (cf technical report No. 971037), and in the venous blood, taken from the femoral vein, 12.8 % (cf technical report No. 971042). The level of carboxyhaemoglobin in the blood, for which the carbon monoxide does not originate from the combustion of cigarette smoke, is therefore 6.75 % () of carboxyhaemoglobin.*

In 6.75 % of carboxyhaemoglobin there is $\frac{(6.75 \times 14 \times 1.39)}{100} =$

1.3135 mg of carbon monoxide for 100 ml of blood.

For 5 litres of blood there is $(1.3135 \times 50)65.7$ ml of carbon, which corresponds to $\frac{65.7 \times 10^{-3}}{22.4} = 2.93 \times 10^{-3}$ mol carbon monoxide,

or a weight of $4.64 \times 10^{-3} \times 28 = 82$ mg of carbon monoxide.

(- 2.5 litres of arterial blood at 20.7 %*

** - 2.5 litres of venous blood at 12.8 %*

33.5 % } average level = 16.75 %

** Δ for 5 litres of blood: 16.75 % - 10 % = 6.75 % of carboxy-haemoglobin.)*

The firm Autoliv, manufacturer of air bag devices and pretensioners of seat belts, in the person of the Director of research and development, Mr Michel Kozyreff, replied to us that the quantity of carbon monoxide produced in a car by the triggering, in a very violent impact, of two air bags and two pretensioners, is of the order of from one gram to a few grams, that is, several times more than the quantity of carbon monoxide necessary in order to have a level of 20.7 % in the blood.

It is thus logically established that the carboxyhaemoglobin found in the blood of Mr Henri PAUL comes from this source.

1st comment:

The release of gas after the impact takes place between 10 and 20 milliseconds, therefore the gases are given off at great speed, mainly released into the balloons of the air bags, and into the passenger compartment directly for the pretensioners.

There is in fact a gust of carbon monoxide which is breathed in.

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2nd comment:

Since death occurred very quickly after the impact through the severing of the spinal cord, the carbon monoxide was breathed in for a very brief period, and this explains the difference in levels found between the cardiac blood, close to the lungs (20.7 %) and impregnated by the tiny quantity of carbon monoxide released, and the venous blood, taken from the femoral vein, for which a lower level of 12.8 % is found, the circulation of the blood having stopped simultaneously with death.'

The experts then attached a report from Professors Castagnou and Largebau of the University of Bordeaux that described the symptoms that might be associated with increasing levels of carboxyhaemoglobin in the body. This showed:

9.6% *General malaise, stiffness*
17.5% *Slight headache, cutaneous vasodilation*
25.9% *Definite headache, temporal pulsation, progressive torpor'*

Referring to this document, Professor Lecomte and Dr Pépin stated:

'For carboxyhaemoglobin levels of the order of 12.8% to 20.7% one may observe headaches, cutaneous vasodilation etc ...'

Operation Paget Comment

When compiling this report, Dr Pépin was still not aware that the blood sample from the 31 August autopsy (with the 20.7% CO level) was haemothorax blood and not cardiac blood. In his statement to Operation Paget in January 2006 (Operation Paget-Statement 181) he stated that had he known the blood was from the haemothorax it would not have made a great deal of difference except in understanding the level of carbon monoxide in the blood. He said *'It would have helped to better understand the probable physiological mechanism.'*

Professor Robert FORREST LLM FRCP FRCPath Cchem FRSC RFP
Consultant in Clinical Chemistry and Toxicology – Adviser to Operation Paget.

Operation Paget - Other Document 537

Professor Forrest has examined and interpreted the information relating to the carboxyhaemoglobin results on behalf of Operation Paget. The 20.7% carboxyhaemoglobin level in the blood from the autopsy of 31 August 1997 has been a contentious issue. Professor Forrest's comments are reproduced in detail.

'Carbon monoxide is not usually measured directly in human blood samples, whether collected in life or after death. Haemoglobin, the red pigment in blood, has, as its primary function is the carriage of oxygen from the lungs to the tissues, when carbon monoxide combines haemoglobin with an obvious colour change takes place. Blood which is fully saturated with carbon monoxide becomes bright red. Conventionally, the degree of saturation of haemoglobin with carbon monoxide in blood is expressed as the percentage of carboxyhaemoglobin (HbCO).

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The first blood samples obtained at the original post mortem examination were apparently obtained from the chest cavity of the deceased driver. This raises the possibility that the blood may have been contaminated by other fluids and material such as bone marrow from fractured ribs. The original assay carried out by Dr. Pepin's Laboratory on 4th September 1997, found a carboxyhaemoglobin of 20.7% with a somewhat low oxyhaemoglobin (if obtained from a living person's arteries) of 57.4%. The sample was re-assayed on 9th September 1997, had a very similar result for carboxyhaemoglobin, within the range of analytical precision, but had a much reduced oxyhaemoglobin and an increased deoxyhaemoglobin. This could be due to the loss of oxygen from the sample on storage and/or to pre-treatment of the sample with dithionite before assay on 9th September 1997.

The samples obtained from the femoral vein on 4th September 1997, had much lower concentrations of carboxyhaemoglobin, a mean result of 12.7% being obtained. It is clear from the results that these samples were not pre-treated with dithionite. The CO-Oximeter did not indicate that either sample contained an excess of methaemoglobin. The mean methaemoglobin concentration in both sets of samples was 0.3%.

In the event, Dr. Pepin and his team attempted to confirm the concentration of carboxyhaemoglobin in the two samples collected as post mortem, one from the chest cavity with a relatively high concentration of carboxyhaemoglobin and one from the femoral vein, collected a few days later, by scanning spectrophotometry. They used an instrument which had formerly been owned by their Laboratory but which had been transferred to another Laboratory, in the same building, owned by a different organisation. It appears to have been properly maintained to a high standard.

The analytical protocol indicates that the samples would have been treated with dithionite and then scanned with the spectrophotometer, as well as having measurements taken of the absorbance of the sample at 3 different wavelengths. The results obtained closely agreed, within the limits of analytical precision, with the results obtained by the CO-Oximeter for carboxyhaemoglobin.

The policy by which the quality assurance of these assays was ensured in Dr Pepin's laboratory does differ significantly from the policies normally used in the United Kingdom. It would be normal practice in the United Kingdom to run samples with known concentrations of carboxyhaemoglobin preceding and/or following the specimens of interest. The policy in Dr. Pepin's Laboratory appears to have been to have checked the accuracy of the instruments by running quality assurance samples on a regular basis, rather than by running quality assurance specimens with each assay. Dr. Pepin has presented data indicating that, in general, the performance of his two methods for measuring carboxyhaemoglobin in normal blood samples is fit for purpose.

I have some reservations about the use of another spectrophotometric method to confirm the results produced by a CO-Oximeter and with the policy of assessing the reliability of the instrument in the way in which Dr Pepin did, rather than by running control specimens with each assay.

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In clinical practice, when one is dealing with samples from living patients, the CO-Oximeter is an instrument that can produce results for the carboxyhaemoglobin concentration in blood rapidly and with a sufficient degree of accuracy and precision to be fit for purpose in the clinical management of living patients. I have a high degree of confidence in the analytical accuracy of the results obtained from CO-Oximeters in the clinical context. My degree of confidence in this technique is somewhat less when one is dealing with samples obtained at post mortem. When samples are obtained from the heart or from the femoral vein or artery shortly after death one can usually have a high degree of confidence in the results. When the samples are obtained from, for example, the chest cavity, or are obtained several days after death, then a degree of caution always has to be used in interpreting the results. The reason for this is the very real possibility of the presence of contaminants in the blood from the chest cavity that could lead to an artefactual increase in the carboxyhaemoglobin concentration measured in such a sample.

If the blood sample had been collected from the heart rather than the chest cavity, then this particular issue would have been less likely to have arisen. I understand that there were only a few drops of blood left in the heart at post mortem. Consequently, this option was not available.

As time passes after death, even if the blood sample is collected from the heart itself or from the femoral vein or artery, then the possibility of the presence of potential interferences in the sample that will interfere with the analyses and may not be detected by the software built into the CO-Oximeter does increase. This may be a problem that is less commonly encountered with the instruments available today than those in common use 9 years ago, but it is still an issue that has to be taken into account.

The interpretation of the carboxyhaemoglobin results

Thus there is a possibility that some form of contamination present in the sample collected from the chest cavity could have artefactually increased the concentration of carboxyhaemoglobin in that sample. Whilst of a lower degree of probability, this might also apply to the samples collected from the femoral vein or artery after the original post mortem examination

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The origin of the carbon monoxide

Whilst there are usually some differences, at post mortem, in the carboxyhaemoglobin concentration of blood samples obtained from the different parts of circulatory system, I would not expect these differences to begin to approach the magnitude of the differences found in this case between the concentration of carboxyhaemoglobin obtained from the chest cavity and those obtained from the femoral vein (or artery) a few days later. If one works on the assumption that both results are analytically accurate, reflecting the concentrations of carboxyhaemoglobin actually present in the samples at the time of death, the results strongly suggest that some dynamic process was operating at around the time of death. The results cannot reflect a steady state produced by the inhalation of sufficient concentrations of carbon monoxide to produce carboxyhaemoglobin concentrations of the order of 21%. If that were the case then the samples from the femoral region would have been of the same order of magnitude. A carboxyhaemoglobin concentration of the order of 21% would certainly adversely affect the ability to safely control a motor vehicle.

I have considered the possibility that there may have been a significant loss of carbon monoxide from the blood in the deceased driver's body between the time of the first post mortem examination and the time when the subsequent blood samples were obtained. My opinion is that any such loss would have been a relatively small one and cannot account for the difference between the two sets of results.

The question thus arises as to what other factors might account for the difference between these results.

It is likely that there would have been a significant background of carboxyhaemoglobin concentrations circulating in the deceased's blood. He was a smoker; nicotine and the nicotine metabolite, cotinine, were found in his body fluids which would reflect the use, not necessarily by smoking, of nicotine containing products by him. There are video images of him smoking. I understand that his favoured tobacco product was cigarillos.

Whilst most smokers of cigars do not inhale, those who do tend to have carboxyhaemoglobin concentrations in their blood which are higher than those of most cigarette smokers., I understand that it is usually the habit of cigarillo smokers to inhale.

Heavy smokers can have base line carboxyhaemoglobin concentrations of certainly up to 10% and some can have concentrations which are rather higher than that. Whilst figures of up to 15% for the concentration of carboxyhaemoglobin in smokers have been quoted, a more generally acceptable figure is that only about 2.5% of smokers have carboxyhaemoglobin concentrations in blood of greater than 12%. That is to say 1 in 40 might have a carboxyhaemoglobin concentration of greater than 12%.

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There are other biological markers of smoking that can be looked for in biological fluids. Apart from the presence of carboxyhaemoglobin in blood and nicotine and the nicotine metabolite cotinine in body fluids, another marker of smoking is the presence of cyanide and its metabolite thiocyanate in body fluids. For example, some insurance companies have screened saliva samples donated by applicants for life insurance; only those with low thiocyanate concentrations in saliva would be eligible for the advantageous rates offered to non-smokers.

Dr. Pepin used a rather old fashioned method of screening for cyanide, namely the Conway diffusion method. This method would have been intended to screen for the possibility of cyanide poisoning rather than having the sensitivity detect cyanide in the sort of concentrations found in the body fluids of smokers. Thus a negative result for cyanide by this method does not at all exclude the possibility of the driver being a heavy smoker.

Thiocyanate was not screened for. It would not be at all usual to screen for thiocyanate in post mortem blood in any circumstances.

I accept that a concentration of carboxyhaemoglobin of the order of 12% could be found in the blood of a very heavy smoker but, in general, lower concentrations of carboxyhaemoglobin tend to be found in smokers' blood.

Other sources of carbon monoxide, which would usually be associated with much lower concentrations of carboxyhaemoglobin, in blood than 12%, are living in an urban environment and living in a house, or apartment, with a water heating system based on a boiler which, whilst adequately ventilated to avoid carbon monoxide poisoning, nonetheless results in a higher than desirable concentration of carbon monoxide within the accommodation.

Nonetheless, a carboxyhaemoglobin concentration of around 12% is higher than I would usually expect to find in the majority of deceased persons even if they had been heavy smokers. Consequently, I believe that there is a real possibility that the results obtained on the femoral sample may be higher than the carboxyhaemoglobin concentration that was actually present in the femoral vein at the time of death.

When a person breathes in carbon monoxide in an atmosphere containing a relatively high concentration of carbon monoxide, it takes a finite length of time for the concentration of carbon monoxide in blood to reach equilibrium. The rate at which carbon monoxide rises in blood depends on a variety of factors including the carbon monoxide concentration in the atmosphere and the rate at which the individual is breathing. The rate at which the individual breaths is very largely dependent on the amount of work they are doing. Small, rapidly metabolising, animals, classically, of course, canaries, will develop high concentrations of carboxyhaemoglobin in their blood much more rapidly than will humans in an atmosphere containing carbon monoxide.

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The dynamics of the crash are that the deceased driver would have had very little time to complete taking a breath during the process of the crash. As soon as the collision started to occur, as the vehicle decelerated, he would have moved forward relative to the position of the steering wheel. As the process of deceleration proceeded his chest would have been compressed with air being forced from his lungs rather than him breathing in. As the vehicle came to rest, his spinal transection would have meant that it is unlikely that he could have voluntarily taken further breaths. However, the elastic recoil of the bones of his chest, even in the presence of rib fractures, may have meant that there could have been some involuntary inhalation.

My understanding of the current data available as to the concentration of carbon monoxide likely to have been present within the cabin during and immediately after the impact is that it would not have been particularly high. The carboxyhaemoglobin concentration in the blood of the deceased male passenger was low, which implied that there was no a general increase in the carbon monoxide concentration in the atmosphere within the vehicle's saloon. Even if the deceased driver came to rest with his mouth and nose in close proximity to the vents in the airbag, and was able to complete taking a breath at that point, the concentration of carbon monoxide present in the airbag would probably have been less than the concentration of carbon monoxide typically present in cigarette smoke. Consequently, I do not believe that a single inhalation, even directly from the gases present within a fully inflated airbag, could have accounted for an increase the carboxyhaemoglobin concentration of blood in his chest cavity of as much as 8% over and above the concentration present in his femoral vein or artery before the crash.

The possibility arises that the relatively high concentration of carboxyhaemoglobin found, by the method used, within the femoral blood sample may have reflected a contribution from the carbon monoxide within the air bag inhaled at the time of the crash over and above any carboxyhaemoglobin that may have been present as a result of the deceased's smoking habits and his environmental exposure to carbon monoxide that is part and parcel of living in a city.

In fact, if the blood sample obtained a few days after the post mortem examination is, from the femoral vein rather than the femoral artery then this raises the additional difficulty of the length of time taken for blood to circulate from the left side of the heart, through a developing rupture in the aorta, down into the pelvis, through the iliac vessels into the femoral artery, through the lower limb and to return into the femoral vein. It seems to me improbable that, if this second blood sample was obtained from the femoral vein, rather than from the femoral artery, that any of the carboxyhaemoglobin present in that sample could reflect carbon monoxide inhaled during the process of the crash, given the nature of the deceased's injuries.

In short, at present, if one accepts that the results of the carboxyhaemoglobin analyses accurately reflect the situation that existed at the time of death, I cannot advance a convincing explanation for the discrepancy between the carboxyhaemoglobin concentration found in the sample obtained from the chest cavity and the sample obtained from the femoral vein and/or artery.

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However, if the results are artefactually increased as a result of post mortem changes and/or the presence of material from, for example, the marrow of fractured bones, with there being a substantially greater increase in the results obtained on the analysis of samples from the chest cavity than in the carboxyhaemoglobin results obtained from the femoral samples, then this would provide an explanation for these results.

With the gift of hindsight, it is arguable that it might have been appropriate to check the analytical results for carboxyhaemoglobin by a non-spectrophotometric method, such as molecular sieve gas chromatography, once the discrepancy between the femoral and the chest cavity blood had been found. I would emphasise that in making this comment I intend no criticism of Dr Pepin for whom I have the greatest respect. He did not know that the blood from the chest cavity was not, in fact, cardiac blood until I informed him of this in 2006’.

Operation Paget Comment

The carboxyhaemoglobin level of 20.7% related to ‘chest cavity’ blood scooped out of Henri Paul on 31 August 1997. This sample site is very unreliable for quantitatively measuring the carboxyhaemoglobin level as there is a distinct possibility of contaminants affecting any tests.

Professor Forrest also concludes that the testing method used by Dr Pépin was not ideal for a sample of blood from the chest cavity and may have led to a further distortion in the figure of 20.7% COHB. However as detailed earlier, Dr Pépin believed this sample to be pure cardiac blood because of the sample labelling when he tested it.

The carboxyhaemoglobin level of 12.8% related to femoral blood taken from the ‘Scarpa Triangle’ on 4 September 1997. The femoral vein within ‘Scarpa’s Triangle’ is a much more reliable sampling site for quantitative analysis of carboxyhaemoglobin levels. It is believed that this was a much truer figure of Henri Paul’s carboxyhaemoglobin level at the time of his death.

There are many factors that contribute to a person’s carboxyhaemoglobin level.

Henri Paul did smoke. The CCTV evidence showed him smoking in the hours before he drove the car in the early hours of Sunday 31 August 1997. Witness evidence supported the fact that he was smoking that night.

The French judicial dossier contained several references to Henri Paul smoking cigarillos:

- Jean-Pierre Alidiere (French Dossier D2167) – barman in the Bar Vendôme at the Ritz Hotel on the night of Saturday 30 August 1997 - ‘*He [Paget Note: Henri Paul] smoked a small cigarillo*’
- Pierre Hounsfield, (French Dossier D2612) a paparazzo waiting in front of the Ritz Hotel on Saturday night 30 August 1997 – ‘*The man [Paget Note: Henri Paul] came back for a third time, tapping a small cigar against his cigar box, saying “In ten minutes” and still laughing*’

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- Jean –Pierre Brizay, (French Dossier D7176) solicitor representing Mr and Mrs Paul, wrote on 14 December 1997 – *‘According to his friends and colleagues Henri Paul was a moderate smoker, smoking only a few small cigarillos a day’*
- Jean Discazeaux, (French Dossier D2253) tobacconist, reported in 1997 that for eight years Mr Paul came to collect his cigars
- Myriam Lemaire (French Dossier D1025) and Josiane Le Tellier (French Dossier D1028), both proprietors of bars close to Henri Paul’s home address describe him smoking a cigar while reading in the bar
- His closest friend Claude Garrec stated that Henri Paul smoked a packet of cigarillos per day while on holiday in July 1997 and was a regular smoker otherwise. Henri Paul’s parents confirmed that he was a smoker of cigarillos

He lived in a built-up area in the centre of a major conurbation.

Both would contribute to carboxyhaemoglobin levels in the body.

12.8% is a high figure, but not unusual. As Professor Forrest commented:

‘Heavy smokers can have base line carboxyhaemoglobin concentrations of certainly up to 10% and some can have concentrations which are rather higher than that. Whilst figures of up to 15% for the concentration of carboxyhaemoglobin in smokers have been quoted, a more generally acceptable figure is that only about 2.5% of smokers have carboxyhaemoglobin concentrations in blood of greater than 12%. That is to say 1 smoker in 40 might have a carboxyhaemoglobin concentration of greater than 12%.’

There was nothing suspicious in this level and no evidence that would support any claim of swapped bodies or blood samples.

20.7% is a high level, but this relates to a sample of chest cavity blood. As Professor Forrest explained above:

‘The first blood samples obtained at the original post mortem examination were apparently obtained from the chest cavity of the deceased driver. This raises the possibility that the blood may have been contaminated by other fluids and material such as bone marrow from fractured ribs’ and

‘Thus there is a possibility that some form of contamination present in the sample collected from the chest cavity could have artefactually increased the concentration of carboxyhaemoglobin in that sample. Whilst of a lower degree of probability, this might also apply to the samples collected from the femoral vein or artery after the original post mortem examination’

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In trying to explain exactly how that 20.7% level in Henri Paul's body came about, Professor Forrest has examined, amongst other things, the French explanation relating to emissions from the airbags. He believed it was difficult to be scientifically certain about the exact explanation for what happened to Henri Paul's body at the time of the collision:

'In short, at present, if one accepts that the results of the carboxyhaemoglobin analyses accurately reflect the situation that existed at the time of death, I cannot advance a convincing explanation for the discrepancy between the carboxyhaemoglobin concentration found in the sample obtained from the chest cavity and the sample obtained from the femoral vein and/or artery.'

However, if the results are artefactually increased as a result of post mortem changes and/or the presence of material from, for example, the marrow of fractured bones, with there being a substantially greater increase in the results obtained on the analysis of samples from the chest cavity than in the carboxyhaemoglobin results obtained from the femoral samples, then this would provide an explanation for these results.

With the gift of hindsight, it is arguable that it might have been appropriate to check the analytical results for carboxyhaemoglobin by a non-spectrophotometric method, such as molecular sieve gas chromatography, once the discrepancy between the femoral and the chest cavity blood had been found. I would emphasise that in making this comment I intend no criticism of Dr Pepin for whom I have the greatest respect. He did not know that the blood from the chest cavity was not, in fact, cardiac blood until I informed him of this in 2006'.

There was nothing suspicious in this level taking into account the sampling area and no evidence that would support any claim of swapped bodies or blood samples.

Until 2005, discussion on carboxyhaemoglobin levels had assumed, not unreasonably, that the label on the blood sample vial from the autopsy of 31 August 1997, 'Sang Cardiaque', was correct and that the 20.7% carboxyhaemoglobin level related to pure cardiac blood. This chapter has discussed how the French judicial dossier may have misled those looking for information about the sampling site. Operation Paget does not know why the pre-printed 'Sang Cardiaque' labels were not altered to show the true sample site, namely the chest cavity.

Experts working with Mohamed Al Fayed

The medical/forensic experts retained by Mohamed Al Fayed have also attempted to understand the toxicology issues, primarily carboxyhaemoglobin levels. The following section outlines their views on toxicology issues and underlines their attempts to obtain relevant information since 1997.

Mohamed Al Fayed has also made a number of these reports available to Operation Paget. The following pages again contain direct lifts from that documentation, dated (i) 1998, (ii) 1999 (iii) 2001 and (iv) 2006, in order to present their views, in their own words, on these issues.

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Operation Paget - Other Document 22

(i) November 17 1998

Professors Patrice Mangin and Thomas Krompecher (supported by **Professor Vanezis**) commenting on a report by Professor Lecomte and Dr Pépin relating to carbon monoxide in the blood, stated:

'The cardiac blood sample was taken on the 31 August 1997 whereas the femoral vein sample was taken on the 4 September 1997 (four days later). It is not surprising therefore that it shows a level of 12.8% as one would expect such a reduction over this period of time from a level of approximately 20% down to approximately 12%.'

Operation Paget Comment

It was clear at this time, i.e. November 1998, the three professors still believed the blood samples on 31 August 1997 were taken from the heart i.e. cardiac blood – '*Sang Cardiaque*' - and were not aware that the sample was chest cavity blood. Their points are therefore naturally based on this premise.

(ii) 4 February 1999

Operation Paget -Other Document 22

Professors Patrice Mangin, Thomas Krompecher, Peter Vanezis and John Oliver produced a joint report:

'We have, as requested, considered the medical report sent to us by Mr Jean Pierre Brizay [Paget Note: Lawyer] on 20 January 1999. As instructed, we have concentrated in particular on the information and conclusions relating to the levels of carbon monoxide allegedly found in the blood of Henri Paul. We have previously commented on, and expressed serious concerns about the previous autopsy reports sent to us. We do not seek to repeat those concerns in this statement.

There is in our collective opinion, a fundamental flaw in the report in relation to carbon monoxide. This is sufficient, for reasons set out below, to raise very serious concerns about other conclusions which have been arrived at, in particular the level of alcohol allegedly found in the blood.

It is clear from the various reports which have been produced that Henri Paul died virtually instantly, as did Dodi Al Fayed. It is conceivable that he took a very limited number of breaths, but very few, before he died.

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If Henri Paul, whilst still at the Ritz, had such a high level of alcohol in his blood as is described in the reports and in addition had a high level of carbon monoxide, (other than from any cigarette smoking) there is very high probability that he would have exhibited some warning signs sufficient to alert those he was with, in particular the two body guards, that he was not unfit (sic) to drive. He apparently did not and the logical conclusion, therefore, is that carbon monoxide could not have entered his blood until the time of the crash. This is the conclusion which has been reached by the investigating pathologists who, on the basis of what appears to us to be limited technical evidence, have concluded that, during the few breaths he might possibly have taken immediately following the crash, he inhaled carbon monoxide leaking from the airbag sufficient, which, when taken in conjunction with carbon monoxide already in his blood from an allegedly high level of cigarette smoking, was sufficient to produce a level of approximately 20.7% carbon monoxide in his heart and approximately 12% in blood taken from a femoral vein.

The process of movement of carbon monoxide and carboxyhaemoglobin would be as follows. From the lung it travels to the left side of the heart, from where it is circulated through the body and then returns to the right side of the heart. The pathologists report, which contains the respective levels of carbon monoxide set out above, has made the assumption that such circulation as is described above was in process of taking place in the body of Henri Paul, producing a very high level of carbon monoxide in his heart and a high, albeit lower, level of carbon monoxide in the blood in his limbs. Their arguments and conclusions cannot be sustained for this very straightforward and obvious reason. It is a statement of fact in the report that, on impact, the thoracic aorta was ruptured. The flow of blood from the left side of the heart must have stopped at that moment. There could have been no passage of carbon monoxide from the left side of the heart to the rest of the body and none could have been returned to the right side of the heart. Accordingly, the high level of carbon monoxide in the sample of blood taken from a limb simply cannot be explained as resulting from inhalation of carbon monoxide from the airbag and, as the pathologists themselves appear to accept, cannot be explained merely by smoking.

There is however an even more fundamental issue. Since there could have been no passage of carboxyhaemoglobin from the left to the right side of the heart, there could have been only a low level in the right side of the heart, probably no more than in the range 5% to 8% to be found in the blood of a heavy smoker. It appears from the report that the heart blood was taken by use of a ladle. This means that it was not taken specifically from the left ventricle but was a mix of blood originating from both sides of the heart. The figure of 20.7% in the heart blood was therefore an average of the two sides of the heart. This means that the level of carbon monoxide in the left ventricle must have been at in excess of 28-35%, a significantly high level. In fact, the majority of the blood included in the sample would almost certainly have come from the right side of the heart (this region contains a far greater volume of blood than the left region) in which case the carboxyhaemoglobin in the left side could well have been even - higher than the figure of 35% we have referred to.

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Even if an airbag does generate carbon monoxide on impact - a matter on which we have no particular expertise but seems to us difficult to believe - the expertise which has been put forward on this subject takes the view that only a part is released on impact and the rest leaks into the atmosphere over the course of several tens of seconds. We can only take into account the initial release, since we know Mr Paul could not have taken more than a few breaths. That initial release, if correctly described to Judge Stephan, cannot possibly account in our view for a level of approximately 35% or more carbon monoxide in the left side of the heart.

We have sought to consider other possibilities. For example, was carbon monoxide introduced into the atmosphere within the car through other means such as a broken manifold? That however is an impossibility since that would have affected other passengers in the car, and we know that no carbon monoxide was found in the blood of Dodi Al Fayed .

In short, the combination of an allegedly very high alcohol level and high carbon monoxide level, if present in Henri Paul's blood whilst still at the Ritz, would undoubtedly have affected him and in all probability have manifested itself in some warning signs. The investigating pathologists themselves appear to accept this view since they do not contemplate the possibility of the very high level of carbon monoxide being present in the blood until the crash. However their findings and conclusions on this issue, for reasons explained, are physically impossible and cannot be sustained.

We have of course already expressed in earlier reports serious concerns about the findings and conclusions previously reached regarding alcohol levels. We do not propose to repeat those here. What is worth stating is that, given the limited alcohol he consumed in the 2 ½ hours prior to the crash, by the time of the crash the alcohol level in his blood would probably have been at a lower level than that which was present on his return the Ritz shortly before 10 pm. In other words, if he was drunk at the time of the crash, he had been even more drunk when he first arrived back at the hotel. We again pose the question: could someone in that condition, particularly if also having a high level of carbon monoxide, have felt capable of driving and not exhibited warning signs to others.

We have seen the videos showing Henri Paul at the hotel, and his pattern of behaviour in our view is wholly inconsistent with someone having a high level of alcohol and of carboxyhaemoglobin. We wholly refute, for reasons explained, that he breathed in carbon monoxide from the airbag, and the gas could not have been present generally in the atmosphere of the car since this would have affected Dodi Al Fayed.

We query also the statement that Mr Paul had approximately 10% level of carboxyhaemoglobin as a result of being a heavy smoker. Our experience and based on published research on the issue shows that one could not expect a figure higher than 5%-8%. There is also no confirmatory evidence to support the statement that he was a heavy smoker. Video evidence indicates he did not smoke in the 2½ hours prior to the crash.

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Had he smoked a number of cigarettes immediately prior to the crash, the suggested figure of 10% might be more sustainable. We do not believe it is sustainable without further scientific analysis or factual investigation. There is for example not a proper and detailed analysis of his hair.

The reports appear also to proceed on assumption that Henri Paul was a heavy drinker, possibly an alcoholic, and we have seen it suggested that this might explain an ability on his part to drink large levels of alcohol yet exhibit no signs of this to others. We suggest that there is inadequate support for the statement that he was a heavy drinker. Visual examination of his liver showed it be normal. The accepted protocol in France is that an histologic examination of the liver and other organs including the pancreas also take place (an aspect of the protocol which was subscribed to by Madame Lecomte prior its introduction some four years ago). In the present case the protocol was not followed. We would have expected such an histological examination to have occurred as a necessary part of the examination of Mr Paul; this could have produced relevant information about his lifestyle including drinking habits.

Although it is now some 17 months since the crash, we are led to the assumption that the investigating pathologists have had to conclude their reports under some degree of time pressure. Apart from the fact that a number of tests which we believe should have been carried out have in fact been omitted (another example is that chest cavity blood was not measured), this comment is also based on absence of detail in some aspects of the report such as the omission of the timing of the post mortem including commencement and conclusion of the autopsy. There are also a number of obvious errors on the face of the report; for example in one part of the report it is stated that the cervical column is intact yet elsewhere it is described as being fractured. Additionally, statements have been made for which no support has been adduced, such as the claim that there would be a 0.1% decrease in the carboxyhemoglobin blood level over a fourday-period. There is no substantiation of that claim, and we consider it wholly unfounded.

These concerns do raise questions in our mind in relation to the report as a whole. Most important, however, and of crucial significance in our view, is the fact that the carbon monoxide figures cannot, in our view, be correct or alternatively cannot be reconciled with what we have seen and learned of Henri Paul's behaviour and overall circumstances.

Taking into account our views expressed on this and other occasions we are of the view the conclusions reached in the medico-legal investigations, which include the autopsy report, have not been substantiated. In summary, the following remain major live issues which need to be resolved:

- 1. Was he an alcoholic?*
- 2. Was he a heavy smoker?*
- 3. Did he have a high level of carbon monoxide?*
- 4. If so, what was the source?*
- 5. How can his apparently normal behaviour be reconciled with certain findings in the report?'*

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Operation Paget Comment

In February 1999 the experts were still under the impression that the carboxyhaemoglobin reading of 20.7% related to Henri Paul's heart and not the hemithorax. There was even an argument made that the true carboxyhaemoglobin figure, if it was heart blood, could have been 35% in the left ventricle of the heart. The inference was that a combination of this with alcohol in Henri Paul's body would have made it impossible for him to function properly that evening.

The experts also referred to the release of carbon monoxide from the airbags (a theory put forward by Professor Lecomte and Dr Pépin to explain the high carboxyhaemoglobin levels). The experts were referring to figures of 20-35% carboxyhaemoglobin, but they were sceptical of such an explanation. They stated that *'Mr Paul could not have taken more than a few breaths'*. (Professor Forrest discussed airbag emissions earlier in section 13)

There was video evidence of Henri Paul smoking in the two and a half hours before the crash. There was video and witness evidence of Henri Paul smoking on the night and witness evidence of him being a regular smoker. The experts stated in the report above that:

'had he smoked a number of cigarettes immediately prior to the crash the suggested figure of 10% might be more sustainable.'

(iii) 20 December 2001

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Professors Eisenmenger, Krompecher and Mangin compiled an *'Experts report based on documents'*.

'As far as the biological samples are concerned, these were completed at the request of Examining Magistrate Stephan according to a chronology that we have been able to piece back together as follows:

- *On 4th September 1997, Dr J.P. Campana says that, in the presence of Judge Herve Stephan, Dr Pepin, two Judiciary Police officers and one policeman, he took two blood samples of a few millilitres (no further precision) collected at the level "of the two femoral veins in Scarpa's fascia" as well as two hair samples (no further precision) and two samples of quadriceps muscles (side not specified). These samples were subject to four seals numbered 1 to 4, of which only Nos. 2 and 3 were delivered to Dr Pepin.*
- *On 5th September 1997, the same Dr J.P. Campana again takes hair and pubic hair samples further to an order of Judge Stephan dated 5/9/1997.*

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- *The same Examining Magistrate questions the expert, Madame la Professeure Lecomte, in an order of 8th September 1997, to the effect that she 'specify the exact conditions and the precise places of removal of the samples, essentially blood samples'; we have not found any written answer to this request.*
- *On 9th September 1997, Madame la Professeure Lecomte took hair samples (still with no indication of the anatomic region, the length of the sample or the choice of method adopted: cutting or tearing...) as well as two samples of spinal medulla, in accordance with an order issued by Judge Stephan on 9th September 1997'.*

Operation Paget Comment

In December 2001 it was again clear that various experts were discussing the levels of carboxyhaemoglobin in Henri Paul's **cardiac** blood. On this occasion they made specific reference to the order of 8 September 1997 - the request to Professor Lecomte to specify the exact conditions and the precise places of removal of the samples, essentially blood samples. They noted that the request did not have any written answer (French Dossier D1323 having been replaced – as explained earlier).

The experts went on to state in their report:

'The results of the toxicological investigations were brought to the attention of two of us (Krompecher and Mangin), as well as of Professor Peter Vanezis, Professor of Forensic Medicine at the University of Glasgow, and of Dr John Oliver, Toxicologist at the University of Glasgow. This board of experts, which met in London on 12 November 1997, notified its questions concerning the origin of the abnormally high level of carboxyhaemoglobin measured on two occasions in the blood of Henri Paul (20.7% in the sample of 31/8/1997 and 12.8% in the sample of 4/9/1997).

In this situation, Dr Pepin and Professor Lecomte were asked by Judge Stephan to provide any useful information capable of explaining the rate of 20.7% carboxyhaemoglobin in the blood of Henri Paul. These experts, in a report dated 16/10/1998, argued that this rate of 20.7% had been found in a sample of heart blood, whereas the rate of 12.8% corresponded to blood taken four days later at the level of a femoral vein, which in itself could, according to them, already provide an explanation concerning the difference of the measured rates. Moreover, considering that Mr. Henri Paul was a heavy smoker, these two experts accept that up to 10% of the carboxyhaemoglobin level might be explained by a daily consumption of one to two packs of cigarettes per day, which is not proved. One witness, in this connection, reports that Mr. Henri Paul's consumption was on the order of five to six cigarillos per day. As for the balance, these experts calculate an average carboxyhaemoglobin rate of 16.75%, which, after deducting the 10% previously mentioned, results in a figure of 6.75% that they explain by the release of carbon monoxide linked with the setting off of the two airbags and of the two safety belt devices with which the crashed vehicle was equipped. This last statement is based on information provided by the Autoliv company (cf. Mr. Michel Kozyreffs letter dated 24/9/1998).

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The same board of experts as previously mentioned, in a memorandum dated November 1998, deemed that it was refuting the explanations of Professor Lecomte and Dr Pepin at least in part. On one hand, the rate of 10% carboxyhaemoglobin linked with a substantial consumption of cigarettes is exaggerated, since such a rate generally does not exceed 8% in a heavy smoker, and, on the other hand, there is no scientific justification for the statement that the carboxyhaemoglobin rate in blood resulting from exposure to carbon oxide other than through cigarette smoke is 6.75%. Next, the difference between the rates of 20.7% in heart blood and 12.8% in femoral venous blood cannot be explained by the fact that the heart blood, close to the lung, is more heavily impregnated by the carbon oxide released than the venous blood taken in the periphery. On the other hand, the period of four days elapsed between the two samplings might explain this difference. Finally, the implication of the systems for setting off the airbags and the safety belt devices does not amount to a plausible explanation.

Further to another request from Judge Stephan, the experts Lecomte and Pepin turned in a report dated 12 January 1999. In this report, these experts maintain their opinion concerning the difference of the carboxyhaemoglobin rates, which they attribute to the process of distribution of the blood inside the organism, the heart blood being a priori richer in carbon monoxide, because of its proximity to the lungs, than the peripheral venous blood, which is more greatly diluted as a result of tissular exchanges. Moreover, the report cites quantified data concerning the total quantity of carbon monoxide produced by two airbags and two safety belt systems according to the documents published by the Porsche company, without, however, furnishing a quantified and substantiated evaluation of the consequences that such a release of carbon monoxide could have in terms of blood concentration. Finally, the experts acknowledge that a heavy smoker may present a carboxyhaemoglobin rate ranging from 7% to 9%, which, in any case, would not call their assessment into question.

Based on this report, the board of experts, in a document dated February 4, 1999, expressed its scepticism about the explanations given by the experts Lecomte and Pepin. In effect, if Mr. Henri Paul had really presented a 20.7% carboxyhaemoglobin rate before taking the wheel, he would probably have exhibited clinical alert symptoms (for example: headaches, vertigo, reduced alertness, etc.), all the more so as he had a high alcoholemia, at 1.7 g/l. However, nothing in the investigation shows that this person presented such alert symptoms. On the other hand, if Mr. Henri Paul had been exclusively exposed to carbon monoxide at the time of the accident, due to the setting off of the airbags and of the safety belt devices, it is impossible to explain the difference in carboxyhaemoglobin rates between the heart blood and the femoral venous blood by a distribution phenomenon such as explained by the experts Lecomte and Pepin, given that the autopsy showed that the blood circulation was interrupted at the level of the lower half of the body subsequent to the complete rupture of the thoracic aorta. In addition, since Mr. Henri Paul very likely died a very short time after the accident, the possible exposure to carbon monoxide due to the setting off of the airbags and of the safety belt mechanisms could not suffice, therefore, to play a decisive role in the appearance of carbon monoxide in blood.

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It should be noted that an expert report dated 1st July 2000 by Mr. Murray Mackay, Professor Emeritus of Transportation Safety at the University of Birmingham (United Kingdom) totally refutes the hypothesis according to which the setting off of the airbags could release significant quantities of carbon monoxide, to the point of causing a major increase of the carboxyhaemoglobinemia in the event of an accident. Finally, if the figure of 20.7% corresponds to an analysis performed on the basis of blood from the heart, about which it is not specified whether it is the right heart or the left heart, one may consider that this is an average value of the blood from the right and left cavities of the heart. This distinction is not insignificant. The carbon monoxide content is higher in the blood of the left heart than in the blood of the right heart. Given that after death most of the heart blood is present in the right cavities, one may conclude from this that the real content of carboxyhaemoglobin in arterial blood (left heart) had to be noticeably higher than the average value of 20.7%.'

Operation Paget Comment

The experts then detailed four hypotheses for the high readings of carboxyhaemoglobin:

- a) The readings were correct and somehow Henri Paul had an abnormally high amount of carboxyhaemoglobin in his body
- b) Analytical error in the work. They concluded that this was hardly plausible but could not be excluded categorically
- c) Sampling error during the analytical testing. The hypothesis was considered improbable
- d) The fourth hypothesis looked at the possibility of a sampling error in that one or more of the samples supplied to the laboratories were not Henri Paul's.

The experts went on to explain this fourth hypothesis in detail:

Mohamed Al Fayed's Experts

'The samples supplied to the laboratories, or at least to one of them, are not Henri Paul's. One must know that a sampling error can never be excluded. The possibility of such an error must always be present in the experts' mind, a reason for which it is absolutely indispensable to apply a particularly rigorous methodology to the collection, labelling, storage and transmission of the samples to the laboratory. This concern is noted in all international recommendations. The Anglo-Americans emphasise it in the Guidelines, and the "chain of custody" terminology is universally acknowledged in such matters. In the present case, we have no choice but to recognise that the most express reservations must be made if we consider the experts' reports that were submitted to us, including, in particular, the autopsy report signed by Mrs. Lecomte, as well as the two annexes concerning the samples dated, in one case, 31/08/97, and including, in the other, the words "sheet filled out" on 1/09/97.'

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We note in fact that, in the case of the autopsy procedure as it appears upon reading the report, very serious doubts are elicited about the rigor with which this investigation was conducted — the report is not structured, contains contradictions and omissions, and was obviously not reread if we take into account the errors of syntax, terminology and typography that we have been able to point out previously. Even more serious, the procedure for collecting the samples evidently does not offer any guarantee concerning their authenticity. As we have emphasised, there is, first of all, a contradiction between the types of samples mentioned at the end of the autopsy report and those listed in the two annexes of 31/8/97, in one case, and filled out on 1/9/97, on the other. Moreover, these two annexes contain indications that are difficult to explain: the presence of the word "Andrieux" on one, identity under "male X" later replaced by "Paul" on one of the annexes, and "Henri Paul" on the other. Even stranger is the difference in the number of samples mentioned between one annex and the next, since it would appear that on 1/9/97, the number of samples, especially of urine and gastric content, rose from one to two units, which is technically incomprehensible except if we consider that the initial samples were divided into two. In any event, this way of proceeding, which is quite contrary to international standards (cf. document attached), did not escape the notice of the examining magistrate, since he, on 4/9/97, in the presence of himself, of his clerk, of two Judiciary Police officers and of Expert Pepin, had Dr Campana take two samples of femoral venous blood and two samples of muscle tissues and hairs for purposes of enclosure in four seals numbered 1 to 4. Seals Nos. 2 and 3 were delivered to Expert Pepin (cf. the report drawn up on 4/9/97 by Mr. Christian Le Jalle, officer of the Judiciary Police, PV No. 293/97, ref. No. D 1032). For all that, it does not seem unimportant to us to emphasise the quite abnormal character of the four-day period taken for collecting samples according to the usual rules of procedure. Along the same lines, one may wonder about the reasons that justified the five attempts it took to obtain enough of a hair sample to have complementary (toxicological) investigations carried out.

In toto, if one takes into account the obvious lack of rigour observed in connection with the collection of the samples, their labelling, their storage and their transmission to the laboratory, it seems to us that the hypothesis of a sampling error must be seriously contemplated. In this regard, it was reported to us that, on the weekend of 30^h-31^s August 1997, 23 autopsies were performed at the Institute of Forensic Medicine of Paris, for which biological samples were certainly taken in large numbers and according to the same processes'.

[Paget Note: Please see earlier detail regarding the number of autopsies carried out at the IML on 30 and 31 August 1997: one on 30 August 1997 and one on 31 August 1997 (Henri Paul). Fifteen were carried out on Friday 29 August 1997.]

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Conclusions (of Mohamed Al Fayed's Experts – 2001):

1. *The two blood carboxyhaemoglobin results mentioned in the expert investigation reports of Dr Pepin are, to us, given our present information, inexplicable. Just as inexplicable is the attitude of Dr Pepin and Professor Lecomte, who persist in presenting arguments devoid of any rigour and scientific value in an effort to justify their results.*
2. *Among the hypotheses that we presented, that of a sampling error seems the most likely to us, without, however, categorically excluding another hypothesis, such as an analytical error.*
3. *To try to elucidate this problem, we propose that the identity of the analysed samples be controlled by comparing the genetic profile of the biological material with that of Henri Paul; in this regard, it should be specified that the genetic profile of Henri Paul was determined and controlled in comparison with his mother's (the results are in our possession). One advantage is that this analysis is possible regardless of the quality of preservation of the samples. In any case, according to Mr. Christian Le Jalle's report of 4/9/97, two seals, Nos. 1 and 4 (blood in one case, muscle tissues and hairs in the other) were kept by the judiciary authority and should therefore be available for such an analysis.*
4. *Should the genetic analysis confirm the authenticity of the biological samples analysed, one should then envisage the other hypotheses, including, in particular, the analytical error.*

To accomplish this, we would absolutely need to have access to the entire analytical file, as regards the date of performance of the analyses, the detection and measurement of blood carboxyhaemoglobin, including, in particular, the absorption curves in the visible spectrum, the standard curves and the date of tracing thereof, as well as the detailed procedure for calculating the percentage of carboxyhaemoglobin. To this end, we would like to report a study by Winek (Forensic Science International, 1981, 18, 181-187), according to which the breakdown of blood could cause the formation of pigments capable of interfering with the measurement of carboxyhaemoglobin by shifting the absorption peaks one to two nanometres, which might distort the result by 20% to 30%. It would also be important to know the conditions of operation of the laboratory during the period in question — occurrence of an unexpected external event, change or replacement of laboratory attendants, replacement or repair of a defective piece of equipment, whether the expert was present in the laboratory at all times or not, or any other factor likely to interfere with the satisfactory operation of a laboratory.

5. *We would like to emphasise that our proposals are simple and easy to implement and would also have the advantage of trying to dispel doubts which, for the time being, authorise speculations that are not necessarily well-founded.*

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(iv) 1 December 2006 – Executive Summary of Views: Professor Peter Vanezis, Professor John Oliver and Professor Atholl Johnston

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These experts have been working with the Operation Paget advisers, Professor Robert Forrest and Dr Richard Shepherd, in relation to medical and toxicological issues.

Mohamed Al Fayed has provided Operation Paget with their report:

'Our concerns are heightened by the results (first noticed and addressed by us) showing the presence of very high levels of carbon monoxide. We have seen suggestions that these high figures can be explained, or at least in large part explained, by the fact that Henri Paul was a heavy smoker. Whilst we understand that he did indeed smoke, we have seen no forensic evidence to suggest that he was a "heavy smoker".

There is some video footage taken at the Ritz in the 2 ½ hour period before he left in the Mercedes with Princess Diana and Dodi which indicates that he did smoke between 3 and 5 cigarettes in that period. There is nothing else of which we are aware to substantiate whether he was a heavy smoker or an occasional smoker. It is apparently suggested that a COHb level of 12.8% or more can be explained by cigarette smoking. We have no explanation for the initial figure produced by Dr Pepin from blood taken on 31 August of 20.7% other than that it must be a mistake or unreliable. In our view that figure cannot be explained by smoking.

If this test of 20.7% result is to be dismissed or discounted on the basis that the chest cavity blood taken by ladle was almost certainly contaminated and therefore produced distorted figures, this increases our concern about the blood/alcohol level reported by Dr Pepin in respect of that self-same blood. It seems to us most unconvincing that a blood alcohol figure of 1.75g/l, almost an identical match to Professor Ricordel's figure and that of the vitreous humour and that of the 4 September blood, could be achieved from a sample so contaminated that it produced an impossibly high figure for carbon monoxide.

The second, lower figure of 12.8% was obtained by testing blood taken 4 days following the crash. Whilst we accept that figures this high have been achieved in some circumstances from tests on smokers, to put the figure in context, another study obtained an average of 8.6% from smokers who smoked 20 cigarettes in succession without interruption and were then tested within 15 minutes of the last cigarette. Out of many studies reported, only one of which we are aware has produced a figure as high or higher than that found in the 4 September sample tested by Dr Pepin, and even in that study less than 0.6% of more than 7500 people tested apparently reached those levels.

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We are satisfied that in all likelihood Henri Paul took only half/one breath between the point of impact and death (at most it could not have been more than two breaths). This would exclude any possibility of intake of carbon monoxide from the airbag, broken manifold or anything similar occurring at the time of the crash. We remain sceptical about any explanation which attributes the two levels of 20.7% and 12.8% to smoking, and we have been unable to identify any other rational explanation for the very high carbon monoxide figures. This leaves only two other possible explanations. The first is that this is an error. We consider it unlikely that those involved in the process would have made major errors in dealing with a very high profile and important event, and we therefore tend to discount this possibility. That leaves an alternative which is that the blood tested was not that of Henri Paul.

The finding of albendazole in one of the hair segments of Henri Paul is also not satisfactorily explained, unless one concludes that the sample came from someone else. There is apparently no record of him having been prescribed this drug, it was not found in the blood specimens and its source remains unexplained. No mention of worm infestation was noted at autopsy.

We understand that Juge Bellancourt has now been replaced as investigating Judge in Paris by Madame Poux and that Dr Pepin, Professor Lecomte and another are due to be examined by the French Police under her auspices. There are many serious and important issues which we hope will be addressed during this process and which might prove to be very revealing.

We would wish to reconsider our views and conclusions in the light of all the further information that is produced as a result of this further examination and further research and enquiry but, at present, our view is that the test results are unsatisfactory and unreliable, the DNA tests which have been carried out appear to be of doubtful relevance, and there must exist a real possibility that the samples that were tested did not come from Henri Paul. As a subsidiary point, we reiterate that there is nothing in Henri Paul's demeanour or behaviour to suggest that his driving would have been materially impaired, in which event the crash should not simply be dismissed as being caused by a driver who had consumed an excess of alcohol and drugs'.

Operation Paget Comment

Mohamed Al Fayed's experts stated in this report:

'The blood taken by Professor Lecomte on 31 August was by way of a ladle from the chest cavity. This is notoriously unsatisfactory and unreliable as the blood is very likely to have been contaminated.'

and also in this report;

'If this test of 20.7% result is to be dismissed or discounted on the basis that the chest cavity blood taken by ladle was almost certainly contaminated and therefore produced distorted figures, this increases our concern about the blood/alcohol level reported by Dr Pepin in respect of that self-same blood'.

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The Operation Paget view is that the sample site of the blood (chest cavity) did make any quantitative analysis of carboxyhaemoglobin (20.7%) from that sample unreliable because of the possibility of contamination, as described by Professor Forrest earlier.

Operation Paget do not attribute the 20.7% COHb figure to smoking, but more probably as a result of taking blood from a site that was easily contaminated.

The second post mortem examination of 4 September took blood from the femoral area of Henri Paul's body, generally considered to be a much more reliable site for testing. The carboxyhaemoglobin level of this blood (12.8 %) is believed to be much more accurate. Professor Forrest explained earlier that in his view *'heavy smokers can have base line carboxyhaemoglobin concentrations of certainly up to 10% and some can have concentrations which are rather higher than that. Whilst figures of up to 15% for the concentration of carboxyhaemoglobin in smokers have been quoted, a more generally acceptable figure is that only about 2.5% of smokers have carboxyhaemoglobin concentrations in blood of greater than 12%.'*

The experts retained by Mohamed Al Fayed stated, *'Whilst we accept that figures this high [12.8%] have been achieved in some circumstances from tests on smokers'* they refer to generally lower concentrations in heavy smokers and question whether a figure of 12.8% can be explained by this alone.

Scientific discussions about base line COHb levels in smokers refer to many different figures. The issue for the criminal investigation is whether 12.8% COHb in Henri Paul's blood is unexplainable and helps to prove that his blood had been swapped.

In support of the contention of the possibility of swapped blood, Mohamed Al Fayed's experts develop the argument relating to the chest cavity blood sample. If the sample was contaminated they find it unconvincing that the alcohol reading from that site was consistent with alcohol readings from other samples such as vitreous humour. In other words, if the COHb was so inaccurate because of the sample site, why not the alcohol reading also?

'It seems to us most unconvincing that a blood alcohol figure of 1.75g/l, almost an identical match to Professor Ricordel's figure and that of the vitreous humour and that of the 4 September blood, could be achieved from a sample so contaminated that it produced an impossibly high figure for carbon monoxide.'

The argument is essentially that the results are too consistent – the blood alcohol reading from the chest cavity blood should or could have been affected by contaminants, as with COHb levels. The contention is that the consistency of the alcohol levels in all of the other samples raises suspicion, and therefore leads to their conclusion that;

'That leaves an alternative which is that the blood tested was not that of Henri Paul.'

In summary, Professor Forrest is in agreement with Mohamed Al Fayed's experts in that testing for alcohol in haemothorax (chest cavity) blood alone is not ideal because of this very problem of possible contamination.

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Operation Paget Comment

Professor Forrest discusses alcohol levels in the following section. However as this argument of Mohamed Al Fayed's experts links COHb to alcohol results, Professor Forrest's conclusions on alcohol levels are detailed here also.

He has assessed Henri Paul's alcohol levels with reference to all of the results of the toxicological analyses of all the forensic samples taken, on both 31 August and 4 September 1997. This includes not only alcohol levels found in the blood samples but in other samples of vitreous humour, urine and stomach contents. All these alcohol levels are listed in the chart at Appendix A. He has also taken account of the consistency of fluoxetine, norfluoxetine and tiapride analyses across these samples and others such as hair. They too are recorded at Appendix A. Professor Forrest stated:

'I am confident that the alcohol results are reasonably representative of the alcohol concentration likely to have been present in the driver's blood at the time of death.'

And

'The consistency of the agreement between the analyses is such that one can be confident that any contribution to the result from post mortem redistribution of the samples or from post mortem alcohol production is minimal. One can be confident that Henri Paul's blood alcohol concentration at the time of his death was around 175 mg/100ml. This can only have arisen from the consumption of alcohol'.

(c) Alcohol – and general toxicology of other forensic samples

i) Professor Robert FORREST

LLM FRCP FRCPATH CChem FRSC RFP, Consultant in Clinical Chemistry and Toxicology.

Professor Robert Forrest has examined and interpreted the information relating to the toxicology results on behalf of Operation Paget.

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'ALCOHOL'

It is well known that after death concentrations of alcohol can rise in body fluids and, particularly in a body which has been significantly disrupted, concentrations can rise relatively rapidly. In this case, given the consistency of the alcohol results and the absence of the indication of the presence of any volatile products of putrefaction in the gas chromatographic tracings, I am confident that the alcohol results are reasonably representative of the alcohol concentration likely to have been present in the driver's blood at the time of death.

CHAPTER FOUR

I have reviewed the close circuit television evidence which shows the driver parking his Mini with what might be described as a degree of elan after he was summonsed back to duty and of him being able to tie his shoelace. It is my opinion that a person who regularly consumes large amounts of alcohol could carry out such activities without there being clear and obvious signs of intoxication. The concentration of alcohol present in his blood at the time of his death would, unequivocally, have adversely affected his ability to safely control a motor vehicle.

Issues arise in respect of use of the Carbohydrate Deficient Transferrin (CDT) test in the assessment of alcohol consumption in life using samples collected after death. In the translation of Dr. Pepin's report, Carbohydrate Deficient Transferrin referred to by the name Deglycosylated Transferrin. An alternative name for this compound sometimes used in the English language Scientific Literature is Desialyted Transferrin (DST).

Transferrin is a molecule synthesised by the liver which is involved in the transport of iron around the body in the blood. The final stage in the synthesis of Transferrin, before it is secreted by liver cells, involves addition of the carbohydrate (sugar) molecule to the protein molecule. In persons who are regularly heavy drinkers, this process is interfered with and, consequently, a proportion of the Transferrin which is circulating in blood, in heavy drinkers, has less carbohydrate bound to it than is the case in a total abstainer. There are difficulties in the execution of the assay with there being no agreement as to the best analytical method available. There are also difficulties in standardising the assays.

The assay is not particularly specific for heavy drinking; other causes of liver dysfunction can also be associated with low levels of circulating Carbohydrate Deficient Transferrin (CDT) in life. An additional complication is that after death there have been suggestions that the processes of putrefaction can result in the stripping of carbohydrate from the Transferrin molecule leading to relatively high concentrations of Carbohydrate Deficient Transferrin in post mortem blood even in non drinkers.

Nonetheless, the current consensus within the Scientific Literature is that Carbohydrate Deficient Transferrin has some utility in the assessment of heavy drinking in freshly collected post mortem blood samples.

An issue might arise in whether or not the sample intended for analysis of Carbohydrate Deficient Transferrin should be maintained at 4°C whilst posted, or whether it can be sent by ordinary post under most circumstances. Currently, the advice given in the United Kingdom is that the sample for this assay can be sent by ordinary post to a specialist laboratory.

In general, because of the difficulties between different assays the best person to interpret the result of a particular assay on a particular sample is the Analyst, or the Director of Laboratory where the assay was carried out. Consequently, the opinion expressed in this case by those who carried out the assay that the result is likely to reflect regular heavy drinking by the deceased driver, during the period leading up to the crash, is one with which I would agree.

CHAPTER FOUR

In short, I am confident that the scientific evidence generated by the French Scientific Investigators gives strong support to the hypothesis that the deceased driver had a concentration of alcohol present in his blood, at the time of his death, which would have significantly impaired his ability to safely control a motor vehicle and gives moderately strong support to the hypothesis that he was a regular consumer of excessive amounts of alcohol in at least the week or so leading up to the crash.

Other Drugs Detected in the Driver

With respect to the other drugs found in the deceased driver's body, I would make some comments in addition to those which I made in my Memo of July 2006 in relation to toxicological issues.

In the United Kingdom, many Medical Practitioners would have reservations about prescribing Fluoxetine, often known by its trade name of Prozac, to a person who was known to them to be a heavy drinker. One of the reasons for this is that Fluoxetine is a drug which can produce excited behaviour and, when this is compounded with the disinhibiting effect of alcohol, the judgement of an individual can be impaired.

*The presence of Albendazole in the driver's hair remains unexplained. Whilst it is a prescription only medicine in France as well as the United Kingdom, Dr. Pepin and Dr. Deveaux[*Page Note – Toxlab toxicologists*] did explain that where a Pharmacist knew the patient, it might be sold to him over the counter, without prescription.*

I would reiterate that if the driver had been taking Aotal at around the time of his death in therapeutic doses, then Dr. Pépin and his team would have detected it.'

Operation Paget - Other Document 418

In a report of July 2006 Professor Forrest stated:

- ***'Henri Paul – Pre-analytical Issues.***
- *The pre-analytical issues are those relating to everything before the samples were analysed, including: conditions at the scene after death (this would include any resuscitation attempts), conditions of transport and storage of the body, autopsy and samples collection technique, the containers in which the samples were placed, chain of custody issues, their transport and storage in the laboratory before analysis.*
- *Where samples have been aliquoted for transport to another laboratory, obviously chain of custody, storage and transportation issues have to be taken into consideration all over again.*
- *There are clearly issues in relation with all of these factors, but I believe one can be comfortably satisfied, at the very least, that the samples that ToxLab received and analysed can be attributed to Henri Paul.*

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- *I understand that no attempts were made to resuscitate Henri Paul at the scene. Thus there would have been no effect of oxygen administration on his Carboxyhaemoglobin concentration.*
- ***The analyses***
- *I have no reservation at all in stating that Dr Pépin and his team at ToxLab carried analyses of the samples attributed to Henri Paul with the highest degree of professional competence using what was then state of the art equipment. The number of laboratories that could have done the work to the same degree of competence in the UK was then and is now a small handful.*
- ***The Blood Alcohol. The consistency of the agreement between the analyses is such that one can be confident that any contribution to the result from post mortem redistribution of the samples or from post mortem alcohol production is minimal. One can be confident that Henri Paul's blood alcohol concentration at the time of his death was around 175 mg/100ml. This can only have arisen from the consumption of alcohol.***
- ***Fluoxetine.*** *The results found are consistent with the use of Fluoxetine by Henri Paul. Norfluoxetine is its main metabolite. The results do not necessarily indicate he was taking it at the time of the crash. It is eliminated very slowly from the body and he may not have been taking it regularly in the week or so up to the time of the crash.*
- ***Tiapropride*** *is a medicine not used in the UK. It is a tranquillizer and may be used in the management of alcohol dependency.*
- ***Cotinine*** *is the main metabolite of nicotine. The presence of nicotine and cotinine in blood means that the donor of the blood used tobacco based products or other products containing nicotine.*
- *The presence of **Albendazole** (Zentel) in Henri Paul's hair is a puzzle. It is used for the treatment of intestinal worms. The Vidal Dictionary lists it as being the equivalent of a prescription only medicine in France, but Dr Deveaux told me that many pharmacists would sell it to customers without prescription on the understanding that it would be used for the treatment of animals. Worms are uncommon in humans living in cities with good sanitation if they don't have pets and don't associate with children. There may be some significance in the finding of Dolprane (sic) Jeune Enfant in the medicine cabinet in Henri Paul's flat. **Doliprane** is a French trade name for products containing paracetamol. One wouldn't expect to find a children's medicine in a medicine cabinet unless children were around to need it.*
- ***The drugs that weren't found.***
- *I am satisfied that if Henri Paul had been taking **Aotal** (acamprosate) in the days leading up to the time of the crash Dr Pépin and his team would have detected it.*

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- Similarly if **Noctamide** (lormetazepam) had been present I am satisfied that Dr P  pin and his team would have detected it in Henri Paul's blood.
- **Imodium** is a treatment for diarrhoea; **Gaopathyl** contains aluminium hydroxide and is used for indigestion. **Detoxalgine**'s active components are vitamin C and aspirin. It might be used to treat hangovers.
- The Carbohydrate Deficient Transferrin test provides strong, but not absolutely compelling evidence that HENRI PAUL was a chronic user of excessive amounts of alcohol. As a chronic alcohol user he may well not have shown gross evidence of intoxication on the CCTV recordings.

Chronic alcohol user or not, he was not fit to drive at the time of his death'.

ii) 1 December 2006 – Experts working with Mohamed Al Fayed **Executive Summary of Views – Alcohol**

Professor Peter Vanezis, Professor John Oliver and Professor Atholl Johnston

It is alleged that the crash was caused in consequence of Henri Paul being drunk (i.e. having a considerable excess of alcohol above the legal limit), coupled with excessive speed and the existence of drugs. We cannot comment on the issue of speed. Our approach, therefore, has been to concentrate on alcohol and drugs and whether the testing of Henri Paul's body samples (particularly blood) has been carried out correctly and has established that he did have excess alcohol.

Our starting point has been to look the video footage of Henri Paul taken at the Ritz in the period between his return to the Ritz on the evening of 31 August 1997 at approximately 10pm and his departure in the car at approximately 12:15am. This process is known as a gait analysis.

Gait analysis involves expert visual examination of body movement, eye movement, stance and overall physical appearance with a view to assessing, in a case such as this, whether there is any sign of impairment or lack of control. Although further examination still has to take place it is our view, supported by one of the leading experts in the country, that Henri Paul, right up until the moment of leaving the Ritz to drive the Mercedes, shows no sign of impairment whatsoever.

It is known that Henri Paul consumed two Ricards during the period 10pm to midnight. Assuming instantaneous absorption in a man of Mr Paul's weight, and assuming, as we are told, that these would have been 25ml and certainly not greater than 50ml measures. A calculation based on the larger measures would give a blood ethanol concentration of approximately 0.64g/l. By midnight, metabolism would have reduced this level to approximately 0.34g/l which we are told is below the legal limit in France and is considerably below that of the blood alcohol tests allegedly carried out on his body samples.

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The recorded figures produced by the test results conducted in France following the crash allegedly show quantities of drugs within his body. The low levels referred to would make no material difference to a man's ability to function and in particular to drive.

In those circumstances (particularly the gait analysis), we have to question whether alcohol can explain the crash. If he merely had the two Ricards at the Ritz over a 2¹/₂ hour period, he would not have been materially impaired in his driving. Even if the test results set out in their reports by Dr Pepin and Professor Ricordel are accurate, it does not follow that this can necessarily explain the reasons for the crash. It is our view, that other causes should be explored.

For reasons which follow, we believe that the tests allegedly carried out are unsatisfactory, should not be relied upon, and lead to many questions, including whether the tests were in fact carried out on samples taken from Henri Paul. There are many strange and troubling features.

Initial samples were taken by Professor Lecomte on 31 August 1997. Her report states that she took five samples of blood on that occasion. However, the formal requisition to her from the Public Prosecutor instructed her to take two batches of identical samples of blood. Why, therefore, did she take five, or indeed any odd number of blood samples? This makes no sense to us.

Professor Lecomte has now apparently changed her position and said that in fact she only took three blood samples at that time and that the other two samples referred to were taken at a later date. Our assessment of the available evidence is that this is not credible.

It is alleged that one of the samples taken by her on 31 August 1997 was sent or delivered to Professor Ricordel, and two went to Dr Pepin. Professor Ricordel claims to have established a blood alcohol level of 1.87 g/l whilst Dr Pepin found a blood alcohol level of 1.74g/l. The descriptions given by them of the samples they received vary. Professor Ricordel refers to having received a plastic container inside which was a glass bottle, whereas Dr Pepin merely refers to a glass bottle. More importantly, the labelling is very different, one being handwritten and almost illegible whilst the other was apparently a typed label. If samples were taken at the same time and processed in the same way (as one would expect and is suggested by the contemporaneous documents), these differences may be very significant.

Dr Pepin also apparently tested a sample of vitreous humour taken by Professor Lecomte and claims to have obtained an almost identical blood alcohol reading (i.e. 1.73 g/l). He claims that the similarity of the two figures helps give certainty that the test results are accurate and consistent. We take a contrary view. The blood taken by Professor Lecomte on 31 August was by way of a ladle from the chest cavity. This is notoriously unsatisfactory and unreliable as the blood is very likely to have been contaminated.

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The vitreous humour on the other hand is not normally contaminated and nor is it likely to be so subject to decomposition, and is often considered the most reliable and most accurate form of test for blood alcohol level in a dead body. Therefore, to obtain almost identical figures between the vitreous humour, and ladled blood from the chest cavity, can be considered extremely surprising and therefore concerning.

Two further samples of blood were taken from Henri Paul's body on 4 September 1997 by Dr Campana. These two samples were from the right and left femoral veins. One sample went to Dr Pepin for further testing. He allegedly obtained a near perfect match to the earlier tests, producing (by a somewhat suspect process of adjustments) a figure of 1.75g/l. For him to obtain a near identical figure from blood taken four days later from a very different part of the body (and not a contaminated source) heightens our concerns.

We also observe that Dr Pepin produced three separate reports detailing tests conducted by him for blood alcohol levels. The first one (dealing with a test on chest cavity blood taken on 31 August) allegedly shows a figure of 1.74g/l, the second report, produced some days later also specifies a figure of 1.74g/l, whilst the third report refers to a test conducted on 4 September left femoral blood which produced a figure of 1.75g/l. However, there is a complete absence of documentation showing any testing or test results for the second of these findings, and it has been suggested that Dr Pepin's report stating this as a conclusion may be false or misleading. The figure of 1.75g/l is also not directly supported by the test results attached to the report.

At the direction in 2005 of Juge Bellancourt, DNA tests have apparently been conducted on remaining blood samples to establish that the blood did indeed come from Henri Paul. We understand that the results are positive. However, by reference to all the information and documentary evidence produced to us we believe that the blood used for these DNA tests never formed any part of the tests carried out by Professor Ricordel or Dr Pepin, and accordingly they are, in our view of doubtful relevance. It also strikes us as somewhat odd that it is only at a relatively late stage in the day that it has emerged that the samples of blood which were tested by Ricordel and Pepin apparently no longer exist!

The above comments regarding blood alcohol are far from exhaustive but do lead us to the view that the test results cannot be relied upon and, indeed, raise considerable doubt as to whether the samples tested did in fact come from Henri Paul.

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Operation Paget Comment

It is agreed by Operation Paget that Henri Paul, recorded on the Ritz Hotel CCTV cameras, did not show visible signs of impairment and with the contention that:

'Even if the test results set out in their reports by Dr Pepin and Professor Ricordel are accurate, it does not follow that this can necessarily explain the reasons for the crash. It is our view, that other causes should be explored.'

Chapter Seven has examined the causes of the crash and concluded that, as in almost all collisions, there were a number of contributory factors.

Mohamed Al Fayed's experts further stated:

'Two further samples of blood were taken from Henri Paul's body on 4 September 1997 by Dr Campana. These two samples were from the right and left femoral veins. One sample went to Dr Pepin for further testing. He allegedly obtained a near perfect match to the earlier tests, producing (by a somewhat suspect process of adjustments) a figure of 1.75g/l. For him to obtain a near identical figure from blood taken four days later from a very different part of the body (and not a contaminated source) heightens our concerns.'

They accept that the sample site of the femoral area is not contaminated. The argument again is based on the premise that the figures are too consistent.

Mohamed Al Fayed's experts further stated:

The first one (dealing with a test on chest cavity blood taken on 31 August) allegedly shows a figure of 1.74g/l, the second report, produced some days later also specifies a figure of 1.74g/l, whilst the third report refers to a test conducted on 4 September left femoral blood which produced a figure of 1.75g/l. However, there is a complete absence of documentation showing any testing or test results for the second of these findings, and it has been suggested that Dr Pepin's report stating this as a conclusion may be false or misleading.

The issue of 1.74g/l for the blood/alcohol level shown in the second report has been explained by Dr Pépin earlier. He fully accepts that the figure refers to the test he carried out on Monday 1 September. He carried out a qualitative test for alcohol in the second blood sample he received. He was not asked to carry out a further quantitative test. He repeated the 1.74g/l figure in his second report. Although the second blood was a different sample it was taken from the same place he believed at the time to be the heart. Dr Pépin saw no reason not to use the figure in his second report. Operation Paget believes the confusion arises from the administrative compilation of the reports.

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Mohamed Al Fayed's experts further stated:

At the direction in 2005 of Juge Bellancourt, DNA tests have apparently been conducted on remaining blood samples to establish that the blood did indeed come from Henri Paul. We understand that the results are positive. However, by reference to all the information and documentary evidence produced to us we believe that the blood used for these DNA tests never formed any part of the tests carried out by Professor Ricordel or Dr Pepin, and accordingly they are, in our view of doubtful relevance.

The blood used for the tests was not the blood delivered to Professor Ricordel and Dr Pépin on Monday 1 September for the initial blood alcohol tests. The blood that was tested for DNA is the blood sample delivered to Dr Pépin on Thursday 4 September and upon which he did a full toxicological analysis (although the blood/alcohol test was qualitative only. No level of alcohol was searched for, only the presence of it) – the tests and results have all been outlined earlier in this chapter.

Mohamed Al Fayed's experts raise a number of procedural errors. Dr Richard Shepherd, the forensic pathologist advising Operation Paget, comments in his report that there appeared to be a general lack of clarity about sampling, labelling and documentation. The question is whether those errors amount to a conspiracy or cover-up, or whether they can be explained or are indeed genuine errors in the work carried out by a number of people.

Operation Paget Comment

Professor Robert Forrest is cognisant of the views expressed in these documents by Mohamed Al Fayed's experts. He has assessed Henri Paul's alcohol levels with reference to all of the results of the toxicological analyses of all the forensic samples taken, on both 31 August and 4 September 1997. This includes not only alcohol levels found in the blood samples but in other samples of vitreous humour, urine and stomach contents. All these alcohol levels are listed in the chart at Appendix A. He has also taken account of the consistency of fluoxetine, norfluxetine and tiapride analyses across these samples and others such as hair. They too are recorded at appendix A. Professor Forrest stated:

'I am confident that the alcohol results are reasonably representative of the alcohol concentration likely to have been present in the driver's blood at the time of death.'

And

'The consistency of the agreement between the analyses is such that one can be confident that any contribution to the result from post mortem redistribution of the samples or from post mortem alcohol production is minimal. One can be confident that HENRI PAUL's blood alcohol concentration at the time of his death was around 175 mg/100ml. This can only have arisen from the consumption of alcohol.'

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14. DNA testing of Henri Paul's samples

(i) DNA testing by the French authorities

(ii) DNA testing by Operation Paget

i) DNA testing by the French authorities

Of the three blood samples provided to Dr Pepin, two were fully used during toxicological tests i.e.

- 1) The blood sample given to Dr Pépin on Monday 1 September 1997
- 2) The blood sample given directly to Dr Pépin by Dr Campana on Thursday 4 September 1997.

The blood delivered to the three DNA experts referred to below, appointed by Judge Bellancourt, was:

- 1) Blood from the autopsy of 31 August 1997, carried out by Professor Lecomte, delivered to Dr Pépin on Thursday 4 September 1997.

Dr Pépin's tests on this blood, 3, (haemothorax blood) showed:

- a qualitative presence of alcohol
- carboxyhaemoglobin level of 20.7%
- the presence of fluoxetine, norfluoxetine, tiapride
- nicotine, cotinine and other common substances

[Paget Note: The high carboxyhaemoglobin level has been discussed earlier.]

One of the DNA experts also carried out a test on a liver sample taken at the same autopsy.

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Thierry BELLANCOURT

Examining Magistrate at the Court of Versailles. He was appointed to examine the challenge by Mohamed Al Fayed to the pathology/toxicology work undertaken primarily by Professor Lecomte and Dr Pépin.

Operation Paget - Other Document 361

Judge Bellancourt issued a Commission Rogatoire on 3 February 2005 in respect of an investigation into an allegation of offences of falsification of test data or results. He requested genetic tests (DNA) to be carried out on samples seized by Judicial Police officers working to him. This consisted of profiling samples seized from Dr Pépin that related to Henri Paul and comparing them with profiles obtained from the parents of Henri Paul. Judge Bellancourt appointed two experts, Professor Doutrempuich and Dr Pascal, and issued an order in the following terms:

‘To carry out genetic tests on the biological samples apparently those taken from the body of Henri Paul and which are held by Dr Pepin (TOXLAB). These samples shall be seized and placed under seal by the officer of the Judicial Police from the Enquiry Section in Versailles prior to being delivered to you.

To establish the genetic profile of the said biological samples.

To carry out genetic tests on the biological samples taken from Jean Paul and Gisèle Paul née Calvez, the parents of the late Henri Paul, by the Versailles Enquiry Section.

To carry out any relevant genetic comparisons in order to establish whether or not the samples seized from Dr Pepin’s laboratory come from the body of Henri Paul.

To make any other relevant technical observations tending to establish the truth, notably in respect of the possible probabilities of error.’

Professor Christian DOUTREMPUICH,

Expert in the Haematology Laboratory, BORDEAUX.

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He reported back to Judge Bellancourt as follows on 31 March 2005 as follows:

‘The molecular biology tests carried out on the genomic DNA in respect of:

The buccal sample from Madame Gisèle PAUL née CALVEZ contained in exhibit no. DNA 2 Official report no. 120/05 and the blood sample from Monsieur Henri PAUL contained in exhibit no. 04 PV no. 120/05 show a filiation between Madame PAUL née CALVEZ and Monsieur Henri PAUL.

The probability of maternity is 99.9997%.

Monsieur PAUL Henri and Madame PAUL née CALVEZ Gisèle belong to the same maternal line.’

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Doctor Olivier PASCAL

Nantes University Hospital, Institute of Biology.

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Doctor Pascal reported back to Judge Bellancourt on 25 April 2005 with the following conclusion:

'We have analysed exhibit no's. 03 [AN Henri PAUL blood] and 05 [AN Henri PAUL liver] comparing them with exhibits ADN-1 [Buccal sample MR PAUL] and ADN-2 [Buccal Sample Mme PAUL].

The DNA obtained from the blood sample (exhibit no. 3) and from the liver (exhibit no. 05) is identical.

Madame Gisèle CALVEZ (exhibit ADN-2) may be the biological mother of the unknown person (exhibit no's. 03 and 05). The maternity index is 340700. The probability of maternity is 99.9997%.'

Professor Philippe DE MAZANCOURT

Biochemistry Laboratory at Raymond Poincaré Hospital, an expert at the Court of Appeal in Versailles.

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In response to further challenges, Judge Bellancourt issued an order on 1 December 2005 appointing Professor De Mazancourt to assist his investigation. Professor De Mazancourt also carried out DNA tests on the blood. He reported his conclusion as follows:

'The genetic characteristics were revealed on the basis of the sample of cardiac blood labelled "Henry Paul" (post mortem reference number "972147") present in the container under seal 08 (official report no. 120/2005 by the Versailles S.R.)

The frequency of an identical combined genotype in the general population is lower than 1 person in 7 thousand million.

It was then compared to that of Madame Giselle Paul (née Calvez), as determined by Professor Doutrempuich and by Doctor Pascal.

This comparison revealed a direct link of filiation between Madame Giselle Paul (née Calvez) and the blood sample present in the container from the post mortem examination of Monsieur Henri Paul.

The probability of maternity is greater than 99.999%.

Furthermore, the sequence of the mitochondrial DNA from the sample of cardiac blood labelled "Henry Paul" is identical to that of Madame Giselle Paul née Calvez... These results are compatible with a link of filiation.'

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ii) DNA testing by Operation Paget

In March 2005 Operation Paget was given the sample of right femoral blood taken at the further examination of Henri Paul on Thursday 4 September 1997 by Dr Jean Pierre Campana. This blood had been retained at the IML since 1997, albeit not continuously in ideal conditions, which meant that toxicological testing of this blood would be unreliable. However it could be used for DNA analysis if necessary.

The vial of blood had a printed label showing:

IML: 972147;

Nom: Paul Henry;

Date: 04/09/1997;

Sang Cardiaque;

Médecin: Campana

and then handwritten 'FD' [Paget Note: Believed to denote femoral droite – right femoral], 'Floure' [fluoridated] and the figure '1' on the cap [Paget Note: Believed to be seal number 1 - see Judge Stéphan's statement earlier - *'The vials were placed under seal number one (right artery) and two (left artery).'*]

The blood had not been used for any tests in France – Dr Pépin had carried out his tests on the equivalent blood taken from the left femoral area.

On receipt of the blood, Operation Paget did not carry out DNA tests as the continuity of the blood samples taken at the examination by Dr Campana and analysed by Dr Pépin and then Dr Dumestre-Toulet was very strong. Both samples had been taken from the femoral area in the presence of the Examining Magistrate Hervé Stéphan, the Judicial Police and Dr Pépin. Following the taking of the sample, Dr Pépin himself took his signed blood exhibit [Paget Note: Left femoral blood, seal 2] directly back to his laboratory.

Toxicological analysis of that blood exhibit, identified by Dr Pépin, began the following day, under his supervision and control. Dr Pépin's results on this blood sample, from the left femoral area, showed:

- blood/alcohol level of 1.75g/l
- the presence of fluoxetine; norfluoxetine; tiapride and
- carboxyhaemoglobin level of 12.8%
- fatty acids and cholesterol

As the continuity chain of evidence is so short and so strong, Operation Paget took the view that the only viable challenge to these results would be if Dr Pépin's integrity was being challenged. However, Mohamed Al Fayed's current challenges in France indicated that he did believe this to be an issue.

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Operation Paget therefore had the blood sample in its possession [Paget Note: Right femoral, seal 1] analysed.

LGC Forensics, an independent United Kingdom laboratory, confirmed through a matriarchal link, expressed in statistical probabilities, that the blood was that of Henri Paul.

DNA Evidence – Summary of Results

Blood taken at the autopsy of Henri Paul on Sunday 31 August 1997 – delivered to his laboratory on Thursday 4 September 1997.

Professor Doutrempuich's results confirmed that the probability of maternal link through DNA was 99.9997%. He used the blood sample attributed to Henri Paul in his tests.

Dr Pascal concurred with Professor Doutrempuich and also gave the probability of maternal link as 99.9997%. However, he carried out his work with reference to profiles obtained from both the blood and liver samples attributed to Henri Paul (whom he referred to in his conclusion as the unknown person).

Professor De Mazancourt confirmed the maternal link between Gisèle Paul and the blood labelled as Henri Paul's, placing the probability of the link as greater than 99.999%.

Blood taken at the second autopsy of Henri Paul on Thursday 4 September 1997 – retained at the IML mortuary, and handed to Operation Paget in 2005.

The DNA tests on the blood handed to Operation Paget in March 2005 showed this to be Henri Paul's blood, matched to his mother's DNA profile. This blood was exhibited as that taken from the right femoral area of Henri Paul by Dr Jean-Pierre Campana on Thursday 4 September 1997.

Operation Paget Comment

DNA Issues

Of the three blood samples provided to Dr Pepin, two were fully used during toxicological tests i.e.

- 1) The blood sample given to Dr Pépin on Monday 1 September 1997 and
- 2) The blood sample given directly to Dr Pépin by Dr Campana on Thursday 4 September 1997.

The blood delivered to the three DNA experts appointed by Judge Bellancourt was the blood from the autopsy of 31 August 1997 (carried out by Professor Lecomte) that was delivered to Dr Pépin's laboratory on Thursday 4 September 1997.

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Blood - The DNA tests of all three experts showed that this sample of blood was that of Henri Paul – the link being made through the DNA of Henri Paul’s mother.

Dr Pépin’s tests on this blood (haemothorax blood) had shown:

- qualitative presence of alcohol
- carboxyhaemoglobin level of 20.7%
- the presence of fluoxetine, norfluoxetine, tiapride and
- nicotine, cotinine and other common substances.

(The high carboxyhaemoglobin level has been discussed earlier.)

Liver - The DNA test of the liver sample undertaken by Dr Pascal showed this to belong to Henri Paul – the link again being made through Henri Paul’s mother. The label indicated Dominique Lecomte took this at the autopsy of Sunday 31 August 1997. This was in fact the only occasion that liver was taken.

Dr Pépin’s tests on this liver showed the presence of Fluoxetine and Norfluoxetine. Tiapride was below the detection limit. Alcohol and carboxyhaemoglobin were not tested for in the liver.

Blood sample from Henri Paul in the possession of Operation Paget

This blood sample, expressed in statistical probabilities, is that of Henri Paul, matched to his mother. Dr Campana took the blood during the second autopsy on Thursday 4 September 1997.

Section (iii) Summary

Autopsy and Toxicology Issues – General

Operation Paget Comment

The principal question relating to the allegation of conspiracy to murder was whether the toxicology results could be relied upon and, more specifically, if they related to Henri Paul’s blood and other forensic samples.

It was impossible to verify every detail of every sample taken at all of the examinations, particularly after this length of time. The French system of marking exhibits and proving storage and continuity was different from the system used here. This has made it difficult to prove, through witness evidence alone, the full history of each sample taken, particularly those from the autopsy undertaken by Professor Lecomte on 31 August 1997.

CHAPTER FOUR

Autopsies

Autopsy of 31 August 1997 – Professor Lecomte

There were clearly problems with some of the documentation arising from this autopsy. The medical experts retained by Mohamed Al Fayed have over a number of years questioned the professionalism of both the techniques used at the autopsy and the documentation prepared following it. Dr Richard Shepherd, the forensic pathologist advising Operation Paget, comments that there appeared to be a general lack of clarity about sampling, labelling and documentation.

The labelling of the blood from this autopsy as '*Sang Cardiaque*', without any apparent clarification that it was taken from the chest cavity area, led a number of toxicology discussions to be based on incorrect information. Indeed the French scientist undertaking the bulk of the toxicology work, Dr Gilbert Pépin, was not aware that the blood was not cardiac blood until 2006.

This misinformation has particularly affected the discussions on the levels of carboxyhaemoglobin in Henri Paul's blood. There was general agreement among Mohamed Al Fayed's experts and Operation Paget that taking blood from the chest cavity area meant quantitative analysis of the levels of carboxyhaemoglobin in the body was likely to be unreliable because of the relative ease of contamination of this site.

This confusion has been exacerbated by the fact that the relevant document in the French judicial dossier that should have clarified the sample sites has been replaced, inadvertently or otherwise, by another document that relates to spinal cord.

Although Operation Paget is almost certain that the blood samples of 31 August 1997 were taken from the hemithorax area, it is not possible to state with any certainty whether three or five samples/bottles of blood were taken. Three blood samples have been accounted for in terms of toxicology tests. If another two samples were taken there was no evidence of their having been subjected to toxicology tests.

Further examination of 4 September 1997- Dr Campana

The examination by Dr Campana on Thursday 4 September 1997 was directed much more specifically. Samples of femoral blood and hair/muscle only were taken. The blood was quite clearly from the femoral area. Although the pre-printed label again showed '*Sang Cardiaque*' it was clarified on the label itself as '*FG*'. This is believed to represent '*Fémoral Gauche*' (left). In his statement within the French judicial dossier, D1353, Dr Campana described the site of sampling in detail. Dr Pépin attended this examination, together with the Examining Magistrate, and observed at first hand where the sample was taken from. He took immediate possession of it.

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Toxicology - Is it Henri Paul's blood?

Some of the actions and documentation relating to the autopsy of 31 August 1997 have undoubtedly raised questions. It was important however to look at the breadth of evidence in the following five areas to answer this specific question and the associated question: as to whether the samples used in the toxicology belong to someone other than Henri Paul?:

- i) The examination of Henri Paul on 4 September 1997
- ii) Dr Dominique Mélo, a friend of Henri Paul's, during 1996 and 1997
- iii) DNA Tests
- iv) Autopsy of 31 August 1997
- v) Other bodies in the mortuary

i) The examination of Henri Paul on 4 September 1997

This was carried out in the presence of the Examining Magistrate, Hervé Stéphan, and the toxicologist, Dr Gilbert Pépin. Dr Pépin personally took away the sample of femoral blood and stored it in his laboratory overnight before beginning tests the following day, 5 September 1997. The continuity of this exhibit from 'taking to testing' was straightforward:

Dr Pépin found a blood/alcohol level of 1.75g/l.

He found the presence of Tiapride, Flouxetine and Norfluoxetine [Paget Note: Norfluoxetine is the active metabolite of Flouxetine]

He found a carboxyhaemoglobin reading in the femoral blood of 12.8%.

ii) Dr Dominique MELO, a long standing friend of Henri Paul and a doctor, provided evidence (French Dossier D2238-D2242) of prescribing him during 1996 and 1997:

- Prozac – the active principle of which is fluoxetine
- Tiapridal – the active principle of which is tiapride

These drugs were found in the femoral blood taken by Dr Campana.

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During this time she also prescribed:

- Aotal
- Noctamide

[Paget Note: Dr Mélo described Aotal as causing ‘*dislike of alcohol*’ and Noctamide as a treatment for insomnia.]

These drugs were not detected in Henri Paul’s system.

An empty packet of Aotal was found in the waste bin in Henri Paul’s office at the Ritz Hotel when searched on 9 September 1997. It was not known how long the packet had been there. The half-life of Aotal suggests that if Henri Paul had been taking it in the days leading up to the crash Dr Pépin would have detected it. The scientific inference was that Henri Paul had not been taking Aotal for at least some days before the crash.

Similarly if Noctamide had been present in Henri Paul’s blood Dr Pépin’s tests would have detected it. The scientific inference again was that Henri Paul was not taking Noctamide at the time of the crash.

iii) DNA Tests

Judge Thierry Bellancourt authorised DNA tests to be carried out on forensic samples.

The samples tested were shown as taken at the autopsy of 31 August 1997. The blood sample was the sample delivered to Dr Pépin’s laboratory on 4 September 1997 [Paget Note: Not the first sample of 1 September 1997.] This blood sample had the pre-printed label referred to earlier and was photographed. It was used by Dr Pépin to carry out a qualitative test for alcohol as well as tests for other substances. In this blood he found:

- Alcohol
 - Fluoxetine
 - Norfluoxetine
 - Tiapride
- and
- A carboxyhaemoglobin level of 20.7%

Two sub-samples of this blood were sent to forensic laboratories in Nantes and Bordeaux. Both laboratories confirmed that the DNA profile obtained from the blood showed a matriarchal link to the DNA profile obtained from Henri Paul’s mother.

The laboratory in Nantes also obtained a DNA profile from liver submitted from Dr Pépin’s laboratory. The profile again showed the matriarchal match.

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On 9 December 2005, following challenges to those results, gendarmes collected another sub-sample of the blood and delivered this to a third forensic laboratory in Versailles. The DNA profile obtained from the blood at this laboratory confirmed the matriarchal link with Henri Paul's mother.

The DNA results showed that this sample of blood belonged to Henri Paul.

iv) Autopsy of 31 August 1997

Alcohol levels were also found in:

Vitreous humour – 1.73 g/l

Urine – 2.18 g/l

Stomach contents – 1.91 g/l

Fluoxetine, norfluoxetine found in:

Urine

Liver

Spleen

Lungs

Pancreas

Hair

Fluoxetine found in:

Kidney

Tiapride found in:

Urine

Hair

Albendazole found in:

Hair

As Dr Richard Shepherd stated, there appeared to be a general lack of clarity about sampling, labelling and documentation in this autopsy. However the body of Henri Paul was identified to the pathologist by the police officer who attended the scene, Commandant Jean-Claude Mulès. Samples were taken from Henri Paul's body, even if there was a lack of thoroughness in the recording and handling of them.

v) Other bodies in the mortuary

Judge Thierry Bellancourt obtained from Professor Dominique Lecomte a list of all bodies upon which autopsies were carried out at the IML between the dates of 28 August 1997 and 2 September 1997 (Operation Paget Other Document 430). This listed the names but not causes of death.

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However, on the weekend of 30/31 August 1997, only one other autopsy was carried out and that was on Saturday 30 August 1997. A pathologist named Vorhauer carried out this autopsy.

This supported Professor Lecomte's statement (Operation Paget Statement 129) in which she stated that she carried out an autopsy only on Henri Paul on Sunday 31 August 1997.

Of the 45 other autopsies at the IML during this six-day period, Professor Lecomte did not carry out any of them. Hence there should be no other samples with Professor Lecomte's name on the labels.

Commandant Jean-Claude Mulès, of the Brigade Criminelle, in interview with Operation Paget officers (Operation Paget Other Document 422), explained how normally, when a body arrived at the IML it was dealt with by the '*Identificateur*' i.e. measured, weighed and tagged. It would then be placed into a refrigerator awaiting the professor. In this case however, because it was a Sunday and autopsies are not normally performed on a Sunday, the only bodies not in the fridges were those of Henri Paul and Dodi Al Fayed.

Commandant Mulès confirmed that other than Henri Paul, to his knowledge, no other autopsy took place at the IML that Sunday.

Operation Paget Comment

Evidence regarding switched body and/or sample

- i) the DNA results
- ii) the continuity provided at Dr Campana's examination
- iii) the consistency of toxicology results and
- iv) prescriptions issued by Henri Paul's friend and doctor, Dominique Mélo, provide evidence that these samples belonged to Henri Paul.

There was no evidence that the body of Henri Paul was swapped with another, or that samples from another body had replaced those from Henri Paul prior to toxicology testing.

The reliable carboxyhaemoglobin level in the blood samples was 12.8% for femoral blood, as opposed to 20.7% for chest cavity blood.

There was a suggestion that a suicide victim who died from carbon monoxide poisoning was used deliberately or inadvertently to replace Henri Paul. Neither of the figures above would support such a suggestion. Carbon monoxide deaths commonly show carboxyhaemoglobin levels of 50% or more. Neither of the two levels here was fatal. The chest cavity reading of 20.7% was scientifically unreliable and the 12.8% in femoral blood was high but not exceptional, especially in a smoker.

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The blood/alcohol levels recorded by Professor Ricordel and Dr Pépin on the samples they tested were only twice the British legal limit. Although definitions of '*drunk*' are naturally subjective, it is fair to say that Henri Paul was not '*drunk as a pig*', as allegedly reported in some newspapers at the time. It was clear from the Ritz Hotel CCTV footage that Henri Paul was able to move easily around the hotel and that he gave no signs of impaired movement.

The blood sample taken on 31 August 1997 and tested on 1 September 1997 by Professor Ivan Ricordel showed an alcohol level of 1.87g/l.

The blood sample from 31 August 1997 provided to Dr Pépin and tested by him on 1 September 1997 showed a blood/alcohol level of 1.74g/l.

The toxicology results for the blood taken by Dr Campana on 4 September 1997 showed that the sample contained alcohol (quantitative analysis of 1.75g/l), fluoxetine, norfluoxetine, tiapride and carboxyhaemoglobin.

Professor Robert Forrest confirmed that in his opinion these blood alcohol levels were not inconsistent and the presence of the same prescribed drugs in so many of the samples provided positive corroboration to the premise that the samples were from the same person.

Henri Paul had been drinking alcohol on Saturday night, as evidenced by the Ritz Hotel staff serving him two Ricards, apparently 5cl measures, on his return to the hotel just after 10pm. Professor Robert Forrest has stated that two Ricards drunk at that time would not account for a blood/alcohol reading at the time of death of around 1.74 g/l. Therefore, to have such a figure, Henri Paul must have had alcoholic drink in the hours between 7pm and 10pm. It is impossible to be prescriptive on what this amount might have been. So much depended on whether it was at the beginning or end of that three-hour period. Professor Forrest estimated that Henri Paul may have had something in the order of four to six extra 5 cl Ricards (if indeed that is what he drank all evening) in this three-hour period, but this was very much an estimate and could be higher or lower.

No matter which scenario one takes to account for Henri Paul's whereabouts in the three hours from 7pm to 10pm; at home alone or with a companion; in a restaurant or other establishment; or even in the company of some form of security service officers, he would have had no reason not to drink alcohol. He did not expect to return to work that evening. In all of these scenarios, there was no reason to believe that anyone at the Ritz Hotel would have known that Henri Paul had a level of alcohol in his body when he returned to the Ritz Hotel just after 10pm.

Mohamed Al Fayed's medical experts commented unfavourably on the procedures carried out at the autopsy of Henri Paul on 31 August 1997. The forensic pathologist advising Operation Paget, Dr Richard Shepherd, was also critical of some of the processes. This was a professional assessment of the work undertaken. However, there was no evidence that these actions were part of a conspiracy or cover-up carried out by the French pathologist and her staff at the mortuary, including a Brigade Criminelle officer. The Deputy Public Prosecutor tasked the pathologist in the early

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hours of Sunday morning 31 August 1997 to carry out external medical examinations of the Princess of Wales, Dodi Al Fayed and then a full examination of Henri Paul.

At most, the effect of all this alleged subterfuge would only be to show an increase in the blood/alcohol reading of a man, Henri Paul, who had been drinking alcohol in any event.

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APPENDIX 'A'

**Summary of Toxicological results. Samples taken at autopsy of
Henri Paul 31 August 1997 by Professor Lecomte.**

SAMPLE	TESTED BY / ON	RESULTS. (<) = Less than. < LD=below detection limit.
1. Blood	<u>Prof. RICORDEL</u> 01/09/97 01/09/97	<u>Quantitative blood alcohol analysis</u> 1.8718g/l Ethanol 1.8750 g/l Ethanol <u>Conclusion reported.</u> 1.87 g/l Ethyl alcohol content.
2. Blood	<u>Dr PEPIN</u> 01/09/97 01/09/97	<u>Quantitative blood alcohol analysis</u> 1.74g/l Ethanol <u>Confirmation blood alcohol analysis</u> 1.72 g/l Ethanol <u>Conclusion reported.</u> 1.74 g/l Ethanol/ethyl alcohol [Paget Note: On 01/09/97 additional tests were carried out on this blood that detected the presence of:- Cotinine, Caffeine, Fluoxetine, Fluoxetine Metabolite]. The charts relating to these tests were included in report dated 09/09/97.
3. Blood	<u>Dr PEPIN</u> 04/09/97 04/09/97 04/09/97 09/97/97	<u>No quantitative blood alcohol analysis test on this sample</u> Qualitative presence of ethyl alcohol [Paget Note: Detected as a result of a standard search for volatile substances]. <u>Conclusion reported.</u> Presence of alcohol confirmed. Fluoxetine, Norfluoxetine, Tiapride <u>Carboxyhaemoglobin level</u> 20.7% 21% 21.4% <u>Conclusion reported.</u> Carboxyhaemoglobin level 20.7%. Nicotine, Cotinine, Fatty acids, cholesterol, caffeine.
Urine	<u>Dr PEPIN</u> 04/09/97 08/09/97 04/09/97	<u>Quantitative alcohol analysis</u> 2.18 g/l Ethanol <u>Confirmation analysis</u> Ethanol 2.18, 2.18956 g/l Fluoxetine Norfluoxetine, Tiapride.
Vitreous humour	<u>Dr PEPIN</u> 08/09/97	<u>Quantitative alcohol analysis</u> 1.73 g/l Ethanol. [Paget Note: Quantity of sample insufficient for medicines].
Stomach contents	<u>Dr PEPIN</u> 04/09/97 08/09/97 04/09/97 04/09/97	<u>Quantitative alcohol analysis</u> 1.91 g/l Ethanol <u>Confirmation analysis</u> 1.98165 g/l Ethanol 1.91 g/l <u>Quantitative drugs analysis</u> Fluoxetine, Norfluoxetine, Tiapride < 0.05 µg/g.

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Samples taken at autopsy of Henri Paul 31 August 1997 by Professor Lecomte

SAMPLE	TESTED BY / ON	RESULTS. (<) = Less than. < LD=below detection limit.
Liver	<u>Dr PEPIN</u> 04/09/97	Fluoxetine, Norfluoxetine, Tiapride <0.05 µg/g
Kidney	04/09/97	Fluoxetine, Norfluoxetine< LD, Tiapride <0.05 µg/g.
Spleen	04/09/97	Fluoxetine, Norfluoxetine, Tiapride <0.05 µg/g
Lungs	04/09/97	Fluoxetine, Norfluoxetine, Tiapride <0.05 µg/g
Pancreas	04/09/97	Fluoxetine, Norfluoxetine, Tiapride <0.05 µg/g
Hair (Scalp)	<u>Dr PEPIN</u> 05/09/97	May to end August 1997 Tiapride, Fluoxetine, Albendazole. (Insufficient for sequential month-by- month analysis).
Histology	Not applicable	Brain, heart, various organs. No evidence of anatomo-pathology testing.
Bile	Not applicable	Not tested.

Samples taken in the presence of the Judge on 4 September 1997 by Dr Campana.

SAMPLE	TESTED BY / ON	RESULTS
Blood	<u>Dr PEPIN</u>	Quantitative alcohol analysis
Left Femoral	05/09/97	1.75 g/l Ethanol
	05/09/97	N.B 1.80 reported as 1.75
	05/09/97	Ethanol Control 2 g/l & 1 g/l
	05/09/97	Quantitative drugs analysis
	05/09/97	Fluoxetine, Norfluoxetine, Tiapride.
	05/09/97	Compounds usually found: fatty acids, cholesterol. (Only)
	09/09/97	Carboxyhaemoglobin 12.8%.
	09/09/97	12.6%
	09/09/97	12%
	<u>Dr TOULET & Dr PEPIN</u> 16/09/97	Deglycosylded transferring (C.D.T) Reported = 32 UI/l.
Hair (Unknown)	DR PEPIN reports→	Insufficient for toxicological analysis, kept for genetic fingerprinting.
Muscle	Not applicable	(Quadricep). Not tested.

Samples taken on 5 September 1997 by Dr Campana.

SAMPLE	TESTED BY / ON	RESULTS
Hair (Head)	Not applicable	Insufficient for toxicological analysis, kept for genetic fingerprinting.
Hair (Pubic)		

Samples taken on 9 September 1997 by Professor Lecomte.

SAMPLE	TESTED ON	RESULT
Spinal Cord	<u>Dr PEPIN</u> 16/09/97	Quantitative drugs analysis Fluoxetine, Norfluoxetine, Tiapride
Hair	<u>Dr PEPIN</u> 17 & 18/09/97	Segment 1 (end July to end August 1997) Takes Prozac, Tiapride or Equillium and Zentel. Segment 2 (end June to end July 1997) Takes Prozac, Tiapridal or Equillium. Segment 3 (end May to end June 1997) Takes Prozac and Tiapridal or Equillium.

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(iii)

CONCLUSIONS

Claims Outlined in Section (i)

Claim 1 - (i) Attempts have been made to attribute the crash to the fact that Henri Paul had consumed grossly excessive quantities of alcohol and was consequently incapable of driving. (ii) Attempts to verify this indicate that these tests were carried out in highly unusual circumstances.

Claim 10 - The explanation widely circulated for the crash is that the driver of the Mercedes, Mr Paul, had consumed grossly excessive quantities of alcohol. There are serious doubts about the scientific plausibility of this explanation. Expert evidence indicates that it is not possible to rely on the results of the tests purportedly carried out on Mr Paul's blood. It is probable that the samples analysed by the French authorities are not samples of Mr Paul's blood.

Independent experts, including Professor Vanezis, Regis Professor of Forensic Medicine in the University of Glasgow, are critical of the procedures adopted for the post mortem examination, the lack of satisfactory systems to ensure correct identification of samples, and the conclusions reached following post mortem examination of Mr Paul's body.

Autopsy of Sunday 31 August 1997 - Authority

There was nothing unusual in the circumstances of ordering an autopsy. It was usual practice to carry out autopsies on drivers of vehicles involved in fatal road traffic incidents.

Dr Eva Steiner, adviser to Operation Paget on French legal issues, stated:

'In the case of death arising out of a car crash there is no statutory obligation either on the public prosecutor or on the examining magistrate to order a post-mortem either for the driver or for the passengers. Indeed, as far as the public prosecutor is concerned, the relevant text concerning post-mortem examinations - article 74 of the Code of Criminal Procedure - states: 'the district prosecutor may also initiate a judicial investigation into the causes of the death'. This implies that this decision is left entirely to his discretion.'

Maud Coujard, the Deputy Public Prosecutor, stated:

'We therefore proceeded the way we normally do in relation to road traffic accidents and only ordered the autopsy of the driver, Henri Paul'.

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Dr Pépin explained the French legal position in relation to alcohol testing:

‘The car accident in which Mr Henri Paul the driver of the vehicle died was a fatal road traffic accident and it was therefore obligatory to determine the concentration of ethanol in the blood of the deceased driver - (according to the French law of 9 July 1970) any driver involved in a road traffic accident causing physical injury can and must first be subject to alcohol testing.’

The autopsy was undertaken within hours of the crash.

It is agreed by Dr Richard Shepherd, adviser to Operation Paget, and the experts retained by Mohamed Al Fayed, that some of the procedures and documentation relating to the first autopsy carried out in France were not to the highest standard.

If one argued that a number of sub-standard procedures could be an indication of cover-up, the converse argument is equally valid – a planned and orchestrated conspiracy and cover-up would have ensured that simple mistakes were not made.

Alcohol Consumption

Henri Paul had been drinking alcohol. He drank two Ricards in the Bar Vendôme of the Ritz Hotel after returning there just after 10pm on Saturday night.

It is a subjective judgement for anyone to claim that Henri Paul had consumed *grossly excessive quantities* of alcohol before he drove the Mercedes. This applies to the media headlines at the time that he was *‘drunk as a pig’*. The evidence indicates that neither of these subjective statements is valid.

Alcohol was tested for in Henri Paul’s:

- blood (conducted on four separate occasions by two toxicologists – one test was a qualitative test only)
- vitreous humour
- urine
- stomach contents

All samples showed an alcohol reading. These varied from 1.73 g/l for vitreous humour to 2.18 g/l for urine. The most accurate and reliable sample site is generally considered to be the vitreous humour (liquid from the eye area, usually protected from contamination). This sample showed a level of 1.73g/l. (the average figure of three tests undertaken on that sample)

Although around three times the legal limit in France, this figure is around twice the legal limit for driving in this country.

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There was direct evidence from staff at the Ritz Hotel that they served Henri Paul with two 5cl measures of Ricard. This would not account for his blood/alcohol level at the time of his death. To have such an alcohol level at the time of the crash, Henri Paul would have had to have consumed more alcohol than just two Ricards.

It is difficult to be specific about what amount of alcohol he would have had to drink to produce a level of, for example, 1.73g/l at the time of the crash. Both the Forensic Science Laboratory and the toxicologist advising Operation Paget, Professor Robert Forrest, considered a figure of around four to six Ricard-strength drinks, in addition to those consumed at the Ritz Hotel, was a reasonable estimate.

The Carbohydrate Deficient Transferrin (CDT) Test

This test carried out on the blood of Henri Paul indicated that the result *'is consistent with moderate chronic alcoholism for at least a week'* (Dr Dumestre-Toulet). However, Professor Robert Forrest cautions against relying on this as compelling evidence as there are many factors, particularly in post mortem bodies, that can affect CDT readings.

Dr Dominique Mélo, his friend and doctor, stated that she prescribed Henri Paul with two drugs associated with treatment for alcohol dependency: Aotal, used exclusively in the treatment of alcohol dependency; and Tiapride, a neuroleptic usually with alcoholic connotations. She stated:

'The alcoholic indication of these last two drugs, Aotal and Tiapridal, had the additional effect of reassuring and protecting him. He had the impression that he was receiving preventive treatment. On certain occasions, when Henri was freed from his professional constraints, or when he was on holiday, he did not take this medication in order to be able to drink alcohol in reasonable quantities, always in a social context. I had authorised him to do this, as Henry did not have the clinical stigmata or the behaviour of a chronic alcoholic.'

Pre-Analytical issues

Professor Forrest, adviser on toxicology issues to Operation Paget, states:

- *The pre-analytical issues are those relating to everything before the samples were analysed, including: conditions at the scene after death (this would include any resuscitation attempts), conditions of transport and storage of the body, autopsy and samples collection technique, the containers in which the samples were placed, chain of custody issues, their transport and storage in the laboratory before analysis.*
- *Where samples have been aliquoted for transport to another laboratory, obviously chain of custody, storage and transportation issues have to be taken into consideration all over again.*
- *There are clearly issues in relation with all of these factors, but I believe one can be comfortably satisfied, at the very least, that the samples that ToxLab received and analysed can be attributed to Henri Paul.*

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Quality and Interpretation of Analyses

General

Professor Robert Forrest continues in his report:

'I have no reservation at all in stating that Dr Pépin and his team at ToxLab carried out analyses of the samples attributed to Henri Paul with the highest degree of professional competence using what was then state of the art equipment. The number of laboratories that could have done the work to the same degree of competence in the UK was then and is now a small handful'.

Alcohol

Professor Robert Forrest is cognisant of the views expressed in the documents of Mohamed Al Fayed's experts particularly their assessment that the alcohol level in chest cavity blood being so similar to the levels found in the other samples raises concerns.

Professor Forrest has assessed Henri Paul's alcohol levels with reference to the results of the toxicological analyses of all the forensic samples taken, on Sunday 31 August and Thursday 4 September 1997 – by Dr Jean Pierre Campana. This includes not only alcohol levels found in the blood samples but in other samples of vitreous humour, urine and stomach contents. All these alcohol levels are listed in the chart earlier at Appendix A. He has also taken account of the consistency of fluoxetine, norfluoxetine and tiapride analyses across these samples and others such as hair. These too are recorded at appendix A. Professor Forrest stated:

- *The Blood Alcohol. The consistency of the agreement between the analyses is such that one can be confident that any contribution to the result from post mortem redistribution of the samples or from post mortem alcohol production is minimal. One can be confident that Henri Paul's blood alcohol concentration at the time of his death was around 175 mg/100ml. This can only have arisen from the consumption of alcohol.*
- *In short, I am confident that the scientific evidence generated by the French Scientific Investigators gives strong support to the hypothesis that the deceased driver had a concentration of alcohol present in his blood, at the time of his death, which would have significantly impaired his ability to safely control a motor vehicle and gives moderately strong support to the hypothesis that he was a regular consumer of excessive amounts of alcohol in at least the week or so leading up to the crash.*

Other drugs

- *Fluoxetine. The results found are consistent with the use of Fluoxetine by Henri Paul. Norfluoxetine is its main metabolite. The results do not necessarily indicate he was taking it at the time of the crash. It is eliminated*

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very slowly from the body and he may not have been taking it regularly in the week or so up to the time of the crash.

- ***Tiapride** is a medicine not used in the UK. It is a tranquillizer and may be used in the management of alcohol dependency.*
- ***Cotinine** is the main metabolite of nicotine. The presence of nicotine and cotinine in blood means that the donor of the blood used tobacco based products or other products containing nicotine.*
- *The presence of **Albendazole** (Zentel) in Henri Paul's hair is a puzzle. It is used for the treatment of intestinal worms. The Vidal Dictionary lists it as being the equivalent of a prescription only medicine in France, but Dr Deveaux told me that many pharmacists would sell it to customers without prescription on the understanding that it would be used for the treatment of animals. Worms are uncommon in humans living in cities with good sanitation if they don't have pets and don't associate with children. There may be some significance in the finding of Dolprane (sic) Jeune Enfant in the medicine cabinet in Henri Paul's flat. **Doliprane** is a French trade name for products containing paracetamol. One wouldn't expect to find a children's medicine in a medicine cabinet unless children were around to need it.*
- ***The drugs that weren't found.***
- *I am satisfied that if Henri Paul had been taking **Aotal** (acamprosate) in the days leading up to the time of the crash Dr Pépin and his team would have detected it.*
- *Similarly if **Noctamide** (lormetazepam) had been present I am satisfied that Dr Pépin and his team would have detected it in Henri Paul's blood.*
- ***Others***
- ***Imodium** is a treatment for diarrhoea; **Gaopathyl** contains aluminium hydroxide and is used for indigestion. **Detoxalgine**'s active components are vitamin C and aspirin. It might be used to treat hangovers.*
- *The Carbohydrate Deficient Transferrin test provides strong, but not absolutely compelling evidence that HENRI PAUL was a chronic user of excessive amounts of alcohol. As a chronic alcohol user he may well not have shown gross evidence of intoxication on the CCTV recordings.*

Chronic alcohol user or not, he was not fit to drive at the time of his death'.

Claim 2 - Contemporaneous evidence from the Ritz Hotel's video cameras from about 10pm when Mr Paul returned to the hotel until 12.20am when he left does not suggest that he was under the influence of alcohol.

The Ritz Hotel CCTV cameras did show Henri Paul walking around the hotel and apparently functioning normally on his return just after 10pm on Saturday evening.

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There was no indication that he was unsteady on his feet or unduly attracting the attention of other people because of his behaviour. He is described by witnesses as being more animated than earlier in the evening, but there was no evidence that this was as a result of drinking alcohol.

He had returned to work unexpectedly and at some point was informed by others, or decided himself, that he would be driving the Princess of Wales and Dodi Al Fayed. Such a responsibility may have contributed to this animation, or there may have been other unknown reasons.

There was no visible difference in his behaviour after he drank the two Ricards in the Bar Vendôme.

Claims 3 and 16

Claim 3 - The two bodyguards who were charged with protecting my son are certain that he was not under the influence of alcohol.

Claim 16 - Security would never let Henri Paul go behind a wheel if they know that he was drunk.

Trevor Rees-Jones and Kieran Wingfield did not believe that Henri Paul was under the influence of alcohol. They did not know him well and it would be difficult for them to assess if his behaviour was normal or not. Their conversations were apparently in English.

Trevor Rees-Jones has stated:

'In the bar, we ordered dinner and were joined by Henri Paul. He had a drink, I do not know what it was, but it was yellow-coloured. While we had dinner, Paul came and went about the hotel, he was perfectly normal. I did not sense him being on edge, he was just as he usually was in my dealings with him. After a while, Paul had another drink.'

Kieran Wingfield has stated:

'Henri Paul ordered a drink, which he drank. I asked what he had and he said 'ananas', which I understand to mean 'pineapple'. I thought it was pineapple cordial. That was what it looked like, one of the cordial's they have in France. The barman brought it with a carafe of water and Henri Paul poured water into it. He might have had some ice in it too but I cannot recall for sure. I understand that the drink is said to have been a drink like Pernod. I can say that I didn't smell Pernod and I think I would have done.'

Reuben Murrell, was a third security officer working for Mohamed Al Fayed. He was working at the Villa Windsor in Paris at the time. He recalled a telephone conversation with Trevor Rees-Jones on Saturday evening 30 August 1997:

'Trevor asked me about Henri Paul. I got the impression that Trevor and Henri Paul did not hit it off and Trevor was asking me who he was. Trevor had observed him

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taking a drink and offered drinks to Trevor and Kes, which they thought was highly unprofessional. Trevor did not specify that it was an alcoholic drink but the fact that this was mentioned led me to believe that it was alcoholic drink to which he was referring.'

This was only an impression gained by Reuben Murrell. He did not state that Trevor Rees-Jones referred to alcohol.

The bodyguards have stated that they would not have allowed Henri Paul to drive if they thought he was under the influence of alcohol. They stated they were unhappy with the plan to leave from the rear of the Ritz Hotel without a back-up vehicle, but not with Henri Paul as the driver as such. They pointed out that Henri Paul had been driving the back-up Range Rover earlier in the day.

Henri Paul drank Ricard in their presence in the Bar Vendôme, but there was no evidence that they knew what he had ordered. They would have no reason to know of Henri Paul's activities before 10pm and any possible alcohol intake during that time.

The Ritz Hotel CCTV images showed Henri Paul acting in a reasonable manner after he returned to the hotel on Saturday evening just after 10pm.

Sequence of Events – Knowledge of Henri Paul's alcohol level when he drove on Saturday night

Henri Paul when he left the Ritz Hotel at 7pm on Saturday evening believed he had finished work for the day. He did not expect to return that night. He was informed at around 10pm by a security officer at the hotel, François Tendil, of the couple's unexpected return to the Ritz Hotel. He made his way back to work immediately. His friends and family described Henri Paul's conscientious nature in relation to his work.

Dodi Al Fayed informed the Ritz Hotel night duty manager, Thierry Rocher, at around 10.20pm, that he wanted a third car in rue Cambon in order to leave by that exit [Paget Note: The rear exit of the hotel.] Thierry Rocher was told to inform Henri Paul of this plan, confidentially.

Thierry Rocher told Henri Paul of Dodi Al Fayed's decoy plan at around 10.24pm He stated that the detail of who would drive this third car was not discussed. In these circumstances, Henri Paul drinking two Ricards before 11pm may not be seen as culpable action on his behalf. There was no evidence that at that time he knew he would be driving later.

Trevor Rees-Jones and Kieran Wingfield give evidence of Henri Paul drinking 'liquid' in their company but believing it to be non-alcoholic. They stated that they would not have allowed Henri Paul to drive if they thought he had been drinking alcohol.

Dodi Al Fayed had no obvious way of knowing that Henri Paul had drunk alcohol in the Bar Vendôme, or indeed before his return to the hotel if he had done so.

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There is no evidence that anyone associated with any decision-making on the night knew that Henri Paul's friend and doctor, Dominique Mélo, had prescribed him therapeutic drugs.

Fluoxetine and Tiapride, the two drugs found in Henri Paul's body after the crash, should be issued with a warning in terms of driving and operating machinery. In addition, Tiapride should be issued with a warning of its increased effect when mixed with alcohol.

The Ritz Hotel CCTV cameras show Henri Paul functioning capably from 10.07pm until he left the hotel.

Claim 4 - It has also been suggested that Mr Paul was an alcoholic. But on 28 August 1997 Mr Paul had had his annual medical examination in connexion with renewal of his pilot's licence and had been found fit to fly. The doctor made no mention of any alcohol or drug problems. Visual examination of his liver at post mortem also showed it to be normal.

Henri Paul had his annual medical examination on Thursday 28 August 1997 to renew his pilot's licence, which he passed, the only additional comment from the examining doctor relating to Henri Paul's eyesight. However, there was no evidence that any tests for alcohol consumption were carried out in these examinations.

The United Kingdom standard, understood to be accepted across Europe, includes a standard physical examination and eye test, a urine test for blood sugar and protein and an electrocardiogram for heart disease. Unless a doctor notices signs of alcohol consumption, or there is a self-declaration of alcohol problems, no other test assists with identifying alcohol consumption. The examining doctor did not make any reference to alcohol or drug problems relating to Henri Paul.

Visual examination of Henri Paul's liver at his autopsy was normal. This was an indication, but not conclusive, that Henri Paul was not an alcoholic.

Although there is no definitive evidence that Henri Paul was an 'alcoholic', there is evidence of a perceived dependency on alcohol on the part of Henri Paul himself, but as his doctor stated, he did not have the clinical stigmata or the behaviour of a chronic alcoholic.

Claims 5 and 6

Claim 5 - A toxicology report relating to the post mortem carried out on Mr Paul on 31 August 1997 identified a high level of carbon monoxide in his blood, approximately 20.7% in his blood. This blood sample contained blood from both ventricles of the heart. I understand that this average figure of 20.7% means that the level of carbon monoxide in the left ventricle of the heart must have been in excess of 28-35%.

Claim 6 - Had this level of carbon monoxide been present in his blood when Mr Paul was at the Ritz Hotel, he could not have behaved in the rational, coherent

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and sober manner reported by those who were with him and recorded by the Ritz Hotel video cameras between 10pm and 12.20 am.

Claim 10 The supposed high level of carbon monoxide in Mr Paul's blood is inconsistent with the rational, coherent and sober manner reported by those who were with him, including bodyguards employed by the petitioner, and recorded by the Ritz Hotel video cameras immediately prior to the crash.

First Autopsy on Henri Paul – Sunday 31 August 1997

The carboxyhaemoglobin level of **20.7%** related to blood **scooped from the chest cavity** of Henri Paul at the autopsy of Sunday 31 August 1997. Blood samples from this site are potentially unreliable because of the possibility of contamination and this figure is very unlikely to be a true representation of the carboxyhaemoglobin level in Henri Paul's body.

This sample of blood was labelled as '**Sang Cardiaque**', (cardiac blood) rather than chest cavity blood. Errors in the French judicial dossier meant that those looking at these issues on behalf of Mohamed Al Fayed and Operation Paget did not identify this labelling error until 2005.

This will have an effect on the interpretation of test results. Until 2005 experts working for Mohamed Al Fayed and Operation Paget believed the label of cardiac blood, '*Sang Cardiaque*' to be correct.

As Professor Forrest, adviser on toxicology issues to Operation Paget, states:

'The first blood samples obtained at the original post mortem examination were apparently obtained from the chest cavity of the deceased driver. This raises the possibility that the blood may have been contaminated by other fluids and material such as bone marrow from fractured ribs' and

'Thus there is a possibility that some form of contamination present in the sample collected from the chest cavity could have artefactually increased the concentration of carboxyhaemoglobin in that sample. Whilst of a lower degree of probability, this might also apply to the samples collected from the femoral vein or artery after the original post mortem examination'

And as the Executive Summary of the experts working with Mohamed Al Fayed states:

'The blood taken by Professor Lecomte on 31 August was by way of a ladle from the chest cavity. This is notoriously unsatisfactory and unreliable as the blood is very likely to have been contaminated.'

In trying to explain exactly how that 20.7% level in Henri Paul's body came about, Professor Forrest has examined, amongst other things, the French explanation relating to emissions from the airbags. He believed it was difficult to be certain about exactly what happened to Henri Paul's body at the time of the collision:

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'In short, at present, if one accepts that the results of the carboxyhaemoglobin analyses accurately reflect the situation that existed at the time of death, I cannot advance a convincing explanation for the discrepancy between the carboxyhaemoglobin concentration found in the sample obtained from the chest cavity and the sample obtained from the femoral vein and/or artery.'

However, if the results are artefactually increased as a result of post mortem changes and/or the presence of material from, for example, the marrow of fractured bones, with there being a substantially greater increase in the results obtained on the analysis of samples from the chest cavity than in the carboxyhaemoglobin results obtained from the femoral samples, then this would provide an explanation for these results.

With the gift of hindsight, it is arguable that it might have been appropriate to check the analytical results for carboxyhaemoglobin by a non-spectrophotometric method, such as molecular sieve gas chromatography, once the discrepancy between the femoral and the chest cavity blood had been found. I would emphasise that in making this comment I intend no criticism of Dr Pepin for whom I have the greatest respect. He did not know that the blood from the chest cavity was not, in fact, cardiac blood until I informed him of this in 2006'.

Second Autopsy on Henri Paul – Thursday 4 September

Another pathologist carried out a second autopsy on Henri Paul on Thursday 4 September. This carboxyhaemoglobin level of **12.8%** related to **femoral** blood taken from the 'Scarpa Triangle'. The femoral vein or artery within 'Scarpa's Triangle' is a much more reliable sampling site for quantitative analysis of carboxyhaemoglobin levels. It is believed that this was a much truer figure of Henri Paul's carboxyhaemoglobin level at the time of his death.

As Dr Richard Shepherd, forensic pathologist and adviser to Operation Paget stated:

'The samples taken on 4 September 1997 have been labelled and documented with much greater care.'

12.8% is a high figure, but not unusual. As Professor Forrest commented:

'Heavy smokers can have base line carboxyhaemoglobin concentrations of certainly up to 10% and some can have concentrations which are rather higher than that. Whilst figures of up to 15% for the concentration of carboxyhaemoglobin in smokers have been quoted, a more generally acceptable figure is that only about 2.5% of smokers have carboxyhaemoglobin concentrations in blood of greater than 12%. That is to say 1 smoker in 40 might have a carboxyhaemoglobin concentration of greater than 12%.'

Henri Paul was a regular smoker of cigarillos. Claude Garrec, one of his closest friends, described him smoking a packet per day on holiday. Other witness evidence on the night of Saturday 30 August 1997 described Henri Paul smoking after his return to the hotel at around 10pm. CCTV footage from the Ritz Hotel confirms this.

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The following provide evidence of Henri Paul's habit of smoking cigars and cigarillos: Jean-Pierre Alidiere, barman in the Bar Vendôme; Pierre Hounsfield, a paparazzo waiting in front of the Ritz Hotel on Saturday night; Jean-Pierre Brizay, a solicitor representing Mr and Mrs Paul; Jean Discazeaux, a tobacconist; Myriam Lemaire and Josiane Le Tellier both proprietors of bars close to Henri Paul's home address.

This level of 12.8% carboxyhaemoglobin is not unusual and provides no evidence that would support a claim of swapped bodies or blood samples.

High CO readings in the left ventricle

It is agreed that levels of 28-35% carboxyhaemoglobin in Henri Paul's system, combined with his intake of alcohol, would not have allowed him to behave in the *'rational, coherent and sober manner reported by those who were with him'*.

However, as explained earlier, the carboxyhaemoglobin level in Henri Paul's body is believed to have been 12.8% and not 28-35%.

Consequently, the proposal that the carboxyhaemoglobin level equated to 28-35 % in the left ventricle of the heart was not valid. This claim was made when it was still believed by those examining the toxicology issues that the blood sample was from the heart, not from the chest cavity.

Claim 7 - The pathologists instructed by the investigating magistrate suggested that smoking and the release of carbon monoxide from the Mercedes' airbag might account for it. But other expert evidence has since confirmed:

- **that smoking could not account for more than about 5-8% of this figure;**
- **that at post mortem Mr Paul's lungs were found to be healthy;**
- **that the airbag did not release carbon monoxide when inflated;**
- **that, since Mr Paul was killed instantly, he could not have inhaled carbon monoxide after the crash; and**
- **that nobody else in the car was found to have any carbon monoxide in the blood.**
- **Independent expert examination has concluded that it is most likely that the samples analysed, and on which great reliance has been placed by others for stating that the crash was caused by drunk driving, are not of Mr Paul's blood**

Professor Dominique Lecomte and Dr Gilbert Pépin did produce reports suggesting that the release of carbon monoxide from the airbags in the car, combined with carboxyhaemoglobin accumulated through smoking, might account for the high reading of carboxyhaemoglobin in Henri Paul's body. However, it appeared that when these reports were compiled, Dr Pépin was not aware that the blood sample that gave

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a reading of 20.7% was from the hemithorax area and not cardiac blood. An explanation appears to have been sought for an unreliable quantitative measurement.

Other points raised under item (7) are:

- There was a lot of literature on the levels of carboxyhaemoglobin in human bodies. There are many variable factors that contribute to these levels in addition to smoking: residence in an urban environment; individual physiology; and environmental sources of carboxyhaemoglobin, such as certain types of heaters.

Professor Robert Forrest, the toxicologist advising Operation Paget, states that:

'Heavy smokers can have base line carboxyhaemoglobin concentrations of certainly up to 10% and some can have concentrations which are rather higher than that. Whilst figures of up to 15% for the concentration of carboxyhaemoglobin in smokers have been quoted, a more generally acceptable figure is that only about 2.5% of smokers have carboxyhaemoglobin concentrations in blood of greater than 12%. That is to say 1 smoker in 40 might have a carboxyhaemoglobin concentration of greater than 12%.'

- Henri Paul was a regular smoker of cigarillos. Claude Garrec, one of his closest friends, described him smoking a packet per day on holiday. Other witness evidence on the night of Saturday 30 August 1997 described Henri Paul smoking after his return to the hotel at around 10pm. CCTV footage from the Ritz Hotel confirms this.
- There was no problem noted with Henri Paul's lungs at his autopsy examination.
- Airbags do release carbon monoxide, but the quantities are incredibly small. The source of the carbon monoxide (CO) is actually the explosive device that generates the charge to inflate the bag, not the gas in the bag itself.

Operation Paget commissioned a number of tests using the same type of airbag devices as used in the Mercedes S280 involved in the crash. The results of these tests have been considered by Professor Forrest and incorporated into his findings on the carboxyhaemoglobin levels found in Henri Paul. He concluded that it was unlikely that carbon monoxide emission from the airbags would significantly affect the carbon monoxide intake of a driver in this situation.

- Henri Paul was killed instantly. The definition of 'instantly' in a physiological sense is a point of debate. Instant death does not mean that all functions of the body immediately cease. The catastrophic injuries suffered by Henri Paul indicated that he did not survive the first impact with the pillar in the underpass. Whether he took one intake of breath as he was propelled forward

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into the airbag can only be a matter of conjecture. Mohamed Al Fayed's experts referred to it being '*conceivable that he took a very limited number of breaths, but very few, before he died*'.

Dr Richard Shepherd and Professor Robert Forrest, advising Operation Paget, agreed that it was impossible to be certain of the timing of effects on Henri Paul's respiratory system following such a rapid deceleration at the point of impact.

- A sample of Dodi Al Fayed's blood, taken at his post-mortem examination in Hammersmith and Fulham Mortuary on Sunday 1 September 1997 was tested in February 1998 for carboxyhaemoglobin levels. The level was 2.5%. As the blood sample was refrigerated it is believed that this is a reliable indicator of the figure at the time of the crash. This level is not considered unusual, especially as Dodi Al Fayed was a cigar smoker. As this level was unremarkable, no tests for carboxyhaemoglobin were carried out on samples taken from the Princess of Wales.

There is nothing in this information that supports the contention that the samples analysed are not Henri Paul's blood.

Claims 11 and 15

Claim 11 - They change the blood of Henri Paul with somebody else.

Claim 15 - The blood of Henri Paul is not his blood. They took somebody else's who committed suicide, breathed in carbon monoxide.

Operation Paget does not agree with this view. The evidence indicates that it was the blood of Henri Paul that was analysed.

Carbon Monoxide Deaths

Deaths from carbon monoxide suicide tend to show a 50% level of carboxyhaemoglobin or higher. If one took the reading of 12.8% carboxyhaemoglobin from the 4 September 1997 femoral blood site it was not possible that this level alone would be fatal.

There was only one body that underwent an autopsy on Saturday 30 August 1997 at the IML in Paris and only Henri Paul on Sunday 31 August 1997, although Dodi Al Fayed underwent an external examination within the same premises. Photographs taken at the mortuary of the bodies of Dodi Al Fayed and Henri Paul show them to be 'tagged' correctly with their relevant mortuary identification numbers.

It was not known what happened to any samples from autopsies undertaken on Friday 29 August 1997. Professor Lecomte did not carry out any of the other autopsies over the six days either side of Sunday 31 August 1997.

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There is no evidence that anyone took the forensic samples from Sunday 31 August 1997 and replaced them. If someone had exchanged the samples with those of a carbon monoxide suicide victim, they would only have drawn attention to a high carboxyhaemoglobin reading.

There appears to be no benefit in someone artificially introducing a high carboxyhaemoglobin level. The 20.7% Carboxyhaemoglobin level in the chest cavity blood would not be enough to kill someone.

Henri Paul's blood would have shown a blood alcohol level, as he *had* been drinking alcohol that night in the Ritz Hotel. It is only a matter of the *level* of alcohol in his blood.

DNA Evidence

1) Blood taken at the autopsy of Henri Paul on Sunday 31 August 1997 – delivered to his laboratory on Thursday 4 September 1997.

The DNA tests of three French experts showed that this sample of blood was that of Henri Paul – the link being made through the DNA of Henri Paul's mother.

Dr Pépin's tests on this blood (haemothorax blood) had shown:

- qualitative presence of alcohol
- carboxyhaemoglobin level of 20.7%
- the presence of fluoxetine, norfluoxetine, tiapride and
- nicotine, cotinine and other common substances.

The evidence is that these results relate to Henri Paul

There was no blood from the other two samples with which to carry out DNA testing.

2) Blood taken at the second autopsy of Henri Paul on Thursday 4 September 1997 – retained at the IML mortuary, and handed to Operation Paget in 2005.

The DNA tests on the blood handed to Operation Paget in March 2005 showed this to be Henri Paul's blood, matched to his mother's DNA profile. This blood was exhibited as that taken from the right femoral area of Henri Paul by Dr Jean-Pierre Campana on Thursday 4 September 1997.

Dr Pépin's results on the blood sample he had from the 4 September examination, taken from the left femoral area, showed:

- blood/alcohol level of 1.75g/l
- the presence of fluoxetine; norfluoxetine; tiapride and
- carboxyhaemoglobin level of 12.8%
- fatty acids and cholesterol

The two femoral blood samples were taken at the autopsy carried out by Jean Pierre Campana on Thursday 4 September 1997, in the presence of the Examining Magistrate. All of the left femoral blood has been used in testing – the results are

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listed above. The DNA testing of the blood labelled as right femoral blood from this autopsy shows this to be Henri Paul's blood.

Claims 8 and 9

Claim 8 - A former member of MI6 has given sworn evidence that he is aware from MI6 files that MI6 had an informant who was a security officer at the Ritz Hotel and who was of French nationality.

Claim 9 - There is evidence that Henri Paul was in the pay of MI6. The French police did not investigate why Mr Paul was in possession of about £2000 in cash at the time of the crash or why he had more than £100,000 in thirteen separate bank accounts.

The allegation of a link between Henri Paul and intelligence/security agencies is discussed in detail in Chapter Sixteen. In summary:

The United Kingdom Secret Intelligence Service (SIS), commonly referred to as MI6

There is no evidence that Henri Paul was a paid informant of MI6. This claim was based on comments made by ex-MI6 officer Richard Tomlinson. He has in fact never claimed that he saw the name '*Henri Paul*' in MI6 files. He stated that when reading about an operation in the early 1990s, while working at MI6, he came across an informant who was a security officer based at the Ritz Hotel in Paris. Further, this informant had a surname that could be used as a forename in English and apparently enjoyed flying. Richard Tomlinson accepted that some of this detail may be knowledge he has subsequently obtained from the media that he has mixed with his own recollection.

From enquiries undertaken at the Secret Intelligence Service, Operation Paget has identified the operation to which Richard Tomlinson referred. The file contains no reference to an informant based at the Ritz Hotel in Paris in any capacity.

Richard Tomlinson now states only that he believes Henri Paul would have been working for some intelligence or security agency, because of his position at such a hotel, but he cannot state that this was the SIS.

At the time of his death, Henri Paul had approximately £170,000 in his fifteen accounts.

Henri Paul had deposited around £43,000 in cash, cheques or a method not shown, into his accounts in the last eight months of this life. Although these amounts were inconsistent with his salary, they are not so large as to be conclusive of Henri Paul's involvement in illicit or clandestine activity.

It is impossible to explain all of the movements of cash and finance into and between Henri Paul's accounts. There could be a number of reasons why someone in Henri Paul's position would need or receive quantities of cash.

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Claude Garrec, Henri Paul's closest friend, stated that large sums of cash were commonplace for Henri Paul because of the services he provided to wealthy clients of the Ritz Hotel. He stated:

'At the time of Henri Paul's death, it has been publicised that he had a large amount of money in his pocket. I signed for this money, which was in an envelope when the Police restored it. It was certainly not a wedge of money, and I can say that I had seen him with larger sums on previous occasions. He told me that needed to have cash at his disposal to assist Ritz clients and VIPs, as he was often required to pay up front for services or purchases that they had asked him to make. Henri Paul told me that rich people never had money on them. He would be reimbursed by the Ritz, which would bill the client.'

Henri Paul had recounted to me that he had accompanied Ritz clients from the Emirates to the Galleries Lafayette [Paris Department Store], and pay for items for them up front; he said that these people were the type to buy a whole rail of clothes. As for his tips, Henri Paul was a modest man, who wasn't into expensive clothes or cars, and whose only extravagance was flying. He wouldn't have been able to spend all his tip money, so he must have placed them into his accounts undeclared'

Henri Paul's parents talked of their son receiving £500 tips from wealthy clients.

Claims that Henri Paul received cash payments from intelligence or security services cannot be proved or disproved from this evidence. His cash flow could not be accounted for solely from known income sources. Without specific information, different inferences and interpretations could be made in respect of his finances.

Claims 12 and 13

Claim 12 - (i) Henri Paul was a paid informant for both MI6 and DGSE. On the night of 30th August 1997 he met with Secret Service agents in Paris and was paid the equivalent of £2000 in French Francs which was found in his pocket at the time of death. Henri Paul should never have driven my son and Princess Diana. (ii) He was doubtless working on instructions from the security services, having persuaded Dodi to deploy the decoy plan.

Claim 13 Henri Paul was persuaded to go to Dodi and Diana because they wanted to stay the night in the suite in the hotel. Then Diana got the idea that she wanted to go to the apartment because she wanted to do packing. Next morning they were coming to London. (Henri Paul) convinced him (Dodi Al Fayed). He said that because of all the paparazzi outside in the Place Vendôme, he assured her that to be safe, they were to go out from the back entrance and no problem. Of course, he (Henri Paul) doesn't know he's going to be killed.

There is no evidence that Henri Paul ever worked for MI6, as an informant or in any other capacity.

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The Direction Générale de la Sécurité Extérieure (DGSE)

There is no evidence that Henri Paul was working for the DGSE (the French equivalent, in general terms, of MI6). The DGSE deny any knowledge of Henri Paul. The claim relating to the DGSE was based on information provided by American journalist/author, Gerald Posner. He had a source in the United States National Security Agency (NSA). This person allegedly gave information, provided to them from France, that Henri Paul met DGSE officers in the three hours before returning to the Ritz Hotel at 10pm on Saturday evening, 30 August 1997.

Henri Paul was allegedly paid FF 12,560 during that meeting (approx £1,256). This was the amount that was listed in the French judicial dossier as being on Henri Paul's person at the time of the crash.

The NSA source has declined to meet Operation Paget. There is no corroboration for the information.

The original French source of this information stated that the meeting was routine and not about the visit of the Princess of Wales and Dodi Al Fayed. Their visit only came up in casual conversation. So, even if one accepted this single source information, the information is that Henri Paul did not meet any security service officers to discuss the Princess of Wales and Dodi Al Fayed

Gerald Posner's information on Henri Paul was that:

'His position at the hotel evidently enabled him to obtain details on high-ranking visitors and any liaisons with which they may have been involved. As opposed to high intelligence, this was evidently the level and quality of information Henri Paul passed to the French security agencies. He was a paid informant and no more.'

In relation to the alleged meeting on Saturday 30 August Gerald Posner stated: ***'Although I was not told what this meeting was about that day I was told what it was not about. It had nothing to do with Diana, Princess of Wales. I was told the subject did come up but only in general conversation and that it was pure coincidence that this meeting took place on the same day as the crash occurred.'***

Claude Garrec, Henri Paul's closest friend, signed for the FF 12,560 cash after his death. He stated:

'At the time of Henri Paul's death, it has been publicised that he had a large amount of money in his pocket. I signed for this money, which was in an envelope when the Police restored it. It was certainly not a wedge of money, and I can say that I had seen him with larger sums on previous occasions. He told me that needed to have cash at his disposal to assist Ritz clients and VIPs, as he was often required to pay up front for services or purchases that they had asked him to make. Henri Paul told me that rich people never had money on them. He would be reimbursed by the Ritz, which would bill the client.'

Richard Tomlinson, ex-Secret Intelligence Service officer in the United Kingdom gave evidence to Judge Stéphan, the Examining Magistrate:

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'I should explain that only MI6, Mossad and the CIA pay their informants, unlike other countries, including France, who would never pay such sums to their informants. The French intelligence services can pay foreign informants, but not French nationals, and not that much money'.

It is not known where the cash found in his possession on Saturday 30 August 1997 came from.

The Direction de la Surveillance du Territoire (DST)

A French agency dealing in general terms with internal security matters. They confirmed that they knew of Henri Paul. In a French Ministry of the Interior note dated 23 June 2005, they stated:

'Henri PAUL, born 3rd July 1956 in Lorient (56), is known to our Department, as a former Head of Security at the Ritz Hotel, 15 Place Vendome, Paris (1e). As such Henri PAUL has been in touch with members of the DST specifically tasked with enquiries in hotel circles.'

They confirmed that they have no record of Henri Paul's location on the evening of Saturday 30 August 1997.

Henri Paul had two telephone numbers next to the letters 'DST' openly referred to in his telephone organisers at home and at work. Neither of these telephone numbers featured in the telephone billing data of Henri Paul's telephones on 30 August 1997.

Claude Garrec described Henri Paul's relationship with the French security services as being one of normal working practice. He stated:

'My belief is that Henri Paul was never paid by the Security Services, it was simply part of his role as Ritz security.'

'If a foreign diplomat came to stay at the Ritz, it was Henri Paul's responsibility to liaise with that country's Security Services and Protection Officers from these countries, in order to ensure that the correct arrangements were being made at the hotel. In consequence, he also liaised with the French Security Services to make sure the arrangements were correct and within the parameters of the Law, i.e. in respect of the foreign Security Services carrying firearms in the hotel, etc...

If Henri Paul had secret rapports with Security Services, I did not know about them; and I can't see Henri Paul leading a double life or being a spy. His contact with the Security Services was purely in relation to his work at the hotel'.

There is no evidence that Henri Paul met with any intelligence/security agencies between 7pm and 10pm on 30 August 1997.

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The only direct evidence of Henri Paul's whereabouts in this time was provided by two people who knew him well.

Claude Roulet, the manager at the Ritz Hotel, saw Henri Paul alone in the Bar de Bourgogne in rue des Petits Champs at around 7.30pm or 8.30pm on Saturday 30 August 1997. The bar was situated in the street where Henri Paul lived. They spoke briefly. Claude Roulet was sure it was the night of Saturday 30 August 1997. He told Henri Paul that he was on his way to the Chez Benoît restaurant to wait for Dodi Al Fayed and the Princess of Wales to ensure that everything ran smoothly for their dinner date.

This evidence is contradicted by two staff working at that bar, who denied that Henri Paul was in the premises on that Saturday evening. They had known Henri Paul for a number of weeks. They claimed that Henri Paul had been in the bar on Friday evening (29 August 1997) having a shandy.

Josiane Le Tellier, the owner of the Champmeslé Bar, situated across the road from Henri Paul's home, had known him since 1991. She described him coming into her bar, alone, at around 10pm that Saturday night, from the direction of his home. He did not have a drink there. He waved, said he would see them soon and drove off in his Mini that was parked in its usual place outside. This was consistent with his early return to the Ritz Hotel as described by the night security officer, François Tendil, who stated that Henri Paul returned within five or ten minutes of being called by him on his mobile telephone at around 10pm.

Didier Gamblin a Ritz Hotel employee was helping out with security at the rue Arsène Houssaye apartment. He provided indirect evidence. In a telephone conversation, as he finished work at around 7pm, Henri Paul told Didier Gamblin that he was going home.

However, there is no evidence to show that he was actually in his home between these times. No witnesses saw him enter or leave.

Further, at 9.57pm, Claude Roulet telephoned Henri Paul's home number and it was not answered. This was three minutes before François Tendil had called him on his mobile telephone to alert him to the unexpected arrival of the Princess of Wales and Dodi Al Fayed at the Ritz Hotel. There was no record of use of his home telephone on the billing data that night. There was no technical information to provide the location of his mobile telephone.

With the exception of the claimed sighting by Claude Roulet, it has not been possible to establish where Henri Paul was for the three hours between 7pm and 10pm on Saturday 30 August 1997. There were two sightings of him close to his home address, one of which was disputed.

(ii) If Henri Paul was working on the instructions of the 'security services' and persuaded Dodi Al Fayed to adopt the 'decoy plan', one must look closely at the timing of events to examine this claim.

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Sequence of Events

7pm All of the evidence showed that Henri Paul believed he had finished work for the day when he left the Ritz Hotel. There were no plans for Dodi Al Fayed and the Princess of Wales to return to the hotel after they themselves left for the apartment in rue Arsène Houssaye at around 7pm.

Henri Paul did not expect to return to the Ritz Hotel. It was only at the insistence of the night duty security officer, François Tendil, that he indicated he should be contacted by telephone if things changed.

9.40pm Dodi Al Fayed and the Princess of Wales had a table booked at the Chez Benoît restaurant for around 9.30pm. The evidence showed that Dodi Al Fayed, while en route to the restaurant, changed these plans because of the unwelcome attention of the paparazzi. He decided to dine at the Ritz Hotel instead. He told his driver Philippe Dourneau to change destination.

9.52pm Dodi Al Fayed and the Princess of Wales arrived at the Ritz Hotel. The evidence of the security staff was that this was totally unexpected. It led to Dodi Al Fayed being unhappy at the lack of organisation as he and the Princess of Wales entered the hotel.

10pm François Tendil, the Ritz Hotel night security officer, telephoned Henri Paul on his mobile number and informed him of the couple's unexpected arrival.

This was the first time that Henri Paul knew the couple had returned to the Ritz Hotel. Following the 10pm call he returned to the Ritz at 10.07pm. (Ritz Hotel CCTV camera timings)

It follows that if Henri Paul had been with any intelligence/security officers after leaving work at 7pm:

- i) Before 10pm they could not have been planning a criminal operation, as Henri Paul did not expect to be returning to the Ritz Hotel that night. Henri Paul could not have predicted a change of plan by Dodi Al Fayed to change the restaurant venue.
- ii) Henri Paul apparently returned immediately to the Ritz Hotel on being told of the couple's return by François Tendil (approximately seven minutes from telephone call to arrival). He could have had no idea at that time what the new arrangements were, how long the couple would be there and what their intentions were. Hence, even if one were to accept a view that he had been accompanied by or in contact with intelligence/security service officers on the journey to the Ritz Hotel, he only had approximately seven minutes to discuss the detail of potential plans to murder the Princess of Wales and Dodi Al Fayed before he arrived at the Ritz Hotel alone in his Mini (evidence of CCTV cameras at the Ritz Hotel).

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- iii) At the hotel, the evidence of Thierry Rocher, the Ritz Hotel night manager, is that Dodi Al Fayed devised the decoy plan to exit via the rue Cambon exit of the hotel, using a third vehicle.

Mohamed Al Fayed confirmed that soon after arriving at the Ritz Hotel, Dodi Al Fayed told him he was keen to return to the apartment in rue Arsène Houssaye in order to present the Princess of Wales with an engagement ring.

At around 10.20pm, Dodi Al Fayed told Thierry Rocher to inform Henri Paul of the decoy plan. Henri Paul had no realistic opportunity to communicate with Dodi Al Fayed before this time and therefore could not have persuaded him to adopt this plan at the behest of security services or anyone else.

The evidence indicates that the decoy plan of using a third vehicle from the rear of the Ritz Hotel in rue Cambon was devised by Dodi Al Fayed after his return to the Ritz Hotel.

The bodyguards, Trevor Rees-Jones and Kieran Wingfield, provided the only direct evidence of who selected Henri Paul to be the driver of the third car, the Mercedes S280. Both stated that Dodi Al Fayed told them Henri Paul would drive this car. No other witness corroborates this directly.

If one were to take the view that the bodyguards had a personal interest in fabricating such information because:

- a) They too were working under the instructions of security/intelligence services, or
- b) They had a professional interest in distancing themselves from a decision that contributed to the death of the two principals,

it still has to be considered how they or Henri Paul could have persuaded Dodi Al Fayed to accept Henri Paul as the driver.

Looking at the timing of events, taken principally from witness statements and observation of the CCTV images inside the Ritz Hotel:

10.03pm Dodi Al Fayed and the Princess of Wales went to the Imperial Suite on the first floor of the Ritz Hotel.

10.04pm The bodyguards went to the Bar Vendôme on the ground floor.

10.07pm Henri Paul joined the bodyguards on returning to the Ritz Hotel.

10.09pm Trevor Rees-Jones left the Bar Vendôme to make a mobile telephone call.

10.20pm Trevor Rees-Jones returned to the Bar Vendôme.

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10.24pm Henri Paul was informed by Thierry Rocher, on behalf of Dodi Al Fayed, of the plan to use a third car.

11.09pm The bodyguards, having eaten in the Bar Vendôme, went to the foyer outside the Imperial Suite.

11.18pm This was the first time that the door of the Imperial Suite may have been open, for around 30 seconds, and Dodi Al Fayed may have been present (the door is not shown on the CCTV camera). Henri Paul, Trevor Rees-Jones, Kieran Wingfield and Thierry Rocher were present. Thierry Rocher did not recall the driver of the vehicle being discussed at this point.

It was only 48 minutes before the couple left the Imperial Suite for the final journey.

11.20pm There was a possibility that the Imperial Suite door was open for 15 seconds while the bodyguards were present. Henri Paul was elsewhere.

12am (midnight) The final possibility when the Imperial Suite door may have been open, for around 30 seconds, was six minutes before the couple left. Henri Paul was elsewhere.

From the time that Thierry Rocher informed Henri Paul of the decoy plan at 10.24pm, until 11.18pm, Trevor Rees-Jones, Kieran Wingfield and Henri Paul did not go to the Imperial Suite itself, only the foyer area outside. Therefore they had no opportunity to persuade or coerce Dodi Al Fayed into accepting Henri Paul as the driver of the third vehicle.

There was no evidence that any of the three used a mobile or landline telephone to contact Dodi Al Fayed and attempt to persuade or coerce him by telephone.

Trevor Rees-Jones used his mobile telephone in Place Vendôme at 10.10pm. This was before Dodi Al Fayed told Thierry Rocher of the decoy plan at 10.20pm. He next used the mobile phone at 11.37pm while outside the Imperial Suite. This was less than 30 minutes before the couple left the suite. As Trevor Rees-Jones' mobile telephone data is not available, and he himself cannot recollect the specifics of any telephone calls, it cannot be definitively shown to whom these calls were made. Fellow bodyguard Reuben Murrell, who was based at Villa Windsor, stated that Trevor Rees-Jones telephoned him while having a meal at the Ritz Hotel – this could correspond to the first telephone call. It was very unlikely that the second call immediately outside the Imperial Suite would be to Dodi Al Fayed inside the suite.

There was no evidence of Kieran Wingfield using his mobile or landline telephone after returning to the Ritz Hotel at 9.52pm.

There was no evidence of Henri Paul using his mobile telephone after returning to the Ritz Hotel at 10.07pm. He used the landline twice; at around 11.30 pm when talking to Claude Roulet, and then just as the couple were leaving the rear of the hotel, as Trevor Rees-Jones and Kieran Wingfield co-ordinated the exit.

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If the bodyguards or Henri Paul had persuaded or coerced Dodi Al Fayed to accept Henri Paul as the driver of the third car in order to support a conspiracy plan to murder the couple, the earliest this could have been done would appear to be less than 50 minutes before the couple left the suite.

There is no evidence to show that any of these people attempted to persuade Dodi Al Fayed and no realistic opportunity for them to do so had they wished to.

Evidence from other members of the Ritz Hotel staff indicated that a decision to appoint a driver for the third vehicle could only be taken on the authority of Dodi Al Fayed. Having decided to use the decoy plan, it could be argued that Dodi Al Fayed may have selected the driver for the third vehicle, but there is no evidence to show who made that decision.

It is not known when the decision to appoint Henri Paul as driver of the third vehicle was taken and by whom.

The Mercedes S280 car, registration number 688LTV75, was not arranged until a few minutes before departure. Although the plan to leave by the rear exit in rue Cambon had been decided at 10.20pm at the latest, no one at the Ritz Hotel appears to have organised a third vehicle to be available. The owner of Etoile Limousine, Jean-François Musa, had only one Mercedes available when he checked shortly before 12.10am. The car had been returned only hours earlier, at around 8.15pm, from another hiring.

Dodi Al Fayed and the Princess of Wales, together with Trevor Rees-Jones and Henri Paul, were already on their way to the rear of the hotel when the vehicle was being arranged at the front. There appeared to be no contingency plan if this Mercedes had not been available. It is possible that Philippe Dourneau, Dodi Al Fayed's chauffeur, waiting at the front of the hotel, would have had to drive them in the original Mercedes S600.

There is no evidence that any 'security service', nor indeed Henri Paul, had any involvement in the selection of this vehicle.

Claim 14 - Intelligence told Henri Paul what tunnel to take because this tunnel is a very dangerous tunnel with the columns and no barriers around the place. And he convinced Trevor Rees-Jones. Also the mistake – they always have a follow-up car. Another guy called Kes Wingfield, who has also been turned against me, had to follow them and he didn't follow them.

In the Alma underpass there were no protective crash barriers in the central reservation and the central pillars were concrete based.

The route that '*professional*' chauffeurs appeared choose at that time of night on a journey from the Ritz Hotel to rue Arsène Houssaye was one that avoided the traffic on the avenue des Champs-Élysées. The preferred route was across Place de la Concorde, turn right along the embankment expressway, the Cours Albert 1er, and drive through the Alexandre III tunnel. Up until this point Henri Paul had followed the preferred route. To continue this route, he should have left the Cours Albert 1er at the exit slip road after the Alexandre III tunnel and before he reached the Alma

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underpass. It has not been possible to establish why Henri Paul did not, or could not, take this exit slip road to the right. There is no evidence that he was *deliberately* blocked by any vehicle or object, but the evidence is that other vehicles in the road may have affected him, inadvertently or otherwise. The route and possible variations are fully discussed in Chapter Seven. Once he stayed on the Cours Albert 1er, Henri Paul was committed to entering the Alma underpass.

Entering the Alma underpass is not in itself dangerous if approached appropriately and at the correct speed. Merely forcing Henri Paul to take this route would not inevitably result in a fatal collision, regardless of other vehicles around the Mercedes.

If the presence of another vehicle, the Fiat Uno for example, had been necessary in order to force such a fatal collision, then many of the arrangements and logistical details mentioned in Claims 12 and 13 would need to form part of the conspiracy to ensure that the Mercedes was in that location at that time.

There is no evidence that any intelligence agency attempted to do this, or had the opportunity to do so.

CHAPTER **FIVE**

CCTV/TRAFFIC CAMERAS **IN PARIS**

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CHAPTER FIVE

(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of the claims of Mohamed Al Fayed

The authorities provided no images from approximately ten CCTV/Traffic cameras on the route from the Ritz to the Alma underpass, but some should be in existence.

Claim

1. Approximately 10 video cameras are maintained by the City of Paris on the route taken by the Mercedes including one above the Alma Tunnel itself. I have been informed that there are no recordings from any of these cameras for the night in question. No explanation for this has been forthcoming.

Source - 7 February 2003, Submission by Mohamed Al Fayed to Minister for Justice, Scotland for Public Inquiry Page 1(i)

Claim

2. There is a flash camera that would have photographed the Mercedes if it was (as the evidence discloses) travelling significantly in excess of the speed limit.

Source - May 2003 Petition For Judicial Review - Minister For Justice, Scotland in the name of Mohamed Al Fayed, Item 15

Claim

3. Another photo apparently exists which was taken by a vehicle in front of the Mercedes in the tunnel showing Mr Paul and Trevor Rees Jones.

Source - 8 July 2003 Lewis Silkin Letter to Coroner, Mr Burgess on behalf of Mohamed Al Fayed, Page 9 (11) (e)

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(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Introduction

The conspiracy claims in this Chapter relate specifically to visual recordings in and around the route taken by the Mercedes. However, this report includes details of other images that have proved useful to the inquiry and are included here for completeness. The report examines the following areas:

1. CCTV/video footage on the final route.
2. Traffic speed cameras.
3. Photographs from a vehicle allegedly in front of the Mercedes.
4. The Ritz Hotel internal/external CCTV images.
5. CCTV from the Repossi jeweller's shop.
6. Miscellaneous videotape images.
7. Still photographs.
8. French legal issues relating to video/photographic images/recording.

1. CCTV/video footage on the route from the Ritz Hotel to the Alma underpass

Eric GIGOU

Police Lieutenant, Brigade Criminelle, led the team of officers that carried out the work ordered by Judge Stéphan to identify CCTV or photographs taken on the route from the Ritz Hotel to the Alma underpass.

French Dossier D2566-D2570

Cameras on the route from the Ritz Hotel to the Alma underpass

Lieutenant Gigou's report identified cameras at ten locations along the route taken by the Mercedes on its final journey to the Alma underpass. It concluded that none of the cameras along the route would have been in a position to record the passage of the vehicle or any of the events connected with it.

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In his official report to the court, Lieutenant Gigou wrote:

'Your Letter Rogatory number 2061/97/65 dated 2 September 1997 (Order of Judge Hervé Stéphan). I beg to report on the investigations carried out under the above-mentioned Letter Rogatory with a view to establishing whether any photo or video surveillance systems were installed on the route taken by the Mercedes car registration 688 LTV 75 from the Ritz hotel to the Alma tunnel between midnight and 12.30 on 31st August 1997.

A visit was made to the scene and the route retraced several times. On that basis it was possible to draw up a list of video surveillance systems along the route....

In addition to the three cameras on the place Vendôme frontage the Ritz hotel also has two cameras pointing towards the rear exit by 38 rue Cambon.

By 42 rue Cambon a camera is trained only on the entrance to that building.

Numbers 35, 37, 39 and 41 rue Cambon, which house companies, hotel and restaurant, are fitted with cameras trained only on the fronts of the buildings.

The Hôtel de la Marine in the place de la Concorde has three cameras facing towards the building.

A single camera is fixed to a lamp-post by the port de la Concorde, but it is pointing towards the embankment on the right bank, towards the pont Solférino.

There is no video surveillance of the roads along the voie Georges Pompidou and cours Albert 1er.

Only the France 3 offices at 28 cours Albert 1er have a camera, pointing straight at the entrance to the building.

In the place de l'Alma there is a camera attached to the top of the lamp-post in the middle of the roundabout, pointing towards the voie Georges Pompidou going towards Concorde.

After the Alma tunnel, there is no video surveillance system on the express lane on the right bank embankment, the avenue de New York.

The only cameras visible are those looking over the roofs of the Palais de Tokyo and they are only trained on the building itself.

On the place de Varsovie a camera attached to a lamp-post is pointed towards the avenue de New York in the direction of the place de l'Alma....

It is apparent from these enquiries that no video or photo surveillance system could have filmed the Mercedes 688 LTV 75 on its way from rue Cambon to the Alma tunnel on 31 August 1997.

The surveillance cameras on the private and public buildings along the route are only trained on the fronts of the buildings they protect.'

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Camera at Place de l'Alma

The report also described in detail the efforts made to find out whether the traffic-monitoring camera in Place de l'Alma above the underpass, recorded any images. This included interviews with the staff on duty that night. Their evidence showed that the camera could not be used because its primary user, the Compagnies de Circulation Urbaine de Paris [Paget Note: Paris Urban Traffic Units], had not apparently released their central control of it when finishing duty at about 11pm.

Again, in his official report, Lieutenant Gigou wrote:

'In the place de l'Alma there is a camera attached to the top of the lamp-post in the middle of the roundabout, pointing towards the voie Georges Pompidou going towards Concorde. [Paget Note: This is the direction from which the car approached.]

It was established that the cameras on the Voie Georges Pompidou, in particular on the Place de l'Alma and the place de Varsovie, are under the control of the Paris Urban Traffic Units.

However the department closes down at 11 p.m., has no night duty staff and makes no recordings. Officers in the Police Headquarters Information and Command Centre can continue to view in real time the pictures filmed by the traffic cameras.

They can manipulate them ("zoom", rotation) if they are not still connected to the control console of the last user department.

A department such as the 17 call centre, "TN Z1 PS", can also manipulate the traffic cameras and see the pictures.

In any event the pictures from the cameras are the same everywhere, whichever department receives them.

Finally, it was established that none of the pictures received at the Information and Control Centre could be video-recorded.

All the officers who were in the Information and Control Centre on the night of 30 to 31 August 1997 have been interviewed and the interviews recorded in Official Reports.'

Statements were taken from the officers working in the Information and Control Centre on 30 August 1997: Pascal Poulain, Jacques Dupont, Antoine Alvaro, Claude David and Christophe Mazerat.

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Pascal POULAIN

Paris Information and Control Centre. He was the Room Commander on Saturday 30 August 1997. He explained how the control room staff tried to use the camera in the Place de l'Alma to view what was happening at the crash site. His evidence was corroborated by the other staff working there.

French Dossier D2563-D2565

'In view of the scale of the accident, we tried to see the scene of the accident, using the camera situated at Place de l'Alma. That was impossible. In fact the screen showed only a blurred yellow light.

We tried to manipulate the camera, that is to use the zoom and manoeuvre it, in vain. We did not have the control. By that I mean that another section must have been using the camera and manipulating it and must have not released it. It had remained under remote control on another section's control panel. But it could also have been due to it being out of order.

In general that camera, like all those which survey the voie Georges Pompidou, is used by Traffic. Now that section ceases all activity at 11.30 pm, I think. It does not have any night staff. So if that section left that camera on remote before finishing its shift, we could not use it any more.

I must tell you that Room Z1 PS, for code 17 calls, also has a system of screens and camera control. I do not know if on that night the officers present manipulated that camera or not.

In answer to question: It is true that if another section had manipulated the Alma camera, having the control, we would have seen its pictures and if it was moving, on our screens. In fact I am positive, its pictures were blurred and did not enable anything at all to be distinguished.

I must tell you that this camera, provided for Traffic, is "sequential", and that its pictures are jerky. I mean by that that it is only done to see if the voie Georges Pompidou is blocked or not and not to capture precise details. At night it is not clear. In answer to question: We did not do the slightest video recording of anything at all. Since I have been working at the S.I.C. I have never seen any recording of images done. In any case if that was to be done it would be decided at the highest level of authority and not by a police officer.'

Operation Paget - Other Document 162

This referred to an official report held by the Brigade Criminelle but not included in the judicial dossier. Dated 10 September 1997, it showed the supporting detail of the locations of the cameras traced by Lieutenant Gigou and his team. This listed more locations as it included some before the beginning of the route at the Ritz Hotel and beyond the Alma underpass. It also gave more specific details of the number of cameras.

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Bernard DARTEVELLE

He was one of Mohamed Al Fayed's French lawyers. His firm wrote to the Judge on 7 October 1997. Amongst other things, he listed ten cameras he believed to be on the Mercedes' route.

French Dossier D1996-D1997

Bernard Darteville wrote:

'My colleague Georges Kiejman and I are sending you enclosed herewith a set of 112 photographs which may be of interest to your investigation.

The photos numbered 1 to 29 are taken from the video film taken by the camera situated at the Ritz Hotel, Place Vendôme.

The photos numbered 30 to 112 are taken from the video film taken by the camera situated at the Ritz Hotel, rue Cambon....

Finally I can point out to you that we have observed that on the route taken by the Mercedes driven by Mr Henri Paul between the Ritz and the Alma Tunnel, there are ten cameras installed which are likely to have recorded pictures of the passage of the Mercedes and its "escort".

These cameras are situated:

- Rue Cambon:

- * At the Société des Bourses Françaises, opposite the service entrance.*
- * At the Crédit Foncier de France, to the right of the service entrance.*
- * At the Ministry situated at No. 28 rue Cambon.*
- * At the Hôtel de CASTILLE at No. 37 rue Cambon (two cameras).*
- 2, Place de la Concorde: Three cameras installed at the Navy Ministry.*
- 28, Cours Albert 1er: A wide-angle camera on the "France 3" building.*
- 38, Cours Albert 1er: A wide-angle camera installed on the building of the International Chamber of Commerce.'*

These seven camera locations, with the exception of 38 Cours Albert 1er, appear to have been identified by the Brigade Criminelle in their material (although the locations are described in different ways). Operation Paget checked the building at 38 Cours Albert 1er. There is currently no CCTV camera fixed on the building that overlooks the expressway.

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Marc MONOT

Police Lieutenant, Brigade Criminelle. He specifically visited the Ministry of Justice building in Place Vendôme, which was next door to and formed part of the same building as the Ritz Hotel. He reported that there were no images that contributed to the inquiry because cameras were positioned on ledges and did not provide any discernable detail.

French Dossier D2185

Lieutenant Monot reported:

'At 00.00 on 11 September 1997 I, Marc Monot, a Police Lieutenant attached to the Criminal Investigation Department, a Judicial Police officer based in Paris, proceeding with the execution of the Letter Rogatory referred to in the first report, note that it has proved impossible to use the video surveillance system at the Ministry of Justice at 13 Place Vendôme, Paris 1er.

Because of the cameras covering the Place Vendôme and the rue Cambon are positioned on the ledges of the Ministry of Justice the film showing the comings and goings was not sufficiently well-defined.

A certain amount of commotion was noted at those two locations but it was not possible to identify any factors or information relevant to the current investigation.'

Operation Paget Comment

i) Camera at Place de l'Alma

Enquiries showed that the Control Room Staff could not manipulate this camera and that even if they had managed to use it, the images from the camera would not have been recorded. There was no evidence that this camera recorded any image. Therefore, the question of destroying or hiding such an image did not arise.

The camera had been the subject of much speculation regarding its purpose. In particular, it was often referred to as a speed camera, although there was no evidence whatsoever to support this suggestion. This particular camera was, and still is, on top of a tall pole above the underpass in the Place de l'Alma in order to give a complete overview of traffic movement in the area. It was not a speed camera and possessed none of the equipment required by such a camera.

ii) Other Cameras

There was no evidence that any images were recorded of the Mercedes on its final journey. The French Inquiry attempted to find any images immediately after the appointment of Judge Hervé Stéphan and could not do so. There was no evidence of anyone interfering with any such cameras or suppressing any product from them. Most of the cameras were not maintained by the City of Paris, the owners of the buildings to which they were attached privately operated them.

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2. Traffic Speed Cameras

Eric GIGOU

Police Lieutenant, Brigade Criminelle.

French Dossier D2566-D2570

His report detailed enquiries with the units employed to monitor speeding violations in order to ascertain the location of any speed cameras in use in Paris on 30 and 31 August 1997.

These units were:

La Compagnie Motocycliste de la Préfecture de Police [Paget Note: The Police Headquarters Motorcycle Unit], which had not set up any speed traps after 26 August 1997 due to lack of staff.

La Compagnie du Périphérique [Paget Note: The Ring Road Unit], which had set up two back-to-back cameras in Porte de Bagnolet, which were in operation at the time of the crash. The Porte de Bagnolet is five miles west of the crash site.

This unit had also set up two radar traps earlier in the day at boulevard Ney in the 18th Arrondissement and in allée du Bord de l'Eau in the 16th Arrondissement. Neither location was on the route taken by the Mercedes and both were dismantled by 6pm on 30 August 1997.

The only portable cameras fitted to traffic control lampposts on that date were located at the junctions of Port Royal / Saint Jacques and Foch / Malakoff, nowhere near the route of the Mercedes. Both cameras had run out of film by 26 August 1997 and were not replaced until 1 September 1997.

Claude GARREC

Close friend of Henri Paul.

Interviewed by Operation Paget - Statement 235

Claude Garrec lived in Paris. On Saturday 30 August 1997 he collected Henri Paul from his flat around 9.30am to play their regular Saturday tennis game. They drove via the Cours Albert 1er and through the Alma underpass. He stated:

'I can categorically say that there was no speed/radar trap at this location, in either direction; and in fact I have never seen a speed/radar at this venue during my whole time in Paris.'

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Gary DEAN

Witness to the crash. Just before the crash he walked along the gravelled area between Cours Albert 1^{er} from the Alma underpass towards Place de la Concorde. He turned around and walked back to the grassed area adjacent to the underpass entrance. He did not see any speed cameras.

Interviewed by Operation Paget in 2006 - Statement 219

Gary Dean described the route of his walk.

'I left the hotel and walked in a leisurely manner towards a square at the junction with Avenue Victor Hugo. From there I believe I walked across the square and headed north for a while before turning around and heading in a diagonal direction towards the River Seine. I remember passing some garden squares but I am not certain of the exact route that I took. I did not have a particular destination in mind other than heading in the general direction of the river. Eventually, I walked through a square, which I now know to be the Place de l'Alma. I remember seeing that there was a bridge crossing the river and considered whether or not I should cross. I decided not to and continued my walk next to the river towards what I now know to be the Place de la Concorde. I found myself walking along a section of verge separating a smaller road that ran parallel to a dual carriageway. Traffic was heading towards me. The verge I walked along had a loose surface and was planted with trees that were manicured and evenly spaced. The dual carriageway was to my right and effectively separated me from the river. I can't remember how far I walked, but after maybe about five minutes I decided to turn around and walk back towards Place de l'Alma. I was now walking in the same direction as the traffic, which was now approaching me from behind. I have no recollection of how heavy the traffic on the dual carriageway was. As I approached the Place de l'Alma I remember having to across a section of road that connected the dual carriageway to the small road that was running parallel to it. I don't remember any traffic using it and I don't actually have any recollection of checking to see if it was safe to cross. At this point the dual carriageway drops towards the entrance of the underpass and bears to the left slightly. As a result, the area between it and the small road becomes triangular or wedged shaped. The small road continued up a slight slope into Place de l'Alma. I seem to remember that this triangular area, next to the entrance of the underpass, was landscaped with grass, shrubs and bushes. It sloped down slightly towards the edge of the dual carriageway. There was nothing to prevent you walking onto this area from the smaller road but I do remember that there was some sort of railing at its far edge, at the top of the retaining wall. There was quite a drop at the underpass entrance. I must add at this stage my detailed recollection of this grassy area is based mainly on my memories from when I returned to Place de l'Alma later that morning, some hours after the crash.

As I was walking adjacent to the grassy area just described, I heard the sound tyres on the road.'

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He goes on to state:

'I have been asked if I saw any speed cameras or Police officers conducting speed checks that night? I did not.'

Operation Paget Comment

Gary Dean walked along the edge of Cours Albert 1er for about five minutes before returning to a point near the entrance to the Alma underpass. Had any speed cameras been present he would have walked past them twice. He did not see any speed cameras or police officers carrying out speed checks.

Pierre SUU

French paparazzo. He had been present in front of the Ritz Hotel waiting for the couple to emerge. He did not realise they had left by the rear exit and followed the 'decoy' vehicles to the apartment in rue Arsène Houssaye. He subsequently attended the Alma underpass after hearing of the crash. He gave hearsay evidence of another paparazzo, Pierre Hounsfield, allegedly seeing a portable radar camera next to the road leading into the Alma underpass.

Interviewed by Operation Paget - Statement 193

Pierre Suu claimed that Pierre Hounsfield, a fellow paparazzo, had witnessed police removing a portable radar camera from the Cours Albert 1er about 300 yards from the entrance to the underpass shortly after the crash. He stated that this camera was well known and was deployed mainly on weekends. He claimed to have seen a photograph in a television documentary that he believed was taken by this camera. Operation Paget showed Pierre Suu a television documentary, *'Diana: The Night She Died'* Channel 5 (Operation Paget Video 4, Other Document 187) and he identified the photograph to which he had been referring. The photograph was actually contained in French Dossier D404. It was taken at the rear of the Ritz Hotel by another paparazzo, Jacques Langevin, as the couple got into the car. Pierre Suu himself explained:

'The photograph is shown on this documentary and this is the one I believe to have been taken by a speed camera just before they entered the Alma Tunnel that night. The other possibility is that it is a photograph of the car taken by one of the photographers as it left the rear of the Ritz that night. Neither I nor anyone else I know saw the camera that night but I believe it to have been there from what Hounsfield told me.'

Operation Paget could not find anyone else who supported the suggestion that such a camera was removed from that location.

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Pierre HOUNSFIELD

French paparazzo alleged by Pierre Suu to have seen a portable radar camera in the vicinity of the Alma underpass on 31 August 1997. He too had followed the 'decoy' vehicles on the night to the apartment in rue Arsène Houssaye before returning to the Alma underpass.

Telephone interviewed by Operation Paget - Message 726

[Paget Note: Apparently on legal advice, Pierre Hounsfield declined to be interviewed by Operation Paget following the initial telephone conversation described below]

Operation Paget telephoned Pierre Hounsfield in France. The record of that conversation was held within Operation Paget. The following paragraphs summarise what he said:

In respect of reports that he may have seen a radar camera near the Alma underpass on the night of 30 August 1997, Pierre Hounsfield confirmed that this was true. He initially said that it was by the entrance to the underpass. Asked if it was on the roadway, he said that it had been by the trees separating the slip road from the embankment expressway. It was an old style, tripod-type speed camera and he recalled that there was a marked police car by it with a couple of uniformed police officers. They may have been in the process of putting it away, he was not sure.

Asked what direction he had been coming from when he saw it, Pierre Hounsfield said that he had come from rue Arsène Houssaye via avenue Marceau or avenue George V. He himself then realised that if that were the case, he would not have passed the camera site as he had described it (i.e. Cours Albert 1er). He wondered if his memory was playing tricks.

In confirmation of the route taken by Pierre Hounsfield, one can look at his original statement.

French Dossier D2612

On 18 September 1997, Pierre Hounsfield was interviewed in the French Inquiry. He described his route from rue Arsène Houssaye to the Alma underpass thus:

'Us three, Suu, Cardinale and myself got into our vehicles and headed for l'Alma. I took the place de l'Etoile, then avenue Marceau. Once at l'Alma, I parked in rue Debrousse. There was already a police vehicle parked at the Alma Tunnel exit in the Paris-Suburbs direction and another one in the same place but in the opposite direction of traffic flow. Police officers prevented us from looking over to see the tunnel entrance.'

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Pierre Hounsfield had, like some other paparazzi, initially gone to the apartment in rue Arsène Houssaye rather than follow the Mercedes to the Alma underpass. His route from rue Arsène Houssaye to the underpass did not involve any travel along the Cours Albert 1er (see attached map). Therefore, Pierre Hounsfield's recollection of seeing the tripod camera at that location at that time could not be correct. In addition, he made no mention of a tripod-type speed camera in his initial statement to the French Inquiry in September 1997 (although it is not known if he was questioned about such an issue at that time).

Hubert POURCEAU

He is a road safety consultant. In 1997, he was a member of the Bureau Central des Accidents (BCA) [Paget Note: Traffic Police]. The BCA's role was to attend all fatal road traffic collisions and all collisions at which the Service d'Aide Medicale d'Urgence (SAMU) [Paget Note: Ambulance Service] had treated seriously injured casualties. Hubert Pourceau attended the scene on 31 August 1997.

Interviewed by Operation Paget - Statement 194

When asked about speed cameras in Paris in 1997, he gave details of the types of cameras in operation at the time. In particular, he stated:

'At that time, there were no cameras at fixed locations in the centre of Paris. During the day, the mobile speed cameras are operated by the Société Périphérique. To my knowledge, mobile speed cameras were not used on the approach to the Alma tunnel, as you require an approach of approximately 400 metres for the camera to work properly and, due to the gradient of the carriageway, cameras would not be able to detect vehicles properly.'

Operation Paget Research

On 25 April 2005, the Operation Paget team were shown material held by the Brigade Criminelle marked 'Radars des 30/31/08/97 BO5.' This contained 71 photocopied speed camera photographs, all of which were taken from the front left of the approaching vehicles and showed a $\frac{3}{4}$ view of the vehicle concerned. Each photograph detailed the time, date and speed of the vehicle concerned. The photographs were from before midnight on Saturday 30 August 1997 until 3.53am on Sunday 31 August 1997. It was not possible to tell the location of the photograph as only the vehicle and occupants were shown. Although photocopies were in black and white, the drivers of the vehicles could be clearly seen. None of the images recorded were of any of the vehicles known to Operation Paget.

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3. Photographs from a vehicle allegedly in front of the Mercedes

‘Another photo apparently exists which was taken by a vehicle in front of the Mercedes in the tunnel showing Mr Paul and Trevor Rees Jones.’

This claim was made in correspondence in 2003 from Mohamed Al Fayed’s solicitors, Lewis Silkin, to the Coroner Michael Burgess. Operation Paget found no other source for this claim.

There were several claims that a photograph was taken of the Mercedes as it entered the Alma underpass. One of these was discussed earlier in relation to Pierre Suu.

Other claims were made by, for example:

Patrick CHAUVEL **A French photographer**

Operation Paget - Other Document 187, Video 4

In a TV interview he claimed that he had been shown by someone in authority, a speed camera photograph of the Mercedes as it entered the Alma underpass on the night of the crash. He claimed he was told the camera was fixed above the underpass and had subsequently been removed. He described the photograph as showing Henri Paul and Trevor Rees-Jones in the front of the car and Dodi Al Fayed and the Princess of Wales in the rear.

David COHEN **Author and broadcaster**

Operation Paget – Other Document 556

There is a photograph on the rear of his book, *‘Diana: Death of a Goddess’* that he claimed was taken as the Mercedes entered the underpass.

In both instances, the photograph appeared again to be one of two similar photographs taken by French paparazzo Jacques Langevin at the rear of the Ritz Hotel before the Mercedes departed. (French Dossier D404-D405)

These two photographs appeared to be used as reference on a number of occasions in speculation about the existence of photographs allegedly taken at the underpass. Operation Paget is not aware of any photographs showing the vehicle immediately before or on entering the underpass. Photographs taken of the outside of the underpass on the night do not show any such fixed camera.

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Hubert Pourceau **Road Safety Consultant.**

Interviewed by Operation Paget - Statement 194

He stated commented specifically on these photographs:

'You show me two photographs which have appeared in a number of publications and which were purportedly taken by a speed camera, your references UK164, D405 and UK164, D404. I can inform you categorically that at the time, speed camera photos were only in black and white. Furthermore, these camera angles are not at all like those found in the photos taken from speed cameras. In 1997, there was a traffic camera at the Place de l'Alma, but it did not record. It is used primarily for traffic control during the day or for monitoring demonstrations.'

4. Ritz Hotel Internal/External CCTV Images

On 31 March 2004 Mohamed Al Fayed's representatives handed over nine videotapes to Operation Paget. These are stored under Operation Paget Exhibit references MAH/2 – MAH/3 and MAH/5(1) to MAH5(7) and consist of views from a limited number of cameras within the Ritz Hotel and included compilations of the Princess of Wales, Dodi Al Fayed and Henri Paul. The tapes were of generally poor quality, indicative of being second-generation copies.

On 27 January 2006, the French authorities handed to Operation Paget the eight original Ritz Hotel CCTV tapes seized under the French inquiry. These are stored under Operation Paget Exhibit reference TJS/36. These tapes were of better quality and consisted of the full recordings of the Ritz Hotel CCTV for the relevant times on 30 - 31 August 1997. Video timelines were prepared from the tapes. They were used particularly to inform the sequence of events on the night of 30 August 1997 as detailed in Chapter Four.

5. Repossi Jewellers CCTV

On 15 March 2006, the original and unedited security tape from the Repossi Jewellery Store in Place Vendôme for 30 August 1997 was handed to Operation Paget by Mohamed Al Fayed's representatives. This is stored as Operation Paget Exhibit KCR/15. The videotape is the subject of a separate report (Operation Paget Other Document 362). The detail from this videotape was used to examine the claims in Chapter One.

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6. Miscellaneous videotape

Vlad BOROVAC and Chloe PAPAZHARIKIS

They were Australian tourists who took video footage in front of the Ritz Hotel on the night of 30 August 1997. The tape showed a large number of tourists and photographers. The film also captured the ‘decoy run’ of the Mercedes and Range Rover in the Place Vendôme. It later showed heavy vehicle traffic in the avenue des Champs-Élysées late on that Saturday night.

French Dossier D4659-D4662 and D4674-D4677

The original videotape and a VHS copy are stored within Operation Paget Exhibit TJS/34.

This videotape provided by an Australian couple sightseeing in Paris on the night of 30 August 1997 was useful in demonstrating the crowd of people in front of the Ritz Hotel before the departure of the Princess of Wales and Dodi Al Fayed but added little else evidentially. It did show the ‘decoy run’ around the Place Vendôme in front of the Ritz Hotel by the Mercedes and the Range Rover. This manoeuvre could be timed at around 11.52pm through comparison with the Ritz CCTV tapes.

Following on from this footage the video tape then showed the avenue des Champs-Élysées congested with traffic, presumably late on Saturday night, and may offer an explanation as to why Henri Paul chose not to follow that particular route on the final journey.

7. Photographs

Emergency Services

Photographs taken by the Emergency Services appearing within the dossier mainly showed the scene in the Alma underpass. They included a small number of photographs of Dodi Al Fayed receiving treatment and the body of Henri Paul following his removal from the wreck of the Mercedes.

Operation Paget officers were shown previously unseen Emergency Services photographs in material held by the Brigade Criminelle but not included in the French judicial dossier. They comprised images of the removal of the Princess of Wales from the vehicle and her subsequent medical treatment before being placed in the SAMU ambulance, together with additional photographs of Dodi Al Fayed receiving medical treatment at the roadside. (A description of the content of these photographs was filed under Operation Paget Other Document 162 and 335) [Paget Note: Operation Paget was told by the French authorities that these photographs were destroyed on 26 May 2005 in line with French procedures.]

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Paparazzi

The photographs of the paparazzi in the French judicial dossier were all taken before 12.40am on 31 August 1997. The paparazzi still at the scene were then arrested.

The negatives of photographs taken by the following photographers, arrested at the scene as part of the French investigation, were provided to Operation Paget by the French authorities on 27 January 2006. (Operation Paget Exhibits TJS/26-30):

Romuald Rat, Christian Martinez, Serge Arnal, Jacques Langevin, Laslo Veres and Nikola Arsov.

[Paget Note: Nikola Arsov stated that the flash did not operate on his camera so there would be no photographs on his film – the French inquiry did record a roll of film being taken from him but no product.]

The negatives of any photographs taken by David Odekerken and Fabrice Chassery, paparazzi present at the scene but not arrested until 4 September 1997, were not traced by the French authorities.

The negatives seized from Serge Benhamou, a paparazzo similarly arrested after the event, were also provided to Operation Paget by the French authorities. (Operation Paget Exhibits TJS/32 and TJS/33)

Of the paparazzi, only Laslo Veres was still visible on the CCTV outside the front of the hotel at the time of the crash. (As late as 12.24am or 12.27am on the Place Vendôme camera)

Paparazzi Nikola Arsov, Pierre Suu and Jerko Tomic are all seen following the decoy vehicles to the rear of the Ritz Hotel in rue Cambon.

Jacques Langevin claimed not to have followed the Mercedes but returned to the front of the hotel. There is no evidence of his return to the front of the hotel on the Ritz Hotel CCTV but he did not follow the Mercedes immediately. His car left slightly afterwards. He appeared in photographs taken in the underpass.

David Odekerken was behind the Mercedes and followed it, as did Fabrice Chassery. Only Fabrice Chassery appeared in the photographs taken in the underpass but both were there and left before the others were arrested.

Operation Paget has found no photographs from any source that showed the Mercedes on the route between the Ritz Hotel and the Alma underpass.

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Michael WALKER

An American tourist who was in a vehicle in the underpass travelling in the opposite direction to the Mercedes. He took photographs of the crashed Mercedes.

Interviewed by Operation Paget - Statement 117

The French judicial dossier referred to a series of photographs taken by an American tourist, Michael Walker, who came across the crash, post-event. These photographs were handed to Operation Paget. (Operation Paget Exhibit TJS/31). The photographs had been previously posted on the Internet and did not add any new evidence to the inquiry.

[Paget Note: Other photographs appearing in the media appeared to be copies or derivatives of those in the possession of Operation Paget and within the French judicial dossier. There are some photographs in general circulation, mainly at the Ritz Hotel or rue Arsène Houssaye that are not within the French dossier. These are probably photographs taken by paparazzi Pierre Suu and Christian Martinez and are very similar to those already held.]

8. Legal issues in France

Dr Eva STEINER

Docteur en Droit et Sciences Criminelles (University of Paris Nanterre), lecturer in French Law, Kings College London, qualified French Advocate, former member of the Paris Bar (1981-1987), author of ‘French Legal Method’. Dr Steiner was asked by Operation Paget to provide a description and interpretation of French law, procedures and practices to assist the understanding of actions in the French Inquiry where a specific legal issue was raised. It was not a comparative analysis of the two systems.

Operation Paget - Other Document 347

In relation to CCTV in France she wrote:

‘In France, video surveillance is regulated by a law of 21 January 1995. Under article 10 of this law the usage of CCTV cameras is only permitted for the protection of public buildings and their surroundings, the safeguard of national defence installations (also including nuclear power stations), the regulation of road traffic flows and the discovery of offences related to road traffic violations, and to prevent any infringement to people’s personal safety and to that of their belongings in places, including public places, where there is an increased risk of attack or theft.

The current number of CCTV cameras in Paris has been estimated at about 20,000 in public places and 2,000 on the streets, which would appear to be a low figure when compared with circumstances in London. Furthermore, it is estimated that each year between 1,500 and 2,000 cameras are newly installed in the capital. These figures should be considered in the light of the culture of privacy prevailing in France. Indeed, the French public are easily exasperated by systems such as video cameras which they perceive as an uncalled for intrusion into their daily private lives.

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Distrust of CCTV cameras by the general public accounts for their installation being subject to very strict rules. These rules may be summarised as follows:

- *Video surveillance systems in the public domain must not be in breach of privacy rules. As such they must not be trained towards the interior of private dwellings (windows) or their entrances. Furthermore, the public must be informed in a clear and permanent manner of the existence of such cameras in the immediate vicinity of their operation (article 10 II of the Law of 21 January 1995).*
- *The installation of any video surveillance system is subordinated to an authorisation by the Prefect (head of the police) of the Department after having taken advice from a Departmental Commission headed by a judge (article 10 III).*
- *The video recordings must be destroyed within a period which must not exceed one month. However, in cases where there is a police inquiry or a judicial investigation the one month limit is not applicable (article 10 IV).*
- *Any interested party may have access to the recording or obtain confirmation that the one month limit has been observed. However, in circumstances where there are issues of state security, national defence, public security and smooth running of court proceedings or preliminary investigation in view of court proceedings, or when third - party rights are involved, access may be refused with a right of judicial review (article 10 V).*
- *The act of carrying out an unauthorised video recording, of not destroying it within the specified time-limit, of falsifying it, of obstructing the work of the Departmental Commission, of allowing access by unauthorised personnel to video recordings or of using these to other ends than those for which they are authorised, is punished by a maximum of 3 years imprisonment and a fine of 45,000 Euros (article 10 VI).'*

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CONCLUSIONS

Part A – Claims outlined in Section (i)

Claim 1 - Approximately 10 video cameras are maintained by the City of Paris on the route taken by the Mercedes including one above the Alma Tunnel itself. I have been informed that there are no recordings from any of these cameras for the night in question. No explanation for this has been forthcoming.

Judge Hervé Stéphan was appointed as Examining Magistrate in this case on Tuesday 2 September 1997. On that day, by Judicial Order, he tasked the Brigade Criminelle with identifying all video and photographic images along the route taken by the Mercedes.

Lieutenant Eric Gigou of the Brigade Criminelle led the team that carried out that work, initially by retracing the route several times and drawing up a list of possible locations. His report showed that the team identified ten locations of CCTV cameras. None of these had any images relevant to the inquiry. They were principally security cameras facing the entrances to buildings. Most of the cameras were not maintained by the City of Paris, the owners of the buildings to which they were attached privately operated them.

There was a traffic-monitoring camera above the underpass in the Place de l'Alma itself but this was under the control of la Compagnie de Circulation Urbaines de Paris (Paris Urban Traffic Unit). That department closed down at about 11pm, had no night duty staff and made no recordings. Officers in the Police Headquarters Information and Command Centre could continue to view the pictures shown by the traffic camera in real time but could not control it. There would be no reason for those in the overnight control room in Paris to be viewing that camera in particular, before the crash.

There were no known video recordings or photographic images of the Mercedes on its final journey between the Ritz Hotel and the Alma underpass. No such images appeared in any media. There was evidence that the French investigation took steps at an early stage to identify any such evidence but were unable to find any. French investigators explained their actions and conclusions in French Dossier D2566-D2570.

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Claim 2 - There is a flash camera that would have photographed the Mercedes if it was (as the evidence discloses) travelling significantly in excess of the speed limit.

There was no camera, flashing or otherwise, at the Alma underpass at the time of the crash to photograph speeding vehicles. Photographs taken of the outside of the underpass on the night do not show any such fixed camera.

There were flash cameras in the possession of paparazzi following the Mercedes.

The evidence of Gary Dean who was walking in the area of the Alma underpass at the time of the crash evidences that he did not see any speed cameras. He stated that he walked along the edge of Cours Albert 1er for about five minutes before returning to a point near the entrance to the Alma underpass. He stated that had any speed cameras been present he would have walked past them twice. He did not see any speed cameras or police officers carrying out speed checks.

Despite the claims, no one has provided any direct or verifiable evidence that there was a speed camera present in that location on the night. The Brigade Criminelle recorded the locations of the speed cameras in use in Paris on Saturday 30 August 1997. Operation Paget officers saw the product of the cameras operating elsewhere on the night in question. None of that product had any relevance to this inquiry.

Claim 3 - Another photo apparently exists which was taken by a vehicle in front of the Mercedes in the tunnel showing Mr Paul and Trevor Rees Jones.

The photograph from '*a vehicle in front of the Mercedes in the underpass showing Mr Paul and Trevor Rees Jones*' as referred to in the 'Lewis Silkin letter' was believed to be one of the two Jacques Langevin photographs taken at the rear of the Ritz Hotel in rue Cambon (French Dossier D404 and D405) – it was not taken at the Alma underpass. Operation Paget is not aware of any photograph of the Mercedes immediately before or entering the Alma underpass.

Part B – General Operation Paget Comment

Lieutenant Gigou of the Brigade Criminelle explained the work undertaken to identify CCTV images. Those private CCTV systems were not recording the public carriageway but were focused on the buildings to which they were attached. This was not unexpected. One must also take into account the difference in numbers of CCTV cameras in Paris in 1997 as opposed to those in London, where the increased use of CCTV images had been largely driven by internal terrorism issues.

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Neither Operation Paget nor the French inquiry located any photographs of the Mercedes on its final route from the Ritz Hotel to the Alma underpass. This was unexpected in the light of evidence from members of the public who described flashes from cameras in the vicinity of the Mercedes, particularly while in the Place de la Concorde. Some witnesses also described what they thought might be flashes from cameras as the Mercedes approached the Alma underpass. The most likely source of these flashes was the paparazzi. If they did take photographs at those points one must conclude that:

- i) Those arrested disposed of that film before being taken into custody (while retaining their film of the crash scene), or
- ii) Some paparazzi did not stop at the scene of the crash, or if they did they were not detained by the authorities.

Other evidence within this report does lend credence to the theory that at least one motorcycle following the Mercedes did leave the scene without stopping. This motorcycle, which may or not have been ridden by a paparazzo, has not been identified.

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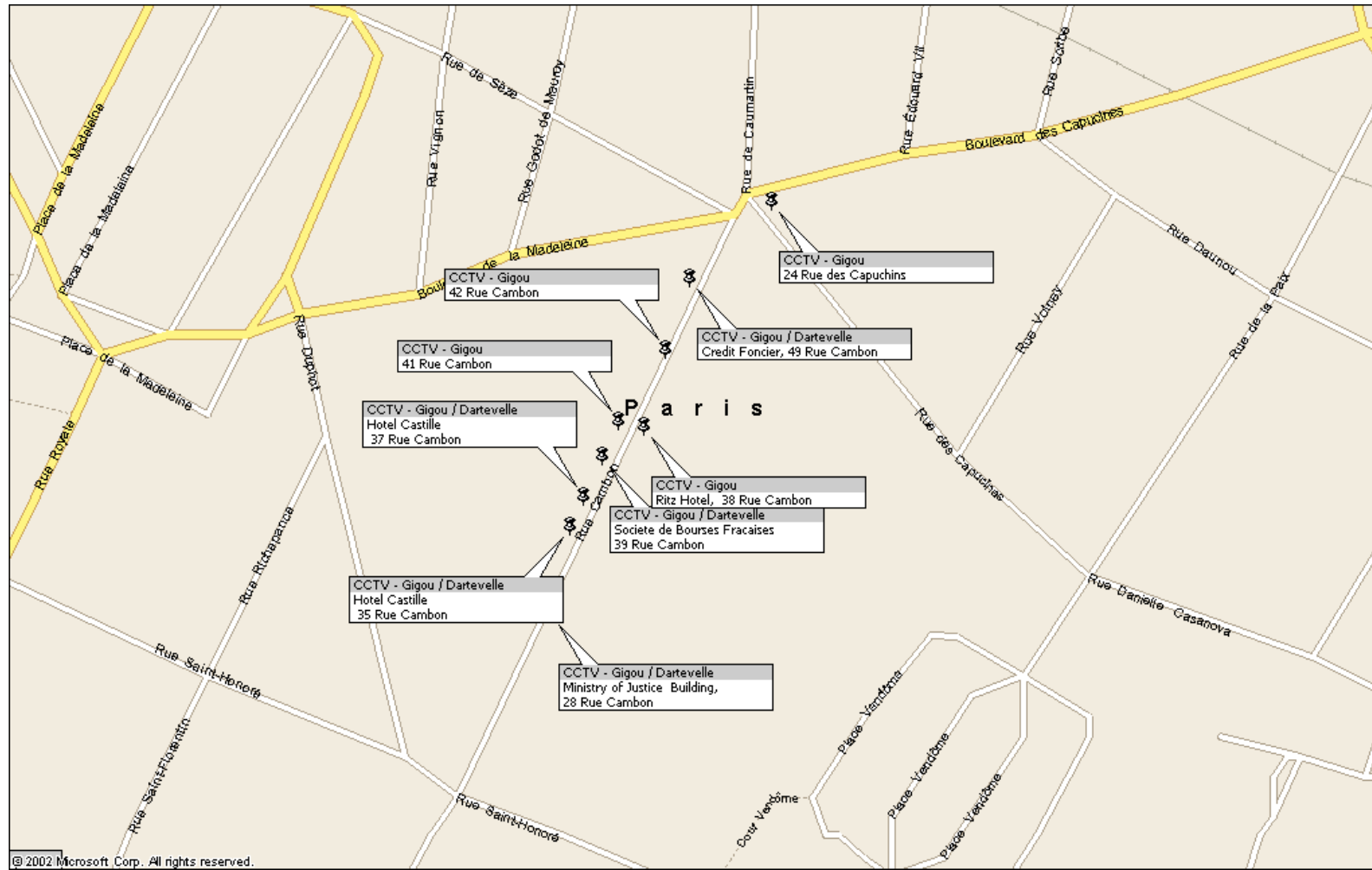
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APPENDICES

**Maps showing locations of
CCTV, speed and traffic cameras**

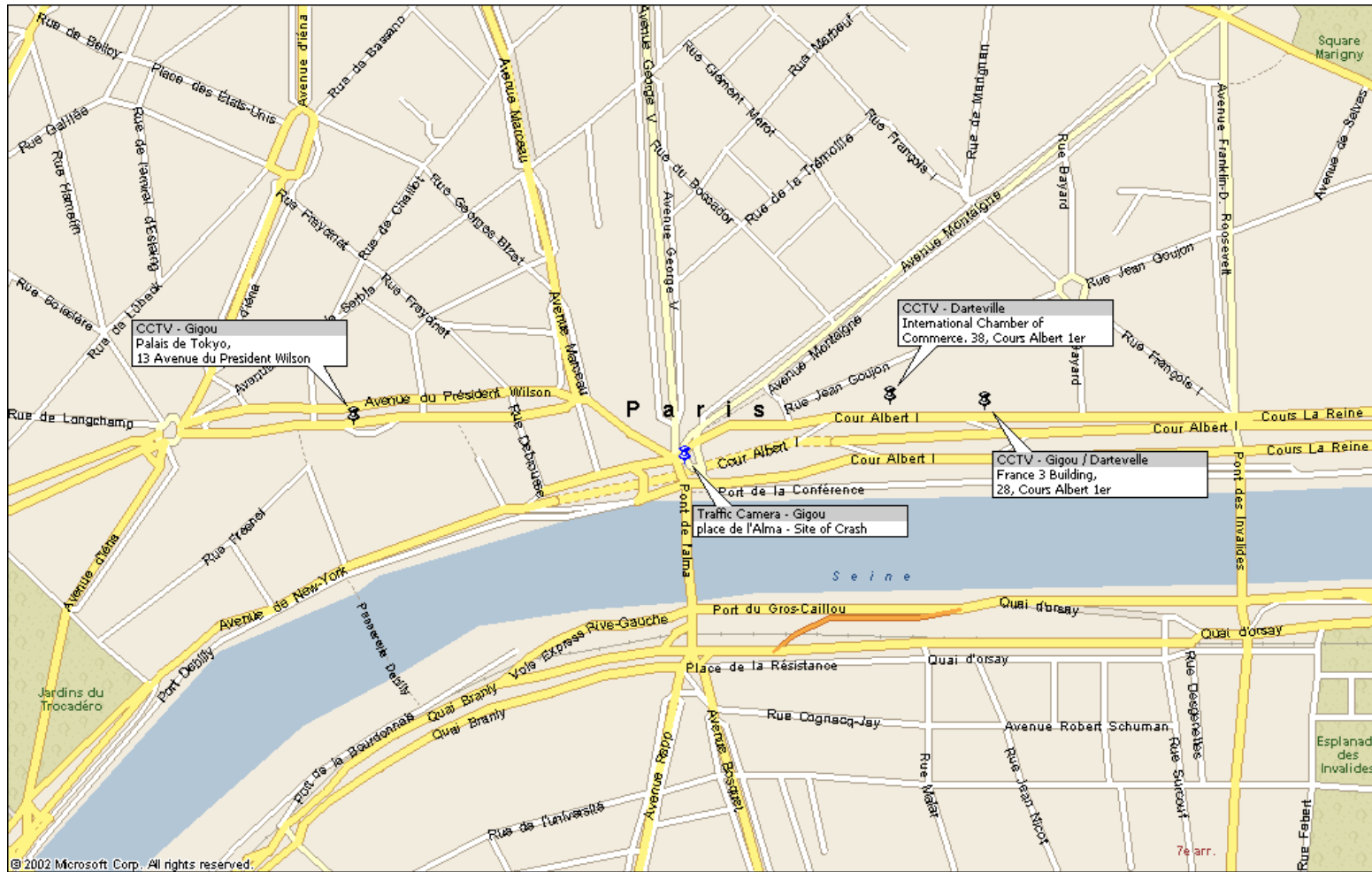
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CCTV Cameras in rue Cambon

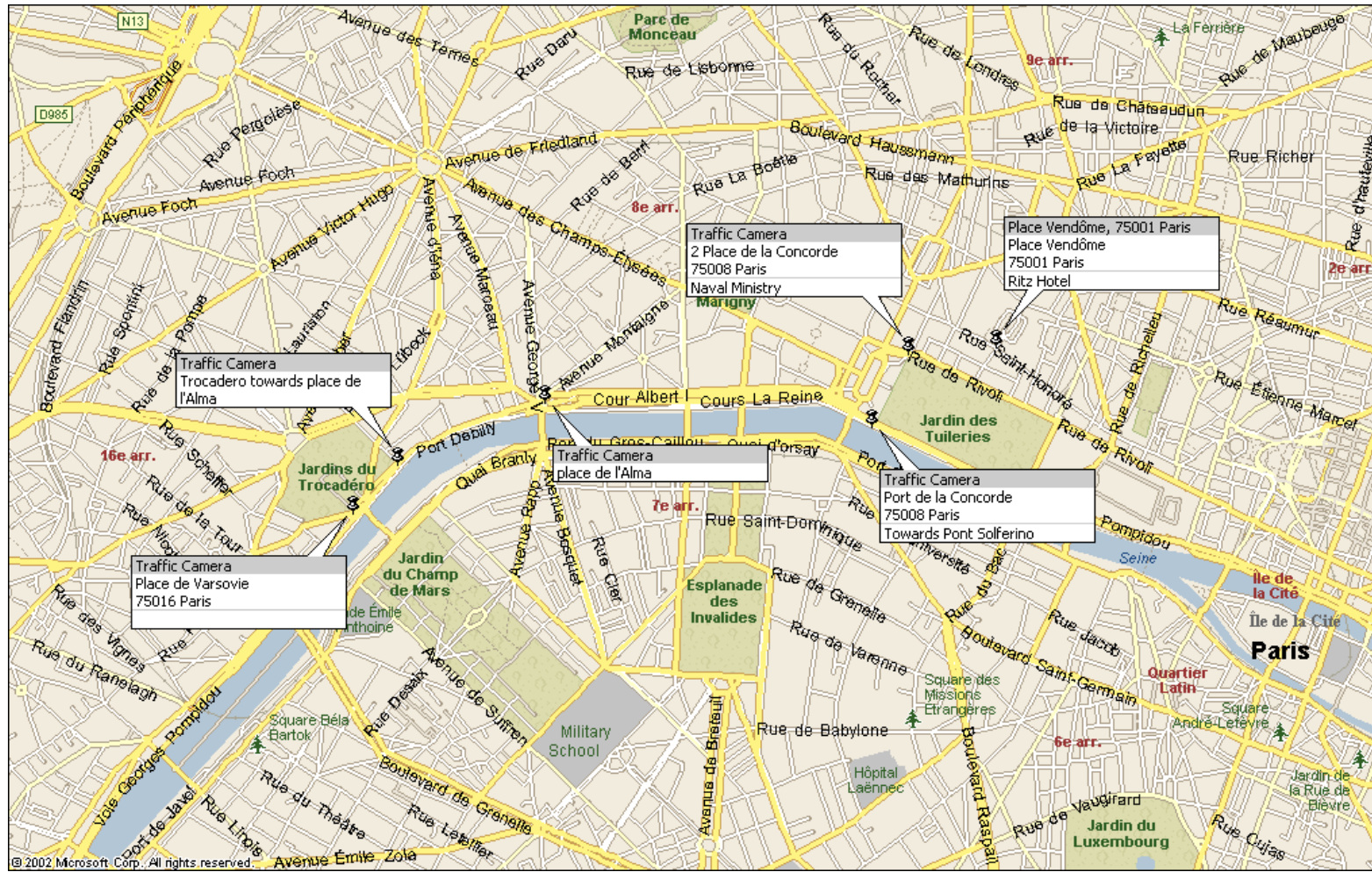


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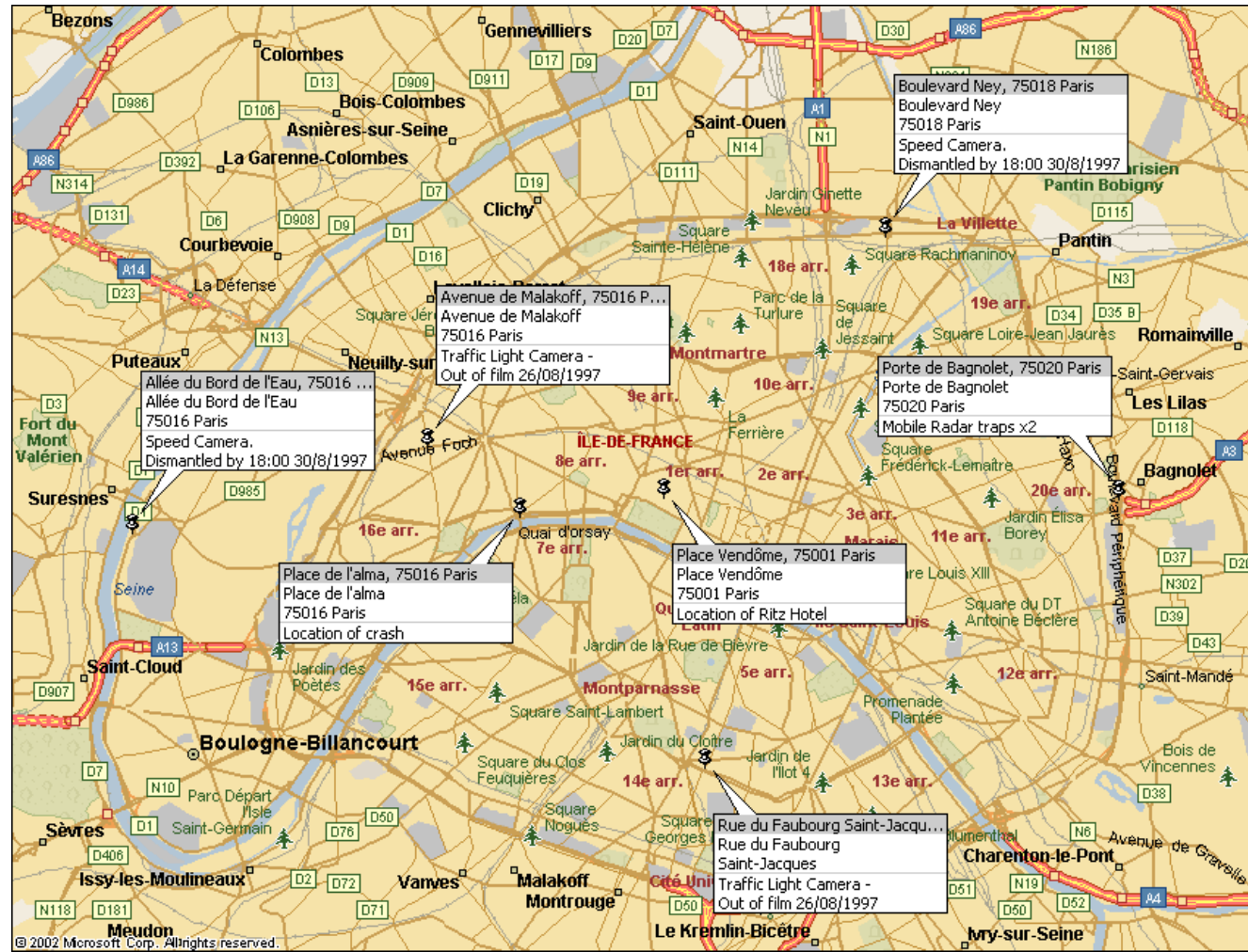
CCTV Cameras in Vicinity of the Alma Underpass



Traffic Cameras Along The Route

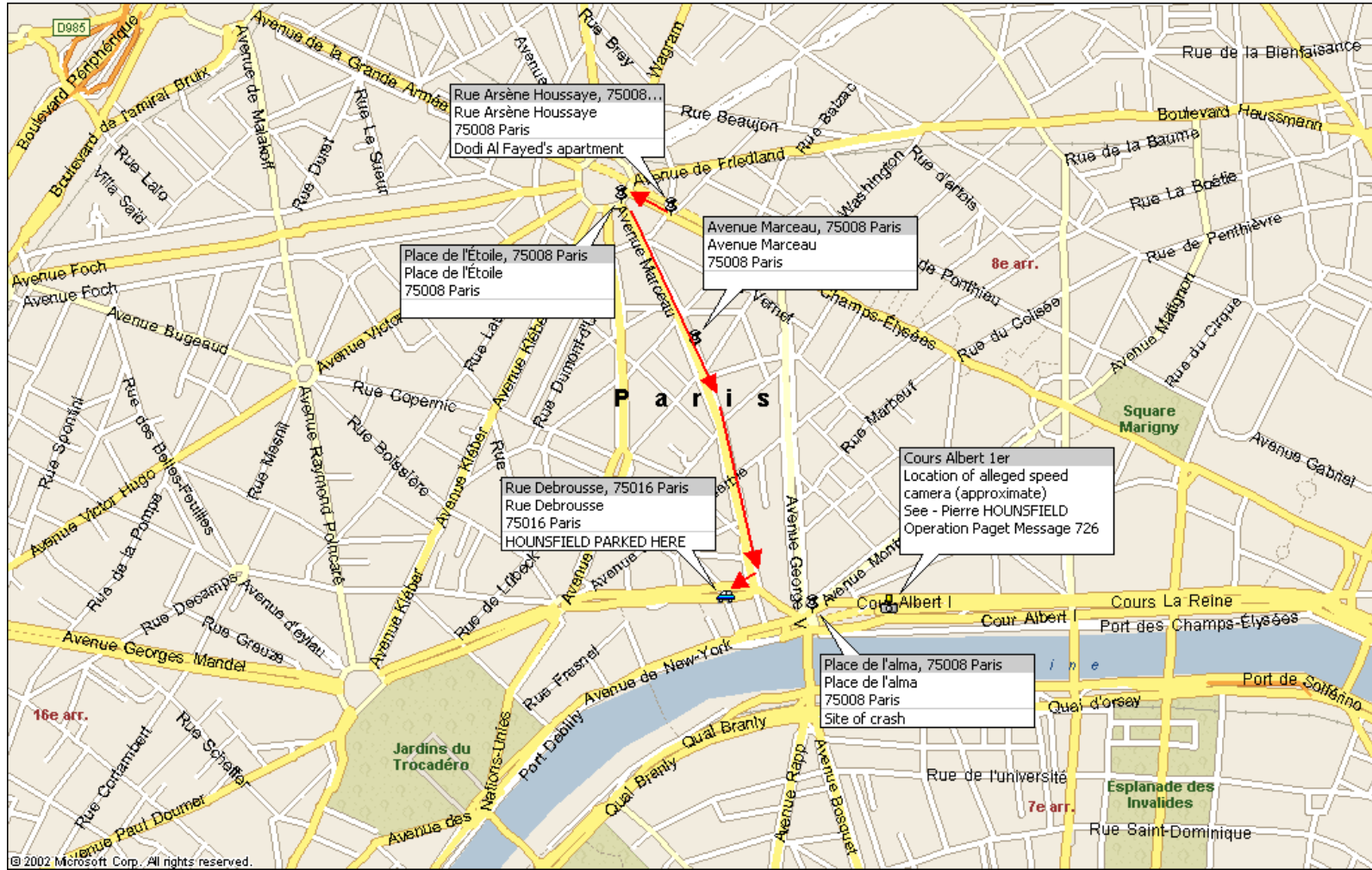


Speed and Traffic Light Cameras



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Route Taken by Pierre Hounsfield To Alma Underpass from rue Arsène Houssaye



CHAPTER **SIX**

MERCEDES CAR

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(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of the claims made by Mohamed Al Fayed

Claim

It was initially suggested that the speedometer of the Mercedes had stuck at 192 kilometres per hour; further enquiries with the manufacturers revealed that in a collision the speedometer reverts to zero. The Mercedes is still available for inspection as it is stored in containers outside Paris.

Source - 8 July 2003 Lewis Silkin Letter to Coroner, Mr Michael Burgess on behalf of Mohamed Al Fayed - Page 9

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(ii)

Report

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Introduction

The car involved in this collision was a standard specification 1994 Mercedes S280 registration number 688LTV75. This Chapter examines the specific claim regarding the speedometer. Although not directly linked to that specific claim, this Chapter also describes in detail the technical inspection of the car. Operation Paget considers it important to fully understand the thoroughness of the investigation into the integrity of the vehicle.

Evidence Linked to the Claim

- There was no support in the French investigation for the proposition that the speedometer had stuck at 192 kilometres per hour (km/h) at the point of impact.
- The speedometer did revert to zero at impact, as expected.
- There were references in the media to significantly high speeds.

The vehicle manufacturer carried out comparison crash tests on similar Mercedes S Class saloons. (French Dossier D5811) The manufacturer concluded an estimated speed at impact with the thirteenth pillar of 105km/h (65mph) +/- 5%. This was reported to the French Examining Magistrate.

No additional testing has been carried out in the United Kingdom to determine impact speed. Impact speed determined by comparison crash tests is the most accurate method.

Operation Paget has used the French material and other data such as tyre mark measurements and agrees with the figure of 65mph (+/- 5%). There is no physical evidence that contradicts this impact speed estimate.

French Dossier D2729

A photograph of the vehicle in its post-impact position clearly showed the speedometer needle at the zero position.

French Dossier D566

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When examined by Police Capitaine Francis Bechet on 1 September 1997 the speedometer needle of the Mercedes car was at zero. When examined by Operation Paget following the transfer of the vehicle to the United Kingdom, the speedometer needle was in the 231km/h (144 mph) position. It was ascertained that the speedometer needle could be moved manually to any position and that it would remain where placed. Operation Paget considers this movement to be normal.

Operation Paget agrees with the findings of the French judicial investigation (French Dossier D5877-D5880) that there were no physical marks or indentations on the face of the speedometer that would allow one to ascertain the reading on the instrument at the point of impact. This phenomenon, whereby the needle, to a small degree, indents the speedometer face, can sometimes occur following a violent impact.

Information Relating to the Mercedes

Although not directly linked to the specific claim regarding the speed of the car and the speedometer reading at impact, the following information is provided to give a full picture of the technical aspects of the Mercedes car.

The evidence of Jean-François Musa, Sébastien Cavalera, Frédéric Lucard, Philippe Dourneau and Thierry Rocher, employees of or otherwise working for the Ritz Hotel, is that the Mercedes involved in the crash was selected by Jean-François Musa, the owner of Etoile Limousine, at around midnight on Saturday 30 August 1997, a few minutes before the final journey. It was the only suitable vehicle available.

Its regular driver, Olivier Lafaye, a chauffeur for Etoile Limousine, had parked the car in the Vendôme underground car park next to the Ritz Hotel some time after 8.15pm that night. This was normal practice. He had been driving the Mercedes for most of that Saturday on routine chauffeur duties. The final journey to the Alma underpass was the only occasion on which the Princess of Wales, together with Dodi Al Fayed, had been in this particular car.

David PRICE, BTech, RFP, MITAI

Forensic Accident Investigator and a Principal Consultant, Incident Investigation and Reconstruction Group at the Transport Research Laboratory (TRL)

[Paget Note: MITAI denotes Member of the Institute of Traffic Accident Investigators.]

TRL Limited is part of the Transport Research Foundation, an independent, non-profit distributing organisation providing impartial advice and consultancy in the transport sector.

David Price stated that he is a Principal Consultant with the Incident Investigation & Reconstruction Group at the Transport Research Laboratory (TRL), specialising in the examination of damage to vehicles involved in road traffic accidents, in particular components relating to Primary Safety. Frequently this entails examination of tyres, broken metallic components, brakes, light bulbs and speedometers, as well as items of Secondary Safety, such as seat belt assemblies and crash helmets. He also attends

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scenes of accidents. He has specialised in these matters since 1971. Prior to joining TRL in 2002 he worked for the Forensic Science Service for 31 years, at their Aldermaston and Metropolitan (London) Laboratories.

He holds a Bachelor of Technology (Honours) degree in Materials Science and Technology, he is a Registered Forensic Practitioner (under CRFP), and is a full Member of the Institute of Traffic Accident Investigators.

Examination of the Mercedes Car 688LTV75

At the request of Operation Paget, David Price examined the Mercedes along with its available component parts. The car has been loaned to Operation Paget by the French authorities in order for these detailed examinations to take place.

To assist him in his work, David Price has:

- Attended the scene of the collision in Paris
- Examined Mercedes registration number 688LTV 75
- Examined an undamaged left-hand drive 1994 Mercedes S280 for comparison purposes (the control vehicle)
- Studied the French reports relating to their technical examinations
- Consulted with the French court appointed technical experts
- Consulted with technical representatives of DaimlerChrysler (Mercedes)

David Price considered the following points:

General

- i) Whether the vehicle was likely to have been in a serviceable condition prior to the collision, or whether any parts were defective and so might have accounted for the loss of control that resulted in the collision.
- ii) Whether there were any signs that the car had been interfered with before the crash.

Specific

- i) Whether the front right tyre was likely to have deflated before it was examined by Capitaine Francis Bechet on 1 September 1997 or whether it was likely to have been at the pressure of 2.1 bar reported by Jacques Hébrard, Gilles Pouilly and Serge Moreau at the Institut de Recherche Criminelle de la Gendarmerie Nationale (IRCGN), the National Gendarmerie Criminal Research Institute, in October 1998. There was a clear anomaly in these two statements that required clarification.

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- ii) Whether the car may have suffered 'vapour lock' of the brakes.
- iii) Whether the gear selector broke and separated in the collision.
- iv) Whether the seat belts had been in a serviceable condition before the collision.
- v) Whether there was evidence to suggest that the front right seat belt was in the process of being fastened at the instant of the collision.
- vi) Whether the lights, in particular the brake lights, were illuminated at the time of the collision.
- vii) Whether there was a reason why the brake warning light might have illuminated intermittently, as reported by previous drivers of the Mercedes.
- viii) Whether there were other technical matters David Price felt needed to be commented upon in relation to points raised in the French reports.

When examining the components of the Mercedes, David Price considered:

- 1) Primary Safety – those items that could have affected control of the car; steering components, brakes, tyres.
- 2) Secondary Safety – those items that could affect the survivability of the occupants; seat belts, air bags.
- 3) Other aspects – items not fitting into the first two categories; lights, instruments, etc.

In addition to these safety-related items, the vehicle and parts from it were examined for evidence of tampering or the fitting and/or removal of non-standard items.

Components Examined

David Price examined the following components of Mercedes registration number 688LTV75:

Steering system
Ignition switch and steering lock
Braking system
Brake fluid
Wheels and tyres
Suspension system
Body shell
Engine and exhaust system
Gearbox and transmission
Gear selector mechanism
Oil samples
Electrical system
Electronic control units
Lighting system
Instrument panel
Pneumatic and vacuum control system

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Seats
Seat belt assemblies
Air-bags

His full technical report is in the possession Operation Paget.

Key Points

1. Seat Belts

French Dossier D5675-D5680

The French investigators examined the seat belt systems and determined that none were being worn at the time of the crash apart from the front right seat belt. The suggestion was made that Trevor Rees-Jones may have been in the process of putting on his seat belt at the moment of impact. The report did not indicate that the seat belt systems were examined to ascertain whether they were in a serviceable condition.

Operation Paget's view is that none of the seat belts were being worn at the time of the impact, including that of Trevor Rees-Jones. From the nature of marks found on his seat belt, it is considered unlikely that he was even in the process of attempting to put it on at all at the time of the crash.

David Price's examination of the seat belts showed that they were in a good operational condition with the exception of the rear right seat belt, which was found to be jammed in the retracted position because part of the internal mechanism had become displaced.

In relation to this finding, the evidence strongly supports this displacement occurring after the collision. This was confirmed by direct contact with the French expert, Serge Moreau. He found it to be in proper working order at the time of his examination in October 1998. He also confirmed that all the seat belts were in a serviceable condition after the crash. (Operation Paget Message 947)

2. Brakes

The disc brakes were found to be in good condition. The master cylinder and servo unit had remained trapped in position. They were too badly damaged to be tested, but a visual examination revealed no abnormalities.

3. Brake Pipes

The metal brake pipes leading to and from the anti-lock brake modulator block had been cut to facilitate removal of the modulator block for more detailed examination. Some pipes were also crushed and torn at the master cylinder, situated in an area of extreme distortion of the car.

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4. Brake Sensor Pads

French Dossier D2583-D2584 and D5052-D5070

The chauffeur, Olivier Lafaye, had reported that the brake warning light on that car came on intermittently.

French Dossier D5824 and D6881

The French examination reported that, *'no fault capable of triggering the brake warning light on the instrument assembly was found'*.

David Price's examination found that the rear right brake pad wear sensor was out of position and had wear not associated with its normal function. On the inner side of the wheel rim, the road dirt was rubbed away where the sensor had made contact. This contact would have caused the warning light to illuminate intermittently as described by Olivier Lafaye.

This anomaly had no effect whatsoever on the braking capabilities of the vehicle.

5. Brake Fluid

The sampling of brake fluid by the French investigators revealed contamination by moisture. This had resulted partly from prolonged exposure of the fluid to air prior to their sampling and partly from exposure to damp items during collection.

David Price's examination confirmed the presence of moisture in the sample, but he did not consider it likely to have affected the braking ability of the car in the circumstances pertaining to the crash.

6. Gear Selector Lever

French Dossier D5899-D5901

The French examination had been unable to reconcile the removal of the gear selector lever and the damage to the piece within the selector housing into which it had fitted.

There is little doubt that the yokes of the mounting piece broke as the result of the impact forces pushing the engine and gearbox back. It is considered that the lever could still have engaged with the internal mechanism sufficiently to provide the necessary resistance. It is considered probable that the rescue services would have wanted to remove the gear selector lever in order to gain extra space.

7. Fuses

Operation Paget discovered that a number of fuses were missing and that two had 'blown'. Some were missing because of the vehicle's specification and some were subsequently found within crumpled bodywork.

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None of those that were missing or 'blown' controlled any critical systems. It is considered that those missing had been removed during the French examination and probable that those that had 'blown' had done so as a result of the impact, during which many wires were damaged.

Although electrical wires were damaged at various points, none showed evidence of having been chafed through or having failed before the crash.

There was no mention in the French dossier of an examination of the vehicle electrical fuses.

8. Tyres

There was a contradiction in the reports of Capitaine Francis Bechet (French Dossier D568) and the French technical experts, Jacques Hebrard, Gilles Pouilly and Serge Moreau. (French Dossier D5651)

Capitaine Francis Bechet reported that the front right tyre was deflated when he examined the vehicle at Nord Garage, Boulevard MacDonald on 1 September 1997 whereas Jacques Hebrard, Gilles Pouilly and Serge Moreau reported that the tyre was inflated to 2.1 bar (30 psi) at the time of their examination in October 1998.

David Price found a small penetrating cut in the side-wall of this tyre, as a result of which it was no longer airtight. When inflated to 2.2 bar (32 psi) it deflated to 0.7 bar (10 psi) within an hour, and to zero some time within the following three hours.

The tyre could not have been inflated to 2.1 bar (30 psi) as reported by the French technical experts unless it had been re-inflated shortly before then.

The nature of the cut indicated that it had been caused by damaged bodywork during the crash and had not been caused by any malicious means.

There were no issues associated with any of the other tyres, which were found to be in good condition.

9. Tyre Tread Wear

The tyre treads were in very good condition and had no abnormal wear. This indicated that there was no serious misalignment of any suspension components immediately before impact with the pillar. The condition of the tyre treads was also consistent with the lack of skid marks found at the scene of the crash.

10. Engine and Gearbox

The engine had been shattered as it had taken the brunt of the impact in the crash. Examination of remaining pieces revealed no signs of engine seizure.

The automatic gearbox had been tested as a part of the French examination and had then been dismantled. No further testing was attempted as part of the Operation Paget

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examination. The only damage present was considered to have resulted from the crash.

It was not possible to establish which gear had been selected on the approach to the collision.

11. Steering

Although very badly damaged in the crash, no defects were found to indicate any malfunction.

12. Steering Wheel Alignment

Damage to the steering wheel and column indicated that it was turned about 90° to the right from the straight-ahead position at the moment of impact. This would have resulted in the steered wheels being turned to the right by about 7° because of the steering ratio.

The wheel left alloy rub marks on the edge of the kerb.

13. Wheel Alignment Corrected

Operation Paget - Statement 200

In October 1996, shortly after purchasing the Mercedes in August of that year, the owner of Etoile Limousine, Jean-François Musa, reported poor handling to the dealer. The vehicle was checked at that time and was considered by the dealer to be satisfactory. It was returned to service.

In his statement to Operation Paget he also said that, *'The vehicle had not suffered from any abnormal tyre wear'*. The presence of tyre wear could have been an indication of misalignment.

French Dossier D2599

On 25 May 1997 the vehicle steering geometry and wheel alignment were checked and minor adjustments made. This followed the theft of the car in April 1997 after which some repairs were carried out.

There were no further reports of unsatisfactory handling.

14. Electronic Control Units

The French investigation reported the presence of stored data codes within some of these units. David Price concluded that no additional testing was possible. He considered that the conclusions reached by the French investigators, that the codes had been created at the time of the crash, were most probably correct.

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15. Lighting

The car had been travelling with its headlights illuminated on dipped beam. It was not possible to establish the state of illumination of other lights on the car through examination. The French scene photographs showed that the brake lights had remained illuminated.

16. Instruments

French scene photographs showed the speedometer and other instruments to have returned to their zero positions after the crash. There were no marks on the instrument panel that enabled the pre-impact reading of the speedometer or other instruments to be determined.

17. Interference with the Car

No evidence was found of anything attached or having been attached to the car that could have affected its control.

Specifically, there were no signs of patches of adhesive, no non-original holes drilled into the bodyshell and no unusual wiring, other than that apparently added for the telephone system fitted at the request of Etoile Limousine.

Nothing considered likely to have affected control of the car during the approach to the crash was found. David Price found no other anomalies or points of interest in his examination of any of the other components of the car.

Operation Paget Comment

David Price found nothing in his examinations of the mechanical elements of the car that would have adversely affected the control of the car or survivability of the occupants.

His technical examination confirmed that none of the occupants of the car were wearing a seat belt at the time of the collision.

Summary

- The speedometer was not stuck at 192 km/h (119 mph)
- The speed at impact was about 105km/h (65 mph)
- There were no defects on the vehicle that could have contributed to the causes of the crash
- There was no evidence of tampering or interference with the vehicle

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(iii)

CONCLUSIONS

Part A – Claim in section (i)

Claim 1 - It was initially suggested that the speedometer of the Mercedes had stuck at 192 kilometres per hour; further enquiries with the manufactures revealed that in a collision the speedometer reverts to zero. The Mercedes is still available for inspection as it is stored in containers outside Paris.

The French Inquiry, following the crash tests conducted by the vehicle manufacturer, concluded that the Mercedes was travelling at around 105km/h (65mph) when it hit the thirteenth pillar of the Alma underpass. Comparison crash tests are the most accurate way of determining impact speed.

The French Inquiry concluded that the speedometer did revert to zero upon impact. The official police report of 1 September 1997 specifically noted the speedometer positioned at zero. Operation Paget agrees with this conclusion.

The French dossier did not at any time claim a figure of 192km/h for the speedometer reading.

Interpretation of the physical evidence from the collision scene undertaken by the Operation Paget Senior Collision Investigator and experts from the TRL corroborates the impact speed.

Part B – General

Both the French and British examinations of the Mercedes have shown that there were no mechanical issues with the car that could have in any way caused or contributed to the crash.

There was no defect in the seat belt system. The seatbelts were not used.

There were no signs of any interference with the vehicle.

CHAPTER **SEVEN**

BLOCKING VEHICLES/ **UNIDENTIFIED VEHICLES/BRIGHT FLASHES** **(THE JOURNEY TO THE ALMA UNDERPASS)**

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(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of Mohamed Al Fayed's claims

- He alleges a vehicle may have blocked the Mercedes on its final journey thereby preventing it from making a turn-off and essentially forcing it into the Alma underpass.
- The existence of a bright white flash may have unlawfully contributed to the collision.
- A number of vehicles in and around the scene of the crash are not accounted for; particularly a motorcycle seen by eyewitnesses to leave the scene.
- Two cars were apparently seen fleeing the scene by an English witness. The French inquiry disregarded this evidence.

These claims relate in general terms to the physical aspects of the crash and events immediately leading up to it.

Claims

1. Eyewitness evidence indicates that there were vehicles following the Mercedes, and that there was also a vehicle that prevented the Mercedes from making a turn and thereby forced it to enter the Alma tunnel a route that took them away from their intended destination immediately. None of these vehicles has been identified, a point which is all the more pertinent given the absence of video camera evidence.

2. Eyewitnesses also spoke of seeing a bright white flash in the tunnel before the crash.

Source - 7 February 2003 Submission by Mohamed Al Fayed to Minister for Justice, Scotland for Public Inquiry, Page 1 (ii)

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Claim

3. Eyewitnesses have spoken of seeing a bright white flash in the tunnel before the crash. A former member of the United Kingdom Secret Intelligence Service (SIS) (commonly known as MI6) provided a sworn statement to the French investigating magistrate describing a technique devised by the United Kingdom secret services of blinding the driver of a car in a tunnel by setting off a bright stroboscopic flash. This technique was being developed by the secret services in the early 1990s with a view to the assassination of President Slobodan Milosevic of Serbia. [Paget Note: The claims of the former member of the SIS, Richard Tomlinson, are addressed in Chapter Sixteen.]

Eyewitnesses spoke of observing (and of hearing) a vehicle or a motorcycle leaving the scene of the crash at high speed. The driver or drivers of any such vehicle or vehicles have not been traced.

Source - May 2003 Petition For Judicial Review - Minister For Justice, Scotland In name of Mohamed Al Fayed, Item 15

Claim

4. Gary Hunter, an English solicitor, described how he saw two cars fleeing the scene immediately after the crash. His evidence was completely disregarded by the French, and only some considerable time later was a perfunctory statement taken by Scotland Yard on behalf of the French police. Gary Hunter's evidence was dismissed by Judge Stéphan.

Source - 5 July 2005 Witness Statement - Mohamed Al Fayed, Page 7

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(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Introduction

Henri Paul drove off in a Mercedes S280 car from the rear of the Ritz Hotel in rue Cambon at around 12.20am. The Princess of Wales and Dodi Al Fayed were in the back of the car. Trevor Rees-Jones, a bodyguard, was the front seat passenger. The intended destination was Mohamed Al Fayed's flat in rue Arsène Houssaye, just off the avenue des Champs-Élysées, by the Arc de Triomphe. The car had been brought to the rear of the hotel as the couple were ready to leave. They had not used this car previously.

After they left, Philippe Dourneau, Dodi Al Fayed's regular chauffeur in Paris, accompanied by Kieran Wingfield, drove the original Mercedes from the front of the Ritz Hotel to the apartment, followed by Jean-François Musa in the back-up Range Rover. These two vehicles had earlier been driven in a circle around Place Vendôme to test the reactions of the paparazzi.

Mohamed Al Fayed's claims can be separated, in general terms, into four elements:

1. The Mercedes of Henri Paul was blocked from turning by another vehicle to ensure that it stayed on a route forcing it into the Alma underpass.
2. Eyewitnesses spoke of seeing a bright white flash in the tunnel – linking this to the claims of Richard Tomlinson, the ex-MI6 officer, suggests that the technique of temporarily disabling a driver with a bright light was used in this case to deliberately cause the crash.
3. (i) A car and/or motorcycle left the crash scene at high speed without being identified. The accounts of the driver/rider/passengers are therefore not available to any inquiry.

(ii) Witnesses described a '*dark car*' close to the Mercedes as it approached the underpass. It has not been identified.
4. An English witness apparently described two cars fleeing the scene. The French inquiry dismissed this evidence.

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Subject of course to the Coroner's direction, the events immediately preceding and following the fatal incident in the Alma underpass are likely to be examined in some detail at the inquest(s).

Operation Paget holds evidence that is relevant to both the conspiracy allegation and the inquest(s). This chapter examines evidence in terms of its relevance to the conspiracy allegation only. It is not intended to examine evidence, particularly eyewitness evidence, in order to show how the crash occurred. That is a matter for the inquest(s) to decide in due course.

The witnesses are the primary source of information regarding events leading up to and at the scene of the fatal collision in the Alma underpass. There are no CCTV images to corroborate their accounts. (CCTV and other photographic images are discussed in detail in Chapter Five)

The witnesses described their perception of events and this perception depended on many factors. Some witnesses were on foot, others were in vehicles; some were alone, others were in company; some saw events prior to the crash, others after events; some had only a fleeting glance of events, others a slightly more prolonged view; some had their accounts taken within hours, others weeks later; some had accurate recollection of events, others less so. Sometimes one witness will notice something another does not and the accounts of witnesses to the same incident may be in direct conflict with each other.

There is variance in the accounts of the witnesses in this case. This is not unusual. It is well known to investigators that eyewitnesses can give honest but inaccurate accounts of what they have seen. In order to assist the reader to understand some of these issues and have a sense of some of the factors that affect witness recall, Operation Paget has used the services of Dr Martin Langham, an engineering psychologist.

1. Blocking the Mercedes

Part (a) looks at the route taken by Henri Paul on the night and compares it with the route advised by professional drivers for that journey. This should assist an understanding of the rationale for Henri Paul reaching the Alma underpass. This is followed at (b) and (c) by an analysis of the evidence of blocking manoeuvres at the two possible junctions for such action: the Place de la Concorde and, more importantly, the Cours Albert 1er.

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The maps attached at the rear of this Chapter (Appendix A) show:

- The route that experienced professional chauffeurs such as Philippe Dourneau and Jean-François Musa said they would take at that time of night to drive from the Ritz Hotel to the apartment in rue Arsène Houssaye
- The deviation from this route by Henri Paul as he approached the Alma underpass in the Mercedes
- The other possible route to rue Arsène Houssaye that could be taken after the Alma underpass

The Mercedes driven by Henri Paul took the following route from the rear of the Ritz Hotel in rue Cambon to the collision site in the Alma Bridge underpass:

From the rear of the Ritz Hotel at 38 rue Cambon, the Mercedes drove south along rue Cambon; at the junction with rue de Rivoli, the Mercedes turned right and travelled west into place de la Concorde; driving anti-clockwise around the Place de la Concorde, the Mercedes turned right onto Cours la Reine.

The Mercedes then travelled west along Cours la Reine and entered the Alexandre III Bridge underpass. It emerged from the Alexandre III Bridge underpass at the exit in the vicinity of place du Canada. Here Cours la Reine becomes Cours Albert 1^{er}. The Mercedes travelled west along Cours Albert 1^{er} where it was involved in the collision in the Alma Bridge underpass.

There was no evidence that Henri Paul told anyone which route he had intended to take that night.

Philippe Dorneau and Jean-François Musa described the ‘professional drivers’ route’ from the Ritz to rue Arsène Houssaye in similar terms, only the professional drivers’ route exits from the Cours Albert 1^{er} on the slip-road to the right just after leaving the Alexandre III Tunnel. The professional driver would then traverse place de l’Alma and then turn right along avenue Marceau and right into rue de Presbourg and into the rue Arsène Houssaye.

This was the route that Philippe Dourneau and Jean-François Musa took in the early hours of Sunday 31 August 1997 as they drove the Mercedes S600 and the Range Rover from the Ritz Hotel to the apartment in rue Arsène Houssaye.

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a) Route taken by Henri Paul on the drive to the Alma underpass

Philippe DOURNEAU

Professional chauffeur and regular driver of Dodi Al Fayed in Paris. He described the professional chauffeurs' preferred routes from the Ritz Hotel to rue Arsène Houssaye. He drove the 'decoy' Mercedes to rue Arsène Houssaye after the couple had left the Ritz on their final journey.

Telephone conversation with Operation Paget - Message 301

(This is in addition to Operation Paget Statement 157)

Philippe Dourneau stated that, in relation to travel from the Ritz Hotel to the apartment in rue Arsène Houssaye, there were essentially two preferred routes:

- (1) - Ritz Hotel to rue de Rivoli
 - Place de la Concorde
 - Les quais (Cours de la Reine and Cours Albert 1^e)
 - off before the tunnel under Place de l'Alma.
 - avenue Marceau, then up towards the Arc de Triomphe and the apartment.

(This route is to the south of the Ritz Hotel)

- (2) - Ritz Hotel to Place de la Madeleine
 - boulevard Malesherbes
 - boulevard Haussmann
 - avenue de Friedland to the apartment.

(This route is to the north of the Ritz Hotel)

He explained that on a Friday/Saturday evening, the avenue des Champs-Élysées was always busy and should be avoided.

When he left the Ritz Hotel with Kieran Wingfield in the early hours of Sunday morning, they drove along Route (1) and noticed that an incident had taken place in the Alma underpass but did not become aware of the facts until they arrived at the apartment.

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Jean-Francois MUSA

Owner of Etoile Limousine and professional chauffeur. He assisted the Ritz Hotel by carrying out driving duties on Saturday 30 August 1997. He also described the ‘professional’ driver’s route from the Ritz Hotel to rue Arsène Houssaye. He drove the ‘decoy’ Range Rover to rue Arsène Houssaye after the couple had left the Ritz Hotel on their final journey.

Interviewed by Operation Paget - Statement 200

Jean-François Musa stated:

‘...I can’t remember what route we took to the apartment, [earlier in the day] but there are two ways. You can either go along the riverside road leaving at the Place de L’Alma and up Avenue Marceau or you can go along the Champs Elysées. Professional drivers keep away from the Champs Elysées, as there are so many traffic lights and there are many tourists so we use the riverside road in preference. The Cours La Reine is the usual route that professional drivers would use to get to the Arc de Triomphe. If you missed the Place de l’Alma exit, in order to get to the rue Arsène Houssaye you could go to the Avenue Albert de Mun, roughly 500m further on, and then turn right into the Avenue d’Iena or Avenue Kleber to rejoin the rue de Presbourg.’

Operation Paget Comment

There was nothing unusual in the route taken by Henri Paul on the final journey until he passed the exit slip-road off the Cours Albert 1er just before the Alma underpass. At this point he deviated from the apparently preferred route of professional chauffeurs.

b) Place de la Concorde

Operation Paget Comment

The first junction that could reasonably have afforded Henri Paul the opportunity to divert from the route he actually took is the Place de la Concorde where it meets the avenue des Champs-Élysées.

The view of Philippe Dourneau and Jean-François Musa was that at that time of night one would not take the avenue des Champs-Élysées option as it was so congested, even though it was the shorter distance. (Operation Paget Collision Investigation Report, para 9.3) lists 11 traffic light controlled road junctions, three sets of pedestrian crossing signals and it was noted that the right turn from avenue des Champs Élysées into rue Arsène Houssaye was prohibited (February 2005).

Therefore, the common sense option for Henri Paul would be to continue to the embankment expressways that run parallel with the avenue des Champs-Élysées where there would be free traffic flow.

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Jean-Louis BONNIN

He was driving a Fiat Punto in the Place de la Concorde and stopped alongside the Mercedes at the traffic lights. He described the Mercedes being blocked or impeded as they moved off from the traffic signals. He does not describe any attempt to block it turning right into the avenue des Champs-Élysées.

French Dossier D2389-D2392 and D4902-D4906

In his statement of 24 September 1997 Jean-Louis Bonnin stated:

‘Then I went to the Place de la Concorde and I stopped at the traffic lights situated at the corner of the Avenue des Champs Élysées. I was level with a large black Mercedes and on its left. I wanted to go straight on and to the right towards the embankment expressways. This Mercedes was behind a dark car and there was no one in front of me. Then the lights changed to green and I started off normally, thinking that the car stationary in front of the Mercedes was not moving forward, as if blocking it.

Then in my interior mirror I saw the Mercedes which was pulling out, and I heard its engine roar loudly and its tyres spin. I had done about ten metres and was preparing to turn onto the embankments in the left lane when Diana’s Mercedes overtook me at very high speed on the right.’

French Dossier 4905

In his interview with Judge Stéphan of 27 April 1998 he stated:

‘Question from the Judge: “What happened after that?”

Answer: “The lights turned green, I drove off, there was no one in front of me. I could see clearly that the Mercedes could not go forward because of the car in front of it. I heard the Mercedes’ engine and I hear its tyres screech and in my rear view mirror I saw it pull out to the left to overtake the little dark-coloured car that was in front of it.”

‘Question from the Judge: “Did you get the impression that this car was obstructing the Mercedes deliberately?”

Answer: “Definitely. When you’re a driver and you see someone behind you who is obviously in a hurry, the reaction is to give them room, but this car really wasn’t doing that.”

Question from the Judge: “After pulling out, the Mercedes overtook me on the right, going very very fast. I really thought there was going to be an accident because you don’t drive at that speed along the embankment on a Saturday night.”

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[Paget note: Jean-Louis Bonnin did use the phrase ‘*blocking*’ but it was clear that the reference was to a car delaying the Mercedes driving off towards the embankment expressways rather than turning into the avenue des Champs-Élysées.]

Antonio LOPES BORGES

Driver of a dark green Peugeot 306 in the Place de la Concorde. He was with his girlfriend Ana SIMAO. Antonio Lopes Borges saw the Mercedes setting off very quickly from the lights. He did not mention any blocking of vehicles.

French Dossier D2383-D2386 and D4932-D4933

Antonio Lopes Borges said in his statement of 24 September 1997:

‘We were stopped at the traffic lights at the bottom of the Champs Élysées in the place when a large black saloon car set off at high speed from the traffic lights towards the embankment on the right hand bank of the river Seine, immediately followed by several other cars setting off at the same speed.’

And in his interview with Judge Stéphan of 30 April 1998:

‘I was waiting in the Place de la Concorde, having stopped at the last lights but one before the Champs Élysées, when I saw a large dark-coloured car which shot off very fast as soon as the lights turned green. Immediately behind it there were other vehicles which drove off at top speed.’

Operation Paget Comment

There was no evidence of any vehicle attempting to block the Mercedes from turning into the avenue des Champs-Élysées thus forcing Henri Paul to take the embankment expressway. Witness evidence refers to a car in front of the Mercedes in place de la Concorde impeding its forward motion, but this would not have affected the driver’s ability to make a right turn should he have wished to do so. At this point, although there were no road markings, the Place de la Concorde can accommodate six lanes of traffic. The avenue des Champs-Élysées is a wide boulevard. Blocking a vehicle in such an open stretch of road would be extremely difficult and it is suggested that such a manoeuvre would require more than one vehicle. Furthermore, assuming that Henri Paul as a Parisian resident and Ritz employee who would have travelled this route many times would have followed the professional drivers’ route, he would have headed for the embankment roads in any event and not taken the avenue des Champs-Élysées.

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c) Cours Albert 1er

Thierry HACKETT

Driver of a grey Peugeot 205 along the Cours Albert 1er. He drove through the Alexandre III tunnel when a black Mercedes travelling at great speed overtook him. There were several motorcycles very close to it. He saw the Mercedes ahead of him swerving from side to side and having difficulty maintaining its trajectory. He believed this might have been due to the presence of the motorcyclists. On leaving the Alexandre III Tunnel he took the exit slip-road to the right. Thierry Hackett mentioned no obstruction as he exited the carriageway and gave no indication that any of the motorcyclists had, in his view, deliberately prevented the Mercedes from taking the exit slip-road.

French Dossier D135-D136 and D1457-D1459)

Thierry Hackett said in his statement of 31 August 1997:

'As I was driving in the right hand lane, at around 1230 hrs in the first underpass by the Alexandre III Bridge, I was overtaken by a vehicle that was travelling at very high speed. I would put the vehicle's speed at around 120 or 130 km/hr, or even more. It was a powerful black car. I think it was a Mercedes. I did not make a note of the registration number and I did not see the occupants.

This car was clearly being chased by several, I would say between four and six, motorcycles. There were two riders on some of the bikes. These motorcycles were sitting on the vehicle's tail and were trying to get alongside it.

At the time, I thought it could be a police chase. I did not see any cameras or flashes. I noticed that the vehicle, which continued travelling in the left hand lane, was veering from side to side and having trouble keeping its line. Clearly, the driver of the vehicle was being hindered by the motorbikes.

I would add that they were motorbikes, not scooters. I came off at the slip-road leading to the Place de l'Alma, by the Brazilian Embassy, in order to join Avenue Marceau and reach my home.'

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French Dossier D1458

And in his interview with Judge Stéphan of 18 September 1997:

‘First of all I took the rue de Rivoli then place de la Concorde. Knowing that there are traffic jams on the Champs Elysées on Saturday evenings, I decided to take the routes along the embankment then to turn off just before Alma to rejoin avenue Marceau. I was alone in my car.

At one point, I was in front of the underpass at the Alexandre III Bridge. I must have been travelling at around 80 km/hour. I was then overtaken at a great speed by a large black limousine that I did not identify at that moment.

There were also several motorcycles whose positions I will give you.

The first motorcycle overtook me at the same time as the Mercedes – i.e. it was in between me and the Mercedes at the time of the overtaking manoeuvre on the broken lines separating the two lanes. I know that it was a light coloured motorcycle or at least lighter than the others. I am sure that there were two people on this motorcycle.

Also, behind the Mercedes at a distance that I estimate at around fifteen to twenty metres (calculated very approximately) there were four or five motorcycles that were also traveling in the left hand lane and overtook me. I cannot say anything with regards to these motorcycles. I honestly cannot say how many people were on these various motorcycles.

I did not see any photographic equipment or flashes at that time.

It was after having passed the Alexandre III tunnel that I saw the Mercedes which was moving away, which was swerving. I have done some sailing and I know what it’s like – the body of the car was moving from left to right. Visibly the driver was having problems maintaining his trajectory. He was still in the left hand lane. I could still see the light coloured motorcycle at the same level as the Mercedes on the right and the others following. At that moment, I took the slip-road to exit at approximately 150 metres from the beginning of the Alma tunnel and I did not see anything else.’

‘With regard to establishing what caused the Mercedes to swerve, I think, but this is only an interpretation, that he could have been hindered by the motorcycles that were surrounding him...’

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Christophe LASCAUX

He was driving east along Cours Albert 1er having passed through the Alma underpass. He had emerged from the tunnel when he saw the Mercedes arriving in the other direction at a very high speed, swerving in a 'zigzag'. He saw it enter the underpass and almost immediately heard a 'big' noise, a loud screeching of tyres and then a second very loud impact. Between seeing the Mercedes and hearing the crash he passed two motorcycles that he was unable to describe. These were travelling behind the Mercedes.

French Dossier D141

Christophe Lascaux said in his statement of 31 August 1997:

'It was exactly 0033hrs by the clock in my vehicle as I was driving on the right bank in the direction of the Place de la Concorde in the 16th arrondissement. I had just entered the underpass in question and had fully re-emerged and was beginning to take the horizontal bend before the big straight which leads to [Paget Note: Place de la] Concorde.

I saw a large black Mercedes arriving in the other direction at very high speed. What struck me was that it was swerving, or to be more precise it was doing a wide "zigzag".

I could also see that it was at full throttle because the front of the car was tilted slightly upwards which typically occurs under full power.

I could not see anyone inside the car, as things happened so quickly. My first reaction was that it must be a madman. I kept on watching it in my left rear view mirror and saw it go down into the underpass.

Almost immediately, I heard a big noise and then a loud screeching of tyres, but not braking, and then finally a second very loud impact. These three sounds that I heard came almost immediately one after the other.

In reply to your question, when I heard the noises that I have just described, I had already passed two motorbikes going in the other direction. I cannot provide any information about these two machines, as I saw them from behind. I do not recall seeing any other group of vehicles, either bikes or cars'.

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Brian ANDERSON

He was the rear right passenger in a taxi travelling west along Cours Albert 1er. The Mercedes overtook the taxi. Although he could not be sure where this took place, he was 'conscious' of the approaching underpass.

Interviewed by Operation Paget in 2004 - Statement 78

'As I noticed the back of the Mercedes going past, that's when I saw the first of three motorbikes. The space between our car and the Mercedes I would estimate at about 5 to 6 feet. Both our taxi and the Mercedes were travelling in the same direction in our designated lanes. I have numbered the motorbikes on the sketch plan as 1, 2 and 3. It was motorbike 3 that my attention was first drawn to. It was to the left of our taxi and just to the rear of the Mercedes. It was at this point that the noise fell into place. This motorbike was driven by a single person. This motorbike was about 2 feet from the back of the Mercedes, and was accelerating past our taxi also. I thought that the rider was able to get a lot of response from his bike. The Mercedes past us and I then became aware of a second bike, which I have marked number 1 on the sketch plan. This was a bike which had a passenger on the rear. I noticed this bike was accelerating on and off the throttle and was to the rear left hand side of the Mercedes as it travelled forward. It appeared that it was trying to get in between the Mercedes and the low kerb in the centre of the road, which separated our two lanes from traffic flow in the opposite direction. I remember at this point saying to the taxi driver "The guys fucking crazy". I was referring to the driver of motorcycle number 1. The Mercedes got further ahead of us and I now had a very clear view of the back of the Mercedes through the front windscreen of the taxi. I then saw the 3rd motorcycle which I have marked as number 2 on my sketch plan. At the point when I first saw it, it was behind the Mercedes to its centre. I would estimate that motorbike 1 when I first saw it was almost touching the back of the Mercedes. The left of the Mercedes was only about a foot and a half from the central low kerb I have described and there was no way in my opinion that the driver of this bike was going to be able to pass the Mercedes in between it and the low kerb. It was seeing this that prompted my reaction to the taxi driver. I would estimate that motorbike 2 was about 3 to 4 feet from the rear of the Mercedes. The bikes were in a cluster, like a swarm around the Mercedes. At this point, I just thought nothing of it, as it would not be uncommon to see this type of aggressive behaviour in the US. I was watching what was going on through the front windscreen.'

Operation Paget Comment

Thierry Hackett was driving along the Cours Albert 1er when a large black Mercedes travelling at very high speed overtook him. Consequently, he was in an excellent position to comment on the manner in which the vehicle was being driven, how he then saw it veering from side to side and the vehicles that he described being close to it. He estimated the speed of the car at 120-130km/h (approximately 75mph). He described four to six motorcycles close to the Mercedes as it drove along the Cours Albert 1er with one of the motorcycles level with and to the right of the car.

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This may have been in the area of the exit slip-road and the motorcycle to the right of the vehicle could have impeded an intended right turn. Thierry Hackett, following the Mercedes, exited that slip-road without apparent problem.

Although Brian Anderson cannot be sure where his taxi was overtaken, it appears to be in the general area of the approach to the underpass and may provide support for Thierry Hackett's recollection.

The position at which Christophe Lascaux would have gained vision of traffic coming towards him would suggest that the wide zigzag movement he saw took place near this exit slip-road.

Alain REMY

He was driving along the Cours Albert 1er. Shortly after passing the Alexandre III tunnel he was overtaken by a large dark saloon travelling at approximately 140 km/h. He saw no vehicles around the car.

French Dossier D1085-D1087 and D2348-D2352

Alain Remy described being overtaken by a large dark coloured top of the range saloon car [the Mercedes] as he emerged from the Alexandre III tunnel. He estimated the speed of the car at 140/150km/h (90mph). He saw no vehicles around the car. Remy continued towards the Alma underpass where he came across the crash scene.

Operation Paget Comment

Remy's description of his location at the time he was overtaken by the Mercedes apparently places him in a position where he would have seen it in the vicinity of the exit slip-road leading to place de l'Alma [the professional drivers' route from the Ritz to rue Arsène Houssaye. Remy stated he saw no vehicles around the car and therefore provides no evidence of vehicle or obstruction the Mercedes from entering the exit slip-road should the driver have wished to do so.

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Bernard AMOUROUX and Michel NIBODEAU-FRINDEL

Court appointed motor vehicle experts who looked at the Mercedes vehicle and the physical aspects of the collision investigation.

French Dossier D5942

In their experts' report of 1 November 1998 they concluded that:

'Comparing the performance of the motorcycles with that of the Mercedes which logically must have taken the slip-road towards the Place de l'Alma, it is possible that it was impeded by one or more motorcycles situated on its right, which would explain why the driver had no choice but to take the tunnel.'

There was no preamble to this section in the report and it appeared to be no more than a plausible hypothesis to explain the route taken by Henri Paul.

Operation Paget - Message 596

Michel Nibodeau-Frindel visited Operation Paget on 14 February 2006 and reiterated this view. He did not believe that the motorcycles were responsible for the collision. He did believe that a motorcycle or motorcycles may have prevented the Mercedes from leaving the Cours Albert 1er at the slip-road, leaving it with no alternative but to continue into the underpass.

Michel Nibodeau-Frindel believed the intended route would have been to leave Cours Albert 1er at the slip-road just west of the Alexandre III tunnel, enter the Place de l'Alma; then avenue Marceau; turn right into rue de Presbourg; across avenue des Champs-Élysées; and into rue Arsène Houssaye.

Nibodeau-Frindel also described an alternative route for the Mercedes once it entered the Alma underpass, which was the same as that described by Jean-François Musa. Having entered the Alma underpass, the driver would continue west into avenue de New York; right into avenue Albert de Mun; right into avenue d'Iena traversing Place d'Iena and continuing north along avenue d'Iena; right into rue de Presbourg; across avenue des Champs-Élysées and into rue Arsène Houssaye. [Paget Note: This was a much longer route.]

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Operation Paget Comment

The accounts of Thierry Hackett and Brian Anderson contradict Alain Remy in respect of the proximity of other motor vehicles to the Mercedes as it travelled west along the Cours Albert 1er near the Alexandre III tunnel. Thierry Hackett's version clearly described a motorcycle or motorcycles being to the right side of the Mercedes around the area of the exit slip-road, whereas Remy stated that there were no vehicles around the Mercedes in this area. The general area of their observations appears to have also been in view of Christophe Lascaux and Brian Anderson.

The presence of a motorcycle to the right of the Mercedes in this location would have affected the opportunity of the driver to safely turn right at that point and take the exit slip-road. There is insufficient information to enable the owner/rider to be traced. The Operation Paget Collision Investigation Report para 10.25 analyses the acceleration tests of the motorcycles. They were, in the main, comparable to the Mercedes. There was no reason on purely technical grounds why the motorcycles could not have been in close proximity to the car at the exit slip-road and indeed as it approached the Alma underpass.

Witness evidence of the Mercedes' speed

Operation Paget Comment

The evidence of witnesses describing speed must be considered with caution. Whilst a witness may be providing an honestly held view, it is very difficult to be precise about speeds based on judgment alone. Witnesses' perception can be affected by many factors. However it is possible to ascertain a general sense of speed from witness descriptions.

In relation to the Mercedes, one can look at the following accounts.

In the Place de la Concorde:

Jean-Louis BONNIN

Witness who describes the speed of the Mercedes.

French Dossier D4904

'After pulling out, the Mercedes overtook me on the right, going very very fast. I really thought there was going to be an accident because you don't drive at that speed along the embankment on a Saturday night.'

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Antonio Lopes BORGES

Witness who describes the speed of the Mercedes.

French Dossier D2386

'We were stopped at the traffic lights at the bottom of the Champs Elysées in the place when a large black saloon car set off at high speed from the traffic lights towards the embankment on the right hand bank of the river Seine, immediately followed by several other cars setting off at the same speed.'

Trevor REES-JONES

Bodyguard to Dodi Al Fayed.

French Dossier - D4344

'What I remember is that when we moved away from the traffic lights, we moved away fairly quickly.'

On the expressway by the Alexandre III tunnel:

Thierry HACKETT

Witness who describes the speed of the Mercedes.

French Dossier D136

'...as I was driving in the right hand lane, at around 1230 hrs in the first underpass by the Alexandre III Bridge, I was overtaken by a vehicle that was travelling at very high speed. I would put the vehicle's speed at around 120 or 130 km/hr, or even more. It was a powerful black car. I think it was a Mercedes...'

Alain REMY

French Dossier D1087

'On coming out of the tunnel preceding the one at the Alma Bridge, whilst I was driving at a normal speed, my attention was drawn by a dark coloured vehicle that overtook me on the left hand side at great speed. I would estimate this at 140/150 [kph.]'

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At the Alma underpass:

Olivier PARTOUCHE

Witness who describes the speed of the Mercedes.

French Dossier D30

'I saw a Mercedes travelling at very high speed – I think it must have been doing about 150 km per hour.'

Gary DEAN

Witness who describes the speed of the Mercedes.

Interviewed by Operation Paget – Statement 219

'From previous experience of having broken down on a motorway and watching the traffic travelling past, I would say that the car was travelling at motorway speed and certainly an unsafe speed for that road.'

Lionel RONSSIN

Witness who describes the speed of the Mercedes.

French Dossier D2363

'When I was level with the access ramp to the expressway which continues underground I saw a Mercedes car go past at a constant speed which I would estimate at 120/130km/h.'

Brian ANDERSON

Witness who describes the speed of the Mercedes.

Interviewed by Operation Paget - Statement 78

'...If I was asked to estimate how fast our taxi was going at this point, I would estimate somewhere in the region of 40 to 45 miles per hour. I have been asked to estimate the speed of the Mercedes as it passed. I would say that it was going about 25% faster than we were travelling and I would estimate its speed at about 60 to 65 per hour...'

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Tony READ MITAI

Senior Collision Investigator, Metropolitan Police Service, attached to Operation Paget.

[Paget Note: MITAI denotes Member of the Institute of Traffic Accident Investigators.]

Operation Paget – Other Document 555

Collision Reconstruction Report 10.19

Tony Read has examined the evidence available of the movement of vehicles at the exit slip-road. He concluded that in common with all the slip-roads in this immediate area it leaves the main carriageway at a sharp angle, as a result of which it can only be negotiated at a relatively slow speed.

The exit slip-road requires a driver to steer right off the main carriageway, the slip-road passes through a gravelled area and then immediately left to join the service road running parallel with Cours Albert 1er. The width of the slip-road would define the path of the vehicle within a relatively narrow margin.

It would certainly not be possible to carry out this manoeuvre at 150km/h (93mph) and only just possible, as a very extreme manoeuvre, at about 100km/h (62mph). This assumes the availability of the complete road width in the service road and the complete faith that other road users would not present a danger. For all practical purposes the Mercedes was travelling too fast to leave at the exit slip-road.

The distance from where the Alexandre III tunnel rises to ground level and the start of the exit slip-road is about 120 metres. Unless braking was undertaken over the whole of that sort of distance, the Mercedes would have been travelling too fast to leave the main carriageway on that slip-road. Regardless of whether the Mercedes was physically prevented from leaving at the slip-road, the witness evidence showed that the Mercedes was travelling quite fast at that point.

Summary - Blocking vehicles

There was nothing unusual in the route taken by Henri Paul on the final journey until he passed the exit slip-road off the Cours Albert 1er just before the Alma underpass. At this point he deviated from the apparently preferred route of professional chauffeurs.

There was no evidence of any vehicle attempting to block the Mercedes from turning into the avenue des Champs-Élysées thus forcing Henri Paul to take the embankment expressway. Witness evidence refers to a car in front of the Mercedes in place de la Concorde impeding its forward motion, but this would not have affected the driver's ability to make a right turn should he have wished to do so.

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Summary - Speed

As stated above, the witness evidence showed the general perception of the Mercedes travelling at a relatively high speed from the Place de la Concorde to the Alma underpass. This supported the view in the TRL report that the '*approach speed*' of the Mercedes leading into the underpass was around the level or slightly higher than the impact speed of 60-65mph.

Witnesses described the position and movement of the Mercedes in different ways, much depending on where and how they saw it.

Operation Paget Comment

The witness evidence indicates that an unidentified motorcycle may have been to the right hand side of the Mercedes at the time when Henri Paul may have considered exiting to the right of the main carriageway of Cours Albert 1er in order to take the slip-road to Place de l'Alma.

Their evidence also shows that the Mercedes car was travelling at what could reasonably be described as '*high speed*' for the entire length of the journey from the time it left its stationary position in Place de la Concorde until it reached the Alma underpass.

Tony Read, the Operation Paget Senior Collision Investigator, is of the view that if the Mercedes was travelling at the highest speed estimate indicated by the eyewitnesses it would have been impossible to turn into the exit slip-road and even at the lowest speed estimate it would only just be possible to make the turn as a very extreme manoeuvre. For all practical purposes the Mercedes was travelling too fast to leave at the exit slip-road.

There is no evidence to suggest that Henri Paul made any attempt to leave the main carriageway at the slip-road. Looking towards the Mercedes from the rear, Thierry Hackett did not report seeing any slowing of the vehicle nor any illumination of brake lights or indicators.

2. Bright white flash in the tunnel

It may be helpful to firstly detail the accounts of '*flashing lights*' along the route in a geographical context, and then look at the technical evidence of the collision.

This section is dealt with in four parts:

Part (a) - Eyewitness evidence of bright or flashing lights before the Alma underpass.

Part (b) - Eyewitness evidence of bright or flashing lights inside the Alma underpass.

Part (c) - Eyewitness evidence of bright or flashing lights post-crash at the scene.

Part (d) - technical reconstruction of the collision - conclusions in respect of bright flashes being a contributory factor to the collision.

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Only positive indications by witnesses in respect of bright lights or flashes are shown here. Other witnesses indicated that they either did not see any flashing lights or made no reference to them. Allowing for eyewitness fallibility, it is considered likely that if a very bright or strobe light had been used either above ground or below before the Mercedes entered the underpass or immediately around the time of the collision, persons in the vicinity would have been likely to have seen it.

a) Bright or flashing lights before the Alma underpass

There was witness evidence of bright lights or flashes in the vicinity of the Mercedes prior to the crash.

Jacques LANGEVIN

Paparazzo who took photographs at the rear of the Ritz Hotel and at the underpass.

French Dossier D1682

He stated that he took photographs of the Princess of Wales in the car at the rear of the Ritz Hotel. He said the Princess of Wales hid herself a little to avoid the flashlights.

Jean-Louis BONNIN

Driver of a vehicle next to the Mercedes in Place de la Concorde.

French Dossier D4905

‘As I said, I arrived at the Place de la Concorde lights when I was on my own in my Fiat Punto. I passed the lights at the Crillon hotel coming from the rue de Rivoli and I got to the avenue de Champs Elysées lights which were red. When I got there I saw flashes from photographers, which attracted my attention. The flashes came from a black scooter, there were two people on it. It was the pillion passenger who was taking photos...’

Trevor REES-JONES

Bodyguard to Dodi Al Fayed. He was the front seat passenger in the Mercedes on the final journey.

French Dossier D4345

‘...the new memory that I have is of the traffic lights which can only be the ones at Place de la Concorde in relation to the route that we took. I remember that we stopped there. At that point, I turned round to look out of the window behind us. I then saw that a motorcycle had arrived on the right hand side of the car and had stopped. I am not sure about the other vehicles but I can remember this motorcycle very clearly. When our vehicle moved off, there were lots of flashes – from photographers, I presume.’

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Alain GUIZARD

Photographic agent who followed the Mercedes.

French dossier D1054-D1059

He stated that he could see the Mercedes in front of him at the Place de la Concorde:

'I therefore reversed slightly in order for him (Martinez) to be able to position himself just behind the Mercedes. There were some flashes at this point, but I do not know where they were coming from.'

[Paget Note: Christian Martinez is another paparazzo. He was the front seat passenger in a black Fiat Uno driven by colleague Serge Arnal. Both were arrested at the scene of the collision.]

'As far as I can recall, there were no pedestrians around. In response to your question, the flashes that I saw at that point were in the direction of the Mercedes.'

David ODEKERKEN

A paparazzo who followed the Mercedes.

French Dossier D1135-D1143

He stated he had left the Ritz Hotel to head home and while he was:

'...at the end of the rue Rivoli, on the corner of the Place de la Concorde I then saw some camera flashes at the end of the place after the Champs-Élysées.'

'...I began to take the downward slope which corresponds to the entrance to the tunnel when suddenly I saw the crashed Mercedes. It was parallel to the right hand wall and had turned round, with its front facing me. At the same time, I saw photographers on foot who were taking photographs. The crackle of the flashes stood out clearly.'

Serge BENHAMOU

A paparazzo who followed the Mercedes.

French Dossier D1178-D1188

He stated that when he was behind the procession:

'I did not have time to take a photo at the red light at Concorde. I do not remember if the flash went off. I was not paying attention to the others. I do not know if there were any flashes.'

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Clifford GOOROOVADOO

A chauffeur who was on foot. He was in the park between avenue Montaigne and the underpass in the Place de la Reine Astrid. He saw the Mercedes approach and enter the underpass.

French Dossier D33-D34, D129-D132 and D1415-D1418

In his interview of 31 August 1997 (2.30am) he stated:

‘I then saw a motorbike with two people on it and also saw that the pillion passenger of this motorbike was taking one photo after another in the direction of the vehicle that was making the noise. The vehicles then disappeared into the tunnel and, a few moments later, I heard a tremendous noise.’

He went on to say:

‘I would like to correct something. I do not remember if there were any flashes at the entrance to the tunnel.’

In a separate interview, a few hours later on 31 August 1997, he added:

‘Behind the car, on the wall that leads into the tunnel, there are neon lights and so I cannot say whether the passenger on the motorbike was taking pictures with a flash gun or if it was the reflection of the neon lights I could see producing a flashing effect.’

Interviewed subsequently on 12 September 1997, Clifford Gooroovadoo stated:

‘Although I stated to the police officers that there were two people on the motorcycle and that the passenger was taking one photograph after another, today I cannot say that there were two people on the motorcycle but there was a motorcycle – this is definite. Neither can I say that a passenger was taking photographs. I add that it was as I saw the Mercedes go past and as I was returning to my car that I said to myself: “He’s a madman” and it was after making this comment that I saw the motorcycle go past.’

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Olivier PARTOUCHE

A chauffeur who was on foot waiting for a client in the Place de l'Alma, above the underpass. He was outside 5 avenue Montaigne and close to Clifford Gooroovadoo. He saw the Mercedes approach and enter the underpass.

French Dossier D29-D30

In his statement of 31 August 1997 (2.25am) he said that he saw the Mercedes approach the underpass *'pursued by at least one motorbike'*.

'A few moments later, I went down into the underpass and I saw that the Mercedes had been involved in an accident and was facing the opposite way to the traffic. The photographers had already left...'

'I should point out that the motorcyclist that I saw pursuing the Mercedes was taking photos of it in the tunnel, I could see the reflections of flashes from a camera.'

Operation Paget Comment

It is believed that Olivier Partouche was referring here to the actions of the motorcyclist as he/she approached the underpass. He later stated that the photographers had already left when he approached the underpass. Consequently, the inference must be that when referring to *'photos of it in the tunnel'*, he must have been describing the approach to the underpass.

French Dossier D133

In his statement of 31 August 1997 (6.55am) he stated:

'I think that I saw flashes before the vehicles disappeared into the underpass. Then, after the accident, I saw numerous flashes coming out of it.'

French Dossier D552-D553

In his statement of 31 August 1997 (9.05am) he stated:

'I thought that there were flashes coming from the motorbike which, I would remind you, was positioned behind the car containing the VIPs. However, I cannot be certain given that the Georges Pompidou expressway is very well lit.'

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Gary DEAN

He was walking next to the grassed area between the slope into the underpass and the secondary road. He saw the Mercedes approach and pass out of his sight towards the underpass.

Interviewed by Operation Paget in 2006 - Statement 219

Gary Dean described his attention being drawn towards the road when he heard the sound of tyres on the road that he associated with a large vehicle being driven at speed.

'As I was walking adjacent to the grassy area just described, I heard the sound tyres on the road. It was the rushing or whooshing type noise that you get from a larger vehicle, the distinctive noise you get from a large saloon or four by four that is being driven at speed. I looked over my left shoulder, I don't recollect seeing anything immediately but after a second I saw a large dark saloon. As it approached me the engine noise suddenly changed to a louder revving as though the engine was changed down into a lower gear. The car was in the outside or fast lane as it approached and went past me. From previous experience of having broken down on a motorway and watching the traffic travelling past, I would say that the car was travelling at motorway speed and certainly an unsafe speed for that road. I did not see the occupants of the car. As it drew level with me I noticed a sudden increase in light sourced from the car. I believe that this was caused by the headlights on the car being switched from dipped to full beam. I also noticed that close to my location there was a point in the road where it changed from a slight gradient to a steeper slope. My recollection of this was that the beam of light was reflecting on the concrete dividing wall between two main carriageways. This I believe is the effect that you would get from the extra splay of a full headlight beam. I am certain that this light came from the car. I am aware that there is some suggestion that there was a bright light or flash directed toward the car as it approached or entered the underpass. I did not see any bright or distinctive flashes emanating from the underpass or from in front of the car. I must also say at this stage that I have no recollection of any other vehicles, cars or motorcycles, being close to the car. In fact from the first time that I saw the car I have no memory of it being amongst other traffic. The car then went out of my sight and into the underpass. This loss of vision was either due to it having entered the underpass or due to my view being obscured due to the downward slope of the road. I had a very oblique view of the entrance to the underpass and was only able to see the fast lane as it entered as well as the two exit lanes of the opposing carriageway. From when I first heard the car to the time that I heard the crash in the underpass it can't have been more than about four seconds. My view was clear for this period and I have no recollection of any significant break in vision. As for the lighting at the time, I can recall that the underpass lighting was much brighter than outside...'

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He goes on to say:

'I then heard from within the underpass a high-pitched squeal noise, it was short and sharp. This was followed up shortly afterwards by the sound of a small thud. Using my own scale to describe how loud the noise was, I would rate the small thud as being three out of ten. There was then the sound of a massive impact, which I would rate as being ten out of ten follow by a short gap and two further more closely spaced thuds or impacts that I rate as about six out of ten on my scale. The sound of the massive impact travelled out and beyond the entrance to the underpass.'

I hadn't seen what had happened inside the underpass but it was clear that a serious accident had taken place. I assumed that the car that I had just seen entering the underpass had been involved in a crash. Due to the speed that I had seen it travelling as it entered the underpass I believed that its location was likely to be closer to the other end of the underpass.'

Brian ANDERSON

He was the rear right passenger in a taxi travelling in the same direction as the Mercedes. The Mercedes had overtaken the taxi and was ahead, although Brian Anderson did not pay too much attention to it. He described seeing a flash.

Interviewed by Operation Paget - Statement 78, in 2004

Brian Anderson described his attention being drawn to an incident to the front of the taxi:

'I was watching what was going on through the front windscreen. At this point there was a noticeable reduction of the speed of my taxi. I then glanced over to my right and forwards I could see some rain drops on the window of the taxi. I could see some white vans parked outside the buildings to my right. I recall the number '6' I think being on the side of one or some of these vans. It was at this point that from greater intensity from my left eye, I saw a flash coming from what I thought was in front of us. This flash looked like out of place light. I could not give an estimation as to the distance of the source of the flash, but it was an intense flash. I liken it to be so bright like magnesium igniting. I then heard a very loud explosion which seemed like it was coming from ahead of us. I recall at this point moving quickly forward in my seat and was aware that the taxi driver had applied his brakes abruptly and hard too. I kind of came off the back seat and struck the rear of the seat in front. I was not aware of hearing our taxi skidding but I wasn't paying attention to that. My attention had been to the flash and the explosion...'

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Interviewed by Operation Paget - Statement 78A, in March 2005

He clarified this description:

'Although I cannot be specific about the source of the flash, even with the passage of time, I am certain that it came from my front / left side. I am more than 50% sure that I have mentioned a flash before in one media interview I have done but I cannot remember which one. I was looking to the right; I caught the flash out of the extreme corner of my left eye. It hit me on the left of my face. At first I thought it may have been a camera flash but I now feel it had a far greater intensity....

...The flash happened before the impact and the sound of the impact. There was stuff in the air that had a sort of red glow, best described as sparks. In my first statement I liken the flash as being similar to magnesium igniting. I have been asked what my experience of magnesium ignition is. Years ago, I saw someone set light to a magnesium engine block, it burned with an intensity, like a searchlight when it first ignited, a blue light that then dissipates. The boats on the river, Bateau Mouche use searchlights, it could have been a boat lighting up the buildings but it didn't stay on, it was like a pulse. I have been asked how far from the entrance to the tunnel I saw this light. After the fact, I would say that it was 100 – 120 yards from the entrance to the tunnel but I don't know. It was about 5 seconds before we entered the tunnel. I have been referred to Pages 9-10 of my original statement and have been asked if the sequence of events, seeing the flash, hearing the bang and then the screeching car tyres, is accurate. That is how I remember it. There was the visual flash, the sound of something hitting something, a bang, then something screeching, I assumed tyres but it could have been metal.'

Operation Paget Comment

Brian Anderson is sure that he saw a flash but cannot be sure of its location. He described the sequence of events as seeing a flash, hearing a bang and then a noise that he thought sounded like screeching car tyres in the matter of a second or so. If the flash that Brian Anderson saw occurred inside the underpass whatever it is attributed to must have happened immediately before and near to the location of the crash.

b) Bright or flashing lights inside the Alma underpass

There was witness evidence of bright lights or flashes in the vicinity of the Mercedes immediately after the crash.

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Benoît BOURA

He was travelling in a vehicle through the underpass in the opposite direction to the Mercedes, at the time of the crash.

French Dossier D27-D28, D114-D115 and D1450-D1455

In his first statement of 31 August 1997 he stated that he was in the tunnel and saw the Mercedes collide on the other side of the underpass:

‘At the time of the accident, or just before, I did not notice whether there were any flashes from cameras. All I can say is that before entering the tunnel, I did notice some flashes, but I cannot say whether they came from inside the tunnel.’

French Dossier D114-D115

In his second statement on 31 August 1997, he said:

‘I should add that before all this happened (the Mercedes colliding with the pillar), therefore before entering the tunnel, I saw flashes in the distance.’

In his interview with Judge Stéphan on 17 September 1997 he stated:

‘I saw flashes before entering the tunnel.’

‘As I mentioned, before entering the tunnel, I observed flashes from a distance without being able to say that they were in the tunnel. Having been a driver in the army, I immediately thought that they were radar flashes.’

François LEVISTRE

He drove his car through the Alma underpass, accompanied by his wife. He was ahead of the Mercedes car and in his rear view mirror saw a ‘big white flash’ as a motorcycle cut across the Mercedes, followed by the collision. He believed this may have been an ‘assassination attempt’ or a ‘gangland hit’. He then saw a motorcycle with two people aboard pass him and exit the underpass.

French Dossier D152-D153 and D4912-D4918

François Levistre’s accounts are reproduced in some detail as he is crucial to the ‘big white flash’ allegation. He was initially driving his car along the service road that runs parallel to the main expressway before joining the expressway just before the Alma underpass. His first observations of the Mercedes were therefore across the stretch of ground that separated the two parallel roads and in his rear view mirror between the trees.

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In his first statement made on Monday 1 September 1997 he said:

'Already at that point [Paget Note: In the parallel service road], as I was travelling at 120km/hr, I could see in the distance in my rear view mirror a vehicle surrounded on either side by motorbikes. I said to my wife : "That must be someone important". I joined the embankment via a slip-road and the convoy drew closer. I accelerated on leaving the slip-road and went into the tunnel, the one at the Alma Bridge with pillars in the middle. I would add that there was a white car between me and the convoy. I realised that the motorbikes were not police motorbikes, as there were no flashing lights. There were more than two motorbikes, travelling in tandem on each side of the car. As I was about to start to climb out of the tunnel, I could distinctly see one motorbike cut across the front of the car. There was a large white flash. I did not notice a bang. I saw the car zigzagging. I carried on driving until I was outside the tunnel, where I stopped to collect my thoughts. I realised that something serious had happened, and that the car had had an accident. I thought it might have been an assassination attempt or a gangland hit. I left, as I did not want to get involved in any more trouble. Immediately afterwards, I saw a motorbike coming out of the tunnel. It was a powerful machine, with two people on board.'

He was subsequently interviewed by Judge Stéphan in April 1998 and stated then:

'I really got motoring, it was the end of the holiday period and there was no traffic about, I was doing 120km/hr along the slip-road in front of FR3 and the Brazilian Embassy. I wanted to go back along the urban expressway at the entrance to the Alma Tunnel, so I looked in my mirror to see if there was anyone approaching along that section of road in the same direction as me. From as early as the Brazilian Embassy, I had seen the headlights of a car and of another car a little way from it, and the headlights of the accompanying motorcycles. I said to myself that I had enough time to go in front of those vehicles and so I accelerated in order to enter the tunnel. When I got to the hump just before the descent into the tunnel, one of the cars that I had seen overtook me. It was a white car, I do not know what make. It was a small car. I must have been travelling at 120 or 125 km/hr at that point, and I think he must have been doing 130.

The white car went past. I am sure that there was no contact with that car. I continued driving through the tunnel, and when I was at the exit, just before going up the incline, I saw a motorbike accelerating. It was to the left of a large car that was behind me. The motorcycle, it was large and the two riders had full-face helmets on, cut up the large car in order to get in front of it. At that point, there was a sort of big white flash. The car zigzagged to the left, to the right and to the left again, and at that moment I came out of the tunnel. I saw all this in my rear view mirror. I stopped on the white strip at the exit to the tunnel. I remained there for 3, 4 or 5 minutes, when my wife said we should leave or I would get myself into all sorts of trouble again. As I left, the motorbike that I had seen, which had remained in the underpass while I was stationary, itself came out of the tunnel and overtook me. It was at that point that I noticed that there were two people on the bike.

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Reply to Question: I did in fact see the car end up across the tunnel immediately after the crash. I can say that after veering to the left, to the right and to the left again, I saw the car collide with the thirteenth pillar. I said to myself that the car was going to explode, and that worried me. That is why I did not move from my car, we were in the underpass, sealed off from the outside world.

Reply to Question: I know Fiat Unos very well. At no point did I see such a car. I am positive that there were none there.'

Roselyne LEVISTRE

Wife of François Levistre, she was travelling in the car through the Alma underpass. She did not see a bright flash or the collision but did see a motorcycle with two people on board.

French Dossier D4948-4950

When interviewed by Judge Stéphan on 15 May 1998 she stated:

'I don't know what speed my husband was doing at that point. We started to drive into the Alma tunnel. At that point a car overtook us. It was a small car, I didn't notice the colour. The Mercedes was in front of us on the slope down to the tunnel. We overtook it. I don't know how fast it was going.'

'... We heard a loud bang, I don't know what happened. There was a motorbike with two people on it. They had stopped, we might have overtaken them when we went past, I can't remember. When we heard the bang we parked towards the top before coming out of the tunnel. I looked in my sun visor. I saw the Mercedes with two people in crash helmets beside it...'

c) Bright or flashing lights post-crash at the scene

There was witness evidence of bright lights or flashes in the vicinity of the Mercedes immediately after the crash. [Paget Note: These appear to be largely attributable to the many paparazzi that arrived at the underpass and photographed the wreckage of the crashed Mercedes and / or the flashing lights of emergency services vehicles.].

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Olivier PARTOUCHE

He continued his account from where he thought he saw lights as the Mercedes approached the underpass.

French Dossier D133

In reply to a question by the police on 31 August 1997:

‘Then, after the accident, I saw numerous flashes coming out of it [the underpass].’

Stéphane DARMON

Rider of a motorcycle with paparazzo Romuald Rat as passenger. He and Rat had been following the Princess of Wales and Dodi Al Fayed. Darmon was one of the first to arrive at the scene of the collision.

French Dossier D236-D238 and D1711-1720, dated 31 August 1997

He drove past the crashed Mercedes and dropped off Romuald Rat. As he rode out of the tunnel he looked back and saw:

‘... about twenty photographers were taking non-stop flash photos, the car was lit up with the flashes.’

‘The underpass was white with flashes’.

And on 16 October 1997 before Judge Stéphan he stated:

‘...When I turned round, the car was enveloped in flashes from the photographers’ cameras...’

[Pagnet Note: Romuald Rat did not provide the same detail in his statements. He described only his own flash camera.]

Belkacem BOUZID

He was on foot in Place de la Reine Astrid, with Abdellatif REDJIL when he heard the sound of the collision. He went into the underpass to see what had happened.

French Dossier D2393-D2396

In his statement taken on 29 September 1997 he stated:

‘...I went into the tunnel, at the same time as I saw the crashed car, I also saw flashes from cameras coming from the back of the car. I was surprised, but nevertheless not unduly concerned because I thought that the emergency services were already there...’

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Sébastien PENNEQUIN

He was travelling east along avenue de New York and into the Alma underpass in a vehicle with Damien Dalby, Sébastien Masseron, and Audrey Lemaigre. They arrived in the underpass after the collision.

French Dossier D118-D121 and D4926-D4928

In his statement of 31 August 1997 he said:

‘We were driving along the expressway. At the slope leading to the underpass, I noticed that the traffic in our direction was building up, whilst in the opposite direction there was no traffic at all. I then noticed some bluish lights, which I at first took to be flashing lights. The traffic in our direction was heavy, but not at a standstill. We must have been travelling at about ten kilometres per hour. When we got onto the flat (at the bottom of the slope to the underpass), I saw smoke in the underpass but was unable to tell where it was coming from.’

And on 30 April 1998 in evidence to Judge Stéphan he confirmed:

‘We were in my brother's car, driving towards the centre of Paris. When we were right at the entrance to the tunnel and we were still in the car we saw flashes which we took to be flashing lights. Then I saw the smoke and I realised then that it might be an accident.’

Damien DALBY

A volunteer fireman trained in first aid. He was travelling east along avenue de New York and into the Alma underpass in a vehicle with Sébastien Pennequin, Sébastien Masseron, and Audrey Lemaigre. They arrived in the underpass after the collision.

French Dossier D122-D123 and D4938-4940

In his statement of 31 August 1997 he said:

‘We were coming from Versailles, and took the Voie Georges Pompidou to the Alma Bridge. When we got to the bridge, we noticed that there was a tailback at the entrance [to the underpass]. I could see that there was a damaged car in the tunnel, and that neither the ambulance nor the police had arrived yet. However, I did see a lot of flashes and about 5 or 6 people around the vehicle.’

And in his evidence to Judge Stéphan on 4 May 1998 he confirmed:

‘Just before the entrance, I said to my brother that the police and fire brigade must be there because I could see flashing lights, but it turned out to be the photographers’ flash guns.’

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Audrey LEMAIGRE

Travelling east along avenue de New York and into the Alma underpass in a vehicle with Sébastien Pennequin, Sébastien Masseron, and Damien Dalby. They arrived in the underpass after the collision.

French Dossier D126-128

‘...there were no stationary vehicles on the side that the accident had taken place. From where I was, I could see that the damaged car was a dark Mercedes, it had practically turned round into the opposite direction to that of the traffic and into the wall. There were four or five men around it, who appeared to be photographers, as the majority of them were taking photos with flashguns. They were photographing the car in particular, but also around it. Some were very close to the car and seemed to be photographing the inside.’

The fourth occupant of the car, Sébastien Masseron, provided a statement but made no reference to lights or flashes.

d) Conclusions of the technical reconstruction of the collision

Experts from the United Kingdom Transport Research Laboratory (TRL) have examined the physical evidence of the collision scene such as tyre marks, debris spread, topography etc. TRL Limited is part of the Transport Research Foundation, an independent, non-profit distributing organisation providing impartial advice and consultancy in the transport sector. The following experts are the principal contributors to the work undertaken by TRL.

- **David Iwan Parry** reports on the computer simulation
- **Peter Jennings** reports on the re-examination of the evidence concerning the motion of the Mercedes and evidence relating to a flash of light
- **David Price** reports on his examination of the Mercedes car and its component parts
- **Dr Martin Langham** reports on the possible causes of driver error and eyewitness reliability
- **Tim Sterling** provides a highway safety assessment of the location

CHAPTER SEVEN

David Iwan PARRY BSc (Hons) MIHT

Principal Consultant within the Incident Investigation and Reconstruction Group of the Transport Research Laboratory.

Iwan Parry is Group Manager of, and a Principal Consultant within, the Incident Investigation and Reconstruction Group of TRL Limited. He is a Research Fellow of the TRL Academy and has 13 years experience in the field of road safety engineering and research, with 9 years specifically in the field of road traffic investigation. He has undertaken specialised training in these fields and in the field of computerised traffic accident analysis and simulation. He holds a BSc Honours and is a Member of the Institution of Highways and Transportation.

Peter JENNINGS BSc(Hons) MSc RFP MITAI

Principal Consultant Investigations and Risk Management Group.

Peter Jennings is a Forensic Scientist and Principal Consultant in the Investigations & Risk Management Group at TRL specialising in road traffic accident reconstruction and tachograph chart analysis. His career has included work at the Oxford University Department of Engineering Science in the Road Accident Group, the Metropolitan Police Forensic Science Laboratory, and latterly as a founder partner in an independent team specialising in road accident investigation.

David PRICE BTech, RFP, MITAI

Forensic Accident Investigator and a Principal Consultant, Incident Investigation & Reconstruction Group at the Transport Research Laboratory.

David Price is a Principal Consultant in the Incident Investigation & Reconstruction Group at the TRL, specialising in the examination of damage to vehicles involved in road traffic accidents; in particular components relating to Primary Safety. Frequently this entails examination of tyres, broken metallic components, brakes, light bulbs and speedometers, as well as items of secondary safety such as seat belt assemblies and crash helmets. He also attends scenes of accidents. He has specialised in these matters since 1971. Prior to joining TRL in 2002 he worked for the Forensic Science Service for 31 years, at their Aldermaston and Metropolitan (London) Laboratories.

He holds a Bachelor of Technology (Honours) degree in Materials Science and Technology, he is a Registered Forensic Practitioner (under CRFP), and is a full Member of the Institute of Traffic Accident Investigators.

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Dr Martin Langham BA (Hons) D.Phil

Principal Consultant within the Incident Investigation and Reconstruction Group of the Transport Research Laboratory.

Dr Martin Langham is a Principal Consultant within the Incident Investigation and Reconstruction Group of TRL Limited. He is a graduate in developmental psychology with artificial intelligence and has a doctorate in engineering psychology. He established the Human Factors group at the School of Cognitive and Computing Sciences at the University of Sussex before establishing his own award winning company in the University's Science Park. He has held teaching posts in the Schools of Engineering and Life Sciences at the University of Sussex since 1994.

TRL Actions

At the request of the Metropolitan Police Service (MPS), TRL undertook a detailed multidisciplinary investigation into the road traffic aspects of the incident in which the Princess of Wales, Dodi Al Fayed and Henri Paul died on 31 August 1997.

As part of this investigation TRL has prepared a simulation of the movements of the Mercedes S280 which was being driven by Henri Paul and carrying the Princess of Wales and Dodi Al Fayed as it approached and entered the underpass in which the crash occurred.

This simulation has been developed using:

- extremely high density three-dimensional laser scan data from the site of the incident
- detailed Mercedes handling and performance data from DaimlerChrysler
- independent testing of the handling and performance characteristics of a similar S280 vehicle by TRL

The dense three-dimensional data from the incident site has allowed TRL to construct a complex 'virtual' surface model of the road on the approach to and within the Alma underpass specifically for the vehicle dynamics simulations.

The Mercedes performance and handling data, combined with test data collected at TRL, has allowed a detailed model of a Mercedes S280 to be constructed and then tested against the manufacturer and independent test data. This process was undertaken using Human Vehicle Environment (HVE) simulation software, within which the vehicle model was constructed. Of particular benefit to this investigation was HVE's ability to seamlessly integrate complex sequences of vehicle motion within simulations that encompass the vehicle's movement throughout the incident.

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The depth of information generated in respect of the handling characteristics of the Mercedes during the independent testing is unprecedented in the independent investigation and simulation of vehicle handling in connection with a road traffic incident in the United Kingdom.

TRL have utilised the three dimensional data from the incident site, and the validated model of the Mercedes S280 to investigate the available physical evidence (tyre marks, debris, kerb strike and impact damage) which were recorded at the incident scene by the French investigators. Detailed simulations of the Mercedes' motion within this road environment demonstrate the movements of the Mercedes that would be consistent with the creation of the physical evidence, and the nature of the driver controls which would create this motion.

In addition to the detailed data generated in respect of the Mercedes' movements during the incident, the simulations allow the incident sequence to be visualised within a complex virtual road environment. This visual presentation of the vehicle dynamics issues tends to enhance the viewer's understanding of the nature of the vehicle's movement during the incident.

Crucially, the TRL input data is based upon detailed knowledge of the original measurements. Simulations that have appeared elsewhere may seem accurate, but were not and could not have been based upon the detailed data available to the Operation Paget investigation.

The reports of the TRL experts cover many technical aspects of the collision reconstruction. It is likely that much of this will be presented at any future judicial process, such as the inquest(s). The Operation Paget report examines the conspiracy to murder allegation. The conclusions of the technical work undertaken by TRL and the Operation Paget Senior Collision Investigator have been used where they are relevant in reporting on that investigation.

It is apparent that there was a loss of control of the Mercedes some distance before the Alma underpass. The loss of control had already commenced before that location and therefore any bright lights or flashes on the immediate approach to or within the underpass were not a contributory factor to that loss of control. This means there is no significance in any flashes in the underpass. This is an important point in relation to the conspiracy allegation.

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The conclusions particularly relevant to understanding the dynamics of this collision are:

Operation Paget – Other Document 549

TRL Computer Simulation Report

‘It is most likely that the driver of the Mercedes started to respond to the presence of the Fiat by rapidly increasing the degree of left steer applied at the steering wheel at a point 30-60 metres before entering the underpass.’

‘Allowing for a perception and reaction time of between 1.0 and 1.5 seconds, and a relatively constant approach speed of around 110 km/h [68mph] this would place the vehicle around 60 – 105 metres from the underpass entrance when the driver started to perceive the extent of the hazard presented by the Fiat, and thus the need to take avoiding action.’

Additionally, this independent analysis of the vehicle movement in relation to the physical marks results in an impact speed almost identical to that established from the crash tests carried out on behalf of the French inquiry.

Operation Paget - Other Document 554

Report outlining the issues of driver error and witness reliability

‘Comprehensive research studies shows that the more alcohol consumed the poorer the driver performance is. That is to say that the more alcohol that is consumed the slower a driver will be able to react appropriately to the road environment.’

Operation Paget Comment

Summary – Bright lights or flashes

There are several eyewitness accounts of camera flashes before and immediately after the crash in the Alma underpass. Whilst providing an impression of the general environment around the Mercedes, there is no indication that a deliberate ‘*bright, white flash*’ in or around the Alma underpass caused the crash in a criminal sense.

Above the underpass

Clifford Goorovadoo was in Place de la Reine Astrid on the approach to the Alma underpass. He believed he saw the pillion passenger of a motorcycle taking photographs of the Mercedes but did not remember if there were any flashes at the entrance to the tunnel. He discounted the possibility of flashes in a later interview, then stated that he was not sure if what he described as ‘*flashing effects*’ at a later date were attributable to the cameras or the reflection of neon lights at the underpass. In due course he was also unsure if he had seen a photographer on the rear of the motorcycle or not.

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Olivier Partouche, close by Clifford Gooroovadoo in avenue Montaigne, thought he saw flashes coming from a motorcycle behind the Mercedes prior to the car entering the Alma underpass.

Gary Dean stated he saw a sudden increase in the light coming from the Mercedes. He believed that it came about as the result of the vehicle lights being switched from dipped beam to full beam. He further commented that he had not seen a bright light or flash directed at the car or emanating from the underpass.

Gary Dean described the position of the car when he saw this increase in light,

Interviewed by Operation Paget - Statement 219, in 2006

'The car then went out of my sight and into the underpass. This loss of vision was either due to it having entered the underpass or due to my view being obscured due to the downward slope of the road....'

Inside the underpass

Benoît Boura, driving through the underpass in the opposite direction to the Mercedes at the time of the collision, described flashes in the distance as he approached and *'immediately thought that they were radar flashes'* based on his experience as an army driver. He could not say where the flashes emanated from.

Brian Anderson, travelling west along Cours Albert 1er in the rear of a taxi, described seeing a flash immediately before hearing a bang or explosion and the screeching of what he thought was possibly car tyres. He cannot be more specific about the location or source of the flash, which he stated he saw *'out of the extreme corner of his left eye'*.

François Levistre was driving a Ford Ka with his wife as a passenger, initially along the service road that runs parallel to and leads in to the Cours Albert 1er. He specifically described seeing a white flash close to the Mercedes at the time of or immediately before the collision. The accuracy and veracity of his account is therefore crucial. In his account of 1 September 1997, François Levistre described the presence of a white car at the scene immediately prior to the collision. At that time it was not known that a white Fiat Uno had been involved in the incident. This factor could be seen to add credibility to his account. However, François Levistre later described this white car passing him on the main carriageway at about 130km/h prior to the underpass and the incidents he stated he saw in his rear view mirror. It is therefore concluded that this white car could not be the car that collided with the Mercedes. During the French inquiry François Levistre was adamant that there was no Fiat Uno at the scene, stating that he knew Fiat Unos *'very well'*.

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François Levistre also described seeing in his rear view mirror and through the trees separating the secondary roads from the main carriageway, a number of motorcycles around the Mercedes as it travelled towards the underpass. He stated that at this time he was in the service road parallel to the cours Albert 1er. François Levistre then joined the cours Albert 1er ahead of the Mercedes and headed into the Alma underpass.

By his account, whilst in the underpass he saw one of the motorcycles cut across in front of the Mercedes, what he described as a '*big, white flash*', the Mercedes '*zig-zagging*' from left to right and to the left again and then the collision with the thirteenth pillar and the car coming to rest. He stated that he saw the incident unfold in the rear view mirror of his Ford Ka as he travelled at a speed of approximately 120/125km/h (74/77mph) prior to leaving the underpass.

François Levistre then saw a motorcycle pass him and continue along the expressway as he stopped at the exit of the underpass. It is presumed that the other motorcycles he described as being close to the Mercedes were still around that vehicle at this point, but they were not mentioned in his statement. He stated that the Mercedes remained to the rear of his vehicle throughout.

In contrast his wife, Roselyne Levistre, described overtaking the Mercedes on the slope entering the underpass, hearing a loud bang and subsequently seeing a motorcycle with two people close to the Mercedes. Roselyn Levistre did not describe any flash.

The evidence of Richard Tomlinson, described in detail in Chapter Sixteen, is that while working for the Secret Intelligence Service (SIS), members of the Armed Forces showed him a high powered light that he was told was used to disorientate helicopter pilots. Richard Tomlinson no longer makes any direct link between that piece of equipment and the crash in the Alma underpass.

Technical reconstruction of the collision

The Operation Paget Senior Collision Investigator concluded from the technical reconstruction findings that the point where Henri Paul first perceived the need to take the action which immediately preceded the loss of control took place where the main carriageway is at ground level.

The reports of the TRL experts show that the driver of the Mercedes began to respond to the hazard of an obstruction at least 30- 60 metres before entering the underpass, having identified that there was a problem probably around 60 to 105 metres from the entrance.

In other words, the chain of events that led to the fatal collision started some way back from the entrance to the underpass. By the time the Mercedes approached the thirteenth pillar the result was inevitable, i.e. that the Mercedes would collide with the pillar. The motion of the car inside the underpass was as the result of the actions and reactions of the driver outside the underpass. If there was a bright light or flash inside the underpass near the Mercedes, and particularly near the thirteenth pillar, it did not cause the crash.

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This view is supported by the physical evidence such as tyre marks, vehicle debris patterns and points of collision taken from the scene and the marks identified on the Mercedes car.

It is also supported by the witnesses' recollection of the constant high speed of the Mercedes on its journey from Place de la Concorde to the Alma underpass.

It is considered that a flash sufficiently bright to disorientate a driver would, in the prevailing conditions, have illuminated a very large area. If this took place at ground level before the vehicle started its descent into the underpass, the trees lining the cours Albert 1er would have provided a background that would also have been brilliantly illuminated. There was no mention of such illumination by the many witnesses in this area: i.e. Thierry Hackett, Alain Remy, Christophe Lascaux, Lionel Ronssin, the three members of the Catheline family, David Le Ny, James Huth, Olivier Partouche, Clifford Gooroooodoo, Belkacem Bouzid, Abdelatif Redjil and Gary Dean.

If the illumination took place as the Mercedes entered or was inside the Alma underpass (as implied by François Levistre), the Mercedes was already out of control. Thus any 'flash' could not have been the cause of the driver's loss of control and the consequent collision. Furthermore, none of the other witnesses present in the underpass mentioned seeing anything like the expected intensity of such a flash: David Laurent, the Blanchard family, Grigori Rassnier, Jean-Pascal Peyret, Severine Banjout, Gaëlle Lhostis, Benoit Boura, Souad Mouffakkir and Mohammed Medjahdi.

Operation Paget - Other Document 552

Peter Jennings, Principal Consultant with TRL in his report '*Consideration of the evidence relating to a flash of light within the Alma underpass*' states:

'When a car is travelling in a straight line on a level surface, the pattern of the headlights on the road and walls ahead will be steady. However when a car turns suddenly, for whatever reason, the beam of the headlights will alter direction accordingly. To an observer who is momentarily aligned with the beam or with its reflection off a wall as the car turns, the brief increase in light intensity will effectively be a 'flash'. Eastbound drivers will also have a potential for momentarily seeing the headlights of approaching cars between the pillars.

The 'direction' of a beam is a phrase that requires some clarity. A very narrow beam of light, such as a laser, would not be visible to a casual observer, apart from the reflections caused when the beam struck something. Even then, it would only be readily observed if the observer was looking at the struck object. A laser beam could be 'aimed' at a small target and provide no significant illumination of an adjacent object. A more dispersed beam, such as a car headlight beam or a photographic type flashgun, would be more readily visible due both to the beam width and the multiple surfaces off which that beam reflected.

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For example a pedestrian on a motorway bridge has no difficulty in seeing that the headlights of cars below are switched on, although the cars headlights are 'directed' slightly downwards. The phrase 'directed' is used here to refer to a general direction and is not intended to infer that any flash or beam of light was deliberately and precisely directed at a specific target.'

3 (i) A car or motorcycle left the scene at high speed without being identified

The witnesses described a number of vehicles in connection with the collision. These vehicles may in fact have been belonged to known witnesses. It cannot be stated with any degree of certainty that where one witness described a vehicle a different witness described the same vehicle in the same manner. There were no CCTV images to corroborate witness testimony. Consequently, it is not possible to definitively identify all of the vehicles that passed through the Alma underpass following the collision, or even establish an accurate number of vehicles that took such action.

Marine BOGHEN

Driving a dark brown Lancia Y10 along Cours Albert 1er and left at the exit to Place de l'Alma.

French Dossier D2346-D2347

She was driving [westbound] along Cours Albert 1er from Montmartre, through Place de la Concorde towards the Alma Bridge, where she intended to take the exit. Before reaching the exit she was travelling at about 80 kph when she was overtaken '*fairly quickly*' on the left by a large dark coloured (perhaps black) motorcycle, which was travelling at '*close to 110 – 120 kph*'. One person wearing a helmet rode the motorcycle. Marine Boghem exited Cours Albert 1er and reached approximately the second traffic lights when she heard the sound of a collision from inside the tunnel. Marine Boghen estimated that 30-40 seconds to a minute had elapsed between leaving the Cours Albert 1er and the sound of the impact and the motorcycle had overtaken her a few seconds before the exit. She did not notice anything unusual before the collision or when she drove through Place de la Concorde shortly beforehand. She continued her journey in the car across the bridge and did not go to the crash scene.

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Stéphane DARMON

He rode a dark green Honda NTV 650 motorcycle with the paparazzo Romuald Rat as his pillion passenger. He claimed that they stopped following the Mercedes after the Place de la Concorde. He accepted that he and Rat were among or two of the first at the incident, claiming not to have seen the crash itself.

French Dossier D235-D238, D241-D244

As Stéphane Darmon approached the underpass at the top of the entrance slope he stated he was accompanied by four or five cars, three motorbikes and two scooters. The collision had occurred and he stopped beyond the crashed Mercedes, having ridden past it after it had come to rest near the right hand wall of the underpass. He was the first person to pass the crashed car. He dropped Romuald Rat off, panicked and rode out of the underpass, parking at the top of the exit slope. [Paget Note: Some witnesses stated that a motorcycle went past the Mercedes and made off without stopping – it was possible that some were describing Stéphane Darmon.]

He also described a Yamaha motorcycle, possibly an XT600 with two passengers, following him. He thought that this motorcycle stopped at the entrance to the underpass and after taking photographs the two riders left. They did not pass through the underpass. This motorcycle was not described by anyone else. Later the same day he stated that the motorcycle was a dark Yamaha TDM 800. Whatever the type, this motorcycle was unidentified and unaccounted for.

Jean-Louis BONNIN

He had been alongside the Mercedes in the Place de la Concorde. He drove his dark green Fiat Punto through the Alma underpass shortly after the crash, passing by the Mercedes. He did not stop. He wrote to the police subsequently with his information.

French Dossier D2389-D2392 and D4902-D4906

Jean-Louis Bonnin gave evidence of the movement of vehicles in the Place de la Concorde and along the expressway leading to the Alma underpass. He arrived in the underpass soon after the crash. He did not stop at the scene. He described some vehicles parked in the underpass but did not refer to vehicles leaving the scene.

Antonio LOPES BORGES

In a dark green Peugeot 306 with Ana SIMAO. He arrived at the underpass soon after the crash and saw a dark car pass by the stationary Mercedes and drive on.

French Dossier D2383-D2386 and D4932-D4933

Lopes Borges saw the crashed Mercedes on the right hand side of the carriageway and in front of him a dark coloured, medium-sized car [number of occupants unknown] passed slowly between the crashed car and the tunnel pillars. This continued its journey and did not stop.

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Anna SIMAO

She was travelling with Antonio Lopes Borges. She saw a small white car pass by the Mercedes.

French Dossier D2378-D2382

Simao saw a small white car pass between the pillars and the crashed Mercedes. She could not tell what kind of vehicle it was and does not know if it immediately left the tunnel or not. She thought there was only the driver in it.

Olivier PARTOUCHE

In avenue Montaigne. He saw the Mercedes approach and enter the underpass.

French Dossier D29-D30, D552-D553 and D1425-D1426

Olivier Partouche saw the Mercedes S280 behind a dark coloured car that he described as a Mondeo type, being pursued by a motorcycle. In the same statement he said he could not recall how many motorcyclists were present. He waited at the surface while Clifford Goorooadoo went into the underpass. When Olivier Partouche followed some moments later, he stated the photographers had left.

In a later statement, Olivier Partouche stated the dark car contained several people and had impeded the Mercedes S280. He could not recall whether the motorcycle had a pillion passenger.

Interviewed by the Deputy Examining Magistrate on 12 September 1997, Partouche then said:

'I think [the Mercedes] must have been going at 150 kilometres an hour... following a normal path, in front of the Mercedes there was a small car which I could not describe but I think was a hatchback and behind the Mercedes there was a motorbike.'

Clifford GOOROOVADOO

In Place de la Reine Astrid. He saw the Mercedes approach and enter the underpass.

French Dossier D33-D34, D129-D132 and D1415-D1417

Clifford Goorooadoo saw the Mercedes, pursued by a motorcycle with two passengers, one of whom he stated was taking photograph after photograph, although he later retracted that statement. The Mercedes was behind another vehicle that was travelling at normal speed and he speculated that the Mercedes pulled out to overtake it. On entering the underpass, which he said he did immediately, he saw two photographers that he later identified as Romuald Rat and Christian Martinez.

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[Paget Note: Romuald Rat was the passenger on Stéphane Darmon's dark green Honda NTV 650 motorcycle, Martinez was a passenger in a black Fiat Punto driven by another paparazzo, Serge Arnal. Serge Arnal drove past the Mercedes and parked around 20 metres further on.]

In a statement later the same day Clifford Gooroovadoo said that in front of the Mercedes was a slow moving dark car, which the Mercedes overtook. Behind the Mercedes was a motorcycle with two passengers. He heard the crash and when he entered the underpass he saw four or five men around the crashed Mercedes, at least three of them were taking photographs. These men apparently included the two from the motorcycle but Clifford Gooroovadoo did not positively identify these at any time. He saw only a motorcycle parked in the underpass.

On 12 September 1997 Clifford Gooroovadoo stated that he did not see the Mercedes catch up with this car before the entrance to the underpass. He could also no longer be certain about the number of people on the motorcycle or whether there was a passenger taking photographs. He then described the motorcycle as being 30 – 40 metres behind the Mercedes.

Annick CATHELINE

On foot with her family, she saw two large dark vehicles approach the underpass. After the crash she saw a dark motorcycle ride around the Mercedes.

French Dossier D2372-D2374

She was walking in the direction of Place de la Concorde and saw two large dark vehicles travelling abreast at high speed towards the underpass. [Paget Note: One of these cars was the Mercedes.] Following the crash, she walked down to the underpass entrance and saw a large dark motorcycle with a single rider approaching at speed. She saw the motorcycle take avoiding action around the Mercedes but was unable to state what happened next. She saw a light coloured taxi, which was behind the motorcycle stop at the entrance to the underpass.

Jean-Claude CATHELINE

On foot with his family he saw two large dark vehicles enter the underpass. Seconds after the crash he saw a motorcycle and taxi approach.

French Dossier D2375-D2377

He saw two large dark vehicles next to each other approach the entrance to the Alma underpass at speed. They entered the underpass and he heard the sounds of a collision followed by a very loud noise. He then described the arrival of a motorcycle and a taxi, which he said arrived only seconds after the crash.

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Marie-Agnès CATHELINE

On foot with her family, she saw a large dark car enter the underpass and saw a rear view of the crash. She saw a vehicle to the right of the dark car as it entered the underpass but could give no details. She also saw a motorcycle drive around the crashed car.

French Dossier D1091-D1093 and D1535-D1537

She heard the sound of brakes screeching and saw a large black car [Paget Note: the Mercedes], in the left hand lane, at the beginning of the descent into the underpass. She recalled that there was another vehicle in the right hand lane as the large black car entered the underpass. She could not describe it. She could not categorically say whether there was an impact between these two vehicles. She heard the crash and subsequently saw a motorcycle carrying two passengers approaching at speed. The motorcycle entered the underpass and manoeuvred around '*something*'. She recalled a car arriving after the motorcycle but was not aware of how many vehicles passed, although she recalled a taxi at the scene. She believed that several cars entered the underpass after the crash.

David LE NY

On foot with the Catheline family, he saw a large dark car enter the underpass and heard the crash. He believed there may have been a large dark car overtaken by the Mercedes but was uncertain.

French Dossier D1078-D1080 and D1530-D1533

He saw a large dark car [Paget Note: the Mercedes] approach the underpass in the left hand lane. It entered the underpass and he heard a crash. He believed [the Mercedes] may have overtaken a large dark '*maybe grey*' car before the crash but he is uncertain on this point. He believed Jean-Claude and Annick Catheline remembered the car on the right being overtaken by the Mercedes.

David Le Ny saw a medium-sized saloon car which he believed to be red, and a motorcycle he believed to be like a BMW 650, 200-300 metres behind the Mercedes. This motorcycle entered the underpass after the crash. He did not go down into the underpass.

He did not think other cars were following the car that crashed, but his impression was that the car was going very fast.

[Paget Note: Brian Anderson described arriving at the underpass immediately after the crash in a light grey taxi with an illuminated sign.]

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Mohammed MEDJAHDI

He was driving with Souad Mouffakir through the underpass in a grey Citroen BX car immediately ahead of the Mercedes. He saw the collision in his rear view mirror. Just before this, a motorcycle passed him with a male and female aboard.

French Dossier D145-D147 and D1446-D1447

He was driving in the right hand lane of cours Albert 1er at around 80 to 90 kph. In the Alma underpass he was passed '*fairly quickly*' by a motorcycle with a man and a woman aboard. He then heard a screeching of tyres from behind and saw the Mercedes in his rear view mirror approaching the bottom of the underpass '*very quickly*' - estimated speed at least 150 kph. He saw the Mercedes skidding at an angle of roughly 45°, its front facing the eastbound lanes. It straightened up and immediately afterwards he heard a loud noise. He saw part of the Mercedes fly off as it struck the central reservation and the car rebounded to the right. He was concerned it would strike his car. He accelerated away and stopped looking in the mirror in order to see where he was going. He did not know what happened after the crash and drove out of the underpass. There were no vehicles between his car and the Mercedes at the time of the crash.

Souad MOUFAKKIR

A passenger in Mohammed Medjahdi's car she saw six or seven cars drive past the crashed Mercedes. She did not see any '*two wheeled vehicles*'.

French Dossier D142 and D1448-D1449

She heard the sound of '*heavy braking or a screech of tyres*' from behind. She turned and saw the Mercedes careering across the road to the left hand pavement and immediately colliding with a concrete pillar, losing a part in the impact. She estimated that the Mercedes was roughly 30 - 40 metres from the car she was in at impact. The Mercedes span around and struck the pavement on the other side of the road. She then saw six or seven cars coming up behind the Mercedes and had time to see that they managed to drive around the accident. She could not say if these vehicles stopped to help and she had no recollection of seeing any motorcycles or scooters.

David LAURENT

He drove a green Volkswagen Polo westbound through the Alma underpass with Nathalie, Michelle, Lilian and Gregory BLANCHARD. He overtook a small light coloured hatchback and a medium-sized car in the underpass before the crash.

French Dossier D2407-D2409 and D4919-D4920

He passed a slow moving, small, light coloured hatchback at the entrance to the underpass which he subsequently described as an, '*...old model, a light coloured, either white or beige Fiat Uno type.*' It was travelling unusually slowly.

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David Laurent then passed a second medium sized car travelling at 50–60km/h although he increased this to 60–70 km/h in his second statement, in which he also describes it as a [Citroen] ZX or a [Renault] R19. As he exited the underpass he heard insistent hooting, the sound of braking and a large crash.

[Paget Note: It is believed that the second vehicle referred to by David Laurent was the Citroen BX driven by Mohammed Medjahdi]

Nathalie BLANCHARD

In the Volkswagen Polo driven by David Laurent.

French Dossier D2410-D2411

She described overtaking a small beige, grey or white Austin Mini or Fiat Uno type vehicle as they descended into the underpass.

Lilian BLANCHARD

In the Volkswagen Polo driven by David Laurent.

French Dossier D2414-D2416

He recalled overtaking two vehicles that he described as small, like Clios, Renault 5's or Peugeot 104s, as they entered and passed through the underpass. Having heard the crash he saw both of these vehicles emerge from the underpass.

S  verine BANJOUT

She was the passenger in a blue Saab convertible driven by Jean Peyret. They were heading west through the underpass. She saw a motorcycle pass her immediately after the sound of the crash.

French Dossier D137-D138

She heard the crash and almost simultaneously saw a motorcycle with one person aboard pass them at high speed and continue towards avenue de New York. She said that she lost sight of it and believes it went [Paget Note: Out of the underpass travelling west] towards the Trocadero tunnel on the avenue de New York. The lone male rider of the motorcycle wore a light coloured crash helmet.

[Paget Note: Jean Peyret did not recall being overtaken by any vehicle.]

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Benoît BOURA

He was driving a white Renault 5 Super eastbound through the Alma Bridge underpass with his fiancée Gaëlle Lhostis. He saw a dark coloured vehicle ahead of the Mercedes that did not stop after the crash. He saw a motorcycle following the Mercedes that passed to the left of it after the crash and rode on.

French Dossier D27-D28, D114-D115 and D1450-D1455

Benoît Boura was travelling in the opposite direction to the Mercedes, towards Place de la Concorde. In the Alma underpass he saw a dark coloured vehicle, followed by the Mercedes, which was in turn followed by a motorcycle or scooter. All were travelling at high speed, very close together. The Mercedes crashed into a pillar projecting debris into his carriageway. The first car continued through the underpass and the motorcycle passed to the left of the Mercedes and carried on.

He stated that the dark coloured vehicle in front of the Mercedes had accelerated away when the Mercedes lost control. He described the motorcycle following the Mercedes as a motorcycle or powerful 125-type Vespa. The motorcycle slowed down and then accelerated past the Mercedes.

In subsequent evidence to the Examining Magistrate he described the dark vehicle in front of the Mercedes as one size larger than his car, with a rounded back, like a Berlingo. He also says that it could have been a van. The motorcycle was a 350 or 500 type motorcycle but no bigger than that. It was either a motorcycle of that type with a big top-box or a large new model scooter of the Piaggio type, large and rounded at the rear. He was uncertain as to the number of passengers. He also described a Piaggio 125 arriving after the crash and entering the underpass.

[Paget Note: Benoit Boura's description of the other vehicle accelerating away was consistent with the position and actions of the grey Citroen BX driven by Mohammed Medjahdi. His description of the rider of this Piaggio matched Laslo Veres, a paparazzo who was still at the Ritz Hotel at the time of the crash but who later attended the crash scene and was arrested.]

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Gaëlle LHOSTIS

A passenger in the Renault Super 5 driven by Benoît Boura. She saw a dark car ahead of the Mercedes accelerate away after the crash. A motorcycle behind the Mercedes rode past the crash scene after the collision had occurred.

French Dossier D25-D26, D116-D117, D1420-D1423 and D1614-D1617

She described the Mercedes with a small dark, possibly black, car in front of it and a large motorcycle behind it. The car in front of the Mercedes did not stop after the collision. Later she described the dark car as a Clio or Super 5 travelling quite slowly. The vehicle accelerated away from the Mercedes and did not stop. She described the motorcycle as 'not a Vespa but looking comfortable'. The motorcycle did not stop.

In a subsequent interview with the Examining Magistrate, she confirmed that the car in front of the Mercedes was small, like a Clio or Super 5, although she was uncertain. She described it as accelerating as the Mercedes lost control. The motorcycle arrived after the Mercedes had crashed, although very quickly afterwards. It slowed down and drove off quickly.

Grigori RASSINIER

He was was alone driving a blue Volkswagen Passat eastbound along avenue de New York. As he drove down into the Alma underpass he heard the crash and saw the rear of the Mercedes as it came to a halt. He saw a motorcycle swerve around the crashed Mercedes and continue.

French Dossier D154-D156 and D1525-D1529

He saw the Mercedes come to a halt in its final position. He saw a motorcycle emerge through the smoke and swerve around the crashed car and continue towards Boulogne without stopping. The motorcycle had a round yellow headlamp and a large or medium-sized engine. Something about the motorcycle was white although he cannot remember what it was. There was only one person aboard wearing a beige jacket. He stated that the motorcycle '*took off like a shot*'.

Yannick CHENNA

He was driving a black Renault Clio eastbound along avenue de New York. He entered the Alma underpass after the collision had occurred

French Dossier D149-D151

He entered the Alma underpass and came to a halt behind other vehicles and saw the crashed Mercedes, its horn sounding. He approached it and saw three men on foot and one other on a dark scooter around the crashed car. He believed the person on the scooter to be '*wearing a beige raincoat [and a] light coloured helmet*'. This person looked at the crashed car then set off westbound. He saw two [other] scooters around the Mercedes but no other vehicles.

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Alain REMY

He was in a black Volkswagen Golf overtaken by the Mercedes as he emerged from the Alexandre III underpass. He saw five two-wheeled vehicles parked in the underpass and a lightweight motorcycle leaving the scene after the police arrived.

French Dossier D1085-D1087 and D2348-D2352

Thirty to forty seconds after Alain Remy was overtaken by the Mercedes he arrived at the crash scene. He did not see any other vehicles either overtaking him or closely following the Mercedes. On his arrival he saw five two-wheeled vehicles parked in the underpass. He described a paparazzo taking photos and leaving on a lightweight motorcycle after the police arrived.

[Paget Note: The motorcycle description matched the scooter of Serge Benhamou, a paparazzo who left the scene following the arrival of police.]

James HUTH

He was in a flat in Cours Albert 1er. He heard the collision and went into the tunnel.

French Dossier D2364-2367

The Mercedes' horn was sounding and stopped as he approached. There was smoke at the front of the Mercedes and the doors were closed. There may have been a car stationary or driving off at the top of the slope on the right, but he was unsure of when this occurred.

Georges and Sabine DAUZONNE

They joined the westbound carriageway of the embankment expressway after the Alma underpass and saw a white Fiat Uno driving erratically as it emerged from the underpass.

French Dossier D2356-D2359, D2368-D2371, D4087-D4089 and D4090-D4091

They were in a large saloon car about to join the westbound embankment expressway from the Place d'Alma road that is above the Alma underpass. They were heading towards Boulogne. [Paget Note: to the west.] They saw an old white Fiat Uno, being driven slowly in an erratic manner, zigzagging as it exited the underpass.

Georges Dauzonne, in his statement of 18 September 1997 described the movements of the white Fiat Uno as follows:

'I noticed that the car was zigzagging as it came out of the tunnel, going from the right hand to the left hand lane, so much so that it almost touched my left hand side as we were travelling side by side. I said to myself that the driver must be drunk and I was afraid that he would hit me, so I sounded my horn. The man, who was adjusting to his rear view mirror as he drove, slowed down enough for me to be able to overtake him.'

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He was driving really slowly, because I approached the embankment at roughly 30 kilometres per hour. The scene that I am describing to you took place alongside the 'Grand Chinois' and 'Wall Street' restaurants, at the Place de l'Alma. The man slowed down almost to the point of stopping. I had the impression that he was going to reverse, because he was paying so much attention to his internal rear view mirror.'

'A large dog was on the rear seat and, although it was sitting, I could see its head, it must have been an Alsatian or a black Labrador. It was wearing an orange muzzle or 'bandana'.'

In her statement of 19 September 1997 Sabine Dauzonne described events:

'As we got near the embankment we saw a white Fiat Uno just like my mother's. The Fiat Uno came towards our car because it was going along "crabwise". The driver was looking behind him in his two rear-view mirrors. He didn't see us. The man overtook us, my husband let him pass. The man nearly hit us at the front left, going to the right. My husband tried to overtake him but the man swerved to the left again, as if he was sort of trying to stop us getting past and he nearly hit us again. The Fiat Uno was so close to us in front that I couldn't see the number plate at that point.

The man got in the right-hand lane, as if he was going to stop. But I don't know what he actually did because I didn't turn round. My husband must have sounded the horn and overtook him on the left.

The man was zigzagging and was not looking in front of him at all. He was just looking in his left and inside rear-view mirrors. He was leaning so far to look behind him that I thought he must be waiting for someone a long way behind in the Alma tunnel.

I saw the car stop by the last restaurant there, about thirty metres from the tunnel exit.'

And Sabine Dauzonne described the dog:

'In the boot of the car, not on the back seat which it has, there was a fairly big dog with a long nose. It might have been a German shepherd. I remember one colour detail, a muzzle going round its face but not down to its nose or just a bandanna around its neck. Anyway this was brightly coloured, red or orange.'

[Paget note: The white Fiat Uno was not traced during the French inquiry.]

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François LEVISTRE

He was in a black Ford Ka with his wife, Roselyn Levistre driving through the underpass ahead of the Mercedes. After the crash he saw a motorcycle with two people on board pass him as he stopped on the exit side of the underpass.

French Dossier D152-D153 and D4913-D4918

François Levistre drove a black Ford Ka along the secondary road parallel with the westbound carriageway of Cours Albert 1er. He claimed that prior to joining the main carriageway and entering the underpass he saw, in his rear view mirror and through the trees, a number of motorcycles on both sides of the Mercedes. He also said that there was a white car between his vehicle and the Mercedes, but this white car passed him on the main carriageway before he saw the Mercedes lose control. François Levistre was adamant this white car was not a Fiat Uno. He saw one motorcycle with two riders overtake and cut in front of the Mercedes in the underpass, followed by a bright white flash. He then saw the Mercedes zigzag and lost sight of it as he exited the tunnel. He stopped at the tunnel exit and whilst there the powerful motorcycle with two passengers emerged from the underpass.

Brian ANDERSON

He was the rear passenger in a taxi that was overtaken by the Mercedes prior to the underpass. He was seconds behind the collision. The taxi driver stopped momentarily at the scene and then drove through the underpass past the Mercedes.

Interviewed by Operation Paget - Statements 78 & 78A

Brian Anderson was travelling in a taxi towards the Alma underpass from the direction of Place de la Concorde. A Mercedes, which was being driven fast (60 – 65 MPH), overtook the taxi followed very closely by three motorcycles, at least one of which had a pillion passenger. He became aware of the crash, rather than seeing it, but saw the Mercedes come to rest. The taxi driver stopped in the underpass and after about a minute continued on, driving past the stationary Mercedes. Brian Anderson saw a motorcycle lying on its side about 10-15 feet past the Mercedes. Then, as he passed the Mercedes, he saw another motorcycle around 20 feet further on, leaning against the right kerb of the roadway. He did not notice a third motorcycle.

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Asked if he recognised these motorcycles, Brian Anderson said:

'I have also been asked if the motorbikes that were pursuing the Mercedes outside the tunnel were the same bikes I saw in the tunnel. I only saw 2 motorcycles in the tunnel, I cannot account for the 3rd motorcycle in the tunnel. The 2 motorbikes in the tunnel were certainly similar to the ones I saw pursuing the Mercedes, but I could not be 100% certain they were one and the same.'

[Paget Note: Brian Anderson is the only witness to mention seeing a motorcycle on its side. There is no trace of this vehicle in any of the photographs taken at the scene by the paparazzi or emergency services, nor is there any indication of scratches on the road surface that might suggest that this had happened.]

Operation Paget Comment

Evidence of cars/motorcycles passing the crashed Mercedes

There were a number of accounts from witnesses that described cars or motorcycles passing the wreckage of the crashed Mercedes. Some, but not all of these vehicles can be accounted for.

The first paparazzi to arrive at the scene after the collision drove past the Mercedes and parked in the carriageway beyond it. These paparazzi were identified as Stéphane Darmon and Romuald Rat on a Honda motorcycle and Serge Arnal and Christian Martinez in a black Fiat Punto motor car. These four men were arrested and investigated as part of the French inquiry.

Jean-Louis Bonnin described driving past the Mercedes very soon after the crash in a green Fiat Punto. He did not stop and it is highly likely that his vehicle was described by some of the other witnesses. Jean-Louis Bonnin subsequently contacted and gave evidence to the French police and Examining Magistrate.

A taxi, believed to be a light grey Mercedes in which Brian Anderson was being carried, also drove past the crashed Mercedes. There were no witness statements found within the French judicial dossier attributed to Brian Anderson that describes the account he provided to Operation Paget when he was traced and interviewed by them. The driver of the taxi has not been identified or interviewed.

A white Fiat Uno believed to have been involved in the collision with the Mercedes, did not stop at the scene. Neither the vehicle nor the driver has been identified. This subject is examined in greater detail in Chapter 14.

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A photograph (French Dossier D371) showed a dark coloured (black) Renault 11 driven by a man passing by the crashed Mercedes. This was clearly not the first vehicle to pass the Mercedes, as there were tyre tracks in the glass debris and the photograph was from a paparazzo already at the scene. The registration number of the Renault was not shown on the photograph and enhancement of the photograph did not yield additional information. The vehicle and driver remain unidentified.

Evidence of cars/motorcycles eaving the scene of the crash

Some witness accounts, while not describing vehicles specifically passing the crashed Mercedes, did describe in more general terms vehicles leaving the scene at or around the time of the collision.

Mohammed Medjahdi, driving ahead of the Mercedes in the underpass, described a motorcycle with a male and female passenger passing him just before the crash. He described it passing him fairly quickly.

Séverine Banjout, again in a vehicle ahead of the Mercedes in the underpass, saw a motorcycle go past at high speed as she heard the sound of the crash behind her. This motorcycle had a lone male rider.

Witnesses described other cars and motorcycles passing or leaving the scene of the crashed Mercedes. Their descriptions were vague and it has not proved possible to reconcile differing accounts in such a way that all of the vehicles mentioned by the witnesses were positively identified and attributed to known individuals.

3 (ii) Presence of a 'dark' vehicle

Witnesses in the immediate vicinity of the Mercedes describe a 'dark' vehicle as it approached the Alma underpass.

The eyewitnesses in this section provided evidence of a 'dark' vehicle during the journey from the Ritz Hotel to the collision site.

Jean-Louis BONNIN

Driver of a car stationary alongside the Mercedes in the Place de la Concorde.

French Dossier D2389-D2392 and D4902-D4906

He had seen the Mercedes in Place de la Concorde and had followed the same route along the embankment expressway. Prior to reaching the Alma underpass he was approached from behind by a white Peugeot 205 and a motorcycle, both with their headlights on full [beam] and sounding their horns as they came up behind him. He pulled over to the right lane for each of them to allow them to pass. He reached the Alma underpass and saw the crashed Mercedes.

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He slowed down and passed it on the left, as he did so he saw other vehicles in the right lane. He recognised the dark car that had been in front of the Mercedes at Place de la Concorde, the scooter, which he stated must have overtaken him, and the motorcycle [Paget Note: Later identified as that of Nikola Arsov] and the [white] Peugeot 205 that had passed him on his way to the underpass. He did not stop and exited the underpass in the left lane. He did not see any other vehicles either in front or behind him.

Antonio LOPES BORGES

Driver of a dark green Peugeot 306. He was with his girlfriend Ana SIMAO. Antonio Lopes Borges saw the Mercedes setting off very quickly from the lights in the Place de la Concorde.

French Dossier D2383-D2386 and D4932-D4933

Antonio Lopes Borges was at the traffic signals in Place de la Concorde at the junction with avenue des Champs-Élysées when he saw a large black saloon set off at high speed; three or four dark coloured cars immediately followed it. On arrival at the collision site he saw a dark coloured medium sized vehicle pass slowly between the front of the Mercedes and the pillars. It continued on its journey and did not stop.

[Paget Note: Ana Simao made no mention of seeing the vehicle referred to by Lopes Borges. She stated that she saw a small white car drive past the wrecked car. Lopes Borges made no mention of seeing the vehicle referred to by Ana Simao].

Annick CATHELIN

On foot adjacent to the underpass on the Cours Albert 1er. She was in the company of her family and David Le Ny.

French Dossier D2372-D2374

She recalled her attention being:

'...drawn by two cars which were coming towards us and were going into the tunnel at the Alma bridge'. She described the vehicles as, '...large and dark in colour' and that they were, '...travelling abreast, at high speed and, I thought the same speed.' She went on, 'They each seemed to be in a lane, but fairly close to one another'. [Paget Note: In light of the sequence of events described by Annick Catheline, one of the two dark vehicles she saw was the Mercedes] 'The fact remains that, when they had just passed to my right, disappearing from my sight to go into the tunnel, and before I could think of anything else while continuing my walk, I heard several noises one after another.'

She then described hearing a series of noises associated with the collisions.

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Jean-Claude CATHELIN

On foot adjacent to the underpass on the Cours Albert 1er. He was in the company of his family and David Le Ny.

French Dossier D2375-D2377

Jean-Claude Catheline described his observations in similar terms to his wife Annick.

'At one point I noticed two dark-coloured vehicles, the make or type of which I could not say, which were travelling almost abreast, and at high speed. One of the vehicles was perhaps a few centimetres in front of the other but I am not sure of that. They did not seem to be racing. These were large vehicles.'

'They were each travelling in one of the traffic lanes, not apparently too close to each other. There must have been between a metre and fifty centimetres between the two vehicles.'

'The two vehicles entered the tunnel, leaving my field of view which was masked by a low wall. I then heard a first noise of bodywork which seemed to me to correspond to a collision between the two vehicles.'

Marie-Agnès CATHELIN

On foot adjacent to the underpass on the Cours Albert 1er. She was in the company of her family and David Le Ny.

French Dossier D1091-D1093 and D1534-D1537

Marie-Agnès Catheline made no reference to a 'dark' vehicle other than the Mercedes, although she recalled:

'I should tell you I got the impression that a vehicle was being driven in the right hand lane and was overtaken by the car that went on to have the accident. But I cannot tell you anything with regard to this vehicle. I am sure that something was being driven but I cannot be more precise than this.'

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David LE NY

On foot adjacent to the underpass on the Cours Albert 1er. He was in company with the Catheline family.

French Dossier D1078-D1080 and D1530-D1533

He described:

‘...feeling that another large car that was dark coloured, maybe grey, was driving along in the right-hand lane, by where I was, when it was overtaken by the other car that had the accident. I say that because of what I thought when I heard the crash. I thought that a second car was going to hit the one that had crashed in the tunnel.’

Olivier PARTOUCHE

On foot in avenue Montaigne close to Cours Albert 1er.

French Dossier D29-D30, D133-D134, D552-D553 and D1425-D1427

He recalled seeing the Mercedes travelling at very high speed.

‘In front of the Mercedes was a car, of which I could not tell you the make, it was dark in colour, and clearly this car was trying to make the Mercedes slow down.’ ‘The Mercedes then went into the tunnel and I heard a very loud noise. The Mercedes and the blocking vehicle were in the right hand lane and were heading towards Boulogne. The Mercedes driver pulled out to the left.’

Later, he stated,

‘I could quite clearly see a dark coloured car travelling in front of a Mercedes limousine brake in order to enable a motorbike to draw level with the VIP vehicle.’

However, when he appeared before the Examining Magistrate on 12 September 1997, Olivier Partouche made no mention of another ‘dark’ vehicle. He stated that:

‘...in front of the Mercedes there was a small car which I could not describe but I think it was a hatchback...’ In response to an unknown question, Partouche replied that, *‘The vehicle in front of the Mercedes did not perform any dangerous manoeuvres on the road to prevent it getting past.’*

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Clifford GOOROOVADOO

On foot in Place de la Reine Astrid.

French Dossier D33-D34, D129-D132 and D1415-D1418

He stated:

'I can tell you that the Mercedes was travelling behind another vehicle. The vehicle in front of the Mercedes was certainly travelling at normal speed. As a result, the Mercedes must have accelerated powerfully enough to be able to pull out and overtake that car'.

He was not apparently asked for, nor did he apparently offer, any description of this vehicle.

During his second interview that morning Gooroovadoo stated:

'In front of [the Mercedes] there was a car about which I cannot provide any information. This car was travelling at a considerably slower speed...'

When he appeared before the Examining Magistrate on 12 September 1997, Clifford Gooroovadoo confirmed his previous recollections:

'I am absolutely sure that there was a car in front of the Mercedes. I think that this car was travelling at a normal speed and respecting the highway code. The Mercedes was a long way behind this first car. Personally, given my angle of vision, I did not see the Mercedes catch up with this first car before the entrance to the Alma tunnel. In my opinion, this first car which was travelling normally did not specially attract my attention as it was particularly the Mercedes that interested me. With regard to this first car, I am afraid that I can not give any information on it.'

Abdelatif REDJIL

On foot in the vicinity of Place de l'Alma with Belkacem Bouzid.

French Dossier D6082-D6086

On hearing the crash Redjil and Bouzid jumped over a low wall and entered the underpass. Redjil stated:

'I remember seeing a dark coloured car with two people in it coming out of the tunnel in the right hand carriageway, it was travelling slowly, in the direction of Trocadéro'.

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Gaëlle LHOSTIS

Passenger in the dark green Peugeot 307 driven east through the Alma underpass by Benoît Boura.

French Dossier D25-D26, D116-D117, D1420-D1423 and D1614-D1617

She stated:

‘I should point out that a small vehicle was travelling in front of this car [the Mercedes]. I think that the small car was black, but I am not certain.’ She went on: *‘The small car that was travelling in front of the large one which had the accident did not stop and continued on its way. I cannot say anything about this small vehicle.’*

In a further interview later the same day Gaëlle Lhostis elaborated:

‘Then I saw a dark coloured vehicle, like a Clio or Super 5, which was travelling quite slowly. It was hindering the Mercedes that was following it at high speed.’

When she appeared before the Examining Magistrate on 12 September 1997, she stated:

‘I realised that there was a little dark-coloured car in front of the Mercedes. I got the impression it was small. I would say it was smaller than the Mercedes. To give an idea I said it might be a Clio or a Super 5 but I don't know much about cars and I cannot be 100% certain.’

Benoît BOURA

Driver of the dark green Peugeot 307 in which Gaëlle Lhostis travelled.

French Dossier D27-D28, D114-D115 and D1450-D1455

He stated that prior to the collision he:

‘noticed in the opposite direction, that is to say heading towards Boulognes, two cars and a motorbike following one another very closely and at very high speed. As far as the first car is concerned, all I can say is that it was dark coloured, the second vehicle was the black Mercedes about which I can provide no further details... I would add that the vehicle that had been in front of the Mercedes continued on its way,...’

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He appeared before the Examining Magistrate on 17 September 1997:

'It is true that I saw another vehicle that was travelling in the same direction as the Mercedes straight away as soon as I saw that the Mercedes had lost control. This vehicle was a dark coloured car, not a small one like mine. It was the next range up from mine. This vehicle was rounded at the back. It was either a vehicle with rounded hatch as they are now or a van. By this I mean a Berlingo type vehicle, for example. At the moment when the Mercedes lost control, this car that I am referring to was just in front of the Mercedes in the same lane. This vehicle accelerated at the time that the Mercedes lost control. I then saw it drive off and when I arrived level with the Mercedes it was already a long way away. We did not see it again afterwards.'

When questioned, Benoît Boura expanded on this:

'Question: "You also said that you thought that the Mercedes which was travelling very fast had collided with the saloon and then lost control?"

Answer: "I confirm this. I should add, that in my opinion, the Mercedes collided with the first vehicle that was in front of it and subsequently lost control and ended up crushed against the pillar." '

Amel SAMER

She was driving east along the embankment expressway in a white Citroen ZX motor vehicle. She arrived in the Alma underpass after the collision.

French Dossier D157-D159, D1076-D1077, D1611-D1613 and D2353-D2355

She stated:

'Just before going down the ramp into the underpass, I noticed a stationary car on the other side of the road. I was puzzled by this, as it was not a place that you would normally park a car. The car was positioned in the far right hand lane, and the front was pointing in the direction for Boulogne. It was stopped at the top of the ramp. It was a big car, I would say a Mercedes or an Audi. I cannot say with certainty what make it was. It was dark coloured, I thought either black or navy blue. The headlights were not on. As regards the occupants, I am sure that the front seats were unoccupied. I did not notice any pedestrians in the vicinity, the car was on its own. I did notice the number plate, however. I am sure I saw a '92' departmental registration. As for the letters, and I am not absolutely certain, but I think I made a mental note of the three letters 'AKV'. However, I cannot vouch for the accuracy of this.'

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She went on to describe:

‘...two men leaving the arc formed by the photographers to head towards the black car that I mentioned to you at the beginning.’

‘I saw them get into the car and disappear in it.’

Justin SNOW

On foot with Sarah GOHIL on the south side of the western end of the underpass.

French Dossier D2397 and D4146-D4151

Interviewed by MPS Officers on 13 October 1997 – Statement 16 (at the request of the French inquiry team)

Justin Snow was in company with Sarah Gohil. Having heard an impact he looked over the wall that protected the underpass as it ascended to ground level and saw a black car that may have been a Peugeot 205, on the Trocadéro-bound [Paget Note: Westbound] carriageway parked in the left hand lane. The driver’s door was open and a man was standing by it holding a car telephone.

Sarah GOHIL

On foot with Justin Snow on the south side of the western end of the underpass.

French Dossier D4140-D4141

Interviewed by MPS officers on 14 October 1997 – Statement 17 (at the request of the French inquiry team)

In company with Justin Snow she also looked over the wall into the underpass, towards the exit. She saw a medium-sized car, stationary, close to the exit of the underpass. She also saw a man using a mobile telephone walking out of the underpass. As he reached the car he stood by it. After discussing the direction of traffic, and realising she was describing the traffic flow from a United Kingdom point of view, she believed that the stationary car was entering the underpass and that the man using the mobile telephone was walking out of the entrance.

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Sébastien PENNEQUIN

He was travelling east along avenue de New York and into the Alma underpass in a vehicle with Damien Dalby, Sébastien Masseron, and Audrey Lemaigre. They arrived in the underpass after the collision.

French Dossier D118-D121 and D4926-D4928

Having become caught in the tailback of traffic immediately after the impact, Sébastien Pennequin left his vehicle and went into the underpass. He saw a large green, five door, saloon parked beyond the Mercedes at the underpass exit. He noticed a man outside that vehicle, on the passenger side with a telephone in his hand. He also noticed another man running back from the scene.

Summary of the ‘dark’ vehicle

There were a number of reports of an unidentified ‘*dark*’ vehicle and these can be separated into four different locations:

- The Place de la Concorde
- The westbound approach to the Alma underpass
- The westbound carriageway in the Alma underpass
- The westbound exit from the Alma underpass

Place de la Concorde

Jean-Louis Bonnin saw a ‘dark’ vehicle at the traffic signals in the Place de la Concorde at the junction with avenue des Champs-Élysées that he described as holding up the Mercedes. It was not clear whether this was a deliberate act on the part of the ‘dark’ car or simply a vehicle that was slow to move off. In any event this dark vehicle did not appear to have significantly impeded the Mercedes’ progress.

Antonio Lopes Borges was also in Place de la Concorde and saw the Mercedes set off. He did not apparently see the Mercedes being held up, although he may have seen it at a different set of traffic lights to Jean-Louis Bonnin. Antonio Lopes Borges did report three or four other ‘dark’ vehicles following the Mercedes as it moved way.

Jean-Louis Bonnin was the only person who appeared to recognise the ‘dark’ car and scooter he saw in the Place de la Concorde in the vicinity of the crashed Mercedes. He observed these vehicles on the far (west) side of the crashed vehicle. There is no other specific witness evidence to connect the ‘dark’ vehicle(s) seen in the Place de la Concorde to any other vehicle along the route taken by the Mercedes. Indeed, the two witnesses most likely to have seen this ‘dark’ vehicle, Thierry Hackett and Alain Remy, (both overtaken by the Mercedes on Cours Albert 1er) made no mention of it.

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This view tends to be supported by the witnesses Christophe Lascaux and Lionel Ronssin who would also appear to have been in advantageous positions to see a ‘dark’ vehicle should one have been present.

The westbound approach to the Alma underpass

The Catheline family and David Le Ny were walking together towards Place de la Concorde on the north side of Cours Albert 1er in the vicinity of the westbound entrance to the Alma underpass. Jean-Claude and Annick Catheline stated that they saw a ‘dark’ vehicle very close to the Mercedes on its immediate approach to the underpass. Marie-Agnès Catheline also formed the impression that another vehicle was present but could not describe it. David Le Ny had a feeling that another large ‘dark’ car, ‘maybe grey’ was present. It is significant to note that Marie-Agnès Catheline stated that she saw the rear of the Mercedes as the vehicle impacted with the central pillar. This places the group at a point, within a second or two from the moment of impact.

Olivier Partouche and Clifford Gooroovadoo were slightly separated from one another and described the movement of the Mercedes as it approached the underpass in similar terms. Both mentioned a dark vehicle in front of the Mercedes on this approach.

It is clear that what Olivier Partouche and Clifford Gooroovadoo and the Catheline family and David Le Ny observed occurred over a similar part of the route. Distribution of the debris leaves little doubt that the contact between the Mercedes and the white Fiat Uno took place somewhere in the region of about 20 metres from the entrance to the underpass. This was the area in which they described the ‘dark’ vehicle.

If another ‘dark’ vehicle were alongside the Mercedes, the white Fiat Uno would have presented an even more hazardous situation than that experienced by Henri Paul. By the time the Mercedes reached this described area, it was already taking avoiding action and Henri Paul was in the process of completely losing control. The Mercedes was moving to the left then the right as it entered the underpass and then to the left to impact with the central pillar before spinning out across the carriageway.

If, as some of this witness evidence suggested, the Mercedes and the other ‘dark’ vehicle were travelling at similar speeds at that time, the other ‘dark’ vehicle would have been required to take similar or even greater avoiding action than Henri Paul. The driver would therefore experience equal, if not greater difficulties negotiating the road lay-out and carrying out avoiding action. It was almost certain that if a vehicle were present under such circumstances, it too would have become involved in some sort of impact with the Mercedes as it continued to swerve across the road and ultimately span out after impact with the central pillar.

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David Laurent and the Blanchard family, who were travelling in the same direction as the Mercedes and were a little distance in front of it, described overtaking a small light coloured vehicle, variously described as a hatchback, Mini or Fiat Uno size. They made no mention of being overtaken by a ‘dark’ car and nor do any of the other witnesses travelling west in the underpass.

The westbound carriageway in the Alma underpass

The position and movement of the ‘dark’ vehicle described by Benoît Boura and Gaëlle Lhostis suggests that the vehicle to which they referred was the light grey Citroën BX driven by Mohammed Medjahdi.

The westbound exit from the Alma underpass

Jean-Louis Bonnin linked the ‘dark’ car he saw in the Place de la Concorde to the one he saw in the underpass, beyond the crashed Mercedes at the slope by the underpass exit. He also passed the crashed Mercedes in his own ‘dark’ car.

Amel Samer described a Mercedes or Audi type vehicle parked at the westbound end of the underpass where the road ascended to ground level. As she continued into the underpass she recalled seeing two men leave the group of photographers surrounding the crashed Mercedes and walk back to the ‘dark’ vehicle. They got in the vehicle and drove off. The French investigation tracked down ten vehicles matching the part registration number ‘...AKV 92’ (French Dossier D4561). None of these vehicles was considered to be the vehicle concerned. This vehicle and its occupants have not been identified.

Justin Snow described a vehicle being in a similar position to that in the account of Amel Samer. His recollection was supported to a certain extent by that of Sarah Gohil – both witnesses stated that they saw a man using a mobile telephone. Although she appeared a little confused about the direction of travel, Sarah Gohil recalled seeing this man walking out of the underpass to the vehicle.

It is known that the blue Saab (with a black hood), driven by Jean Peyret, the grey Citroën BX, driven by Mohammed Medjahdi and the green Volkswagen Polo, driven by Jean-Pierre Laurent were all being driven west through the Alma underpass when the Mercedes impacted with the pillar behind them. This collection of vehicles does not include the black Ford Ka driven by François Levistre.

It is known that Jean-Louis Bonnin, who was driving a British racing green (dark green) Fiat Punto, passed the Mercedes in its post-impact position, as did the taxi carrying Brian Anderson. A vehicle appearing in a photograph taken by Romuald Rat (French Dossier D371), and which has been identified as a dark (black) Renault 11 (Operation Paget Statement 230), passed the Mercedes after it had crashed. The tyre marks through the glass debris clearly show that this was not the first vehicle to do so.

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Stéphane Darmon and Romuald Rat on a Honda motorcycle, and Serge Arnal with Christian Martinez in a black Fiat Punto passed the crashed Mercedes and parked on the 'far' side of it.

The white Fiat must have passed the Mercedes after it had crashed and come to rest.

It has not been possible to identify the 'dark' Mercedes or Audi seen by Amel Samer at the western end of the underpass.

The smaller 'dark' vehicle seen by Justin Snow and Sarah Gohil appears similar to the black Fiat Uno driven by the arrested paparazzo Serge Arnal.

There was no doubt that a number of vehicles did not stop at the scene. The evidence indicated that some of these vehicles, particularly a motorcycle, may have been around the underpass at the time of the collision. A motorcycle was described by witnesses leaving the underpass immediately before or around the time of the collision travelling 'fairly quickly', at 'high speed' or as taking 'off like a shot'.

It is not possible to give a full description of all of the vehicles that witnesses stated did not stop. It is extremely common that, for whatever reason, many people do not wish to stop at the scenes of road collisions even though they may hold good evidence of what took place. It is also true to say that many people completely unconnected with such incidents stop simply to watch. It is also often the case that eyewitness give honestly held but conflicting accounts of what they have witnessed.

Eyewitness reliability

Operation Paget has engaged the services of Dr Martin Langham, an engineering psychologist, during its investigation.

Dr Langham has prepared an outline report written in layman's terms that highlights the scientific approach to investigating observations, data and facts. His report indicates the limitations of human performance when we drive a motor vehicle and when we witness a motor vehicle collision. The report discusses in general terms the issues highlighted by colleagues in the TRL and the evidence he has reviewed. Much of Dr Langham's report is pertinent to the inquest process and therefore only essential excerpts from it are included in this chapter. The full report will be available for the inquest process.

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Dr Martin Langham

Engineering Psychologist advising Operation Paget.

The following is an extract of the report. It should not be seen as a comment on any witness in particular but is provided to assist in understanding the background science of a person's ability to see, remember and recollect.

'Psychological research reveals that human memory is not an absolute recording of the events we perceived. Human memory is highly reconstructive. That is to say that we use our experience to fill in gaps in what we have perceived. When we generate this content we tend to use our previous experience and knowledge which means we recall the events as they should be- or could be - but seldom what they precisely were (a useful readable review is contained in Robins 2001). Memory can also be affected by the previous knowledge we have and the later knowledge that we acquire. These are known as interference effects. This means the knowledge we already have (before an event) and the knowledge we later acquire affects our memory. The process is subconscious; we don't deliberately set out to construct inaccurate memories. The process is brought about because the volume of information tends to overwhelm us. The process is often a useful way of dealing with the world. This means the way we recall an event, reason about its causality, and what we conclude may have happened, will often be inaccurate (see Robins 2001).

Human memory and recall, and therefore eyewitness testimony, is fallible, open to distortion from inaccurately perceived stimuli, and subject to misleading prior and post event information, and yet memories and eyewitness testimony are generally believed to be accurate representations of what has passed.

One of the domains that have interested psychologists is the ability of people to recall an event they have witnessed. What the research tells us is that humans don't make brilliant witnesses. Their testimony can conflict with the physical facts of the case, they are poor at describing people who were present, and have difficulty reporting the timing of events etc (Loftus 1996).

The problem with memory is often highlighted into three areas Encoding, Storage and Retrieval. That is to say seeing accurately what is there (encoding), storing information without distortion or interference (storage) and getting the information out in a logical accurate and comprehensible manner (retrieval).'

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With particular reference to eyewitness recall in incidents such as the crash in the Alma underpass, Dr Langham writes:

'Safer et al (1998) have suggested a 'Tunnel Effect' for memory in emotionally arousing situations, in which central details are enhanced and peripheral details are inhibited. Their work revealed that in emotionally charged incidents the witnesses notice in detail the central content of a slide and ignore the peripheral presented information. The authors used colour photographic slides depicting criminal incidents in them to understand what aspects witnesses can remember. A similar narrowing or tunnelling of the perceptual / recall process is known as the Easterbrook hypothesis. Easterbrook (1959) hypothesized that physiological arousal narrows the range of cue utilization in a display, such that one attends relatively more to the central aspects of the display and less to the periphery. Heightened anxiety appears to produce the same effects as increased physiological arousal. Researchers in many different areas of psychology have reported that increased anxiety or threat leads to reduced attention and responsiveness to peripheral cues. Tunnel memory is the outcome of this narrowed attention, plus heightened elaborative and emotional processing of critical details, such as a gun, a hat, or the contortions on a victim's face. In other words only the information in the centre of the scene can be recalled but the peripheral information is 'lost'.

The opposite of tunnel memory is boundary extension, this exists when individuals are asked to remember objects seen in a picture. The subjects in experiments routinely include information that was likely to exist just outside the camera's field of view.

What this indicates is that in traumatic events the witnesses may focus on the central poignant event. In this case they will focus on the Mercedes as their attention was drawn to it because of the noise and its speed. When they focus on it they lose direct perception of the surrounding events. However, their cognitive system generates the surrounding 'out of sight' content based on their expectations or cues from the environment. The actual witnessed content – the speeding Mercedes and the self-generated content is, in memory, thought of as equally real.

Wynn & Logie (1998) refuted the role of reconstruction in memories for events that were relevant to the individual; they did suggest that real-life events that are 'fleeting or traumatic' (p.16) may be subject to reconstruction. In Wynn & Logie's study, reconstruction was also found in the initial recall condition in the form of schema consistent alterations, such as a foyer floor being described as wooden, consistent with other floors within the building, when it was actually rubberised flooring. Another interesting finding was the repeated erroneous identification of red pipes when there were no red pipes within the stimulus situation. There was however a large, distinctive, red ventilation shaft and many white pipes. Wynn & Logie suggest that these stimuli merged to produce a singular stimulus in initial recall but it is further suggested by this author that rather than a merging of stimuli per se, it was actually an effect of colour merging where the dominant stimulus colour has merged with, or indeed masked, the weaker stimulus.'

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4. Evidence of two cars fleeing the scene

Gary HUNTER

A British solicitor, he was on a weekend break with his wife in Paris. His hotel was approximately 200 metres from the Alma underpass. His room did not have a view of the crash scene.

Interviewed by MPS officers on 22 October 1997 – Statement 21 (at the request of the French inquiry)

Operation Paget - Statement 21

[Paget Note: Gary Hunter died in February 2004]

On Friday 29 August 1997 Gary Hunter and his wife travelled to France intending to return to London on Monday 1 September 1997. They stayed at the Royal Alma Hotel in the rue Jean Goujon, Paris. They were in 'Room 304', which afforded them a view out onto rue Jean Goujon.

On Saturday 30 August 1997, the couple returned to the hotel at about 11.30pm. Gary Hunter stated that he had not consumed much alcohol that evening and his senses were not impaired. He stayed awake to watch the television and his wife went to sleep.

At 12.25am on Sunday 31 August 1997, Gary Hunter heard an '*almighty crash*' followed immediately by the sound of skidding tyres and then immediately a further very loud crash. He took the time from the digital clock on the hotel room television. He jumped from his bed and looked out of the window. He looked to his left, in the direction of the sound and heard the constant tone of a car horn sounding. He then saw people running from the junction at the bottom of the road, across the grass area towards the direction of the noise. He watched for approximately one minute but could not see what was happening so he returned to bed. His wife was still sleeping.

Hunter lay on the bed for what '*felt like a minute – it may have been less*'. He then heard the noise of tyres from a car screeching at the bottom of the road from the direction that he had heard the earlier sounds. Immediately returning to the window and looking to the left, Hunter saw a small dark vehicle, which had '*completed its turn*' into rue Jean Goujon. This vehicle was immediately followed by a larger white vehicle, which he thought might have been a Mercedes.

He stated that the Mercedes '*completed its turn*' at speed, immediately behind the smaller darker vehicle, and the two vehicles proceeded '*in tandem*' along the rue Jean Goujon, passing under his bedroom window. He described both vehicles travelling at '*inordinate speed*'. He noticed that the Mercedes was not manoeuvring or signalling to pass the smaller dark car. This made him believe the Mercedes was shielding the rear of the small black car.

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Gary Hunter did not state from which direction the vehicles entered rue Jean Goujon, i.e. from the north, avenue Montaigne or from the south, via the Cours Albert 1er secondary road. Both vehicles headed towards the junction at the end of the rue de Jean Goujon, a roundabout lit by a fountain at its centre. The front bumper of the white car was almost touching the rear bumper of the smaller dark vehicle in front. When the two cars reached this roundabout, *'with wheels screeching'*, they turned right and out of his sight.

Gary Hunter gave no further details of the vehicles or occupants.

[Paget Note: There is no reference within Operation Paget to a white Mercedes being involved in any incident related to the collision.]

Teresa HUNTER

Wife of Gary Hunter. She did not witness any of these events. She gave background detail of how her husband came to provide his evidence.

Interviewed by Operation Paget - Statement 49, on 21 July 2004

She confirmed that she slept through the events and was only told of what her husband had seen when she woke on Sunday 31 August 1997.

It was not until later that morning that she and Gary Hunter learned that there had been a crash in the Alma underpass and of the death of the Princess of Wales. They visited the crash scene later in the day. She was not sure when they formed the view that her husband's observations could be connected to the incident in the underpass, but it was some time on that Sunday.

It was only after returning home and seeing the media coverage of the deaths that Gary Hunter felt he should inform somebody of his observations. He learned of a telephone line that had been set up by Mohamed Al Fayed's organisation, appealing for any information relating to the crash. He called the contact telephone number early in the week commencing 1 September 1997 and passed on details of what he had seen from his hotel bedroom window. The person he spoke to told him that his details and observations would be passed on to the French authorities. Later that same week Gary Hunter received a telephone call from someone in Mohamed Al Fayed's organisation saying this had been done.

Teresa Hunter stated that subsequently they were hounded by the press who were *'putting a spin on what Gary had seen to make it more interesting'* and that her husband was constantly being misquoted in the press and that he felt the need to *'set the record straight once and for all'*. Gary Hunter therefore contacted NBC Dateline. The television company arranged for the couple to return to Paris for an interview in their original room at The Royal Alma Hotel. The interview was broadcast on 6 October 1997.

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Operation Paget - Other Document 284

Interview with NBC in October 1997

In a television interview, Gary Hunter explained that newspaper accounts of his alleged observations were garbled. His hotel room did not overlook the tunnel and he had not seen a car leaving the scene. Indeed he did not know there had been a crash in the Alma underpass until later in the day.

He made it very clear to the reporter that he was determined not to speculate on what he saw that night. During the interview Gary Hunter was asked if there was anybody else in the tunnel, to which he responded *"How can I, I am a street away? - I'm just recounting sound and vision"*. He was also asked *"In your mind was someone fleeing from something?"* He replied *"In my mind yes."* Question *"Some of those – whoever was in those cars was getting away from something?"* Reply *"In my mind yes. But by the same token they could have been coming from another direction but I doubt that because of the speed that they were – they were travelling away from"* and *"My initial reaction was 'here are people in a hurry to get away from that particular spot.'"*

Police Lieutenant Vincent DELBREILH

Brigade Criminelle officer who attended the Royal Alma hotel in rue Jean Goujon on 13 October 1997.

French Dossier D2463

In his report Police Lieutenant Vincent Delbreilh described the enquiries he made at the hotel. He confirmed that Gary and Teresa Hunter had occupied room number 304 during the weekend of 30/31 August 1997.

As a result of this visit to the Royal Alma Hotel the French authorities made an official request to the British authorities for Gary Hunter to be interviewed by British police officers and that a record of that interview be forwarded through proper channels to the French authorities:

'At my request, Mrs Sorin [Paget Note: the manageress] gave us the details of Mrs and Mrs Hunter in Great Britain, namely _____ London_____, which we forwarded to our colleagues from the department currently in London in connection with the International Letter Rogatory.'

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Operation Paget Comment

Operation Paget officers attended the Royal Alma Hotel in rue Jean Goujon in May 2004. They confirmed that Room 304 overlooked the road and that the traffic flowed only from left to right as one looked from the window. From this room it was possible to see parts of Place de la Reine Astrid to the left and the roundabout to the right, as referred to in Gary Hunter's statement.

It was not possible to see the Cours Albert 1er or the Alma underpass.

Geography of the scene

Attached at 'Appendix B' is a detailed street map, which may assist the reader with this section of the report.

Rue Jean Goujon is a one-way street that runs roughly parallel to Cours Albert 1er (the expressway). The two roads are separated by a secondary road, which runs alongside Cours Albert 1er. [Paget Note: This secondary road is also called Cours Albert 1er)

The Cours Albert 1er and the secondary road are, in effect, at the rear of The Royal Alma Hotel. Both are one-way roads running from east to west while the rue Jean Goujon is one-way, running west to east.

To drive along rue Jean Goujon a vehicle must enter from the Place de la Reine Astrid. The Place de la Reine Astrid is only accessible from:

- a) avenue Montaigne or
- b) The secondary road running parallel to the Cours Albert 1er.

Access (a)

A vehicle travelling via the avenue Montaigne to rue Jean Goujon could have passed through the Alma underpass, along avenue de la New York, exiting at the earliest opportunity before travelling back towards rue Jean Goujon. This route would encounter numerous traffic signals and one-way streets on the route. (Route 1, Appendix B)

There was no evidence to suggest that either the small dark car or the white car took 'Route 1' to get to the rue Jean Goujon.

Access (b)

A vehicle entering Place de la Reine Astrid from the secondary road would not have passed through the Alma underpass. It would have had to exit the Cours Albert 1er onto the secondary road before the underpass. This exit was approximately 240 metres before the Alma underpass (Route 2, Appendix B).

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There was no evidence to suggest that either the small dark car or the white car took 'Route 2' to get to the rue Jean Goujon.

Leaving rue Jean Goujon

In Gary Hunter's statement he said:

'At the junction with the roundabout with wheels screeching, they turned right and out of my sight'.

The roundabout in question had a number of exits but only two to the right. These were one-way streets and both would be against vehicles travelling from rue Jean Goujon. Vehicles must turn right on entering the roundabout to negotiate it, even if intending to travel straightahead. One must conclude that the vehicles either went against the traffic flows or continued around the roundabout to another exit, or that Gary Hunter was mistaken in this part of his account.

Operation Paget Comment

Other than the manner of driving close together there was no evidence to suggest that the two vehicles were travelling together in a co-ordinated way.

The French Judicial Police interviewed many witnesses who were close to the Place de la Reine Astrid at the time of the crash. No witness mentioned seeing any cars speeding from the scene towards rue Jean Goujon in the manner described by Gary Hunter. Gary Hunter did not describe vehicles fleeing the 'scene'. He was asked directly in his television interview if someone was fleeing from something, to which he replied "*in my mind yes*". He believed the white car was shielding the small black car from behind. He could give no other details of the vehicles or occupants. The witness statement was taken from Gary Hunter on 22 October 1997 by British police officers at the request of the French inquiry.

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(iii)

CONCLUSIONS

Part A – Claims outlined in section (i)

Claim 1 - Eyewitness evidence indicates that there were vehicles following the Mercedes, and that there was also a vehicle which prevented the Mercedes from making a turn and thereby forced it to enter the Alma tunnel a route which took them away from their intended destination immediately. None of these vehicles has been identified, a point which is all the more pertinent given the absence of video camera evidence.

There is conflicting evidence of the number, type and exact positioning of vehicles following the Mercedes car as it approached and entered the underpass.

There is evidence to show that until he passed the exit slip-road on the Cours Albert 1er before the Alma underpass, the route taken by Henri Paul from the Ritz to the rue Arsène Houssaye was one that professional drivers familiar with Parisian traffic would take.

At the place de la Concorde there is no evidence to show that the Mercedes was blocked from turning right into the avenue des Champs-Élysées.

There was evidence from one eyewitness, Thierry Hackett (which was generally supported by Christophe Lascaux and, to some extent by Brian Anderson) that as the Mercedes emerged from the Alexandre III tunnel on Cours Albert 1er there was a motorcyclist to its right hand side. The presence of a motorcycle in this location would have made a right turn into the exit slip-road very difficult.

There is no evidence of any other obstruction at that exit slip-road. Indeed, the Thierry Hackett himself turned off there without any reported problems.

The view of the Operation Paget Collision Investigator is that if the Mercedes was travelling at the speed indicated by the eyewitnesses (supported by the impact speeds, although that occurred further along the road) it would not have been possible to make the right turn into the slip-road.

Claim 2 - Eyewitnesses also spoke of seeing a bright white flash in the tunnel before the crash.

François Levistre is the only eyewitness who speaks specifically of a '*big white flash*' in the tunnel. It is questionable whether he could have seen the detail of what he claimed to have seen inside the underpass. He recounted a large amount of detail seen in his rear view mirror while driving through an underpass at speeds supposedly of around 120 - 125km/h. He was also negotiating the slip-road in order to join the main carriageway from it, an action that would require his full attention, regardless of his speed. His wife,

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who was in the car with him, contradicted parts of his account. The French inquiry discounted François Levistre's evidence.

Brian Anderson, another eyewitness, described seeing a flash immediately before hearing a bang or explosion and the screeching of what may have been car tyres. He could not be more specific about the location or source of the flash. He described seeing it '*out of the extreme corner of my left eye*'.

The Principal Consultants at the Transport Research Laboratory (TRL) carried out a technical reconstruction of the collision. They concluded that the driver of the Mercedes, Henri Paul, was between 60 and 105 metres from the beginning of the underpass when he started to perceive the hazard presented by another vehicle, such as the Fiat Uno, and thus saw the need to take avoiding action. Allowing for human reaction times, the driver began to respond to the hazard of an obstruction 30 to 60 metres before entering the underpass.

In other words, the chain of events that led to the fatal '*accident*' started some way from the entrance to the underpass. By the time the Mercedes approached the thirteenth pillar, the result was inevitable i.e. the Mercedes would collide with the pillar.

The motion of the car inside the underpass was the result of the actions and reactions initiated by the driver outside the underpass. If there was a bright light inside the underpass near the Mercedes, and particularly near the thirteenth pillar, it did not cause the crash.

The physical evidence of tyre marks, vehicle debris patterns, points of collision from the scene and the marks identified on the Mercedes car supported this view.

The view of the approach speed of the Mercedes was supported by the accounts of the witnesses who described the constant, relatively high speed of the Mercedes on its journey from place de la Concorde to the Alma underpass.

Thus, if François Levistre did see the collision near the thirteenth pillar of the underpass, this would in any event be the result of actions already underway outside the underpass.

Witnesses spoke of seeing bright flashing lights outside the underpass, but none described a blinding effect. Many eyewitnesses who could have been expected to see such powerful light/flashes made no reference to them.

Claim 3 - Eyewitnesses have spoken of seeing a bright white flash in the tunnel before the crash. A former member of the United Kingdom Secret Intelligence Service (commonly known as MI6) provided a sworn statement to the French investigating magistrate describing a technique devised by the United Kingdom secret services of blinding the driver of a car in a tunnel by setting off a bright stroboscopic flash. This technique was being developed by the secret services in the early 1990s with a view to the assassination of President Slobodan Milosevic of

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Serbia [Paget Note: The claims of the former member of the SIS, Richard Tomlinson, are addressed in Chapter Sixteen. He now accepts that he was mistaken to link the technique he described with the events in the Alma underpass.]

Eyewitnesses spoke of observing (and of hearing) a vehicle or a motorcycle leaving the scene of the crash at high speed. The driver or drivers of any such vehicle or vehicles have not been traced.

Many witnesses claimed to have seen the Mercedes being followed towards the underpass by a number of motorcycles, varying in number between one and six. However, some witnesses say there were no motorcycles at all. It is not possible to say that all of these motorcycles were identified as their descriptions were extremely limited.

At least six witnesses described a dark car, varying in size from small to large, ahead or level with the Mercedes as it entered the underpass. Some of these may be describing the car of a known witness, Mohammed Medjahdi. He described being immediately in front of the Mercedes in his grey Citroen and stated *'I do not think that there were any vehicles between myself and the Mercedes. In fact I was really scared that the car would hit me, and that is why I accelerated.'*

Some witnesses may be describing the white Fiat Uno despite its colour, or an unidentified vehicle.

There was no doubt that a number of vehicles did not stop at the scene. The evidence indicated that some of these vehicles, particularly a motorcycle, may have been around the underpass at the time of the collision. A motorcycle was described by witnesses leaving the underpass immediately before or around the time of the collision travelling *'fairly quickly'*, at *'high speed'* or as taking *'off like a shot'*.

It is not possible with any degree of certainty to give a full description of all of the vehicles that did not stop. This is an extremely common occurrence in collisions where some vehicles do not stop; and others even unconnected with the crash, do so. A further complicating factor is that many eyewitnesses give honestly held conflicting accounts.

Claim 4 - Gary Hunter, an English solicitor, described how he saw two cars fleeing the scene immediately after the crash. His evidence was completely disregarded by the French, and only some considerable time later was a perfunctory statement taken by Scotland Yard on behalf of the French police. Gary Hunter's evidence was dismissed by Juge Stephan.

Gary Hunter did not inform the French authorities while he was in Paris of what he had seen on the weekend of the crash. It was later during the day of Sunday 31 August 1997 that he thought his observations may be connected to the collision and only following his return home on Monday 1 September 1997 that he thought he should inform someone of his evidence.

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That week, having seen an appeal on behalf of Mohamed Al Fayed seeking information, he contacted them. He was informed that his details and observations would be passed on to the French authorities.

He gave a television interview to NBC Dateline, broadcast on 6 October 1997, to clarify his account after his views of the incident were misrepresented in the media.

Teresa Hunter, his wife, supported this account stating that the media hounded the couple and that the press were printing inaccurate and false reports about what her husband had seen.

In the interview he remained adamant that he was being misquoted and began the interview by explaining that newspaper accounts of his alleged observations were garbled. He was being quoted as stating that his hotel room overlooked the tunnel and that he saw a car leaving the ‘scene’. Gary Hunter stated that both these observations were false.

Gary Hunter did not say in his statement that he saw two cars fleeing the ‘scene’.

He was asked in the television interview *“In your mind was someone fleeing from something?”* He replied *“In my mind yes”*. Question *“Some of those – whoever was in those cars was getting away from something?”* Reply *“In my mind yes. But by the same token they could have been coming from another direction but I doubt that because of the speed that they were – they were travelling away from”* And *“My initial reaction was here are people in a hurry to get away from that particular spot”*.

During the television interview, Gary Hunter was asked if there was anybody else in the tunnel, to which he replied *“How can I, I am a street away? - I’m just recounting sound and vision”*.

There is no evidence to suggest that either the small dark car or the white car, thought by Gary Hunter to be a Mercedes, were in anyway involved with the crash. There is no other reference within Operation Paget to a white Mercedes car.

Other than the manner of driving close together, there is no evidence to suggest that the two vehicles were travelling together in a co-ordinated way.

French police officers interviewed witnesses who were close to the Place de la Reine Astrid at the time of the crash. No witness mentioned seeing any cars speeding from the scene towards rue Jean Goujon.

Officers from the Brigade Criminelle were tasked by *Letter Rogatory* to attend The Royal Alma Hotel to make enquiries and did so on 13 October 1997. They verified that Gary and Teresa Hunter stayed there on the weekend of 30 – 31 August 1997.

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After obtaining this verification, the French authorities made a request to the police in the United Kingdom for Gary Hunter to be interviewed and a witness statement taken. This took place on 22 October 1997. Whether the statement taken from Gary Hunter by those officers on 22 October 1997 can be properly described as '*perfunctory*' is a matter of opinion.

It would seem from the visit to The Royal Alma Hotel by Police Lieutenant Delbreilh, the request for international assistance to interview Gary Hunter in England and the transfer of that statement to the French inquiry that the witness was not '*dismissed*'.

Summary of conclusions:

- The Mercedes was not blocked from entering avenue des Champs-Élysées. Professional and local drivers use the embankment route to avoid avenue des Champs-Élysées.
- There are two eyewitnesses who provide some evidence of the Mercedes being prevented from using the Cours Albert 1er exit slip-road – in any event the Mercedes was travelling too fast to make the manoeuvre.
- The loss of driver control started just before the entry slip-road at the approach to the Alma underpass.
- It is questionable whether François Levistre could have seen the detail he described.
- At least one motorcycle and four cars passed the crashed Mercedes. The white Fiat Uno would also have had to pass the crashed Mercedes.
- There is no evidence to connect what Gary Hunter saw with what happened in the Alma underpass.

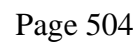
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APPENDICES

**BLOCKING VEHICLES/
UNIDENTIFIED VEHICLES/ BRIGHT FLASHES
(THE JOURNEY TO THE ALMA UNDERPASS)**

Chauffeurs' Route

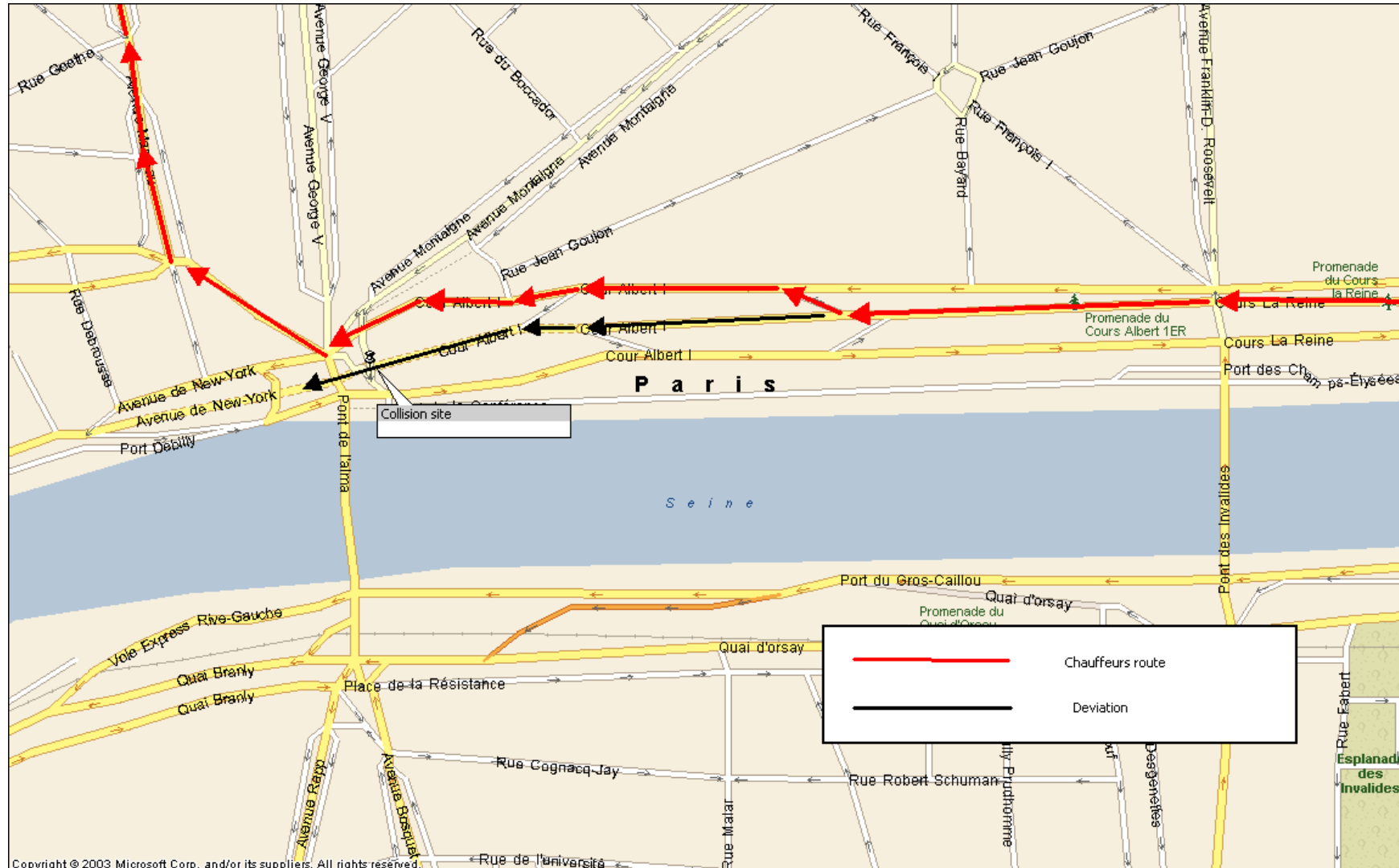


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Appendix ‘A’

Appendix ‘A’

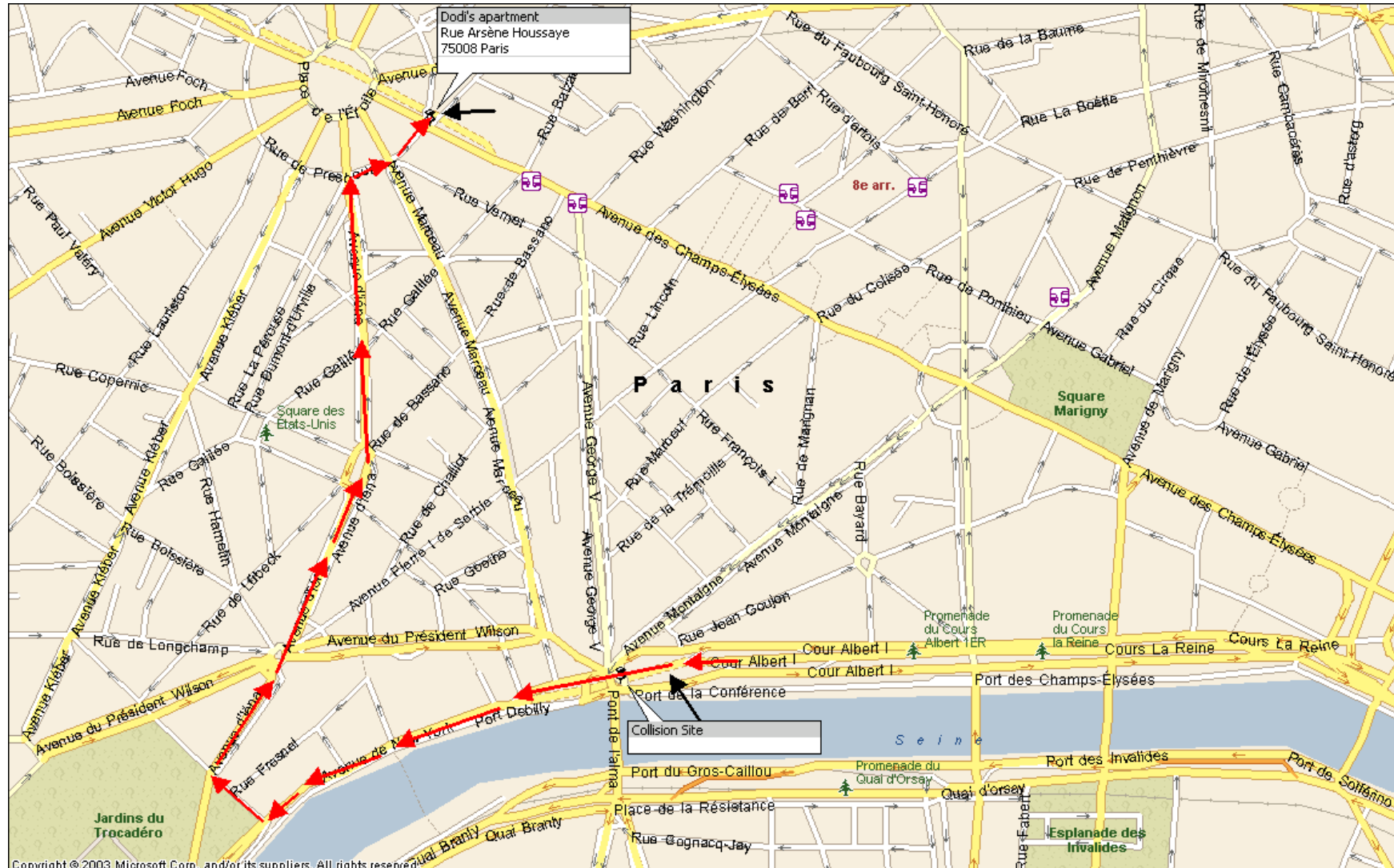
Deviation from Chauffeurs' Route



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Appendix 'A'

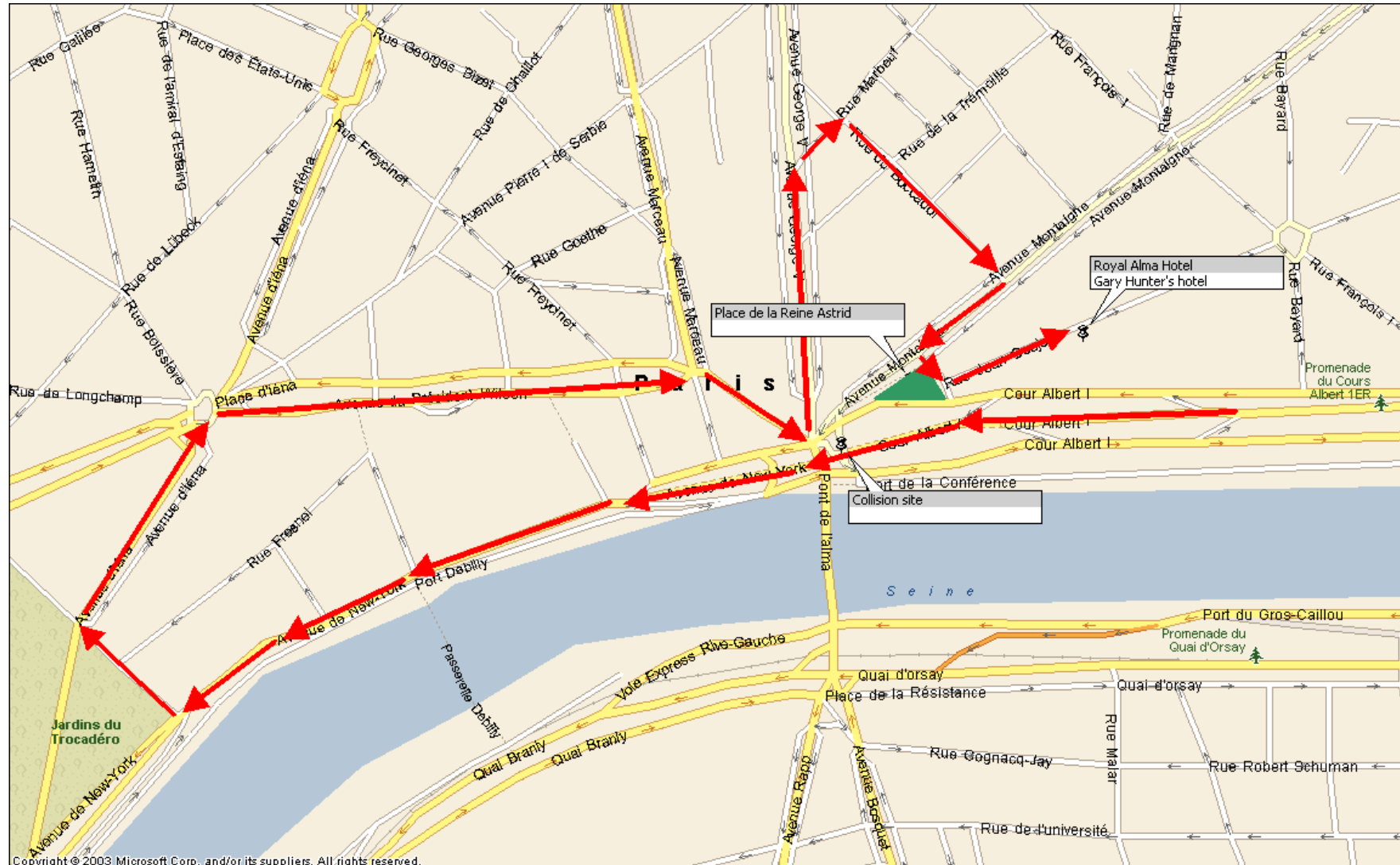
Alternative route



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Appendix ‘B’

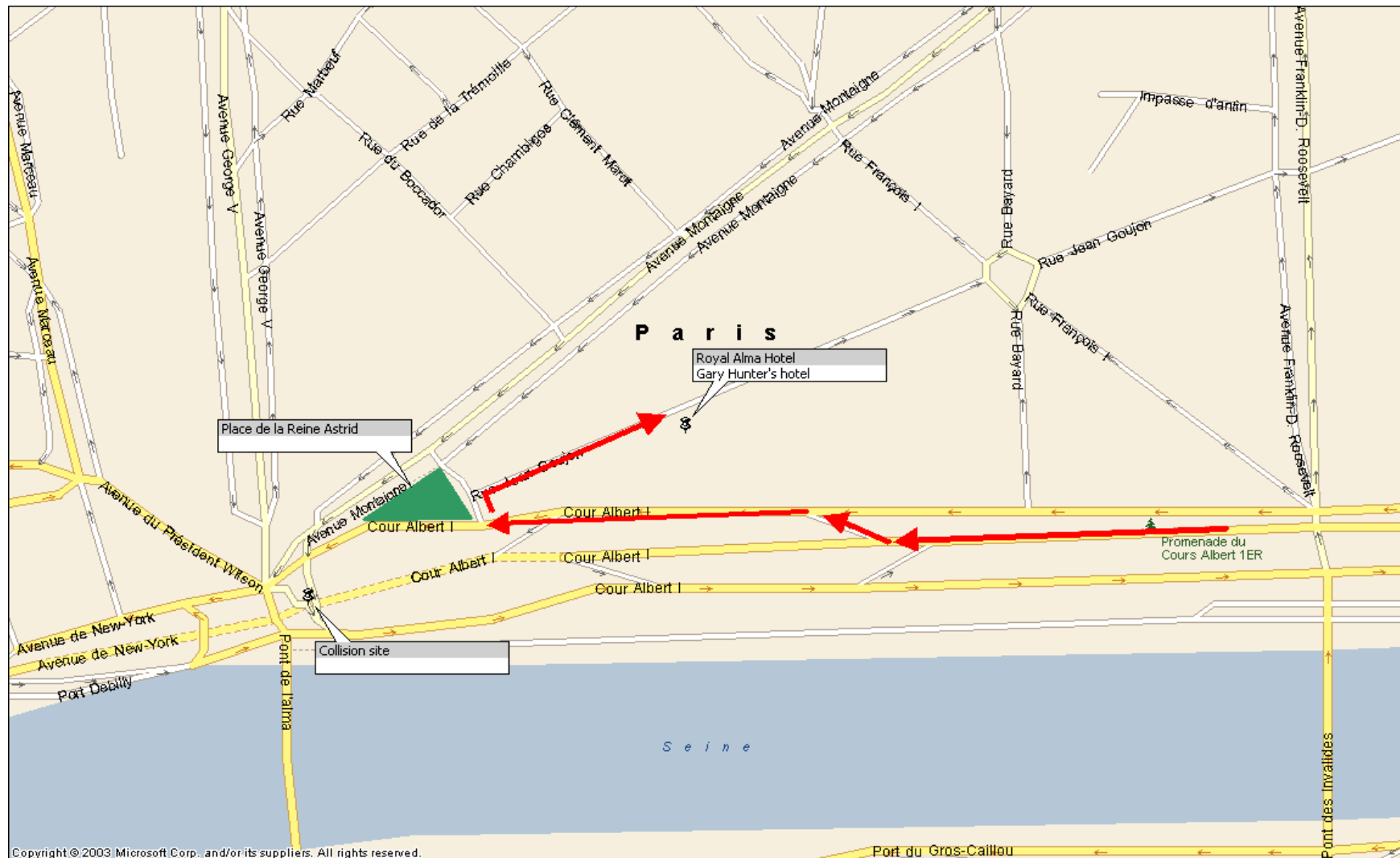
Route 'A' to Royal Alma Hotel



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Appendix 'B'

Route 'B' to Royal Alma Hotel



CHAPTER **EIGHT**

POST-CRASH MEDICAL TREATMENT OF THE **PRINCESS OF WALES**

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(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of the claims made by Mohamed Al Fayed

Mohamed Al Fayed has claimed that the Princess of Wales could have been saved if she had been taken immediately to the nearest hospital for emergency treatment.

Claim

1. The nurse at the hospital whilst trying to remain anonymous by placing her hand over her badge, spoke to me saying that she recognised me from television pictures and that was why she wanted to talk to me. She said that before she died the Princess had spoken to her saying “*give my personal effects to my sister Sarah and I want her to look after my children*”.

Source - 12 March 1998 and 11 December 1998 Live evidence to Judge Hervé Stéphan by Mohamed Al Fayed (French Dossier D4687)

Claims

2. Had Princess Diana received immediate medical treatment in hospital she could have survived.

3. En route to Petie Salpetriere hospital the ambulance passed a hospital, which had adequate facilities and could have rendered emergency treatment.

4. The ambulance took almost two hours to arrive at the hospital, therefore her chances of survival were minimal.

Source - 5 July 2005 Witness Statement of Mohamed Al Fayed (Operation Paget Statement 163 Page 6)

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(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Introduction

The French emergency services' response to incidents with casualties is different from that in United Kingdom. The French focus more on delivering medical treatment at the scene and moving the patient to hospital once stabilisation is achieved. In the United Kingdom the general principle is to transport a patient to hospital as soon as possible for treatment. The French emergency services can provide a level of medical expertise at the scene that supports their way of working. The Service d'Aide Médicale d'Urgence (SAMU) [Paget Note: Ambulance Service] and Sapeurs-Pompiers [Paget Note: Fire Service with paramedic capabilities] both responded to this incident.

Emergency Medical Services in France

The Paris Ambulance Service - SAMU

The SAMU is a public service that responds to and manages medical emergencies. The responsibilities of the SAMU are defined by the law of 6 January 1986 (decrees dated 16 December 1987) and include:

1. To determine and initiate as soon as possible the response best suited to the nature of the call (ranging from simple medical advice to sending a resuscitation ambulance or managing a disaster).
2. To organise transport to hospital by the most suitable means.
3. To organise reception by care teams.

The Paris SAMU use a wide range of resources to take care of the patient or injured person at the scene:

1. General or specialist practitioners (for example cardiologists, paediatricians).
2. Ordinary ambulances to take the patient to hospital and
3. Mobile Hospital Units - medical care ambulances (This enables the most seriously ill patients to be taken care of by a trained team led by a doctor, and transported to a resuscitation department suited to the patient's condition).

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The Paris Fire Service - Sapeurs-Pompiers de Paris

This service is staffed by fire and rescue officers, some of whom are trained to paramedic standard. The Service is also able to despatch its own qualified doctors to serious accident and emergency scenes when necessary.

The service has been equipped with resuscitation ambulances since 1967. Some of the doctors, nurses and drivers who form their ambulance crews are also fire fighters.

On deployment, the service can take a mini-hospital with them in order to be able to respond to every eventuality.

The 'Health Service' of the Sapeurs-Pompiers de Paris has four primary missions. Two of these are:

1. To provide emergency medicine for the population of Paris and provide medical co-ordination of the medical emergency ambulances, providing a number of mobile resuscitation units.
2. To direct medical emergency responses for disasters involving a large number of casualties.

Witness evidence

The Princess of Wales was given emergency medical treatment at the scene of the crash before being taken by ambulance to the Pitié-Salpêtrière Hospital some four miles away. There she received further emergency medical treatment and underwent surgery. Despite these efforts, she was pronounced dead at 4am.

The evidence provided in this Chapter deals with actions at the scene and immediately following. Key areas are:

1. Emergency treatment at the scene.
2. Transportation to the hospital.
3. Selection of hospital.
4. Emergency medical treatment at the hospital.

Sections 1 and 2 of this Chapter address much of the same information when assessing the conspiracy allegation.

They are therefore dealt with together in looking at the evidence provided by witnesses.

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1. and 2. – Emergency Treatment at the Scene and Transport to Hospital

Doctor Frédéric MAILLIEZ

Doctor of Medicine, practising on behalf of SOS Médecins and SAMU. He was off duty at the time of the crash, travelling in a car on the opposite carriageway to the Mercedes. He stopped at the scene almost immediately after the crash and was the first person to provide medical treatment to the Princess of Wales.

French Dossier D143-D144, D1084, D6844-D6845

Dr Mailliez made an immediate assessment of the victims. He noted that Dodi Al Fayed and Henri Paul appeared to be dead. He made an emergency telephone call to the Sapeurs-Pompiers and then began to treat the Princess of Wales. He tried to assist her breathing, attempting to place an *Ambu* balloon on her face. She would not accept it. He noted her pulse was weak and rapid. Dr Mailliez withdrew following the arrival of the Sapeurs-Pompiers. He described his initial impression:

‘I went back to the car and gave first aid, which consisted of helping the young woman, who I had not recognised, with her breathing. As soon as the emergency services arrived, they took over the care of the injured and I left.’

‘The young woman was unconscious, she was groaning.’

Sébastien DORZEE

Police uniform patrol officer. He and a colleague were the first emergency services to arrive at the scene, at around 12.30am. He carried out simple emergency medical measures on the Princess of Wales. His colleague, Lino Gagliardone, attended to Trevor Rees-Jones.

French Dossier D56-D58 and D1604-D1607

He was asked by the arriving Sapeurs-Pompiers to keep the Princess of Wales conscious. He talked to her and checked the pulse under her chin until being relieved by trained medical staff. Sébastien Dorzée immediately recognised the Princess of Wales. He described her condition on his arrival:

‘Blood was coming out of her mouth and nose. You could see a deep wound to her forehead.’

‘The Princess had half turned round in relation to her initial position and her head was between the two front seats, facing sideways and she could see her boyfriend just in front of her. She moved, her eyes were open, speaking to me in a foreign language. I think that she said “My God” on seeing her boyfriend dying. At the same time she was rubbing her stomach. She must have been in pain.’

‘She turned her head towards the front of the car, saw the driver and then I think she had an even better realisation of what was happening. She became agitated. A few seconds later she looked at me. Then she put her head down again and closed her eyes.’

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Xavier GOURMELON and Philippe BOYER

Sergeants with the Sapeurs-Pompiers and trained in medical emergencies. They arrived at the scene around 12.32am and provided immediate medical aid to the Princess of Wales before handing over to the SAMU Doctor, Jean-Marc Martino.

French Dossier D4816-D4819 and D6846-D6849

They noted that Dodi Al Fayed and Henri Paul appeared dead; Trevor Rees-Jones was trapped, conscious and suffering from severe facial trauma. The Princess of Wales was conscious, sitting on the floor in the rear foot well of the car with her feet on the back seat and her back resting against the rear of the front seat.

Dr Mailliez provided Xavier Gourmelon with his assessment of the casualties and withdrew.

Xavier Gourmelon recalled the Princess of Wales saying, “*My God, what’s happened?*” She was agitated and moving her left arm and legs.

Philippe Boyer then took over primary care for the Princess of Wales. He recalled her saying, “*My God.*” He fitted a cervical collar, provided an *Ambu* balloon and covered her in a metallic isothermal blanket. He continued to monitor vital functions. He described her breathing as normal and noted that she was moving her head from side to side. Her pulse was ‘*Fine and quite strong*’. [Paget Note: Dr Mailliez described her pulse as being weak and rapid.]

Doctor Jean-Marc MARTINO

A specialist in anaesthetics and intensive care treatment and the doctor in charge of the SAMU ambulance. He arrived at the scene at around 12.40am and assumed responsibility for the emergency care of the Princess of Wales. He provided her with medical care at the scene. He accompanied her to the Pitié-Salpêtrière Hospital in the SAMU ambulance, where he handed over responsibility to the hospital emergency reception team.

French Dossier D4697-D4699, D6837-D6840 and D6827-D6828

On arrival, Dr Martino made an emergency assessment of the casualties at the scene and communicated this back to SAMU Control. He stated:

‘I immediately noted the fatalities, a man lying on the road surface who I later learned was Mr Al Fayed, and the driver. Next to the driver I could see a man who was trapped and who was showing signs of life, and also trapped in the back on the floor was a woman who I recognised as Lady Di, who was agitated and crying out. She did not seem to understand all that I was saying to reassure her.

I asked my crew to take care of the front right hand seat passenger, who seemed the more seriously injured of the two, whilst calling for back up from the Mobile Emergency Service in order to attend to the second victim, having assessed the situation in the usual way.’

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'She was still agitated, moving her left arm and her right leg, her speech was incoherent and confused. Her right arm was bent behind and dislocated. With my crew, I examined her whilst putting her on a drip in order to free her and get her to a hospital.'

'She was stuck in a 'medically abnormal' position, between the back of the right hand passenger seat and the rear seat, and with some difficulty we got her out, taking every precaution, with the assistance of the Fire Brigade. Despite this, during this operation she went into cardiac arrest and I had to intubate and ventilate her and [cardiac] massage in order to resuscitate her.'

Dr Martino felt he needed to get her out of the car as quickly as possible, but the Princess of Wales was struggling and refusing treatment. Her position in the foot-well and apparent upper limb fracture made removal much more difficult. Having stabilised her, she was removed from the car at around 1am with the assistance of the Sapeurs-Pompiers. She then went into cardiac arrest. Following external cardiopulmonary resuscitation the Princess of Wales' heart started beating again. She was moved to the SAMU ambulance at 1.18am.

Dr Martino then made a more detailed examination. He noted a right side chest trauma that had not been obvious initially. There was an apparent fracture to the right upper arm and right wrist and a wound to her right thigh. He also noted an injury to her face.

The Princess of Wales' blood pressure began to fall. Dr Martino administered another line of Dopamine to raise this but the symptoms indicated internal bleeding and he was aware of the necessity to get her to hospital. Two of Dr Martino's SAMU colleagues, Dr Arnaud Derossi, co-ordinating the medical response at the scene, and Dr Marc Lejay at SAMU Control, made arrangements for the Princess of Wales to be admitted to the Pitié-Salpêtrière Hospital. Dr Martino received confirmation of these arrangements by radio. Although not involved in the decision-making process, in response to a direct question from Operation Paget, Dr Martino gave his opinion that a closer hospital, the Hôtel-Dieu, did not have the facilities to receive casualties with such injuries.

At 1.41am, once the Princess of Wales' blood pressure was stable enough for the journey, Dr Martino gave authority to the SAMU ambulance driver to move off, instructing him to drive slowly as the effect of acceleration and deceleration could be harmful.

At about 2.00am, as the ambulance neared the hospital, the Princess of Wales' blood pressure dropped. Dr Martino ordered the driver to stop the ambulance so that he could give further medical treatment. He increased the level of dopamine and after about five minutes, having stabilised her blood pressure, the journey continued.

Interviewed by Operation Paget - Statement 156 and Other Document 162

Dr Martino explained his decision:

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'I took that decision because the arterial pressure was dropping and I feared there would be another cardiac arrest. I had the vehicle stopped in order to re-examine the Princess. There was something abnormal going on, and the vehicle had to be stopped so that I could understand that abnormality. I did not do any cardiac massage at that moment but it is not easy to do cardiac massage or resuscitation with a vehicle moving.'

The SAMU ambulance arrived at the hospital at approximately 2.06am. Dr Martino informed Professor Riou, the receiving emergency doctor, of the haemodynamic instability of the Princess of Wales and that she had a pulse and pressure, was intubated and ventilated.

Professor André LIENHART and Professor Dominique LECOMTE

The Examining Magistrate Judge Hervé Stéphan tasked Professor Lienhart, anaesthetist-resuscitator and authorised medical expert to the French Supreme Court, along with another court appointed medical expert and doctor of forensic medicine, Professor Lecomte, to review and report on all medical aspects of the treatment provided to the Princess of Wales.

French Dossier D6822-D6829

Tasked by the Judge in February 1998 and given additional tasks in June 1998 they reported in November of that year. Specifically referring to the treatment given to the Princess of Wales at the scene and during the journey to hospital, they concluded:

- *'The treatment given was in accordance with current medical knowledge in the light of the operating conditions and injuries that could be detected at the time'*
- *'The type of injury found is commonly fatal, regardless of the treatment given. It is exceptional for patients with this type of injury to reach hospital alive'*
- *'By way of conclusion to this aspect of the treatment, no blame would appear to attach to the way in which pre-hospital resuscitation rules were applied. On the contrary, the fact that a trauma victim with these intra-thoracic injuries got to hospital alive is a quite exceptional occurrence and one to which a mistake in resuscitation can hardly be attributed.'*

And specifically with reference to the decisions for the ambulance to travel slowly and halt for treatment en route to the hospital:

- *'The fact that the SAMU ambulance stopped by the Gare d'Austerlitz was due not to a further cardiac arrest but to a drop in blood pressure giving rise to fears one would occur. This was the right thing to do and by adjusting the dopamine drip it was possible after this break in the journey to get the casualty to hospital alive.'*
- *'The instruction to drive steadily and at low speed is fully justified when patients are in an unstable haemodynamic state as the phenomenon of acceleration and deceleration as with moving can cause variations in volaemia and therefore lead to cardiac arrest.'*

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Operation Paget Comment

The Princess of Wales received emergency medical care at the scene from a number of people. The first of these was a passing off-duty doctor. As the police, fire and medical services arrived, each in turn provided whatever treatment they could to assist her. On his arrival, Dr Martino of the SAMU took primary responsibility for her care and he has explained in detail the injuries he found and the treatment he gave. He described the difficulty of removing the Princess of Wales from the car, the cardiac arrest she suffered at that point and the emergency resuscitation given before she was placed in the ambulance.

Dr Martino was not involved in the decision to go to the Pitié-Salpêtrière Hospital. He explained his medical assessment that the transportation had to be very slow because of the level of the Princess of Wales' blood pressure.

It was Dr Martino who ordered the ambulance to stop near the Pitié-Salpêtrière Hospital because of a worrying loss in that blood pressure. Having stabilised this within a few minutes, the journey continued. The Princess of Wales arrived at the hospital unconscious but still alive.

3. Selection of the Pitié-Salpêtrière Hospital

Doctor Arnaud DEROSI

SAMU doctor. He attended the scene, co-ordinated the response of SAMU resources and provided communication with SAMU Control.

French Dossier D4694-D4696 and D6842-D6844

Dr Derossi did not give any medical care himself. He provided a medical assessment of the Princess of Wales' injuries to the SAMU Control. Together with his colleague in the control room, Dr Marc Lejay, he decided that the most appropriate hospital for the Princess of Wales was the Pitié-Salpêtrière Hospital.

With reference to Trevor Rees-Jones, he said:

'I myself remained at the scene in order to supervise the operations to assist the front seat passenger. In fact it was only possible to cut free this passenger, Trevor Rees Jones, after the Princess herself had been removed from the vehicle. The roof had to be cut off in order to get to the casualty more easily. He was then extracted from the vehicle, resuscitation was completed as soon as he was free, and he was then conveyed to the Fire Brigade ambulance, where more specialist treatment could be provided. Once his condition had been stabilised, he was taken to the same department as the Princess.'

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Doctor Marc LEJAY

SAMU doctor. He was on despatch duty in SAMU Control on the night of Saturday 30 August 1997. He consulted with Dr Derossi, who was at the scene, to decide on the most appropriate hospital for the Princess of Wales. He made the necessary arrangements with the Pitié-Salpêtrière Hospital.

Interviewed by Operation Paget - Statement 178

Dr Lejay referred to a report that he wrote at the time of the incident, computer records and audio recordings of calls, in order to provide Operation Paget with the following details.

At around 1.20am he and Dr Derossi discussed the medical assessment of the Princess of Wales and decided that the most appropriate hospital for her treatment was the Pitié-Salpêtrière Hospital. At 1.25am Dr Lejay contacted the hospital and Professor Bruno Riou agreed to the request. Dr Lejay passed this agreement to Dr Martino by radio at around 1.30am.

Decision

Dr Lejay took responsibility for the selection of the hospital and in his statement to Operation Paget said he based this on his experience and the following factors:

- The Pitié-Salpêtrière Hospital had the best facilities with the best-trained staff to treat casualties with multiple injuries
- He was aware that Professor Bruno Riou was on duty that night and was particularly skilled to treat the Princess of Wales' injuries
- He was informed from the scene that the Princess of Wales had a head injury and it was his belief that the Pitié-Salpêtrière Hospital was on the rota to accept casualties with head injuries that night
- The Pitié-Salpêtrière Hospital was one of the nearest main reception centres for treating multiple injury casualties

Arrangements

In his statement to Operation Paget, describing calls he made to the Pitié-Salpêtrière Hospital to request reception of the casualties, he stated:

'The first call was at about 1.25, the second at about 1.55, each one being made immediately after finishing a telephone call with Doctor Derossi. The first call was to do with the Princess of Wales. The second completed the assessment of Mr Trevor Rees-Jones and confirmed his admission to La Pitié Salpêtrière.'

To my knowledge, there was no hospital nearer which was capable of taking on this type of patient. I would even add that to get to La Pitié, the ambulances would have driven close by the Hotel Dieu Hospital, which is not at all equipped to take on this type of patient. In particular, this hospital doesn't have heart surgery teams, or

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neurosurgery teams and that the surgical teams are not trained to take on patients with multiple injuries.

The Bicêtre Hospital and the Henri Mondor Hospital at Creteil are much further away. The Beaujour Hospital at Clinchy is perhaps the same distance away as La Pitié, but it takes much longer to get there. It must be added that Bicêtre doesn't have heart surgery teams.

The two others had the facilities, but they were either further away or took longer to get to, therefore requiring more time to be reached. There was also the Military Hospital at Percy. It too is further away. Or the val de Grâce Hospital, which, to my knowledge, is not equipped to take patients with multiple injuries.

It was therefore my decision to send the two patients to La Pitié Salpêtrière Hospital, and it was Professor Riou's decision to accept them, since he had the technical facilities available at the time, his surgical teams not being busy elsewhere. I confirmed by radio link to Doctor Martino, who was going to La Pitié Salpêtrière, what had already been envisaged for him by Doctor Derossi. He had already informed him that the chosen hospital would probably be La Pitié.

Doctor Martino, who was still giving treatment, was informed of his destination before leaving at 1.30am, according to my report and the recordings. He probably left a few minutes later. I confirm today and stand by my decision that La Pitié Salpêtrière Hospital was, in this situation, the best hospital for the Princess of Wales.

Concerning Mr Trevor Rees-Jones, taking into consideration his facial lesions, which were able to be confirmed after he was cut out of the car, the only possible destination was La Pitié Salpêtrière, since it is the only hospital with a specialist team in maxillo-facial surgery which is available outside normal hours.

This type of dispatch is perfectly usual and it is, moreover, the main part of the medical dispatcher's job and the choice of La Pitié Salpêtrière is once again a usual choice and was a personal choice made without other influences.'

Doctor Bruno RIOU

Now a university professor. Hospital practitioner in the emergency department at the Pitié-Salpêtrière Hospital. He was the on-call emergency anaesthetist on the night of Saturday 30 August 1997. He accepted the requests from the SAMU Control to receive the Princess of Wales and Trevor Rees-Jones as emergency casualties.

French Dossier D4708-D4709

Professor Riou explained his acceptance of the request from SAMU Control relating to the Princess of Wales:

'At approximately one o'clock in the morning, the exact times are given in the mandatory SAMU recordings, I was contacted by phone by Dr Marc Lejay, duty controller for SAMU 75 who asked if I could admit Princess Diana, who had suffered multiple injuries following a road traffic accident. I immediately agreed to take her and notified the entire recovery team of the casualty's impending arrival.'

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Interviewed by Operation Paget - Statements 131, 131A and 58M

Professor Riou's decision to accept the SAMU request was based on the following factors:

- The Pitié-Salpêtrière Hospital was the main reception centre for multiple trauma patients in Paris
- The Pitié-Salpêtrière Hospital has all the medical and surgical disciplines for adults
- The Pitié-Salpêtrière Hospital is also the potential reception centre for foreign dignitaries visiting Paris

Professor Riou also stated that there were three other hospital reception centres capable of taking casualties with such injuries but they were all in the suburbs and therefore not as accessible as the Pitié-Salpêtrière Hospital.

Dominique HAGNERE

State nurse. He was present in the Recovery Department of the Pitié-Salpêtrière Hospital when the Princess of Wales and Trevor Rees-Jones were admitted.

French Dossier D4715-D4718

In his statement to the French inquiry in March 1998 he said:

'I remember that after midnight, I cannot be any more precise than that, the S.A.M.U. called the department, as Monsieur Riou informed us of the arrival of two casualties with multiple injuries. At that stage, all we knew was that it involved a VIP, but we did not know the person's identity.'

'We later learned that the person concerned was the Princess of Wales. As far as the condition of the patients was concerned, we knew that there were two people with major multiple trauma injuries. We prepared accordingly.'

'At around possibly 0130hrs, the S.A.M.U. arrived in Emergency. Everything was ready to receive the casualties, both in terms of equipment and personnel.'

'The two casualties arrived within about a quarter of an hour of one another, the Princess of Wales having arrived first with the SAMU. She was immediately taken into our department, 'Recovery'.'

'However, when the second casualty, Mr Trevor Rees Jones, arrived, he was attended to by the Fire Brigade, who kept him while my department finished their treatment of the Princess. He arrived about twenty minutes after her. He was also taken to Recovery, the X-rays and other tests having been made well before he came into our care.'

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Operation Paget Comment

Having discussed the injuries sustained by the Princess of Wales with Dr Derossi, who was at the scene, Dr Marc Lejay asked the Pitié-Salpêtrière Hospital to accept her for emergency treatment. The evidence of Doctors Lejay and Martino and Professor Riou was consistent with this hospital being the most able and available emergency reception centre capable of dealing with the Princess of Wales' injuries. There was no evidence to show that there was a more appropriate hospital that could have provided this treatment.

Trevor Rees-Jones was also taken to the Pitié-Salpêtrière Hospital for emergency treatment, arriving after the Princess of Wales. His removal from the scene was delayed because the roof of the Mercedes had to be cut away before he could be extricated. The request to the Pitié-Salpêtrière Hospital to accept him as a casualty was made at 1.55am following the final assessment at the scene by Dr Derossi.

[Paget Note: A map showing the locations of the relevant hospitals in Paris is attached at the end of this Chapter. Other Document 351]

4. Emergency medical treatment at the Pitié-Salpêtrière Hospital

Doctor Bruno RIOU

He was present when the Princess of Wales arrived and assumed responsibility for her treatment from Dr Martino. He called for Professor Alain Pavie, the on-call cardio-thoracic surgeon. Dr (now Professor) Riou assisted with the emergency treatment and surgery and was present when the Princess of Wales was pronounced dead at 4am.

French Dossier D6849-D6852 and D4708-D4709

He described his immediate medical assessment of the Princess's condition:

'The SAMU arrived at around two in the morning. The Princess was alive, unconscious, and receiving mechanical ventilation. She was in a state of traumatic shock. We immediately took charge of her. Between 0205 and 0210 hrs, my initial findings led me to call as a matter of urgency Professor Alain Pavie, the on call cardio-thoracic surgeon.'

Interviewed by Operation Paget - Statements 131, 131A and 58M

Professor Riou confirmed that, as is normal procedure in cases of multiple trauma, two Xrays were taken, one of the chest and one of the pelvic area. [Paget Note: Operation Paget Exhibits MDV/1 and MDV/2.] These showed that the Princess of Wales was bleeding internally. She was treated immediately with a thoracic drain but haemorrhaging persisted. Between 10 and 15 minutes after arriving at the hospital the Princess of Wales went into further cardiac arrest. External cardiac massage, adrenaline, a drain to reduce the compression and volume replacement with auto-transfusion were used. She was transfused with supplies of 'O' negative blood held in the Recovery Room, as her blood group had not been established.

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Professor Riou placed a call for the on-call general surgeon Dr Moncef Dahman to attend.

Professor Riou assisted in the emergency surgery and together with Professor Pavie pronounced the Princess of Wales dead at 4.00am.

[Paget Note: Professor Riou confirmed that no pregnancy test was carried out. This is examined in detail in Chapter Nine.]

Doctor Moncef DAHMAN

Doctor of Medicine, consultant in General and Digestive surgery at the Pitié-Salpêtrière Hospital. He was the on-call general surgeon on Saturday 30 August 1997. He assisted Professors Riou and Pavie with the Princess of Wales' emergency treatment and surgery.

French Dossier D6852-D6853

Dr Dahman was the on-call general surgeon that night. He was called to the Recovery Room on behalf of Professor Riou. He carried out a thoracotomy in an attempt to locate and stop the internal bleeding. The Princess of Wales was still on a stretcher as Professor Riou considered that she could not be moved. The source of her bleeding could not be found.

Professor Alain PAVIE

Doctor of Medicine and a Fellow of the French College of Surgeons, he was a specialist in cardiac and thoracic surgery. He was on-call at the Pitié-Salpêtrière Hospital on the night of 30 August 1997. He performed surgery on the Princess of Wales and was present at 4am when she was pronounced dead.

French Dossier D6853-D6856

Interviewed by Operation Paget - Statement 132

Professor Pavie was called at home around 2.15am and arrived at the hospital at around 2.30am. External cardiac massage was being performed as he arrived. Dr Dahman was carrying out the thoracotomy to find the cause of the bleeding. Professor Pavie assisted him in this. He believed the bleeding was intrapericardial and the thoracotomy had to be extended. The Princess of Wales was moved to the nearest operating theatre. The source of her bleeding was located and identified as a tear to the upper left pulmonary vein, half way between the left auricle and the exit of the pericardial cavity. Professor Pavie immediately sutured the tear and continued heart massage on the Princess of Wales, but to no avail.

It was Professor Pavie's opinion that there was little hope of recovery. He felt that it was virtually inevitable that there would have been a gaseous embolism due to the site of the wound and because of the compressions. The haemorrhage was brought under control. However, despite their efforts, her heart did not restart.

The surgical team continued massage, provided adrenaline, several microvolted defibrillations and direct stimulation. Attempted resuscitation was continued for over an hour. The surgery team made a joint decision to cease this at 4am.

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[Paget Note: Professor Pavie also confirmed that no pregnancy test was carried out. This is explained in detail in Chapter Nine.]

Doctor Daniel EYRAUD

He was the on-duty anaesthetist-intensive care doctor in the Recovery Department at the Pitié-Salpêtrière Hospital and the deputy to Professor Riou. He was attached to the Vascular Surgery Department, but performed duty periods in the Recovery Department. He assisted in the emergency treatment of the Princess of Wales. His evidence supported the detail in the accounts of the principal medical staff.

French Dossier D4712-D4714

In his statement Dr Eyraud said:

‘Upon her arrival, the Princess was ‘intubated-ventilated’, which means that a piece of apparatus was making her breathe. She was unconscious, I am positive of that, and on artificial respiration. She was in shock, but nevertheless had a heart rhythm. This means that her blood pressure was very low but that her heart was still beating.

We immediately took charge of her in the Recovery Department.

We had pulmonary X Rays done straight away, and transfused her. The results of the X Rays came back extremely quickly, and revealed a ‘compressive right haemothorax’, which was immediately drained.

Given the size of the haemothorax, the duty surgeon, M. Dahman, was immediately called in order to perform a haemostasis thoracotomy to clamp the ruptured vessel. In layman’s terms, this means that the Princess was suffering from an intra-thoracic haemorrhage, compressing not only her right lung, but also her heart.’

‘I should point out that my role, inter alia, consisted of seeing to it that everyone that was needed had been called, which was the case throughout.

A right hand thoracotomy was carried out, which means that the right side of the thorax was opened up. I recall that the Princess’s heart stopped just prior to this being done. We had to perform cardiac massage at the same time as the surgeon was operating, looking for the source of the haemorrhage.’

‘I am quite positive as to the fact that the Princess of Wales was never conscious at any stage while she was in our care.’

Professor André LIENHART and Professor Dominique LECOMTE

French Dossier D6816 and D6821-D6822

In their review of the emergency treatment and surgery at the hospital, which included interviews with members of the medical team, Professors Lienhart and Lecomte concluded:

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- *‘The general surgeon went without delay to the Recovery Room, where the patient was in the process of being resuscitated. He performed the thoracotomy as soon as the anaesthetist-resuscitators told him that in their opinion it was vital to do so. This in fact was the patient’s only chance, in the event of the cause being a haemorrhage such as a wound to the intercostal artery, for which surgical haemostasis is generally straightforward. If this were to prove not to be the case, any real likelihood of saving the patient would be gone. However, thanks to the prompt arrival of the on-call heart surgeon from his home it was possible to proceed with the operation, which revealed that the haemorrhage in the right plural cavity was associated with a wound to the upper left pulmonary vein through a broad lesion of the pericardium. This scenario was unforeseeable, totally improbable and the situation hopeless.*
- *No blame can be apportioned to the surgical team and it would not appear that any other surgical or anaesthesia and resuscitation strategy could have changed the outcome.*
- *In conclusion, due to the injuries caused as a result of the accident, it is clear that ‘Lady Diana’ could not have been saved had a different course of action been taken.’*

In their assessment of the treatment from the scene until her death, they concluded:

- *‘The treatment given was in accordance with current medical knowledge in the light of the operating conditions and the injuries that could be detected at the time.*
- *The type of injury found is commonly fatal, regardless of the treatment given. It is exceptional for patients with this type of injury to reach hospital alive.’*

Dr Richard SHEPHERD

Senior Lecturer and Consultant in Forensic Medicine.

Operation Paget - Other Document 527

Dr Shepherd has reviewed the medical evidence in the French inquiry relating to the treatment of the Princess of Wales. He has also examined the medical dossier of the Princess of Wales provided by the Pitié-Salpêtrière Hospital. He concluded that:

- *‘There was extensive treatment at the scene of the accident, which I understand is standard practice of the SAMU.*
- *Her condition deteriorated and she was taken to hospital where emergency treatment including a thoracotomy (surgical opening of the chest) was performed.*
- *Numerous transfusions of blood and other therapeutic fluids were given.’*

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- *‘From consideration of the hospital records and statements it would appear that all reasonable medical treatment was given.’*

Operation Paget Comment

The on-call medical staff at the Pitié-Salpêtrière Hospital have explained in great detail to the French inquiry and have reiterated to Operation Paget the actions that they carried out on the night and the reasons for them. Those involved in the emergency treatment and surgery were highly qualified and experienced in their field. Their evidence showed that every effort was made to save the life of the Princess of Wales. The review on behalf of the French court concluded that due to the injuries caused, the life of the Princess of Wales could not have been saved had a different course of action been taken. No other strategy would have affected the outcome.

Dr Richard Shepherd, having studied the French Inquiry documentation and the Princess of Wales’ medical dossier detailing her treatment at the hospital believes that all reasonable medical treatment was given.

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CONCLUSIONS

Part A – claims outlined in Section (i)

Claim 1 - The nurse at the hospital whilst trying to remain anonymous by placing her hand over her badge, spoke to me saying that she recognised me from television pictures and that was why she wanted to talk to me. She said that before she died the Princess had spoken to her saying *“give my personal effects to my sister Sarah and I want her to look after my children”*.

The Princess of Wales was barely conscious at the scene. She was unconscious and receiving mechanical ventilation on arrival at the hospital and immediately underwent emergency treatment and surgery. On the evidence she did not recover consciousness before being pronounced dead at 4am. It was not possible therefore, for a nurse or indeed any other person to have heard the Princess of Wales say anything at the hospital.

Claim 2 - Had Princess Diana received immediate medical treatment in hospital she could have survived.

Dr Mailliez, an off-duty doctor, provided medical treatment to the Princess of Wales almost immediately after the crash. From approximately 12.40am, Dr Martino the on-call SAMU doctor who had been called to the scene, continued the medical treatment.

There may well be debate about the relative merits of stabilising casualties and providing immediate treatment at the scene, as opposed to removing a casualty to hospital at the earliest opportunity. In 1997, France tended to adhere to the former.

The procedures adopted in the Alma underpass and at the Pitié-Salpêtrière Hospital followed French normal working practices. The SAMU and the Sapeurs-Pompiers have fully qualified doctors as part of their emergency response teams.

There is no evidence to show that any alternative treatment, either at the scene or in hospital, would have saved the life of the Princess of Wales.

Claim 3 - En route to Pitié Salpetriere hospital the ambulance passed a hospital, which had adequate facilities and could have rendered emergency treatment.

The SAMU ambulance carrying the Princess of Wales passed the Hôtel-Dieu Hospital on the Ile de la Cité en route to the Pitié-Salpêtrière Hospital. The Hôtel-Dieu was not equipped to deal with the injuries the Princess of Wales had sustained.

The despatching doctor at SAMU Control, Dr Marc Lejay stated: *‘The Hôtel-Dieu hospital on the ‘Ile de la Cité’ is closer but not equipped with heart surgery teams or neurosurgical teams or teams trained to take patients with multiple injuries.’*

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Dr Jean-Marc Martino, the doctor who accompanied the Princess of Wales to the Pitié-Salpêtrière Hospital, supported this view.

The Pitié-Salpêtrière Hospital was the most appropriate hospital for a casualty in these circumstances with these injuries. The Hôtel-Dieu Hospital was not.

[Paget Note: Trevor Rees-Jones, also suffering from severe trauma injuries, was also taken to the Pitié-Salpêtrière Hospital for emergency treatment.]

Claim 4 - The ambulance took almost two hours to arrive at the hospital, therefore her chances of survival were minimal.

The ambulance took approximately 26 minutes to complete the four-mile journey from the Alma underpass to the Pitié-Salpêtrière Hospital. This included the stop at the Gare d'Austerlitz ordered by Dr Martino because of the drop in the blood pressure of the Princess of Wales and the necessity to deal with it. The ambulance was travelling slowly on his express instructions. The doctor was concerned about the Princess of Wales' blood pressure and the effects on her medical condition of deceleration and acceleration.

The time from the crash itself (12.23am) until arrival at hospital (2.06am) was one hour and forty-three minutes. When considering this time period, one must take into account the following;

- the time taken for the arrival of the emergency services
- medical assessments of all casualties
- the removal of a critically injured and awkwardly positioned casualty from the car
- external cardio pulmonary resuscitation carried out in the roadway
- transfer to the SAMU ambulance
- further detailed medical examination in the ambulance
- ambulance transport to the hospital

The French response at the scene of medical emergencies was, in general terms, different from that in the United Kingdom. The French focused more on stabilisation and delivery of treatment at the scene before transportation to hospital.

In this instance, Dr Martino, the SAMU doctor, arrived at the scene quickly. There were difficulties in providing medical treatment to the Princess of Wales in the confines of a badly damaged vehicle.

Whether earlier transportation of the Princess of Wales to hospital would have been more successful is unknown. This would essentially be a comparison of two systems

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that were believed, by the respective authorities, to be the most effective way of dealing with casualties.

All of the evidence shows that the French emergency services tried to do everything they could to save the life of the Princess of Wales.

The view of Dr Richard Shepherd is that the specific injuries sustained by the Princess of Wales were almost impossible to survive.

Operation Paget Conclusion

There is no evidence to show that there was any malicious or ulterior motives attached to the treatment given to the Princess of Wales.

To believe that the medical treatment given to the Princess of Wales formed part of a wider conspiracy, it would have to be accepted that a number of experienced independent French medical specialists of some distinction were part of a pre-determined collaboration and deliberately acted in breach of medical ethics. The evidence is that every effort was made to save her life.

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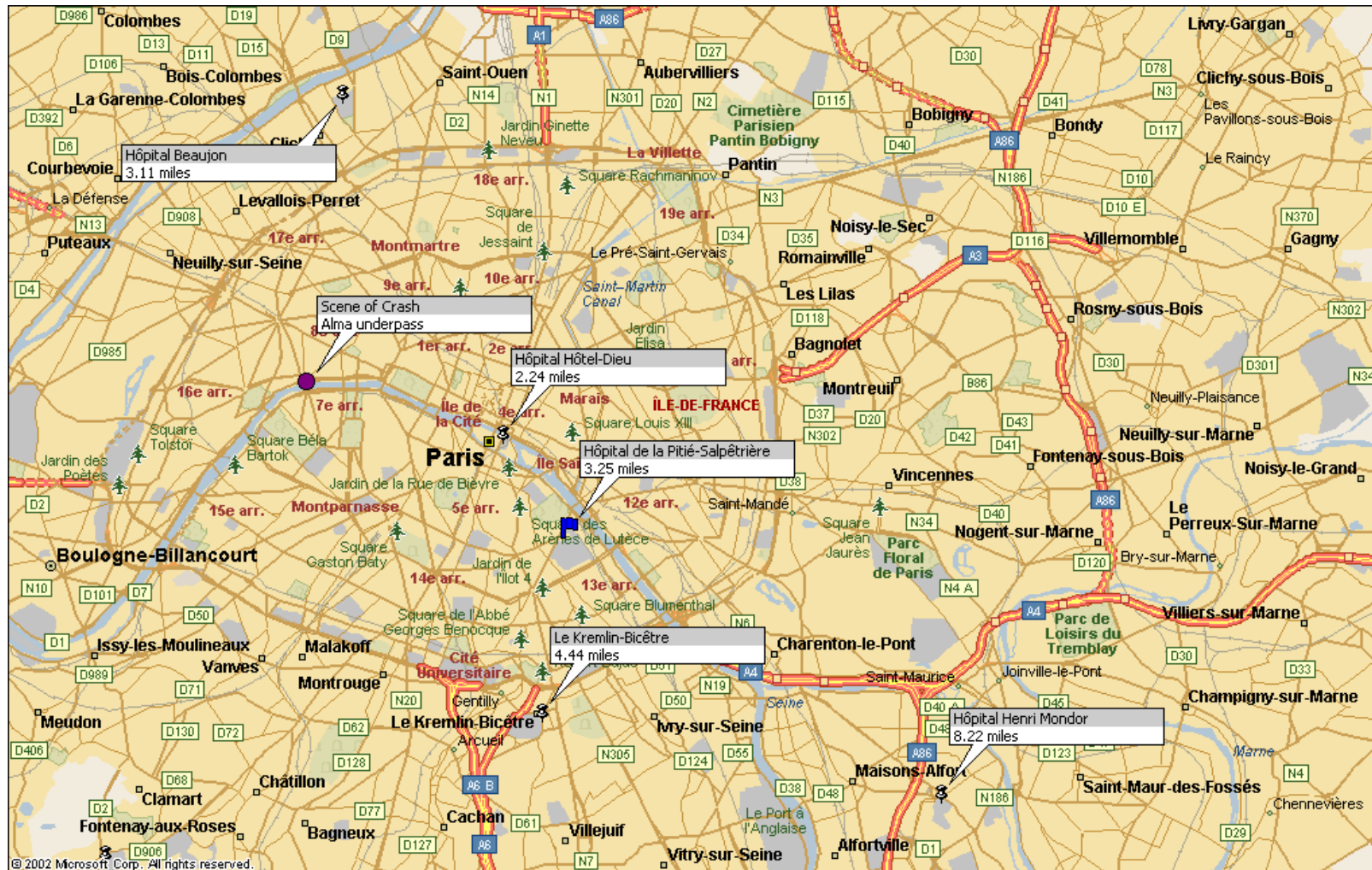
APPENDIX

MAP SHOWING LOCATION OF RELEVANT
HOSPITALS NEAR CRASH SITE

(Approximate Mileages from crash site shown '*as the crow flies*')

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MAP SHOWING LOCATION OF RELEVANT HOSPITALS NEAR CRASH SITE



CHAPTER NINE

THE EMBALMING OF THE BODY OF THE PRINCESS OF WALES AT THE PITIE-SALPETRIERE HOSPITAL, PARIS

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(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of the claims made by Mohamed Al Fayed

The Princess of Wales was unlawfully embalmed in France in order to cover up her alleged pregnancy - the presence of embalming fluid in her body would corrupt any pregnancy test or, if a test had been carried out, any positive result could have been attributed to the presence of the embalming fluid rather than a true pregnancy. The actions of the French authorities were orchestrated by the British Ambassador in Paris and the Secret Intelligence Service (SIS) of the United Kingdom, commonly referred to as MI6.

Claims

1. Professor Lecomte stated that the body of the Princess of Wales was partially embalmed in France. It is believed that this was under her authority and supervision, although it is at present unclear who, if anyone, gave instructions or authority on behalf of the family of the Princess of Wales for this to be done.
2. The post mortem report (of the Princess of Wales) was, according to Professor Lecomte, given to her and her assistant on a personal basis. It apparently does not appear on any investigation file in France. The investigating magistrate noted that he had never seen this report, and it does not appear on his file. This is a flagrant breach of French investigative procedure.
3. Mr Burrell visited the hospital room in Paris where the Princess's body lay and was charged with disposing of the clothes she had been wearing at the time of the crash. By this time the body had already been partially embalmed. For a death that was at least at an early stage being treated as suspicious this seems a most curious procedure. For reasons that have not been explained, Mr Burrell later burned these clothes in a bonfire in his back garden.

Source - 7 February 2003 Submission by Mohamed Al Fayed to Minister for Justice, Scotland for Public Inquiry (Operation Paget Other Document 22)

Claims

4. To embalm Diana in France was an illegal act.
5. The embalming was done to conceal the fact that Diana was pregnant with Dodi's child.

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6. This was done on the specific instructions of MI6.

7. The instructions were conveyed by Sir Michael Jay, the British Ambassador in Paris, to Madame Coujard of the Public Prosecutor's Office in Paris.

Source - 5 July 2005 Statement of Mohamed Al Fayed.

Claim

8. There is no doubt whatsoever in my mind that Princess Diana was embalmed on the direct instructions of the British authorities to disguise her pregnancy. I am now informed that the embalming commenced at 2pm on 31 August 1997 in Paris, and the process took some two and a half hours. Therefore her repatriation was delayed pending completion of the embalming process.

9. Madame Coujard, senior Public Prosecutor in Paris, ordered Princess Diana's embalming. I understand your investigators do not believe that Sir Michael Jay, British Ambassador to Paris, was in any way involved. That is in direct conflict with evidence from an investigative journalist which details an interview with Madame Coujard, in which Sir Michael Jay was named.

[Paget Note: Mohamed Al Fayed's team informed Operation Paget that a Paris-based British freelance journalist had obtained this information from the Deputy Public Prosecutor Maud Coujard.]

Source - 21 February 2006 Letter From Mohamed Al Fayed to Lord Stevens

(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Definition

Embalming is the preservation of a dead human body by the introduction of chemical compounds that delay putrefaction.. The purpose of embalming is to preserve the body against decomposition and present it as normally and as naturally as possible.

In Paris, embalming can take place at the mortuary, also known as the Institut Médico-Légal (IML), a hospital, a funeral parlour or, as is often the case, at the deceased's home address.

The French law

The 'Code Général des Collectivités Territoriales' (Articles R.2213-2) (General Codes of Territorial Authorities) [Paget Note: By-laws local government] deals with embalming. This states:

'The embalming of a deceased person cannot proceed without an authorisation given by the Mayor of the area where the death took place or the area where the embalming takes place. To obtain this authorisation you should produce: -

- 1. A written notice expressing the wishes of the deceased or a request from any person having authority to proceed with funeral arrangements, justifying his position and home address.[Operation Paget underlining]*
- 2. A declaration identifying the method of embalming, the chemicals to be used, the location and time of the operation, as well as the name and address of the person who will undertake the embalming or the embalming company to be used.*
- 3. A certificate from the doctor authorised to certify death, confirming that there are no legal reasons why this procedure cannot proceed.'*

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Background

The Princess of Wales was pronounced dead at 4am following emergency surgery at the Pitié-Salpêtrière Hospital in Paris. Her body, after an external examination by a court appointed medical expert, was taken to a private room within the hospital, close to the emergency reception area.

Professor Bruno Riou was the surgeon who received the Princess of Wales in the emergency reception area in the early hours of Sunday 31 August 1997. He then assisted in the emergency treatment and surgery. He has shown Operation Paget the locations in which the Princess of Wales received her immediate treatment; where she underwent emergency surgery; where she was externally examined by the pathologist; and finally the room in which she lay that day, before her body was returned to the United Kingdom. This room, a standard three-bedded hospital room, was on the first floor of the Emergency wards of the Pavillon Gaston Cordier, overlooking Avenue de la Nouvelle Pitié.

He stated that the Princess of Wales was not taken to the hospital mortuary as it was felt inappropriate to transport her body across the hospital grounds at that time because of the media interest in such a V.I.P. The hospital mortuary and the emergency reception areas are at opposite ends of the hospital grounds.

Later that day the Princess of Wales' security consultant and driver, Colin Tebbutt, helped to put air conditioning units into the room in an attempt to keep the room cool in the rising temperatures. The French funeral directors had also called for ice to place near the Princess of Wales' body in an attempt to keep her body cool. Neither action appeared to be particularly successful.

Dodi Al Fayed's body was lying at the IML mortuary. The Paris IML mortuary is at a separate location from Pitié-Salpêtrière Hospital. He had been taken there directly from the scene. No request was made to have Dodi Al Fayed embalmed. He was repatriated to the United Kingdom later that day on a private flight.

The process of embalming the Princess of Wales took place between the hours of 2pm and 4.30pm, approximately. Operation Paget is aware of a widespread belief that embalming took place within an hour of her death. This is not the case.

A French company of embalmers carried out the work in accordance with their standard operating procedures. After the body was viewed and respects paid by her family and other dignitaries, the Princess of Wales' body was returned to the United Kingdom that evening. The key issues regarding embalming of her body were:

1. Was this act legal?
2. Who authorised it?
3. Who carried out the embalming process?
4. Was there an ulterior motive for the embalming relating to the alleged pregnancy of the Princess of Wales?

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1. Was this act legal? – medical/legal issues associated with embalming

Doctor Bruno RIOU

Now a university professor and hospital practitioner in the emergency department at the Pitié-Salpêtrière Hospital. He was the on-call emergency anaesthetist on the night of 30 August 1997 and assisted in the emergency surgery on the Princess of Wales.

Interviewed by Operation Paget officers at the Pitié-Salpêtrière Hospital - Statements 131, 131A (and 58M – Operation Paget Officer's Statement)

Professor Riou was on-call at the hospital on Saturday night/Sunday morning. He accepted the request from Dr Marc Lejay, Control dispatcher of the Service d'Aide Médicale d'Urgence (SAMU), the French ambulance service, to admit the Princess of Wales to the Pitié-Salpêtrière Hospital emergency department and was present when she arrived. Professor Riou was part of the team that carried out the emergency surgery on the Princess of Wales. He officially pronounced her dead at 4am.

In line with French procedures, Professor Riou believes that he signed a certificate that contained a declaration that there was a medical/legal obstacle associated with the body. This was because the death was due to an accident and could not be attributed to natural causes. It did not mean that Professor Riou believed that there were suspicious circumstances or a crime involved.

A pathologist appointed by the Public Prosecutor's office, Professor Dominique Lecomte, carried out an external examination of the Princess of Wales' body ninety minutes after her death. She declared that there were no suspicious circumstances relating to the injuries found on the body and that they were consistent with injuries from a road traffic collision.

Professor Riou, as a medical professional, was authorised to certificate the death. He completed a document '*Accidental Death Certificate Template*' (Statement 58M). This form confirmed that there was now no medical/legal obstacle to embalming.

Professor Riou confirmed that no pregnancy test was carried out on the Princess of Wales and no sample of urine taken. He stated:

'No, we never do a pregnancy test as a matter of routine for multiple trauma patients, since in any case X-rays and scans will have to be done. Pregnancy tests are sometimes done in emergency departments when the question of X-rays is being considered.'

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Professor Alain PAVIE

Surgeon and university professor specialising in thoracic and cardiovascular surgery. He practises at the Pitié-Salpêtrière Hospital and has been qualified in cardiac surgery since 1976. He was the lead surgeon carrying out the emergency surgery on the Princess of Wales.

Interviewed by Operation Paget at the Pitié-Salpêtrière Hospital - Statement 132

Professor Pavie was called into the hospital during the night because his specialist skills were most appropriate for the Princess of Wales' injuries. He was present at 4am when she was pronounced dead. He confirmed Professor Riou's account of the emergency treatment and surgery and the fact that no pregnancy test was carried out or urine sample taken from the Princess of Wales.

Professor Pavie stated that one cannot catheterise a patient undergoing cardiac massage. Life-saving actions were being taken. He stated that the question of determining pregnancy before any surgical operation is raised in research protocols, but it is never applied outside of these.

Professor Dominique LECOMTE

Head of the Institut Médico-Légal (IML) in Paris. She was the pathologist who carried out the external examination of the Princess of Wales' body.

French Dossier D83

Interviewed by Operation Paget – Statement 129

Professor Lecomte stated that she carried out the external examination of the Princess of Wales following death and reported on the cause. This was on the order of the Deputy Public Prosecutor Maud Coujard. Death was due to internal haemorrhaging as a result of crushing of the rib cage and the phenomenon of deceleration, causing a rupture of the pericardium and a wound to the left pulmonary vein, upon which surgery was performed.

Professor Lecomte stated in interview with Operation Paget officers that she had no involvement in the decision-making, or any procedure, linked to the embalming of the Princess of Wales.

Professor Lecomte visited London on 23 June 1998 when she received on a '*personal basis*', copies of the report of the post-mortem of the Princess of Wales (French Dossier D6834-D6835). Personal medical information of course requires sensitive handling, particularly as this related to the Princess of Wales. The British pathologist who carried out the post-mortem examination at Hammersmith and Fulham mortuary, Dr Robert Chapman discussed his findings with Professor Lecomte. These were then incorporated in detail into Professor Lecomte's '*Expert's Report*' (French Dossier D6816-D6858) given to the Examining Magistrate, Judge Hervé Stéphan in November 1998.

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Germain NOUVION

Police Capitaine in 1997 and an officer of the Judicial Police in Paris.

French Dossier D704

In an official report to the French Inquiry, Capitaine Nouvion recorded the findings given by Professor Lecomte – that the external examination of the Princess of Wales did not reveal any suspicious factors.

Maud COUJARD

Deputy Public Prosecutor in Paris, she was on call for the Prosecutor's office on the weekend of Saturday 30 August 1997. She attended the scene and made the first judicial decisions relating to the crash.

Interviewed by Operation Paget - Statement 239

'The question was never asked as to whether we should conduct an autopsy on Henri Paul, this was evident, as he was the driver.

However, the decision to make during the night was whether to carry out post mortems on the Princess of Wales and Mr Al Fayed.

As I had been present whilst the driver was being removed from the vehicle, we were certain that Henri Paul was the driver of the vehicle involved in the accident, and that there could not have been a change around. The two other deceased parties were therefore passengers. We therefore proceeded the way we normally do in relation to road traffic accidents and only ordered the autopsy of the driver, Henri Paul.

Nevertheless the Public Prosecutor or I, without being any more precise, decided to request that an experienced forensic pathologist proceed with an external physical examination of the bodies of the Princess of Wales and Dodi Al Fayed. Professor Lecomte accepted this task, which she conducted, to my knowledge, early the next morning.

The Sunday morning, I met up with the Public Prosecutor and to my recollection a deputy, and we discussed the accident and the ongoing custody of the journalists that had been placed under arrest.

A Judicial Police officer brought me the reports from Professor Lecomte. I speak from memory, as I have not seen the Dossier since. I think I can recall that Dodi Al Fayed had multiple trauma injuries and that he had a fracture of the spine or the spinal cord. Whereas the Princess of Wales, after cardiac massage that had been conducted and the operation she had, died of a rupture of the pulmonary vein. Having viewed these documents I issued the burial certificates.

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Answer to additional question: I would not be able to tell you why it was Mrs Lecomte that was tasked to deal with the examination of the bodies and the autopsy that was ordered. I must point out that Mrs Lecomte was in charge of the Institute of Forensic Medicine. It is possible that she left her number at the Police headquarters. It appears relevant to me to point out that all the pathologists that work at the Institute of Forensic Medicine are specialised and experienced doctors. I could have tasked any of them with the mission appointed to Professor Lecomte and this with the same level of confidence. To my recollection this choice was not made to the detriment of the other doctors, but probably because she was on call and therefore easier to contact.

Do you recall what instructions you gave to Professor Lecomte in relation to the examination of the bodies? What were the consequences of the conclusions of Professor Lecomte on your role as deputy Public Prosecutor?

For us, Magistrates to the Prosecutor's office, ordering an external physical examination of a body as a precise significance: this signifies that the expert will conduct a meticulous and attentive examination of the body, describe all traces of injury from force or marks. Having examined the bodies thus, the expert will make conclusion as seen fit. I therefore gave no precise instructions to Professor Lecomte, the request for an external examination suffices in itself.

Once I had received the results of the examinations of the bodies, I issued the burial certificates, as all necessary precautions had been taken.

Answer to additional question: When we issue the burial certificate, this means that the body can be restored for funeral arrangements and therefore, it is no longer the responsibility of the Justice Ministry. All necessary precautions having already been taken.'

Operation Paget Comment

From that point on, as Public Prosecutor, Maud Coujard had no further responsibility for the two bodies as the deaths were attributed to the crash and not considered to be suspicious. She was not involved in any way in the decision to embalm.

Dr Eva STEINER

Docteur en Droit et Sciences Criminelles (University of Paris Nanterre), lecturer in French Law, Kings College London, qualified French Advocate, former member of the Paris Bar (1981-1987), author of 'French Legal Method'.

Dr Steiner's reports filed with Operation Paget - Other Documents 347 and 478

Dr Steiner was asked by Operation Paget to provide a description and interpretation of French law, procedures and practices to assist the understanding of actions in the French inquiry where a specific legal issue has been raised.

Dr Steiner was consulted in respect of the embalming of the Princess of Wales. She informed Operation Paget of the following:

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In respect of autopsy examinations in France:

'In France a judicial post-mortem examination (autopsy) is carried out at the request of either the public prosecutor, during the police preliminary inquiry (article 74 of the Code of Criminal Procedure), or at the request of the examining magistrate (juge d'instruction) in the course of his general powers to carry out any investigation 'which he judges to be useful for the purpose of revealing the truth' (article 81 paragraph 1 of the Code of Criminal Procedure).

In both cases the objective is to ascertain the circumstances and the possible causes of a violent or suspicious death, whether accidental or criminal. Thus, in both cases, post-mortem examination is aimed at determining whether the victim has died from a criminal act or from accidental circumstances.

In the case of death arising out of a car crash there is no statutory obligation either on the public prosecutor or on the examining magistrate to order a post-mortem either for the driver or for the passengers. Indeed, as far as the public prosecutor is concerned, the relevant text concerning post-mortem examinations - article 74 of the Code of Criminal Procedure - states: 'the district prosecutor may also initiate a judicial investigation into the causes of the death'. This implies that this decision is left entirely to his discretion'.

In respect of embalming in France:

'The process is prohibited in circumstances where, following medical examination, the doctor appointed by the authorities finds that there are suspicious circumstances relating to the injuries necessitating further investigation of a medical forensic nature.'

'Article R 2213-2 should be read in the light of two other important principles stated in the same code:

- (i) Under Article L 2122-24 CGCT, the Mayor accomplishes all his 'police' duties' (including police des funérailles) under the supervision of the 'representative of the State in the Department' [i.e. the Prefet of Police].*

and

- (ii) Under Article L 2113-7 CGCT, 'the Mayor or, in his absence, the representative of the State in the Department takes all urgent measures 'so that any deceased person is buried in a proper way without distinction of creed or belief.'*

Dr Steiner also stated:

'The power of the Prefet to substitute for the Mayor is even truer in Paris.'

'Further, as the representative of the State and the Head of the Police in the Department, the Prefet rarely acts personally; usually the most senior police officer in the Department acts as a substitute for the Prefet.'

Operation Paget Comment

The evidence in section 1 shows that the Princess of Wales underwent emergency surgery at the Pitié-Salpêtrière Hospital and was pronounced dead at 4am. No pregnancy test was carried out and no samples were taken for the purpose of carrying out such a test.

As her death was not due to natural causes, i.e. it was the result of a sudden and violent impact, the Deputy Public Prosecutor tasked a court appointed medical expert, Professor Dominique Lecomte, to carry out an external examination of the Princess of Wales' body. This concluded that the injuries were consistent with the car crash.

As no suspicious circumstances were associated with the medical issues Professor Riou signed the relevant form, stating that there were no legal/medical obstacles associated with the body. The Deputy Public Prosecutor then signed a burial certificate for the Princess of Wales and relinquished all responsibility for her body, including any decision on embalming.

The embalming of the Princess of Wales' body then proceeded in accordance with the 'Code Général des Collectivités Territoriales' (Articles R.2213-2) detailed above for non-suspicious deaths.

2. Who authorised the embalming? – The decision to embalm the Princess of Wales

Jean MONCEAU

Assistant Commercial Director in 1997 for the embalming company BJL Service Parisien d'Hygiène Funéraire [Paget Note: Paris Funeral Hygiene Services.] He had worked as an embalmer since 1986 and lectures worldwide on embalming issues. He has a diploma in embalming. Jean Monceau was the key decision maker in the embalming process.

Interviewed by Operation Paget - Statement 177

BJL were initially contacted to provide dry ice to the hospital in order to control the rate of deterioration of the body of the Princess of Wales. The BJL receptionist arranged for this to be done. Jean Monceau, on being informed of this, agreed that it was correct to send the dry ice, if it had been asked for, but attended the Pitié-Salpêtrière Hospital in person as he did not believe dry ice would be sufficient.

Jean Monceau is an experienced embalmer. His initial opinion was confirmed when he saw the injuries on the Princess of Wales' body. He believed she needed to be embalmed. This was principally for presentation purposes before the Princess of Wales' family, HRH The Prince of Wales and French dignitaries arrived to view the body and pay their respects. Preservation, which is a longer-term concern, was secondary in his thoughts.

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At the hospital, Jean Monceau was introduced to the Consul-General, Keith Moss of the British Embassy. Keith Moss was there in his consular role to look after all issues associated with the Princess of Wales' body. Jean Monceau's account of their conversation goes to the heart of the decision to embalm the Princess of Wales.

In page 6 of his statement, Jean Monceau said:

'It was the first time I had met Mr Moss. I explained to him that it was not possible or appropriate to present the Princess of Wales to the President of France, or to her sisters or her family, in the state she was in. He got me to explain what dry ice is. I also told him what I recommended, i.e. embalming, whilst explaining that it was not like Egyptian embalming, which is not allowed under French law. We spoke in French and English, but in French we did not speak about embalming but thanatopraxie which is a treatment involving the injection of preservatives into the arterial circuit and the recovery of veinous blood from the right of the heart and from the main veins. I also explained the various levels of embalming to him: dry ice; the next level, which consists of mortuary cleansing, i.e. packing with gauze, suturing the mouth, covering the eyes, and make-up. I also explained to him that because of the fractures and sutures, this level would not be adequate. I suggested arterial injections to preserve the body from the proliferation of bacteria (odours and change of colour), especially given that the heat in the room where the body was, being so high was a contributory factor. Following this explanation, Mr Moss told me that he thought that it was a good idea to proceed in this fashion for the arrival of the family of the Princess of Wales. However, he told me that he must first resolve the problems surrounding the authorisations.'

Jean Monceau clearly believed that he explained to Keith Moss that the Princess of Wales required the highest level of embalming because of the fractures and sutures. However this conversation appears to have taken place in French and, as Keith Moss later described, he believed he was agreeing to a less intrusive form of treatment in order to make the Princess of Wales presentable for her family when they arrived at the hospital.

Jean Monceau continued at page 8 of his statement:

'You have asked me how this case differs from a normal case. On that day, I was told that Prince Charles was coming to Paris and that he was bringing with him some British embalmers. This led me to believe that he wanted the Princess to be embalmed. Furthermore, Mr Keith Moss, who as far as I was concerned, was the person with authority to deal with the funeral of the deceased, gave me verbal authorisation to proceed with the embalming. As I have already explained to you, in order to be able to proceed with embalming, a member of the family or any other person having the capacity to deal with the funeral of the deceased must sign a request for authorisation to proceed with embalming.'

Jean Monceau believed that, in the person of the Consul-General, he had the consent of 'those having authority to proceed with funeral arrangements'. ('Code Général des Collectivités Territoriales' (Articles R.2213-2))

CHAPTER NINE

Jean Monceau continued at page 9 of his statement:

'You have asked me if it was my decision and my decision alone to proceed with the embalming. Nobody asked me to embalm the Princess of Wales. It was me who suggested the embalming in order to make the body as presentable as possible under the circumstances and there was no external influence. As an expert in embalming, I did not do anything illegal or wrong or inappropriate that day.'

Jean Monceau is clear that no one else influenced his view or decision.

Jean Monceau also required authority from the Mayor to proceed with embalming in accordance with Articles R.2213-2. He explained that in Paris when the Town Hall is not open and the Mayor's authority cannot be obtained, you must go to the Office of Mortuary Operations at the Préfecture de Police. In practice it is never the Préfet de Police that gives the authorisation, but a representative of that office.

On pages 6 and 8 of his statement, Jean Monceau stated:

Page 6 -

'I saw the Superintendent from the Brigade Criminelle, Mrs Martine Monteil. I explained what was happening to her. She told me not to worry, and that everything would be in order and the authorisations would be given. She left me her mobile phone number and told me that I could call her if there were any problems. I took this authority to carry out the embalming as being from the Prefect, which is explained by the Statutory Order (at Exhibit JM/7). There was nothing strange that the lady Superintendent, who was so well known in France, should give authority for me to proceed.'

Page 8 -

'Superintendent of Police Madame Monteil also told me not to worry when I asked her if I might have problems in respect of the documents required to proceed with embalming and she left me her mobile telephone number telling me that I could call her at any time in case of problems. The law says that you need the request for authorisation from the family or their representative and the authority from the Prefecture of Police. On that day I had verbal agreements, but under those exceptional circumstances this was enough to proceed with embalming on the understanding that everything would be regularised.'

Jean Monceau thus had his 'Mayoral authority' to embalm, and he and two other embalming professionals in his company carried out the embalming.

Jean Monceau also stated that he did not know that the Princess of Wales would undergo an autopsy in the United Kingdom until the British funeral directors arrived at about 5pm. He would still have embalmed her because *'the embalming does not affect the autopsy. In France we often carry out autopsies after embalming and the experts recognise the puncture points. This is why we leave a flask of fluid with the body.'*

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[Paget Note: This flask, containing a sample of the embalming fluid, was indeed returned to the United Kingdom at the same time as the Princess of Wales' body. It is now in the possession of Operation Paget Exhibits JRE/2 and JRE/3, and Statement 54J.]

Keith MOSS

Consul-General, 1997, British Embassy, Paris.

A consular officer is expected to ensure that the host nation correctly handles the consular requirements of British citizens overseas and in need of help. The Consul-General in Paris has an overview of the consular services throughout the country. Keith Moss attended the Pitié-Salpêtrière Hospital to co-ordinate arrangements there.

Interviewed by Operation Paget in 2004 - Statement 91

Keith Moss believed that at around 1.10am on Sunday morning he was telephoned at home by the Embassy duty officer who informed him that reports were coming out of a vehicular accident involving the Princess of Wales in the tunnel by the Pont d'Alma in Paris and that she had been transferred to the Pitié-Salpêtrière Hospital. He was also informed that the driver was reported dead, along with Dodi Al Fayed, and that their bodyguard Trevor Rees-Jones was injured and had been taken to hospital. He went there immediately to give such a high profile case his personal attention.

[Paget Note: The content of some of this information from telephone conversations must have been later than 1.10am. Keith Moss believed he arrived at the Pitié-Salpêtrière Hospital at 2.15am.]

He had not been directed to attend. He set up an incident room in an office and facilitated communications with the many people who had an interest in the Princess of Wales' treatment and condition. He was then involved in the post-death procedures for repatriation.

Keith Moss described his meetings with the '*Thanatopracteur*' (embalmer), whose name he does not recall, on pages 7 and 8 of his statement:

'At some point during the day a representative from B.J.L. Service Parisiens d'Hygiène Funéraire attended to prepare the Princess's remains for viewing by the Royal party. I subsequently learnt from his invoice, dated 7th October 1997, that this person was called a 'Thanatopracteur'. The nearest word in the English language that would describe the role this person undertook, would be an embalmer. I'm not sure at what time he was called to attend or what time he arrived at the hospital. I do not recall whether he had been called by the hospital, by the 'Pompes Funèbres Générales', [Paget Note: French Funeral Directors] or by Steven Donnelly, [Paget Note: Employed at the British Consulate] although the latter is rather unlikely.'

CHAPTER NINE

Jean Monceau described to Keith Moss how decomposition of a body may occur in those circumstances and told him *‘that he was there to make it as presentable as possible for the family. I had not at this stage seen the body and I assumed that the Princess of Wales’ body would not be in a fit state for presentation. I therefore saw this service as a perfectly legitimate thing to do.*

I had not come across his type of role before, although I had been involved as a Consular Officer with arrangements for dealing with British citizens who had died overseas.

Additionally I was aware that there were plans made to allow the wife of President Chirac and Mme. Jospin to pay their last respects.’

Keith Moss continued at page 9 of his statement:

‘When the ‘Thanatopracteur’ told me he was here to make the Princess of Wales’ body look as presentable as possible for viewing by her next of kin, I asked him what this involved. He said, washing her hair, cleaning her body, applying make-up to reduce the impact of shock to the next of kin. I asked him if he needed me there and he said no. I thanked him, and left him to get on with it. This conversation was conducted in French in my office on the corridor I have described.’

‘I have been asked whether I know what ‘embalming’ means. I don’t fully know I am not an expert, but I am aware that this was a procedure that was undertaken in Ancient Egypt to preserve bodies for the afterlife. With regards to what was undertaken on the body of the Princess of Wales, I understood it was not in order to preserve her in perpetuity, but for her to be made presentable for her family.’

Keith Moss cannot recall who else was present during these conversations. He believed this was the right thing to do in the circumstances and any action was undertaken to make the Princess of Wales look presentable for viewing.

When asked now if he would have given his authorisation if he had known chemicals would be introduced into the Princess of Wales’ body, Keith Moss stated that if told this was standard procedure he would undoubtedly have told Jean Monceau to carry on. He was not aware on Sunday 31 August 1997 that the Princess of Wales’ body would undergo a post-mortem examination on returning to the United Kingdom.

Colin TEBBUTT

Ex-Metropolitan Police Service Royalty Protection Group officer. He was employed as a security consultant and driver for the Princess of Wales in 1997. He travelled to Paris on Sunday 31 August 1997 to assist with repatriation of the Princess of Wales’ body.

Interviewed by Operation Paget - Statement 41

Colin Tebbutt was asked to go to Paris by the Princess of Wales’ Personal Secretary Michael Gibbins when news of her death broke. He and Paul Burrell flew together. They went to the Pitié-Salpêtrière Hospital and Colin Tebbutt assisted the Consul-General Keith Moss.

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In page 8 of his statement, Colin Tebbutt said:

'All the while the hospital room was getting hotter. I spoke to the hospital funeral directors through Mr Moss and I asked about the condition of the body under these circumstances and what the condition of the body would be when the Prince of Wales and the family attended. I was informed that the body would start to deteriorate quite rapidly. This was also the opinion of the nursing staff, as it was just so hot.

[Paget Note: The body of the Princess of Wales was in a room in the main hospital for security and control reasons. She had not been taken to the hospital mortuary and so her body was not refrigerated.]

I had to force this issue because of my concerns for the family's attendance and I rang Mr Gibbins. I told him that, as I understood it, if we waited for Levertons (the Royal Undertakers) to arrive with a coffin at 5pm, the information that I had been given was that the Princess was melting. I asked him to find out what to do. I was aware that the Prince of Wales was due to arrive shortly after 5pm and from what the French Funeral Directors had mentioned, it would take approximately one and a half hours to prepare the body for the Prince's arrival.

Mr Gibbins rang me back and said that, "If you think, they will do a good job then yes." He expressed that if they were proper Funeral Directors employed by the hospital and if Mr Moss was in agreement they should be allowed to carry on. I was quite relieved by this decision, as I did not wish the Princess of Wales' family to see her body in a state of deterioration.

I then spoke to Mr Moss and told him, "If we don't do something the body is going to be in a state", this was my opinion from my experience of dealing with dead bodies. The Funeral Directors were also in the room and I said "Would you kindly do whatever you do to prepare the body for when the family arrives". Mr Moss who had been present, standing next to me in the office when I was speaking to Mr Gibbins, then spoke to the Hospital Funeral Directors in French, and as far as I am aware he asked the Funeral Directors to prepare the body for when the family arrived.'

[Paget Note: Colin Tebbutt is believed to be referring to the embalmers when he talks of the 'funeral directors'.]

He continued at page 9 of his statement:

'I have been asked whether I was aware that the Princess of Wales had been embalmed. I did not know anything about an embalming process and I was unaware until now that such a procedure had taken place. I just presumed that they had got on with whatever they do. I have never watched anybody prepare a body.'

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Michael GIBBINS

Private Secretary to the Princess of Wales in 1997. He co-ordinated tasks from Kensington Palace in London following the crash.

Interviewed by Operation Paget - Statement 60

Michael Gibbins remained in London on Sunday 31 August 1997 in order to co-ordinate arrangements. In his statement at Page 5:

'I have been asked if I recall a conversation with Colin [Tebbutt] about the deterioration of the Princess's body at the hospital and the arrival of the Royal Undertakers, Levertons. I think Colin told me that he had been into a room to see the Princess's body and that there was damage to one side of her face. He also informed me that the room was very hot and there was overhead lighting. There was concern over the deterioration of the body with the heat and there was some question of the hospital authorities trying to preserve the Princess. My recollection of this conversation with Colin was that the family were due to arrive and that the Princess needed to be made to look presentable. I said Colin "Thank you for reporting that, you must follow what the hospital authorities say and go with it".

I have been asked if the word 'embalming' was ever used. I can't remember, I had so many calls. I can however state that I never gave Colin Tebbutt directions to have the Princess embalmed. I was never aware that the Princess had undergone or was about to undergo any form of embalming process. The issue was to make the Princess look presentable for the arrival of the family.

It was never a thought of a medical preservation process. I have never had any dealings with the embalming of a body. It would not have been my place to deal with this. A lot of the decisions that Colin Tebbutt was asking me to make needed to be made by the relatives, but I had no one to call. I couldn't ring His Royal Highness Prince Charles or the Princess of Wales' mother. I was in London, what could I do, but to say to Colin to do what he thought was best in the circumstances. My reaction was, if the people on the ground felt that this was the right thing to do then let them get on with it.

Throughout that day I do not recall receiving directions from either the Foreign Office or our embassy in Paris.'

Michael Gibbins believed the process to have been necessary because of what he was told by Colin Tebbutt in Paris and the collective desire to make sure the Princess of Wales was presentable before her family viewed her body at the hospital.

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Paul BURRELL

Butler to the Princess of Wales. He flew to Paris on Sunday 31 August 1997 with Colin Tebbutt and attended the Pitié-Salpêtrière Hospital.

Interviewed by Operation Paget - Statements 24A and 24B

In his statements Paul Burrell has said:

'I was not involved at any stage of the embalming process concerning the Princess. I understand she had a medical examination in France but I do not understand autopsies. I do remember a very strange smell at the hospital, which I was told was embalming fluid. I believe there is a report concerning an autopsy, which was kept in the Kensington Palace safe along with some other documents (of which Lady Sarah is aware).'

I recall arriving at Northolt at 6pm on Sunday evening and then going with the Princess' body to the rest home in North London. Dr Wheeler was there and at about 9pm I had a discussion with him in the undertakers' chapel of rest where he told me that he and the Queen's coroner were to perform another autopsy on the Princess. I asked at the time whether that was really necessary "Hasn't she gone through enough?" I was told, yes it was necessary because she had been abroad and had now come back into Britain. It was a technical issue apparently. I do not know anything about post mortem procedures that are necessary when someone dies and is brought back to the United Kingdom.'

And in relation to the burning of the Princess of Wales' clothing on his return to Kensington Palace, he stated:

'The clothing that had been taken off the Princess at the hospital in Paris was returned to me next day at Kensington Palace. This was a black 'body' and her white 'pedal pusher' trousers that I had bought her for the holiday. They were clearly blood soaked. After talking to Lucia I destroyed them for health reasons as I did not know what else to do with them. I have not seen her outer clothing, jackets, shoes etc from that night.'

When asked how the blood-stained clothing was returned to him, Paul Burrell is still unclear on this matter. In a follow-up statement he said:

'I recall seeing her blood-stained clothing in a bag in the corner of the surgeon's room but don't remember how those items came back to Kensington Palace. It was possibly through Lady Sarah. I cannot imagine that I brought them back from the hospital. I know they were back at Kensington Palace very quickly, before her other belongings and before Lucia Flecha de Lima arrived who flew over on Sunday night.'

The French inquiry gave the following details in relation to the return of the blood-stained clothing of the Princess of Wales:

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'Lady Diana Frances Spencer: One pair of trousers and one body, personal effects restored on 31.08.97 by the medical staff following her transfer to the Pitie Salpetriere (Accident and Emergency) to Paul Burrell, a representative of the family who signed a receipt (see enclosed receipt) and in respect of which no valuables or jewellery of any kind were involved.' (French Dossier D2536)

It would appear that the most likely explanation for the return of the blood-stained clothing to Kensington Palace is that Paul Burrell brought it back, although he states he cannot recall actually doing so.

Lucia FLECHA de LIMA

Friend of the Princess of Wales. She flew to London on hearing of the crash and met Paul Burrell at Kensington Palace.

Interviewed by Operation Paget - Statement 61

'When I arrived in London I went directly to Kensington Palace. There I saw Paul Burrell. He was in possession of the Princess's damaged and blood-stained clothing. He had stored the clothing in the fridge so I advised him to burn them. This was to prevent them getting into the wrong hands.'

Martine MONTEIL

Commissaire Divisionnaire (Head) of the Brigade Criminelle, Paris Police in 1997 and head of the initial French police investigation.

Operation Paget - Correspondence 470

When asked of her recall of the decision to embalm the Princess of Wales' body, Martine Monteil referred to the statement of René Desguine (Operation Paget Statement 154) of the embalming company (a colleague of Jean Monceau) in which René Desguine stated:

'I must however point out that preservation techniques are always carried out in the presence of or with the consent of a police authority. For the Princess of Wales we had the agreement of Mrs Martine Monteil, head of the crime squad at the time.'

Interviewed by Operation Paget - Statement 238

'I should point out that in road traffic accidents, it is not usual to carry out a post mortem on the passengers because in most cases it is not relevant to the investigation. In the event, it was the Public Prosecutor's Department that decided to examine the bodies of both the Princess of Wales and of Dodi Al Fayed. It was the Public Prosecutor's Department, acting on the basis of an expedited police investigation [flagrance] at that time who, in the light of the results, decided to issue the burial certificates without any restrictions.'

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If my memory is correct, it was the British Consul, Mr Moss, who made known the wish for embalming to be carried out on the body of the Princess of Wales. From the moment that the Public Prosecutor's Department had signed the burial certificate without restrictions, there was no reason to object. I am not sure, but I think that embalming may be necessary anyway when a body has to be repatriated to another country.'

Peter ALLEN

Freelance British journalist based in Paris. He was quoted as being the source of the information that the Deputy Public Prosecutor Maud Coujard was instructed by the British Ambassador in Paris, Sir Michael Jay, to embalm the Princess of Wales' body, leading to this claim being included in Mohamed Al Fayed's statement.

Interviewed by Operation Paget - Statement 217

Peter Allen gave a full account of how he contacted an official at the Palais de Justice:

'I consequently contacted a press officer at the Palais de Justice and requested that she ask Mme Coujard the following general question along the lines of "Who was running the show and if she [Diana, Princess of Wales] was embalmed was it wholly or partly?" The reply that came back, through the same source, were words to the effect "If she was embalmed the British would have made the decision."

He did not have a personal meeting with Maud Coujard. He does not know if the question was ever put to Maud Coujard. Peter Allen, as requested, passed on the result of his enquiry to a journalist in the United Kingdom. He categorically states that from his enquiry there was no reference to Sir Michael Jay.

Subsequently a newspaper article was published on 27 June 2005 headed 'Why did British Embassy order embalming?' and claiming 'Sir Michael Jay, the British Ambassador in Paris at the time gave the specific order to embalm the Princess when she arrived at the Pitie Salpetriere at 1.20am.' and implying that the 'source' of the information had obtained it in a personal interview with Maud Coujard.

Maud COUJARD

Deputy Public Prosecutor.

Interviewed by Operation Paget - Statement 239

'Question: "Did you make any decisions concerning the embalming that was performed on the Princess of Wales? To your knowledge, was Sir Michael Jay, the British Ambassador, concerned in the decision to embalm?"

Answer: "No. I was not consulted on this matter. I do not know if I heard talk of embalming that would be conducted on the body of the Princess of Wales before or after signing the burial certificate. What I can say, is that, had I deemed it necessary for the investigation, that the body remain intact, I would have made mention of this on the burial certificate, forbidding all post mortem treatment or cremation. I had no reason to make such restrictions, as I have already indicated to you."

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I do not know if Sir Michael Jay, British Ambassador, took part in the decision to embalm.

Answer to additional question: “I have never given any interviews whatsoever to either French or English journalist or any nationality, with regards to this investigation. I again refused to answer journalist questions a fortnight ago.” ’

[Paget Note: The Deputy Public Prosecutor had no responsibility for the body of the Princess of Wales after Professor Riou at the Pitié-Salpêtrière Hospital signed the certificate stating there were no medical legal obstacles associated with the body and so was not involved in any of the decisions concerning embalming.]

Sir Michael JAY

Her Majesty’s Ambassador to France from 1996 until 2001. He was in post at the time of the crash and responsible for co-ordinating the response of the British Embassy.

Interviewed by Operation Paget - Statement 184

Sir Michael denied any involvement in the decision-making process regarding embalming. At page 13 of his statement he said:

‘I do not believe that I was aware at the time the Princess’ body had been embalmed, and I certainly gave no instructions to that effect or even in the most general terms as to the manner in which her body should be prepared.’

No witness interviewed by Operation Paget, including those who took direct responsibility for the decision, has given any indication that Sir Michael was involved in the process in any way.

Secret Intelligence Service

All enquiries undertaken by Operation Paget at the Secret Intelligence Service (MI6) reveal no link between that Service and any embalming decisions taken in Paris. The SIS is discussed in detail at Chapter Sixteen and all supporting documentation is held securely within Operation Paget.

Operation Paget Comment

The evidence shows that all involved in the decision to embalm the Princess of Wales believed it was necessary to make her body presentable before viewing.

Jean Monceau, an experienced French embalmer, believed this was the only way to ensure the Princess of Wales was presentable. He discounted the use of dry ice or mortuary cleansing because of the extent of her injuries.

Other views were influenced by the heat in the room and the effect it was having on the Princess of Wales’ body.

CHAPTER NINE

Jean Monceau appeared to be the main instigator of the embalming decision but Colin Tebbutt's recollection is that he was independently of the opinion that something had to be done, before he spoke to the embalmers. Neither he, Keith Moss nor Michael Gibbins were familiar with embalming processes. Crucially, those who could be regarded as representing the British authorities only wished for the Princess of Wales to look presentable. It was Jean Monceau, the French embalmer, who dictated that the introduction of chemicals was necessary.

The authority of Keith Moss, as a '*person having the capacity to deal with the funeral*' [Paget Note: Under the terms of Article R.2213-2 CGCT] of the Princess of Wales, and Commissaire Divisionnaire Martine Monteil, representing the Préfet de Police, were believed by Jean Monceau to provide the necessary legal framework for him to proceed.

The Deputy Public Prosecutor Maud Coujard did not, and did not need to, authorise the embalming. She did not receive instructions from Sir Michael Jay, the British Ambassador, to embalm the Princess of Wales.

The British journalist based in Paris, Peter Allen, has provided a full statement to Operation Paget. He stated that, from an enquiry he instituted at the Palais de Justice with a press officer regarding embalming, no reference in the reply was made to Sir Michael Jay, and he has never told anyone that there was. A story still appeared in the United Kingdom press suggesting that the Deputy Public Prosecutor Maud Coujard had admitted in interview that Sir Michael Jay had influenced her to authorise embalming. Maud Coujard categorically denied this.

Sir Michael Jay denied being involved in any aspect of the decision-making process for embalming.

There is no evidence that Sir Michael Jay was involved in the embalming issue in any way.

(See flow charts attached at Appendix A for authority to embalm in France)

3. Who carried out the embalming process?

Embalming process

Jean Monceau placed a female embalmer of his company on standby on the morning of Sunday 31 August 1997 after he had received the instructions relating to the dry ice. She had been telephoned by the company at about 9am and then again in mid to late morning, following which she went to the hospital. She described the process of embalming the Princess of Wales and explained that it was no different from any other case and was in no way specific to the Princess of Wales.

There are a number of other employees of the embalming company BJL and the Funeral Directors PFG with whom there were communications on the morning of Sunday 31 August 1997 as plans were made to deal with the body of the Princess of Wales.

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[Paget Note: A chronology of their initial involvement and chart of telephone calls is included at the rear of this Chapter. The information does not alter the facts of the decision-making process regarding embalming.]

Clive LEVERTON

He was Co-Director of Levertons & Sons Ltd independent funeral directors, appointed to the Royal Family. He travelled to Paris on Sunday 31 August 1997 to assist in the repatriation of the body of the Princess of Wales.

Interviewed by Operation Paget - Statement 44

Levertons are undertakers to the Royal Family. In his statement, Clive Leverton explained the command structure for decision-making with regard to Royal deaths:

'The Lord Chamberlain's officers are the only people we receive our instructions from in the event of a death within the Royal Family. The contact there in 1997 was Lieutenant Colonel Anthony Mather O.B.E who was the Assistant Comptroller. The Lord Chamberlain is amongst other things, directly responsible to the Monarch who entrusts funeral arrangements to him, his comptroller, and then assistant comptroller.'

Clive Leverton travelled to Paris with two embalmers, David Green and Bill Fry. He continued in his statement:

'The reason I took David and Bill was because if the deceased required embalming they would carry it out for me.'

At the time of the request to repatriate the Princess I did not know whether she had been embalmed or not from what my brother (co-director) had told me. I did not know where in Paris she was, or the condition of her body. We were not told whether any preparation or embalming had been carried out. We were not told to go out to embalm and return her, we were given no instructions as to how to prepare her.'

By taking the embalmers we would be prepared and able to carry out embalming if necessary in Paris.'

Anthony MATHER, Lieutenant Colonel, CVO, OBE

From 11 February 1991 until 31 July 1999 he held the position of Assistant Comptroller, Lord Chamberlain's Office, Buckingham Palace. He was on duty on 31 August 1997 and was the point of contact for the Royal undertakers Levertons.

Interviewed by Operation Paget - Statement 166

Lieutenant Colonel Mather was the on-duty representative of the Lord Chamberlain on 31 August 1997. It is from this office that Levertons, and their embalmers, would have sought authorisation for any actions. Lieutenant Colonel Mather is clear that the embalming of the Princess of Wales was not considered by the British authorities, nor were they involved in any decisions taken by the French authorities.

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In his statement he firstly explained how the arrangements for the repatriation of the Princess of Wales were decided:

‘There are plans in place for funerals of any member of the Royal Family.... I was involved in the operational plan named..from 1991 until 1999. During that time I was involved in updating and reviewing it on a regular basis in conjunction with the RAF. I am no longer involved with the plan on a regular basis. There is no other operational plan with the RAF or at the Palace to handle the repatriation of members of the Royal Family.

In 1997 Operationwas utilised to repatriate the Princess of Wales. Within this plan Levertons staff would travel on a separate aircraft to any member of the Royal Family, and arrive at the destination airfield in advance of the coffin’.

‘There was never a separate plan for the funeral arrangements of Diana, Princess of Wales, as she was not at the time of her death a member of the Royal Family. Because of this, an existing plan that was already in place for the funeral arrangements of a member of the Royal Family, was adapted.’

Although the Princess of Wales no longer had ‘Her Royal Highness’ status she was effectively still regarded as a member of the Royal Family for the purpose of this repatriation.

He then described some of the events of the day:

‘I communicated with Keith Leverton over the telephone to his office in Camden. He communicated with his brother Clive Leverton who went to Paris. If they had any doubts or questions they would have contacted me for advice. I was in effect their point of contact within the staff at Buckingham Palace. The Lord Chamberlains office took instructions from the Prince of Wales’ and the Queen’s private secretaries.

I did not communicate with the French authorities, and I did not speak to anyone about the decision or authority to embalm Diana, Princess of Wales’ body. To the best of my knowledge and belief the Lord Chamberlain’s Office had no involvement in the decision to embalm Diana, Princess of Wales.

Levertons have been specifically appointed to carry out the conveyance, and preparations for the funeral of any member of the Royal Family following their death. They would consider whether embalming was initially necessary upon their arrival and liaise with us. However as no member of the Royal Family has died abroad in recent years, this has not been considered recently.

In my experience embalming is a requirement following the death of a member of the Royal Family for the purpose of preservation and presentation prior to the funeral taking place. I was not aware personally who was co-ordinating actions at the British Embassy in Paris and their actions would not have been under my control. I do not recall communicating with any one there on that day.’

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David GREEN

An embalmer with Levertons and a member of the British Institute of Embalmers. He travelled to France with Clive Leverton in case embalming of the Princess of Wales was necessary.

Interviewed by Operation Paget - Statement 45

David Green was instructed to travel to Paris by Clive Leverton. In his statement he said:

'At that time we did not know what condition the body of the Princess was in, nor whether she had been embalmed, nor whether embalming was required to be done by me. So I went prepared to carry out whatever duties were required of me. Clive and I knew that the Prince of Wales, and the Princess's two sisters were en route to view her very soon after our arrival. Therefore had I been told to start any embalming and to carry out a complete job it would not have been possible because of the time limitation. I would have needed three hours to do this.

The embalming carried out by the French may have been only sufficient for viewing. In my opinion what embalming had been carried out was only for the purpose of the viewing and to tidy up her appearance. The closing of eyelids and open mouths, the addition of makeup and some injection of embalming fluids around the areas of visible injuries following traumatic death is quite normal. Had there been no viewing in Paris of such a well known person and by Prince Charles and family then it is possible no embalming would have taken place.

Bodies coming into the UK are embalmed more often than not. They may have already had a post mortem in the country of death, or there may be upon the request of the family, or if the Coroner insists, a second post mortem may be carried out.'

Operation Paget Comment

The embalming was undertaken by a female employee of the French embalming company BJL of the Hygeco Group. She was assisted by two others, including Jean Monceau. It was a routine embalming process.

4. Was there an ulterior motive for the embalming relating to the alleged pregnancy of the Princess of Wales?

Janusz KNEPIL

Principal Biochemist and Co-Leader of the Drugs and Toxicology Unit of the Biochemistry Department, North Glasgow University Hospitals NHS Division - a practising toxicologist for over 33 years. He tested human urine samples injected with formaldehyde to assess the effect on pregnancy tests.

Interviewed by Operation Paget - Statement 150

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Experts working with Mohamed Al Fayed to undertake some experimental tests on human urine tasked Dr Knepil. In his statement at Page 2 he says:

‘Under the heading ‘Background’ in my report I have stated that ‘It was suggested that presence of embalming fluid in specimens of urine, tested for pregnancy could cause error in the outcome of the test’. I do not recall who suggested this to me however it is likely to have resulted from group discussions to establish the requirement for investigation. From recollection I was unable to find previously published data on this type of interference (i.e. embalming fluid) on the method.

To this day I agree with the content of my report and stand by my conclusion that under conditions of contamination of urine with embalming (formaldehyde) fluid, a “negative” pregnancy test result is believable. A “positive” test result has a high likelihood of being a “false positive” due to influence of the embalming fluid. Where embalming fluid had been used as a preservative of a body from which urine has been obtained, or where the urine specimen has been preserved by addition of embalming fluid, an alternative means of examination for pregnancy must be used.

I have been asked whether or not I have ever carried out a similar test on the possible effect of the presence of embalming (formaldehyde) fluid on a blood sample tested for pregnancy under identical conditions. I have never carried out such a test and am unable to predict the possible conclusion of such an experiment.’

Operation Paget Comment

By Dr Knepil’s own account there was no literature on this effect when he searched in 2000.

Part of the conspiracy allegation follows the premise that the Princess of Wales’ body was injected with formaldehyde during embalming so that the British authorities could attribute any positive pregnancy test on her to the formaldehyde rather than to an actual pregnancy.

It should be remembered that Jean Monceau, the French embalmer, recommended that embalming take place for ‘presentational’ reasons. Keith Moss accepted that he authorised embalming because of his own concerns over the deterioration of her body. He did not fully understand what that action entailed. Those who could be regarded as representing the British authorities only wanted the Princess of Wales to look presentable.

It is Jean Monceau, the French embalmer, who recommended that the introduction of chemicals was necessary.

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Doctor Robert CHAPMAN

Consultant Forensic Pathologist. MB ChB, MRCPATH, DMJ(Path).

He performed the post-mortem examination on the Princess of Wales at Hammersmith and Fulham Mortuary, Sunday 31 August 1997.

Interviewed by Operation Paget - Statement 13

'Embalming is a common procedure in the UK. It is usual for bodies being repatriated to the UK from abroad via air transportation. I have no expert knowledge of the procedures involved in France.'

'I do have a very wide experience of the examination of embalmed bodies because of the requirement to carry out postmortem examinations on cases referred to the Coroner involving deaths abroad. Embalming makes the examination more difficult because it fixes or hardens the tissues and involves the use of unpleasant, irritant and potentially dangerous chemicals. It often creates artifacts such as damage to the skin and organs.'

Dr Chapman identified the embalming points on the body of the Princess of Wales by the particular locations of the sites used and the post-mortem nature of the incisions. They were readily differentiated from sites of injury or therapy.

No samples were obtained near to obvious sites of embalming fluid installation but he believes the body was fully embalmed.

Dr Chapman stated there was nothing unusual about the embalming process that achieved its goal of preservation of the tissues.

All of the available blood was contaminated or even largely replaced by the embalming fluid, making any sample rather unreliable for toxicology testing.

'It is quite possible that I asked why the body had been embalmed. I was quite surprised that there had been time for this process to take place and given the rapid return of Diana, Princess of Wales' body to the UK such a process would not have been necessary for preservation purposes prior to post-mortem examination'.

'No urine was present in the bladder. A sample would have been obtained if available for toxicology studies. This would, if obtained, be tested for alcohol and drugs.'

'Had urine been present I would not have tested it for pregnancy. It is not normal practice to carry out either blood or urine tests for pregnancy following post-mortem and I have never carried out such a test.'

No suggestion was made to him before, or at the post-mortem, that the Princess of Wales was pregnant.

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Dr Richard SHEPHERD

Consultant Forensic Pathologist and adviser to Operation Paget.

Operation Paget - Other Document 527

Dr Shepherd commented on the embalming issues associated with the Princess of Wales:

'Embalming

1. *The embalming appears to have been professionally performed.*
2. *Introduction of embalming fluid into the body will affect all of the areas of the body to which it percolates.*
3. *Some embalming procedures / techniques mean that not all areas of the body are affected, this will vary from body to body and with the particular techniques used by the embalmer.*
4. *In my experience it is usual for bodies returned from abroad to have been embalmed.*
5. *If samples from the body have been contaminated by the embalming fluid this is very likely to affect the results of analyses. I would anticipate that the toxicology laboratory would be informed about the fact of embalming of a body.*
6. *I understand that research has shown that the presence of embalming fluid interferes with pregnancy tests. (Other Document 22/18).'*

He commented, in general terms, on the effect of possible pregnancy on the treatment of emergency patients.

'Pregnancy

1. *The commonest test for pregnancy is a test on the urine for the presence of the hormone, Human Chorionic Gonadotrophin (HCG). This hormone is present in early pregnancy and is excreted in the urine. The test is a simple one and is most commonly performed by members of the public using kits bought "over the counter" at chemists.*
2. *Blood tests for pregnancy related hormones can also be performed but offer no advantage over this urine test except, possibly, in specialised fertility centres where the whole range of female and pregnancy related hormones may be analysed.*
3. *It is my understanding and experience that a pregnancy test would not be performed at either the roadside or in Casualty department in a case of a serious injury either in France or the UK.*

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4. *In general terms it is accepted that in early pregnancy a developing fetus should not be exposed to X Rays if it is possible and practical to avoid such an exposure. In non-emergency medical practice care is taken to avoid such exposure.*
5. *The risks to the fetus are in fact small but it is good practice in non emergency cases to try to ensure that a female who could be pregnant is not exposed to X rays without that possibility of pregnancy having been evaluated and the balance of the risks and benefits considered.*
6. *However in an emergency situation, such as the one faced by the Princess of Wales, the risks of X rays to a fetus are of no consequence when compared to the risks to the woman of not performing X rays.*

Experts working with Mohamed Al Fayed

On 1 December 2006, Mohamed Al Fayed provided Operation Paget with a summary of the conclusions of his experts regarding embalming:

'Summary

1. *Embalming is a recognised and not uncommon procedure. However, in the case of someone dying abroad, but where the body is going to be repatriated to the UK, it would normally only be carried out for public health reasons, or if there was to be a very long delay in repatriation, or the body was likely to be remaining in a very hot climate with an absence of refrigeration.*
2. *Accordingly, it is difficult to see any logical reason for the body of Princess Diana being embalmed in France, in circumstances where:*
 - a) *Her body was refrigerated;*
 - b) *Her body was to be flown back to the UK within a few hours; and*
 - c) *By law a post mortem had to be conducted in England when the body was repatriated.*
3. *It is suggested that embalming of her body in England took place following the post mortem because the normal protocol which is allegedly applied to members of the Royal Family was also applied to her, even though she was not by then a member of the Royal Family. This may or may not be accurate, although no doubt further information can be obtained. What it does not explain is why an embalming was carried out in France shortly before her body was repatriated. Even if there had been a wish to preserve her body for the purpose of any subsequent public display or for presentational purposes, a delay of, at most, a few hours, until after the post mortem had taken place in the UK would have made no material difference. The advantage of carrying out a post mortem on an unembalmed body is greatly to be preferred to conducting a post mortem on an embalmed body. The situation is made more odd by the fact that her body was re-embalmed immediately after post mortem in England.*

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4. It was generally believed at that time (i.e. 1997) that embalming had the effect of rendering meaningless many tests for a variety of substances in body fluids including testing for pregnancy. Whether this belief played a part in the decision to partially embalm in France is a matter for others to investigate. In fact we have now established that embalming can produce a false positive.

5. We do believe, however, that there are important questions to be asked around this in order to establish why embalming took place (particularly if it is the case, as we are told, that it would have been illegal in France at that time and in those circumstances), who gave the relevant instructions, when and for what purpose.

7. We understand it has now been decided that a criminal investigation will take place in France into this; hopefully that investigation will reveal all the facts and information on which we can advise further. However, at present, and unless the purpose was to conceal the pregnancy, we can see no valid or legitimate explanation for the embalming which occurred in France.'

Operation Paget Comment

With reference to the summary above some clarification is necessary.

At 2a and 2c:

- The Princess of Wales' body was not refrigerated. She was lying in a hot hospital room
- Operation Paget believes that a post-mortem examination did not have to be carried out, by law, in England when the Princess of Wales' body was repatriated. Section 8 of the Coroner's Act 1988 states that, by law, an inquest hearing must take place. Whether this inquest hearing requires a post-mortem examination to be carried out is discretionary.

At 4:

- No pregnancy test was carried out on the Princess of Wales. There is no evidence at all that it was ever intended to carry out such a test. There has been no rational reason put forward as to why such a test would have been considered

It is the Operation Paget view that it was not illegal to embalm the Princess of Wales in these circumstances in France.

The evidence of the French embalmer Jean Monceau is that he clearly believed the embalming was necessary and lawful, notwithstanding the fact that authorities were verbal. Mohamed Al Fayed has an ongoing legal action in France questioning the legality of this embalming.

The experiments undertaken by Dr Knepil reveal an interesting effect of formaldehyde on urine. He himself stated he could find no literature on this subject before his tests, so one must wonder who in 1997 would have been aware of this effect.

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The evidence is that embalming, and the introduction of formaldehyde, can affect toxicological analyses.

The Princess of Wales was not tested for pregnancy at the Pitié-Salpêtrière Hospital. No samples were taken for pregnancy testing. The only concern of the medical staff was emergency treatment to save her life. After the Princess of Wales was pronounced dead there was no need to carry out any other tests on her.

No pregnancy tests were carried out following the post-mortem at Hammersmith and Fulham mortuary. It was not relevant to her cause of death. This is entirely in keeping with normal post-mortem practice.

The relevant authorities in France and the United Kingdom saw no reason at any time to carry out a pregnancy test on the Princess of Wales

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(iii)

CONCLUSIONS

Claims outlined in Section (i)

Claim 1 - Professor Lecomte stated that the body of the Princess of Wales was partially embalmed in France. It is believed that this was under her authority and supervision, although it is at present unclear who, if anyone, gave instructions or authority on behalf of the family of the Princess of Wales for this to be done.

Professor Lecomte had no involvement in the embalming of the body of the Princess of Wales. It was not done under her authority or supervision. Professional embalmers from a French company, BJL, undertook this work, beginning around 2pm on Sunday 31 August 1997.

Jean Monceau of the French embalming company BJL believed that the relevant authorities to embalm the Princess of Wales had been obtained in accordance with 'Code Général des Collectivités Territoriales' (Articles R.2213-2):

- Professor Bruno Riou, who had assisted in the emergency surgery on the Princess of Wales and pronounced her dead at 4am, signed the certificate confirming that there were no medical/legal obstacles, following an external examination of the body of the Princess of Wales by a pathologist.
- The head of the police investigation, Commissaire Divisionnaire Martine Monteil, authorised embalming on behalf of the Préfet de Police [Paget Note: Head of Police in Paris]. On Sunday in Paris, this authority was given in lieu of the Mayor. The office of Préfet de Police is exclusive to Paris.
- The Consul-General of the British Embassy, Keith Moss, who Jean Monceau considered to be a '*person with authority to deal with the funeral of the deceased*', agreed to action being taken to make the Princess of Wales look presentable for the arrival of her family.

Professor Lecomte did carry out an external examination of the Princess of Wales' body at the Pitié-Salpêtrière Hospital at 5.30am on the instructions of the Deputy Public Prosecutor Maud Coujard. Professor Lecomte concluded that the injuries were consistent with a car crash. She had no more involvement with the Princess of Wales' body.

Claim 2 - The post-mortem report (of the Princess of Wales) was, according to Professor Lecomte, given to her and her assistant on a personal basis. It apparently does not appear on any investigation file in France. The investigating magistrate noted that he had never seen this report, and it does not appear on his file. This is a flagrant breach of French investigative procedure.

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Professor Lecomte had a private meeting with Dr Robert Chapman, the British pathologist, in June 1998 and was given the results of his post-mortem examinations in strict confidence. They were within her knowledge when she and Professor Lienhart reported on all medical matters to Judge Hervé Stéphan in November 1998. Their report (French Dossier D6816-D6858) contained the relevant details provided by Dr Chapman.

Claim 3 - Mr Burrell visited the hospital room in Paris where the Princess's body lay and was charged with disposing of the clothes she had been wearing at the time of the crash. By this time the body had already been partially embalmed. For a death that was at least at an early stage being treated as suspicious this seems a most curious procedure. For reasons that have not been explained, Mr Burrell later burned these clothes in a bonfire in his back garden.

Paul Burrell knew nothing about the embalming process or decisions associated with it, although while in the room where the Princess of Wales was lying he smelled what he believed to be embalming fluid. It is believed that Paul Burrell was given the blood-stained clothing while at the hospital and brought it back to Kensington Palace. He states that he cannot now recall that event but this may well be due to the trauma of the day's events.

As Professor Bruno Riou had signed the certificate to say there were no medical/legal issues associated with the body there was no reason for the French authorities to retain the clothing of the Princess of Wales. They were investigating the actions of the paparazzi at the time of the crash and the clothing of the Princess of Wales was not relevant to the offences under consideration.

Paul Burrell has openly stated that he burned the clothing on his return to Kensington Palace following a discussion with a friend of the Princess of Wales, Lucia Flecha de Lima. Having been given the clothing by the authorities in the first place there is no indication that this was anything other than an innocent act to deal with what could have been a health hazard.

Claim 4 - To embalm Diana in France was an illegal act.

The embalming of the Princess of Wales was carried out in accordance with French procedures. As explained in (1) above, the doctor at the Pitié-Salpêtrière Hospital, Professor Bruno Riou, confirmed that there were no medical/legal obstacles associated with the body. The Deputy Public Prosecutor then signed the burial certificate and had no further responsibility for the body. The authority required to embalm in these circumstances, on a Sunday in Paris, is that of a person having authority to proceed with funeral arrangements, together with a representative of the Préfet de Police. Keith Moss, Consul-General at the British Embassy, and Commissaire Divisionnaire Martine Monteil, Head of the Brigade Criminelle of Paris Police, provided these, respectively.

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Claim 5 - The embalming was done to conceal the fact that Diana was pregnant with Dodi's child.

No pregnancy test was undertaken on the Princess of Wales in France or the United Kingdom. This is entirely in line with normal practice in these situations. Therefore there was never any need to 'mask' a pregnancy test with a 'false' positive or to deliberately corrupt samples.

There is no evidence to show embalming was carried out in an attempt to conceal any pregnancy. The scientific tests undertaken by Dr Knepil in 2000 show that if a woman is not pregnant, a urine sample injected with formaldehyde might give a positive result.

There is no evidence that anyone undertook the embalming of the Princess of Wales in order to be able to claim subsequently that any positive pregnancy test could be attributed to the introduction of formaldehyde. Neither is there any evidence to show that embalming was carried out in order to destroy any samples on which a pregnancy test could be carried out.

The French and British authorities had no reason, or requirement, to carry out a pregnancy test on the Princess of Wales. One has to ask therefore why the authorities would go to such lengths to have the Princess of Wales embalmed? No one involved in her treatment in France or post-mortem care in the United Kingdom had any intention of conducting such a test, contaminated samples or not. The only logical criminal motive to embalm the Princess of Wales in these circumstances would be to thwart any possible future request by another party for her samples to be tested.

(Evidence of whether or not the Princess of Wales was pregnant has been discussed in Chapter One)

Claim 6 - This was done on the specific instructions of MI6.

Chapter Sixteen deals specifically with allegations relating to the Secret Intelligence Service (MI6). There is no evidence to show that they were involved in any element of the embalming of the Princess of Wales.

Claims 7, 8 and 9

Claim 7 - The instructions were conveyed by Sir Michael Jay, the British Ambassador in Paris, to Madame Coujard of the Public Prosecutor's Office in Paris.

Claim 8 - There is no doubt whatsoever in my mind that Princess Diana was embalmed on the direct instructions of the British authorities to disguise her pregnancy. I am now informed that the embalming commenced at 2pm on 31 August 1997 in Paris, and the process took some two and a half hours. Therefore her repatriation was delayed pending completion of the embalming process.

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Claim 9 - Madame Coujard, senior Public Prosecutor in Paris, ordered Princess Diana's embalming. I understand your investigators do not believe that Sir Michael Jay, British Ambassador to Paris, was in any way involved. That is in direct conflict with evidence from an investigative journalist which details an interview with Madame Coujard, in which Sir Michael Jay was named.

[Paget Note: Mohamed Al Fayed's team informed Operation Paget that a Paris-based British freelance journalist had obtained this information from Madame Coujard.]

The evidence shows that all involved in the decision to embalm the Princess of Wales believed it was necessary to make her body presentable before viewing. Jean Monceau, an experienced French embalmer, believed this was the only way to ensure the Princess of Wales was presentable. He discounted the use of dry ice or mortuary cleansing because of the extent of her injuries.

As no suspicious circumstances were associated with her death following an external medical examination by a pathologist, Professor Bruno Riou, the surgeon at the Pitié-Salpêtrière Hospital, signed the relevant form stating there were no legal/medical obstacles associated with the body.

The Deputy Public Prosecutor, Maud Coujard, then signed a burial certificate for the Princess of Wales and relinquished all responsibility for her body, including any decision on embalming. The embalming of the Princess of Wales' body then proceeded in accordance with the 'Code Général des Collectivités Territoriales' (Articles R.2213-2) for non-suspicious deaths.

The Deputy Public Prosecutor Maud Coujard did not, and did not need to, authorise the embalming. She did not receive instructions from Sir Michael Jay, the British Ambassador, to embalm the Princess of Wales. The British journalist allegedly referred to in the claim has provided a full statement to Operation Paget. He stated that, from the enquiry regarding embalming that he instigated at the Palais de Justice through their press officer, no reference was made to Sir Michael Jay in the response.

There is every indication that the media report upon which this claim is based is false. Maud Coujard has categorically denied having any meeting with any journalist at any time to discuss embalming issues.

There is no evidence that anyone amongst the French authorities had instructions conveyed by Sir Michael Jay, the British Ambassador, that had anything to do with authorising, directing, supervising or carrying out the embalming.

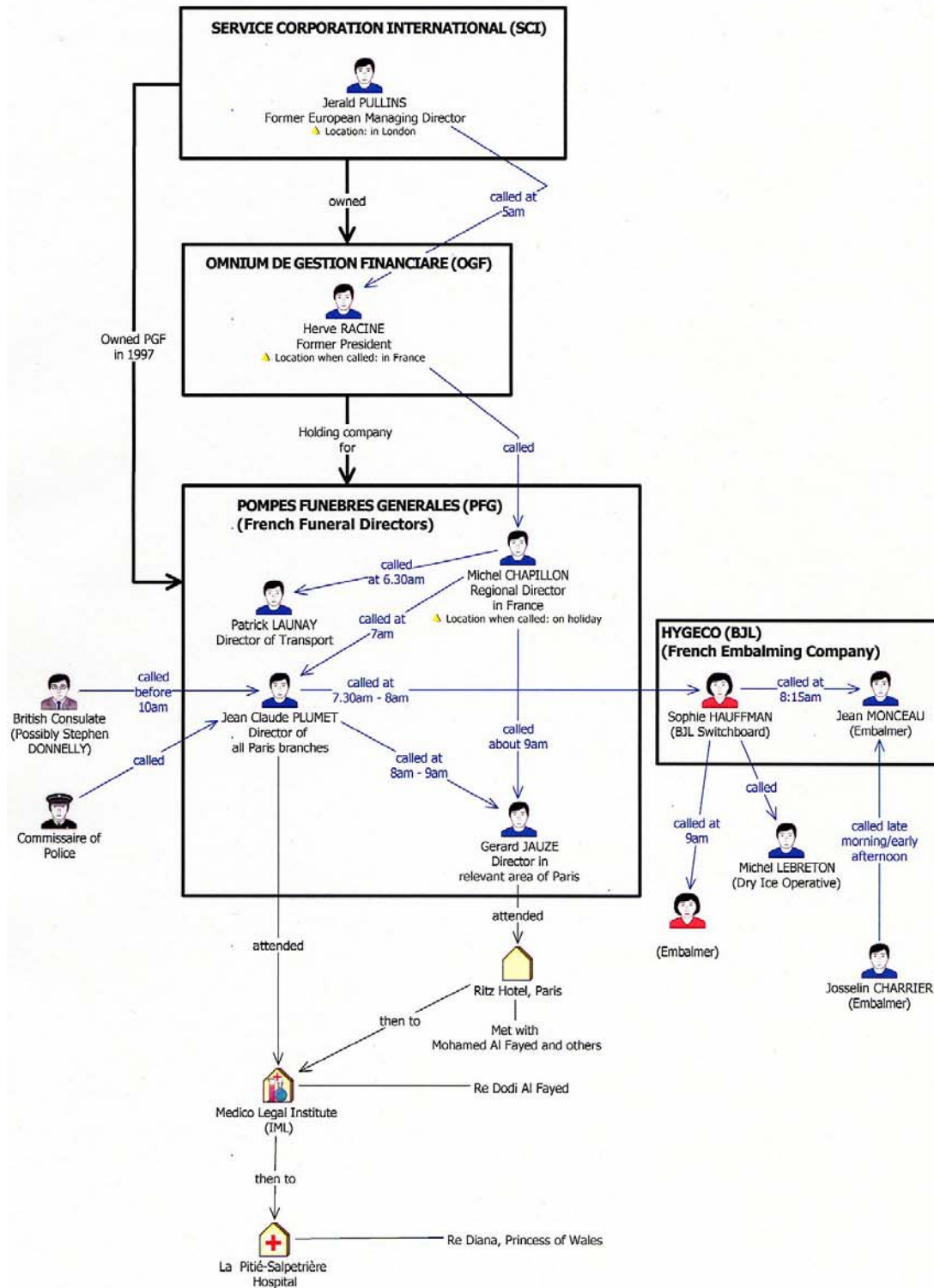
Sir Michael Jay denied being involved in any aspect of the decision-making process for embalming and there is no evidence to the contrary.

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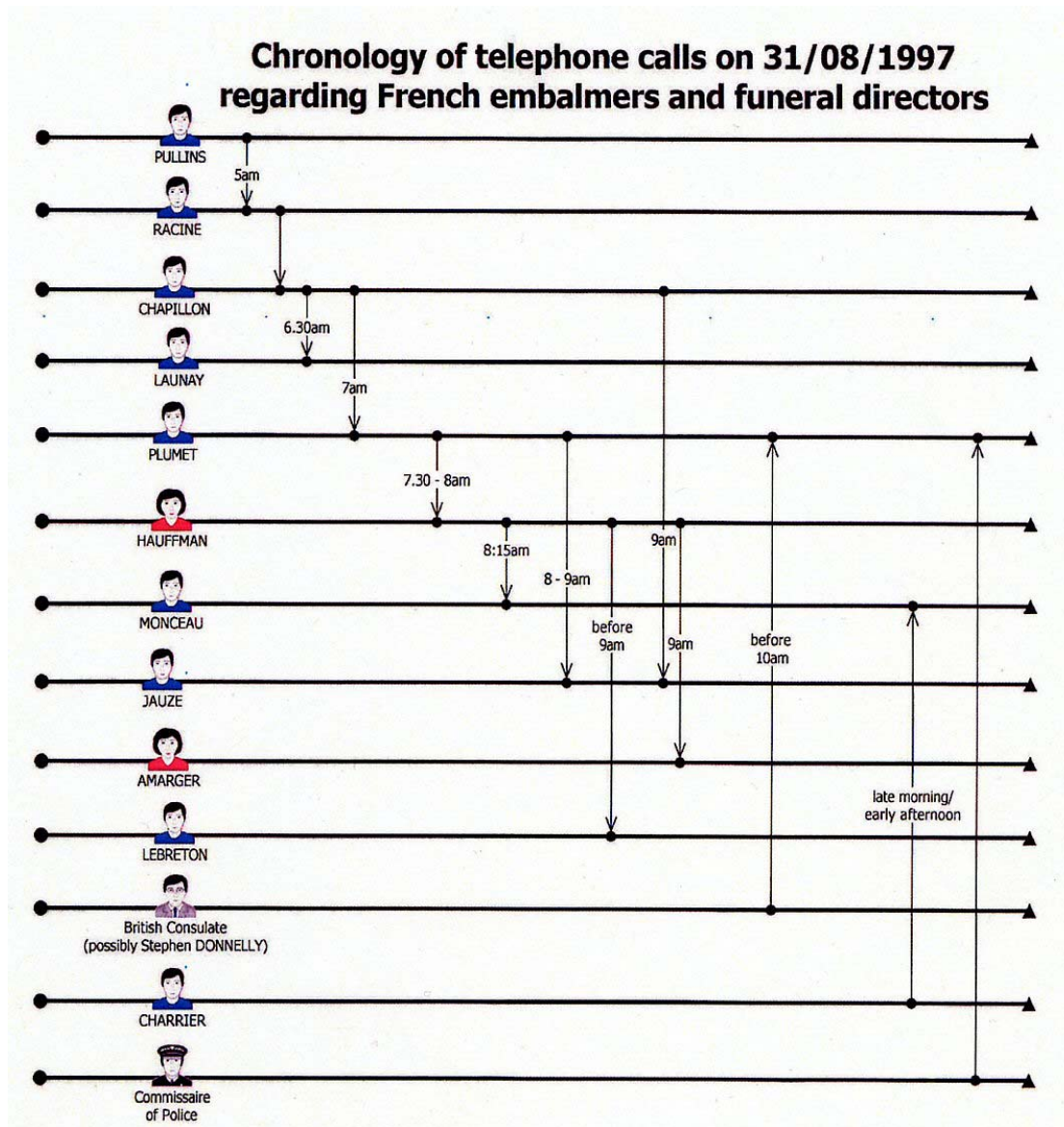
APPENDICES

EMBALMING
OF THE PRINCESS OF WALES
AT THE
PITIE-SALPETRIERE
HOSPITAL, PARIS

Chronology of involvement of French embalmers and funeral directors

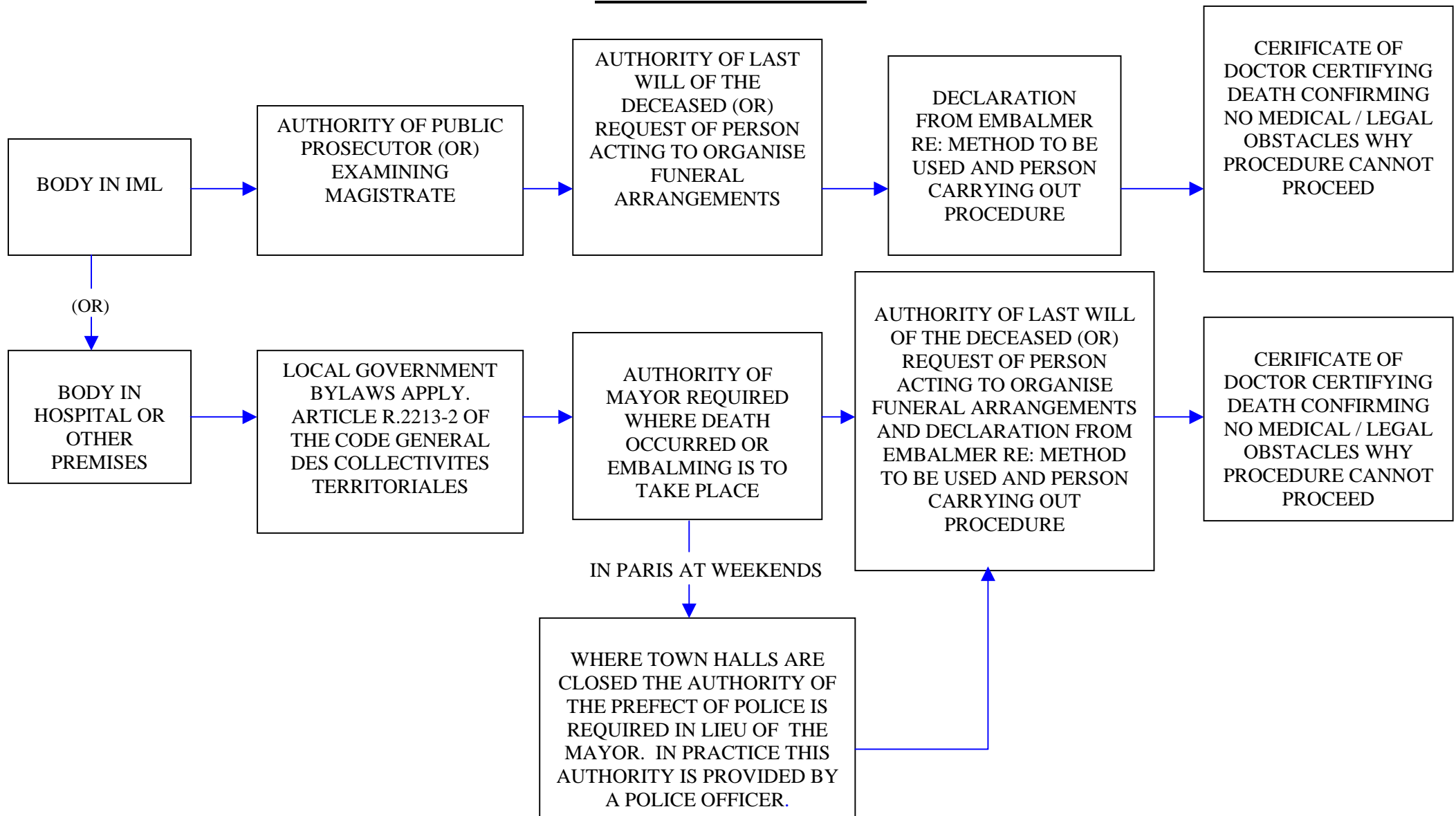


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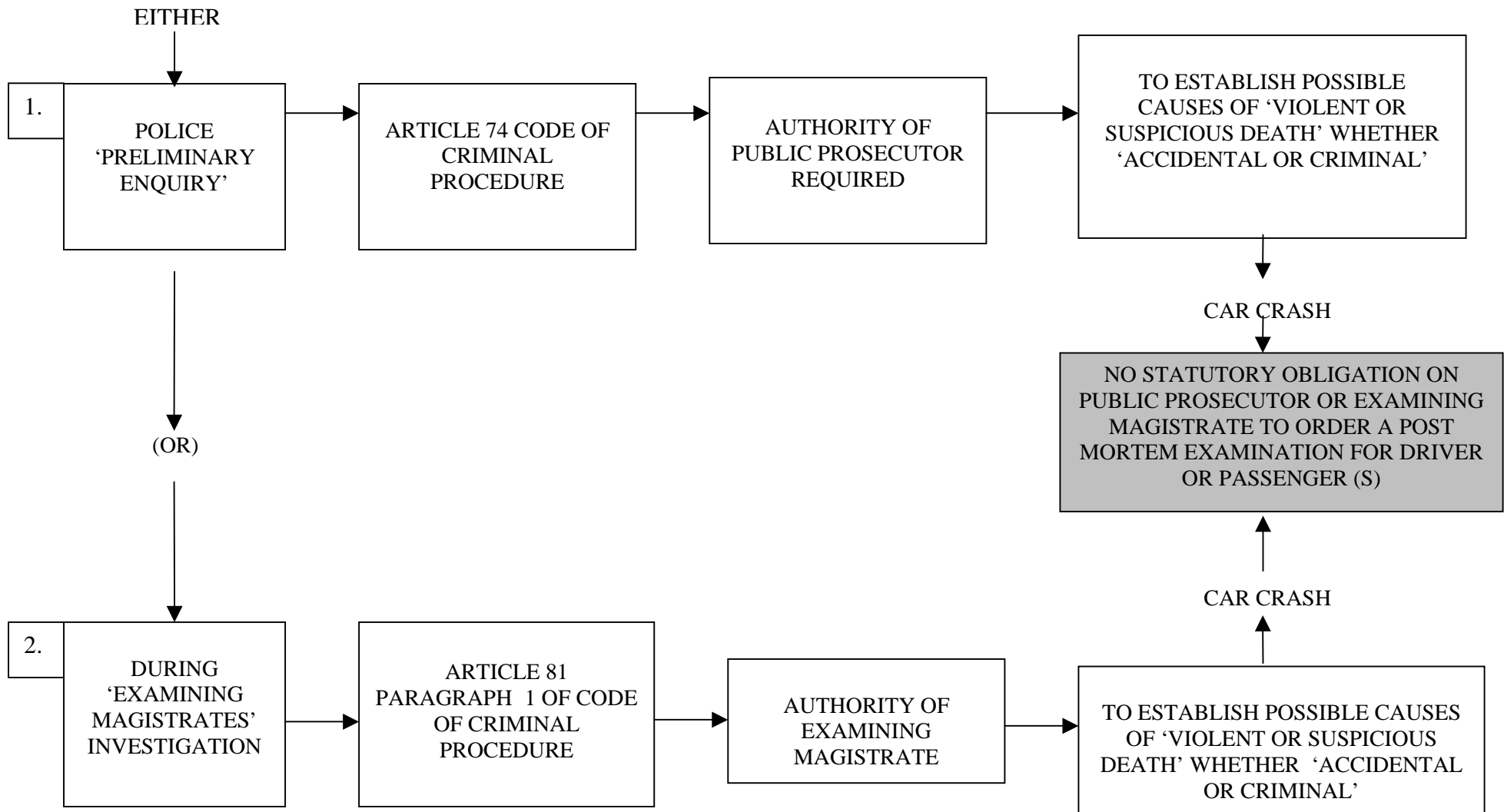
CHAPTER NINE

EMBALMING IN FRANCE



CHAPTER NINE

POST MORTEM LAW IN FRANCE



CHAPTER **TEN**

ACTIONS OF THE FRENCH AUTHORITIES

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(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of the claims made by Mohamed Al Fayed

The French authorities did not carry out scene investigation of the crash correctly and have, without explanation, deliberately prevented interested parties from obtaining relevant information, or from undertaking independent tests relating to forensic issues.

Claims

1. All attempts made by Mr Paul's parents to obtain an independent autopsy, as well as access to blood and tissue samples, have been refused.
2. On 2 September 1997 Professor Vanezis, Regis Professor of Forensic Medicine in the University of Glasgow, requested on behalf of Mr Paul's parents the opportunity to make an independent examination of Mr Paul's body. This was refused.
3. He also requested the opportunity to carry out independent analysis of samples taken from Mr Paul's body. This too was refused without explanation.
4. He asked that he or another independent expert should be permitted to attend at any re-examination of Mr Paul's body or samples taken from it.
5. It transpired that a Professor Dominique Lecomte carried out a further examination of Mr Paul's body, at which further samples were taken, on 4 September 1997 without notifying the lawyers representing Mr Paul's parents.
6. All attempts to carry out independent investigation of Henri Paul's blood have been frustrated by the French authorities.
7. Mr Paul's parents have requested the return of the samples taken from their son's body. This request has been refused.
8. Further investigation is rendered impossible because of deterioration albeit that assurances were given that the samples would be properly preserved, and by the French authorities' insistence that Mr Paul's body should be buried or cremated without examination. Indeed, the body was released to Mr Paul's parents by the French Authorities solely on this condition.

CHAPTER TEN

9. Commander Mules stated that he received a report from Professor Lecomte concerning the body of Dodi Al Fayed. It mentioned that blood, urine and other usual samples were taken from the body. On 5 September 1997, however, Commander Mules made a statement that no samples had in fact been taken. His only explanation was that an error had been made when using the computer, apparently by mistakenly including a standard paragraph. However, the standard paragraph does not appear in the report of the examination carried out on the body of the Princess of Wales.

Source - 7 February 2003, Submission by Mohamed Al Fayed to Minister for Justice, Scotland for Public Inquiry, Page 4 (vii) and (viii)

Claim

10. The investigation in France proceeded in the absence of essential or significant evidence, notably:

- autopsy reports on the petitioner's son and the Princess of Wales
- the records of the incident made by emergency paramedics
- the records at the material time of certain telephone networks
- any adequate attempt to establish the validity of the alibi of James Andanson at the time of the crash or to consider his connections with the security services
- information held or obtained by the British Embassy, the United Kingdom security services or the United States National Security Agency
- evidence that could be given by certain key witnesses including Richard Spearman and Nicholas Langman

Source - Undated 'Note of Argument' Supporting Petition For Judicial Review - Minister For Justice, Scotland –In name of Mohamed Al Fayed

Claims

11. The French police did not cordon off the scene of the crash long enough to allow a detailed examination of the scene and allowed the tunnel to be washed down the same night.

12. The report of the Traffic Investigation has never been made public and was not part of the Judge's dossier.

13. A photograph of the Mercedes entering the tunnel which showed the speed of the car has also been suppressed. (See allegation 3, Chapter Five)

CHAPTER TEN

14. The evidence of a witness who claimed to be first on scene, Eric Petel, who heard what he described as an implosion just before the crash, was originally suppressed by police. His original statement was lost. No explanation for the disappearance of his statement has ever been forthcoming.

Source - 8 July 2003 Lewis Silkin Letter to Coroner, Mr Michael Burgess on behalf of Mohamed Al Fayed, Page 9

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(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Introduction

The claims relating to the French authorities can be broadly grouped into the following areas:

1. Poor management of the collision scene and the absence of the collision investigation report from the French judicial dossier.
2. Refusal of the French authorities to allow for the independent autopsy examination of Henri Paul's body or analysis of the forensic samples taken from it.
3. Failure to obtain, secure or take account of relevant evidence from a number of different sources during the course of the investigation.

This Chapter will look at each area in turn with specific reference to the claims supporting each. It should be borne in mind that actions are being considered within the framework of the French judicial system to assess if there is any evidence to support the 'conspiracy to murder' allegation. This is not a comparative study of the French and British judicial systems.

1. Poor management of the collision scene and absence of the collision investigation report from the French judicial dossier

Sébastien Dorzée and Lino Gagliardone, police uniform patrol officers, were the first emergency service to arrive at the scene around 12.30am.

Commissaire Olivier Bonneford of the 6^e Direction de Police Judiciaire [Paget Note: Local Criminal Investigation Department] was the senior police officer specifically responsible for the sector and arrived at the scene shortly after 12.50am.

The Préfet de Police of Paris Philippe Massoni [Paget Note: He is responsible for the judicial and administrative police staff and the Paris Fire Brigade], the French Director of the Judicial Police Patrick Riou and the Head of the Brigade Criminelle Commissaire Divisionnaire Martine Monteil attended the scene, arriving before 2am.

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A Road Traffic Incident (RTI) in Paris was usually dealt with by the police. In the case of a serious or fatal RTI in 1997 the unit dealing would be the Bureau Central des Accidents (BCA), equivalent to a British Collision Investigation Unit. This department specialises in this type of report and technical investigation. Because of the identity and status of the victims, Maud Coujard the Deputy in the first section of the Paris Public Prosecutor's office, attended the scene to take charge of the preliminary police investigation. She was a judicial figure and independent of the police. It was discretionary for her to attend a scene.

Under Article 74 of the French Code of Criminal Procedure, in the case of violent or suspicious death:

'The district prosecutor goes to the scene of the crime, if he considers it necessary, and is assisted by persons capable of appraising the nature of the circumstances of the death. If they are not registered on one of the lists provided for under Article 157, the persons called upon in this way take an oath in writing to bring their assistance to justice upon their honour and conscience.'

As opposed to the United Kingdom's adversarial system, in France an inquisitorial legal system is in place where the Court, or a section of the Court, is actively involved in determining the facts of the case and will use Court appointed experts where appropriate.

Maud Coujard was in charge of the preliminary inquiry and directed the police response.

Maud COUJARD

Deputy Public Prosecutor in 1997.

Interviewed by Operation Paget - Statement 239

Maud Coujard described her reason for attending the scene and allocating the enquiries to the Brigade Criminelle:

'I had cause to deal with the accident in which the Princess of Wales and Mr Al Fayed were victims, as I was on call on that night.'

This was the on call for the Section to which I was attached, which was responsible for prostitution, drug trafficking, as well as road traffic accidents. It is therefore the headquarters of the Judicial Police, that informed me of this accident by telephone call to my home address, this as far as I can remember being at 1am. I would not be able, nine years after the incident, to have precise memories of the times, everything happened very quickly on that night.'

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I was informed that this was a road traffic accident, during which the Princess of Wales had been injured, without being informed of the gravity of her injuries, that there were two deaths, the driver and the person accompanying the Princess of Wales. From the start, the role of the photographers was pointed out to me, and I think that they had already been arrested. I immediately attended the scene where I found Mr Massoni, Prefect de Police, and Mr Riou Director of the Paris Judicial Police. The first question I had to resolve was which investigative Unit I was going to assign to conduct the investigations.

At that time, I telephoned Mr Bestard the Public Prosecutor, to inform him and explain to him the circumstances of the accident. I indicated to him that I was considering to appoint the Brigade Criminelle to conduct the enquiries, in association with the First Division of the Judicial Police, on whose area this had taken place, and the department specialised in road traffic accidents, specially qualified to draw the plans of the incident. The Public Prosecutor approved my choice. He asked me to keep him regularly informed.'

Martine MONTEIL

Commissaire Divisionnaire, Head of the Brigade Criminelle.

French Dossier D1-D9

She appointed Police Officer Commissaire Jean-Louis Martineau to ensure the following were carried out:

- *An investigation team from the 'Groupe Orea' of the Brigade Criminelle to carry out all relevant enquiries to establish precisely what took place at the scene, interviews, searches, seizures*
- *Case officers Jean-Claude Mules and Christophe Boucharin to proceed with all operations relating to the scene, victim, clothing, valuables and any autopsies that may be ordered, in addition to all the usual administrative declarations (death certification at the town hall, notifying consular authorities). Preparing the case papers for transmission to the Judicial Authorities*
- *All the documents produced by the first units involved (Judicial Police Department, 1st DPJ) to be subsequently added. Likewise, as enclosures, the reports and plans prepared by the BCA*

Sergeants Thierry BRUNET and Thierry CLOTTEAUX

Officers of the Bureau Central des Accidents (BCA).

French Dossier D2572 and D5380

Interviewed by Operation Paget - Other Document 213

On the night of the 30 August 1997 they attended the incident in the Pont de l'Alma underpass at 12.53am. On their arrival, the Deputy Public Prosecutor Maud Coujard, the Préfet de Police Philippe Massoni and other senior officers as well as officers from the Brigade Criminelle were present.

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If this incident had not involved the Princess of Wales, the BCA would have had the responsibility for the investigation. However, because of the identity of the victims, the BCA were told that the Brigade Criminelle would be completing the full description and investigation of the scene. An agreement was however reached whereby the BCA would complete the plan of the scene and Commandant Jean-Claude Mulès of the Brigade Criminelle would complete the report describing the incident and scene, otherwise known as ‘*Constatations*’.

The BCA’s involvement in the matter was to draw the plan for him for which they provided statements. They also confirmed that Commandant Mulès would have completed his report when he returned to his office from his visual examination of the scene and photographs taken at the scene by the Identité Judiciaire. [Paget Note: Photographic Branch.]

In their interview with Operation Paget on 20 May 1998 the officers described their initial actions at the scene:

‘We were told who the people involved in the accident were. While the emergency services were giving them medical attention and in view of the people involved, the crowd present at the scene, the large number of police and emergency vehicles, initially we were only able to look for possible witnesses, preserve the visible traces and keep in place the debris found further up the road from the accident (rear view mirror casing, front right-hand indicator and various white and red fragments) and further down in the opposite lane (parabola of right headlight, interior rear view mirror, front left-hand indicator and left headlight optic). With the aid of the additional lighting from the emergency vehicles we were able to locate traces of tyre rubber in two places and mark them with chalk. It was only after the emergency vehicles had left that we were able to mark out a working area in order to be able to note down the evidence. We started noting the evidence from the tunnel entrance (lampposts 2783, 2784) on a freehand sketch. After the emergency vehicles had left we only had the tunnel lighting, although the traces indicating a trajectory which we had previously marked with chalk were visible. In accordance with our usual practice we made a fair copy of the sketch done on the spot and realised that we needed to go and record additional evidence. We then asked the team coming on duty to return to the scene and record the evidence. The final plan made from our sketch was handed over to us on the afternoon of 31 August 1997 and passed on to the Criminal Investigation Department [Paget Note – Brigade Criminelle] immediately in view of the urgency of the matter.’

The completed plans of the scene are recorded as (Operation Paget Exhibits HPAP/1, 2 and 3).

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Hubert POURCEAU

Another member of the Bureau Central des Accidents, he took over from Thierry Brunet and Thierry Clotteaux.

French Dossier D5379

Interviewed with Thierry Brunet and Thierry Clotteaux - Other Document 213

Provided a statement to Operation Paget - Statement 194

At around 8am, as per standard French practice, he attended the scene to confirm the findings made during the night by his colleagues and amend the plan accordingly with anything that may have been missed and that was now visible in daylight.

On his arrival, he noticed that cleaning services were present and there was still some oil on the carriageway where the Mercedes had come to a halt. He could not comment on whether that carriageway had been re-opened earlier, i.e. before 8am, but he felt it unlikely. He recalled that the opposite carriageway had been re-opened but he did not know at what time this took place.

He made his examination of the westbound carriageway, as he would for any road traffic incident. That carriageway was re-opened when he left the scene at around 10am to 10.30am. In his experience as a Collision Investigator the incident was dealt with in the same manner as any other. He stated that any view that the carriageway had been re-opened prematurely was incorrect and people may have confused it with the re-opening of the opposite carriageway.

Andrei CHTORKH

Russian reporter.

French Dossier D2640

He claimed that when he attended the scene at 6.30am the road had been re-opened but only in the opposite carriageway. The carriageway of the crash site was still closed. Police were preventing pedestrians entering the underpass but he was allowed entry on production of his press pass.

Lieutenant Bruno BOUAZIZ

Police Officer.

French Dossier D48

He reported that the underpass was re-opened at 5.25am but it was not stated whether this was one or both carriageways. Asked by Operation Paget, he could not now recall if the two carriageways were re-opened at different times, although the recollection of his colleague on the night, Commissaire Vito, was that this was the case (Operation Paget - Messages 849, 909 and 917).

British collision investigation reports

In 1997, in this country, the Senior Collision Investigator would have completed one statement incorporating everything that had been done.

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The French collision investigation report

In France, this was not one document, but combined numerous documents within the Judge's dossier. In this case the following documents were included in the French judicial dossier of Judge Hervé Stéphan:

- D4-D9 Initial findings report by Commandant Mulès
- D14 Scene plan by Sergeants Clotteaux and Brunet
- D565-D568 Report by Capitaine Francis Bechet on the initial examination of the Mercedes vehicle
- D4962-D4980 Report by VernoLab on the engine, gearbox, brake, steering oil and component vehicle parts
- D5255-D5293 Report by experts Hebrard, Pouilly and Moreau from the Gendarmerie's Institute of Criminal Research relating to the performance testing of five motorcycles
- D5379-D5380 Statements of Sergeants Clotteaux and Brunet and Pourceau
- D5561-D5599 Report by experts Hebrard, Pouilly and Moreau on the Mercedes S280
- D5600-D5606 Report of Tournon and Bouart on trace fragments found on the pavement at the scene and the Mercedes motor vehicle
- D5640-D5663 Report by experts Hebrard, Pouilly and Moreau, examination of tyres, wheels and braking system
- D5672-D5701 Report by experts Hebrard, Pouilly and Moreau, seatbelt and airbag examination
- D5790-D5820 Report by experts Hebrard, Pouilly and Moreau, estimation of speed of impact
- D5821-D5829 Report by experts Hebrard, Pouilly and Moreau, attendance at reconstruction of the Road Traffic Incident
- D5860-D5867 Plan and Chartered surveyor's report by Expert Francis Morelon
- D5868-D5884 Report by expert Gazon, examination of Mercedes speed selector
- D5940-D5969 Report by experts Amouroux and Michel Nibodeau, technical report
- D7078-D7087 Report by experts Hebrard, Pouilly and Moreau, supplementary technical report

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In the United Kingdom, the scene of the collision is closed until such time as the scene examination is complete. In France, the scene is re-opened to the public once the police have completed their initial examination but may be closed for further enquiries by an expert at a later date if the Judge orders it. In fact, on 29 September 1997, the experts revisited the scene, replacing the Mercedes car in its final position, on the instructions of Judge Hervé Stéphan (French Dossier D1654-D1658).

Operation Paget Comment

The underpass was opened when the French police concluded that they had sufficient evidence from the scene. There may be misunderstandings about when each carriageway of the underpass was opened. The French police Collision Investigator, Hubert Pourceau, was working in the underpass on the relevant carriageway until around 10am to 10.30am. When he left, the carriageway was re-opened. He believed the incident was dealt with as with any other similar collision scene and the re-opening was not premature.

The French judicial dossier included the information from the scene relating to collision investigation but it is not in the same format as in this country where the evidence is collected into one Collision Report.

2. Refusal of the French authorities to allow independent examination of Henri Paul's body or the samples taken from it

i) The autopsy examination of Henri Paul.

Professor Dominique Lecomte, a court appointed expert, carried out an autopsy examination of Henri Paul's body at around 8.30am on Sunday 31 August 1997 at the Institut Médico-Légal (IML) in Paris.

Deputy Public Prosecutor Maud Coujard authorised this. She was in charge of the initial judicial investigation. Samples were taken from Henri Paul's body for toxicological analysis by other court appointed experts.

Dr Jean-Pierre Campana, a court appointed expert, took further samples from Henri Paul during an examination of his body on Thursday 4 September 1997.

Judge Hervé Stéphan authorised this further examination. As Examining Magistrate he had taken over the judicial investigation from the Public Prosecutor's office on Tuesday 2 September 1997. Some of these samples were also sent for toxicological analysis.

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Dr Eva STEINER

Docteur en Droit et Sciences Criminelles (University of Paris X-Nanterre). Lecturer in French Law, King's College London. Qualified French Advocate (CAPA, Paris, 1980). Former member of the Paris Bar (1981-1987). Author of 'French Legal Method'(2002). She explains the legal basis upon which the actions taken by the French authorities would have been based.

Report for Operation Paget - Other Document 347

Regarding 'Independent Experts' Dr Steiner commented:

'Under Article 74 of the Code of Criminal Procedure, in the case of violent or suspicious death, "the District Prosecutor goes to the scene of the crime, if he considers it necessary, and is assisted by persons capable of appraising the nature of the circumstances of the death. If they are not registered on one of the lists provided for under Article 157, the persons called upon in this way take an oath in writing to bring their assistance to justice upon their honour and conscience.'

'When the matter is referred by the Public Prosecutor to the Examining Magistrate (Juge d'Instruction), the latter has also the power under Article 156 of the Code "to order an expert opinion either upon the application of the Public Prosecutor, or on his own accord or upon the application of any the parties". Where the Examining Magistrate considers he need not grant an application for an expert opinion he must give a decision within a period no longer than one month of receiving the application.'

'Under Article 157 experts are chosen from amongst those registered either on a national list of expert witnesses kept by the office of the Court of Cassation, or on one of the lists kept by the regional Courts of Appeal. In exceptional cases, when justification is provided, the Examining Magistrate can choose an expert witness who is not registered on any of these lists. In any event experts can only be appointed by the District Prosecutor or the Court (Article 159 of the Code of Criminal Procedure). Therefore, parties to a case cannot, under French Law, appoint their own 'independent experts.'

'Experts carry out their task under the supervision of the Examining Magistrate who usually set down a list of questions for the expert to answer. Experts must report to the Examining Magistrate within a time frame set down by the latter, failing which they can be replaced (Article 161 Code of Criminal Procedure).The report is transmitted to the parties by the Examining Magistrate who sets down a time limit within which the parties may make their observations and, if they wish, to lodge a request for a further opinion - called 'complément d'expertise' or 'contre-expertise' - to be provided (Article 167 of the Code of Criminal Procedure). A refusal to do this may be contested by an appeal to the Chambre de l'Instruction (Article 186-1 of the Code of Criminal Procedure). During the course of the expert investigation, the parties may also request the Examining Magistrate to require the expert to examine certain facts or interview named individuals able to provide technical information and details (Article 165 Code of Criminal Procedure).'

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'For a 'partie civile' to bring along an independent expert, and thus a third-party, at the post mortem would be contrary to the principle according to which the inquiry and investigation proceedings in France are secret (Article 11 of the Code of Criminal Procedure).

In addition, criminal procedure being in France inquisitorial (as opposed to accusatorial), it follows that, unless provided otherwise by the law, only the competent authorities (Examining Magistrate or Public Prosecutor) have the power to appoint an expert. However, under Article 114 of the Code of Criminal Procedure, copies of the experts' reports may be communicated to third parties (e.g. an independent expert) by the parties to the case or their lawyer for the purpose of defending their rights.

Choice of experts - A 'complement d'expertise' [Paget Note: Additional experts' report] can be undertaken by the same expert whereas a 'contre-expertise' necessitates the appointment of a new expert by the Judge. The choice of an expert can be suggested by the parties. However, although the parties have the right to challenge the decision not to grant an application for an expert opinion (Article 156) or to challenge the conclusions reached by the experts (Article 167), 'there are no provisions in the Code of criminal procedure suggesting that the parties have the right to challenge the choice of expert made by the Judge.'

Operation Paget Comment

Dr Steiner interpreted French law for Operation Paget. She stated that in France a judicial autopsy is carried out at the request of either:

- the Public Prosecutor during the police preliminary inquiry under Article 74 of the Code of Criminal Procedure or
- the Examining / Instructing Magistrate [Paget Note: '*Juge d'Instruction*'] In the course of his general powers to carry out any investigation '*which he judges to be useful for the purpose of revealing the truth*' under Article 81 paragraph 1 of the Code of Criminal Procedure.

In both cases the objective is to ascertain the circumstances and the possible causes of a violent or suspicious death to ascertain if it is accidental or criminal.

In the case of death arising out of a car crash, there is no statutory obligation either on the Public Prosecutor or on the Examining Magistrate to order an autopsy either for the driver or for the passengers. Indeed, as far as the Public Prosecutor was concerned, the relevant text concerning autopsy examinations from Article 74 of the Code of Criminal Procedure states: '*...the District Prosecutor may also initiate a judicial investigation into the causes of the death*', which implied that this decision was left entirely to their discretion.

Under Article 82-1 of the Code of Criminal Procedure, '*parties civiles*' [Paget Note: Interested parties] can suggest to the Examining Magistrate possible measures such as the taking of evidence from a witness, or a visit to the scene of the crime.

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More generally, since a law of 15 June 2000 which came into force on 1 January 2001, the '*partie civile*' can file in the course of a judicial investigation, an application for '*any step to be taken which seems to them necessary for the discovery of the truth*'. This could be held to include an autopsy examination of any of the deceased in a car crash. However, this general right as of today did not exist as such in 1997.

One of the main features of the French inquisitorial system is the function of the Examining Magistrate. This is a Judge who conducts the investigations in the case of serious crimes or complex enquiries. He or she is independent from the prosecution which is supervised by the Ministry of Justice.

The aim of the Instructing Magistrate is not the prosecution of a certain person, but the finding of truth. As such their duty is to look both for evidence of guilt and innocence. The Prosecution and the Defence may request actions from the Judge and may appeal the Judge's decisions before the Court of Appeal.

Any judicial autopsy examination may only be carried out by one or more qualified medical forensic experts either appointed for this purpose by the authorities or taken from one of the official court registers specified under Article 157 of the Code of Criminal Procedure.

The '*parties civiles*' are not entitled to an independent autopsy examination. Only a registered expert (Article 157 of the French Code of Criminal Procedure) can attend. Attendance of other individuals would be contrary to the principle of secrecy during an investigation (Article 11 of the Code of Criminal Procedure). Only in exceptional cases, when justification is provided, can the Examining Magistrate choose an expert witness who is not registered on any of these lists.

Maud COUJARD **Deputy Public Prosecutor.**

French Dossier D87 and D1308

Public Prosecutor Maud Coujard instructed Professor Dominique Lecomte, a court appointed expert, to conduct an autopsy on Henri Paul and an external examination of Dodi Al Fayed. Both men, who had been declared dead at the scene, were taken directly to the IML mortuary from the scene of the crash.

Bernard PAGES **Public Prosecutor. He appointed Professor Ricordel and Doctor Pepin to undertake separate blood/alcohol analyses of samples taken at the autopsy of Henri Paul on Sunday 31 August 1997.**

French Dossier D1306-D1307 and D823

His official instructions were written in these terms:

'Instructs Professor Ricordel, expert at the Court of Appeal, to determine the level of alcohol in the blood sample taken by Professor Lecomte in the autopsy carried out on 31 August 1997 on the body of Henri Paul.'

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and:

‘Requisition Dr Pepin, expert at the Court of Appeal, for the purpose of proceeding with the measurement of alcohol in the sample of blood taken by Professor Lecomte during the autopsy conducted on 31st August 1997 on the body of Henri Paul.’

Hervé STEPHAN

Examining Magistrate. He was appointed on Tuesday 2 September 1997 to investigate the case. He ordered that:

- i) Further toxicological testing be carried out on Henri Paul’s samples from Sunday 31 August and**
- ii) A second autopsy be carried out on Henri Paul by a different expert on Thursday 4 September**

French Dossier D792-D793 and D1326-D1327

With the preliminary police and Public Prosecutor inquiries completed, the inquiry moved into the *‘instruction’* phase. The interested parties, known as *‘Parties Civile’* made themselves known to Judge Stéphan.

- On 2 September 1997, Bernard Darteville representing Mr Mohamed Al Fayed applied for him to become a *‘partie civile’* (French Dossier D830 and D1484)
- On 2 September 1997, Jean-Pierre Brizay representing Mr and Mrs Paul applied for them to become a *‘partie civile’* (French Dossier D831)
- On 3 September 1997, Alain Toucas representing Frances Shand-Kydd and Lady Sarah McCorquodale, applied for them to become a *‘partie civile’* (French Dossier D829)

The *‘parties civile’* are provided, through their lawyers, with the case file and also notified of any important decision that has been made in relation to the case (Article 183 Code of Criminal Procedure) failing which they can lodge an appeal against these decisions, as provided by Article 186 of the Code.

With the investigation now referred to the Examining Magistrate he had the power under Article 156 of the Code:

‘to order an expert opinion either upon the application of the public prosecutor, or on his own accord or upon the application of any the parties.’

When the Examining Magistrate considers he need not grant an application for an expert opinion he must give a decision within a period no longer than one month of receiving the application. The expert again must be court appointed or otherwise sworn because of their particular expertise.

French Dossier D1326-D1327

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Judge Stéphan on 3 September 1997 appointed Dr Gilbert Pepin, a court appointed toxicologist, to conduct a full toxicological analysis of the samples taken during the autopsy of 31 August 1997.

French Dossier D1351-D1352

Judge Stéphan on 4 September 1997 instructed Dr Jean-Pierre Campana to undertake a further examination of Henri Paul's body on 4 September 1997 to take other samples for toxicological analysis by Dr Pepin.

Judge Stéphan was interviewed by Operation Paget - Statement 240

Judge Stéphan stated that he had ordered the second autopsy, to be carried out on Thursday 4 September 1997 by Dr Jean-Pierre Campana, because:

'When the case was referred to me, the Public Prosecutor's Department had already ordered at the time of the post mortem on Henri Paul that samples be taken for blood alcohol.

When Henri Paul's blood alcohol results as taken by Doctor Ricordel were passed to me they may have come as a surprise to some people.

I therefore decided to do something that I had never done before, namely to go with my clerk, in the presence of officers of the Judicial Police from the Brigade Criminelle to the Institute of Forensic Medicine where the body of Henri Paul was located. M. Gilbert Pépin, a national expert in toxicology, accompanied me there. Some samples were taken from the body of Henri Paul, placed under seal and photographed and given to the expert for testing. His test confirmed the blood alcohol that had been detected previously.

Reply to question: I had asked for a full toxicology test because this enables you to have a wider investigative spectrum. It is true that usually in a road traffic accident we just test for blood alcohol.

Reply to question: I acted in accordance with the Penal Procedural Code. I appointed one of the most highly qualified experts in France who moreover was registered on the list of the Court of Cassation and was unanimously recognised. It was not possible for a private expert to get involved in taking samples on behalf of one of the parties. None of the parties needed to be present when this sampling was done, and it was certified as having been properly conducted by the clerk.

I should point out that I acted on my own initiative in having this new sample taken and I had not received any request to that effect.'

Burial Certificate

French Dossier D1389-D1408

Judge Stéphan on 10 September 1997, wrote to the '*parties civile*' to inform them that there was no longer any obstacle to the final issue of Henri Paul's burial certificate and that, in the absence of a reply to the contrary from the '*parties civile*' by 12 September 1997 at 5pm, the certificate would be issued.

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French Dossier D1410

Jean-Pierre Brizay on behalf of Mr and Mrs Paul wrote to Judge Stéphan to confirm that they were not requesting '*a further expert opinion in accordance with Article 156 of the Code of Criminal Procedure*', but '*may request second opinions at a later stage, in particular on the samples already taken*'. He also stated that the family wanted to '*have their son buried as soon as possible*'.

Operation Paget has seen no reply from Bernard Darteville representing Mohamed Al Fayed. If that was the case, the Judge would have taken this lack of reply as no objection to the issuing of a certificate. From Operation Paget's review of the French judicial dossier no other objections to the issue of a burial certificate appear forthcoming.

French Dossier D1412

On 12 September 1997, Judge Stéphan issued a Permission for Burial for Henri Paul's body. This authorised the burial and confirmed that there were '*no objections to his being cremated*'.

Interviewed by Operation Paget - Statement 240

Judge Stéphan explained the issue of the burial certificate:

'The issue of the burial certificate did not come with any restrictions attached to it. All the investigations had been done and safeguards had been taken to allow possible subsequent expert testing.'

Reply to question: There were the samples necessary for possible further expert analysis, and a full post mortem had been carried out on Henri Paul. The body could therefore be returned to the family without this in any way harming the progress of the investigation.'

French Dossier D4424-D4454

On 2 March 1998, Judge Stéphan wrote to the '*parties civiles*' in accordance with the provisions of Article 167 of the Code of Criminal Procedure, to acquaint them with the conclusions of thirty-one experts' reports from Professor Lecomte, Dr Pepin, Dr Campana and Professor Ricordel, as well as those involved in the scene investigation. He informed them that they had until 20 March 1998 to forward any comments or to make an application, notably for the purpose of additional experts' reports or second experts' report.

French Dossier D4740

On 20 March 1998, in reply to Judge Stéphan, Jean-Pierre Brizay on behalf of Mr and Mrs Paul stated that they did not wish to apply for supplementary reports in respect of the experts' reports. They had decided to exhume and cremate the body of their son who was buried in Lorient.

French Dossier D6964-D6970

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On 14 December 1998, Jean-Pierre Brizay wrote to Judge Stéphan to request additional experts' reports into the levels of carboxyhaemoglobin in Henri Paul's blood as well as other unconnected matters.

French Dossier D7136-D7168

On 22 January 1999, Judge Stéphan wrote to the '*parties civiles*', in accordance with the provisions of Article 167 of the Code of Criminal Procedure, to acquaint them with the conclusions of enquiries into levels of carboxyhaemoglobin in the blood of smokers. He informed them that they had until 2 February 1999 to forward any comments or to make an application, notably for the purpose of additional experts' reports or second experts' report.

French Dossier D7240-D7272

On 29 January 1999, Judge Stéphan wrote to the '*parties civiles*', to inform them that the investigation was now complete, and that the file of the proceedings would be sent to the State Prosecutor after twenty days.

French Dossier D7372-D7399

On 18 February 1999, Mohamed Al Fayed's solicitors forwarded a '*Note in the interests of Mr Mohamed Al Fayed*' to Judge Stéphan detailing his views on the culpability of the photographers involved in the pursuit of the Mercedes on charges of involuntary homicide.

French Dossier D7447-D7450

On 19 February 1999, Judge Stéphan rejected a request for further investigations into Henri Paul's blood alcohol level and carboxyhaemoglobin made by Mr and Mrs Paul and explained the rejection thus:

'Whereas it should be pointed out firstly that in certain documents produced today reference is made straight away to new examinations concerning Henri Paul's level of blood-alcohol;

Whereas it will be recalled that to avoid precisely this type of recurring questioning, a forensic scientist took blood samples, in the presence of one of the examining magistrates, with photographs being taken, the said samples being immediately placed under judicial seals and handed over to Dr Pepin, an expert at the Court of Cassation, officially recognized at the international level, and furthermore specially authorized to carry out this type of analysis;

Whereas the results obtained in any case confirmed those from other samples taken previously;

Whereas subsequently, as regards the level of carboxyhaemoglobin revealed in Henri Paul's blood, Professor Lecomte and Dr Pepin, both experts registered on the list of the Court of Cassation, were specially appointed concerning this point.'

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French Dossier D7455-D7456

On 2 March 1999, the Public Prosecutor from the Criminal Appeals Chamber of the Court of Paris, upheld the decisions made by Judge Stéphan on 19 February 1999.

French Dossier D7471

On 18 March 1999, the ruling of 2 March 1999 was overturned by the Court of Criminal Appeal on the grounds that the confrontation between the court appointed experts and the experts appointed by the '*parties civiles*' was not a confrontation in the normal sense of the word but a meeting to clear up inconsistencies in the conclusions relating to the carboxyhaemoglobin.

French Dossier D7548-D7550

On 10 May 1999, Mr and Mrs Paul made a request for the remaining unused autopsy samples from Henri Paul to be returned to them, based on Article 99 of the Code of Criminal Procedure. They claimed these samples to be '*objects*' under the Article, and therefore that they were legally entitled to them. In making this application, they requested that if denied, the samples should be preserved until the conclusion of the court proceedings.

French Dossier D7489-D7504

On 2 July 1999, further review of the appeals by Mr and Mrs Paul and Mohamed Al Fayed rejected the experts' confrontation and second opinion with regard to Henri Paul's blood samples among other unrelated matters.

Operation Paget Reference UK1092

On 3 September 1999, Judge Stéphan produced the '*Notice of Dismissal*' in the proceedings against the persons under investigation (the paparazzi) stating that:

'There are no grounds for proceedings on the present basis and order that the file be lodged with the clerk's office so that it may be reopened in the event of new offences coming to light.'

This Notice included a '*rejection of application for restitution*' for the return of the remaining unused samples, stating that a higher jurisdiction may yet have cause to order further investigations.

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Interviewed by Operation Paget - Statement 240

Judge Stéphan stated in relation to samples taken from the body of Henri Paul:

'From the time that I gave the decision to terminate the proceedings, this could have been appealed, which was the case. It was necessary therefore for the Appeals Chamber to have all the exhibits and in particular the blood samples, in the event of it having cause to order supplementary investigations, which could have included additional expert tests.'

I have never known of any proceedings where the victim's relatives requested the restoration of blood samples taken from the victim. I am not even sure that it is legally possible.

Reply to question: I seem to recall the counsel for Henri Paul's parents asking for the blood samples to be restored. I think that it was at the end of the investigation. I replied in the negative, and I believe that that is contained in the discharge order.'

When asked if it was possible for the family of a victim to instruct a private expert to carry out their own tests in criminal proceedings, Judge Stephan said:

'No. Expert testing can only be performed by an expert independent from the parties, appointed by a magistrate or a prosecutor from an official list.'

Operation Paget Reference UK1093

On 17 September 1999, Bernard Pagès, Public Prosecutor at the Paris Regional Court, supported the decisions taken by Judge Stéphan. This effectively concluded the French investigation before any appeal.

Since 1999, and the conclusion of Judge Stéphan's investigation, there have been a number of appeal processes in France.

Operation Paget Comment

French judicial procedures do not allow for experts who are not accredited within the French judicial system to be involved in the investigation of offences by an Examining Magistrate or Public Prosecutor. The secrecy element of French investigations is an important principle. Interested parties are given the results of expert enquiries and are allowed to ask for a review of these. This is done either by the same expert or another court appointed expert [Paget Note: *Complément d'expertise* or *contre-expertise* respectively.]

There is an enormous amount of legal correspondence relating to Mohamed Al Fayed's claim that the French authorities have not allowed the interested parties legitimate access to the autopsy examination and forensic samples. It is very difficult to trace in totality. Operation Paget has tried to identify where any of this correspondence featured in the French judicial dossier.

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There is correspondence in the dossier, between Judge Stéphan and the interested parties, relating to access to samples. Operation Paget has found no correspondence relating to requests on behalf of the interested parties for attendance at autopsy examinations or additional autopsy examinations. Judge Stéphan himself stated that no-one made an official request for an expert to attend the second autopsy that he ordered and attended on Thursday 4 September 1997. [Paget Note: The first autopsy of Henri Paul had of course been carried out within a few hours of his death. Attendance of any independent expert was not an issue.]

The French authorities have explained their position, within the French judicial system, regarding forensic samples. Mohamed Al Fayed, through his lawyers, appeared to dispute the legality of this position together with the effectiveness and timeliness of the communication of their position. This is essentially a legal and procedural argument.

To the extent that it appeared that the French authorities refused requests made on behalf of Mohamed Al Fayed concerning the autopsies and/or forensic samples, the authorities claimed these refusals were consistent with standard French procedures and legal restrictions. Any alleged breach of those procedures would be, and is, a matter for Mohamed Al Fayed to take up in the French courts.

(The results of the toxicological analyses of the samples taken from Henri Paul are discussed at length in Chapter Four.)

3. Failure by the French inquiry to obtain, secure or take account of relevant evidence from a number of different sources in the course of their investigation

The detail in these claims related to:

- i) Autopsy reports on the petitioner's (Mohamed Al Fayed) son and the Princess of Wales.
- ii) The records of the incident made by emergency paramedics.
- iii) The records at the material time of certain telephone networks.
- iv) Any adequate attempt to establish the validity of the alibi of James Andanson at the time of the crash or to consider his connections with the Security Services.
- v) Information held or obtained by the British Embassy, the United Kingdom Security and Intelligence Service (SIS) or the United States National Security Agency (NSA).
- vi) Evidence that could be given by certain key witnesses including Richard Spearman and Nicholas Langman.
- vii) Commandant Jean-Claude Mulès of the Brigade Criminelle stating that samples were taken from the body of Dodi Al Fayed.

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- viii) The evidence of a witness Eric Petel being suppressed.
- ix) A photograph of the Mercedes entering the tunnel which showed the speed of the car has also been suppressed (See allegation 3, Chapter Five).

i) Autopsy Reports

The bodies of the Princess of Wales and Dodi Al Fayed were subject to external medical examinations in Paris. The Deputy Public Prosecutor, Maud Coujard, instructed Professor Dominique Lecomte to carry these out in order to ascertain if there were any suspicious elements to the injuries. Commandant Jean-Claude Mulès of the Brigade Criminelle assisted Professor Lecomte in these tasks.

French Dossier D83 and D87

Professor Lecomte examined the body of the Princess of Wales at the Pitié-Salpêtrière Hospital at around 5.45am. She then went to the IML mortuary, which was at a different location, to examine the body of Dodi Al Fayed at 7.15am.

Operation Paget - Statements 13 and 13A

The bodies of the Princess of Wales and Dodi Al Fayed did not undergo autopsies in France. Post-mortem examinations took place on the return of the bodies to London. Dr Robert Chapman carried these out.

Operation Paget - Other Document 269 (Pre-Paget)

In June 1998 Professor Lecomte, accompanied by another court appointed expert Professor André Lienhart, attended a meeting in London with Dr Chapman.

French Dossier D6834-D6835

Dr Chapman's findings were given to them on a confidential basis as they contained personal medical details of the two deceased people. The relevant detail was included in Professor Lecomte's medical expert's report sent to the Examining Magistrate Judge Hervé Stéphan in November 1998 and included in the French judicial dossier.

ii) Records of the Paramedics

The police, the Service d'Aide Médicale d'Urgence (SAMU) and SMUR [Paget Note: Ambulance Service] and Sapeurs-Pompiers [Paget Note: Fire Service] attended the crash scene in the underpass. The Sapeurs-Pompiers have crew members who are fully medically trained. The actions of the Emergency Services and their medical intervention in respect of the victims were recorded in statements and reports contained in the French judicial dossier.

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Police Lieutenant Bernard GISBERT

On 12 March 1998 he attended the Necker Hospital in Paris. This hospital controls and manages the movement of the SAMU emergency ambulances. He took possession of relevant records.

French Dossier D4692-D4693

These records were:

- *a computerised record of calls containing information regarding the initial care of two persons*
- *an operation report from the Necker Medical Emergency Unit [SMUR], comprising an original handwritten transcript by the author, plus a typed copy, in respect of 'Lady Diana'*
- *SMUR Necker operation report regarding 'Dody Al Fayed' and its self-carbonating duplicate*
- *a chronological breakdown of SAMU deployments drawn up by Dr Lejay, senior duty registrar*
- *a VHS format magnetic tape containing the multi-track recording of all SAMU deployments on 31 August 1997*
- *an audio-cassette of the telephone and radio conversations taken from the aforementioned VHS cassette and a typed transcript thereof comprising ten pages*

Additionally:

French Dossier D4694-D4696

Arnaud Derossi SAMU Control Room Doctor, provided a statement of his involvement.

French Dossier D4697-D4699

Jean-Marc Martino SAMU Doctor/Anaesthetist, provided a statement of his involvement.

French Dossier D4700-D4702

Michel Massebeuf, ambulance driver at SAMU 75, provided a statement of his involvement.

French Dossier D4816-D4817 and D5386

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Xavier Gourmelon, Senior Duty Officer from the fire station at 7, rue Malar in PARIS during the night of 30 to 31 August 1997, and first on scene, provided a statement of the initial first aid given.

French Dossier D4818

Arnaud Forge, Head of equipment, on duty on the night of 30 to 31 August 1997, at the fire brigade barracks, 12-14 rue Henri Régnault Courbevoie 92, provided a statement of his involvement.

French Dossier D4819 and D5384

Philippe Boyer, apparatus manager, on duty at the fire station at 7, rue Malar in Paris during the night of 30 to 31 August 1997, provided a statement of his involvement.

French Dossier D4704-D4705

Commandant Joseph Orea attended the Pitié-Salpêtrière Hospital on 11 March 1998 and seized the Princess of Wales' medical dossier.

French Dossier D6816-D6858

Professor Lecomte and Professor Lienhart summarised the aforementioned documents in an experts' report into the actions at the scene and treatment of victims.

French Dossier D6037-6050

Emergency Services records and a transcription of Fire Rescue Service tapes and radio log.

iii) The Records of Telephone Networks

Eric GIGOU

Police Lieutenant, Brigade Criminelle. He led the enquiries relating to mobile phones in the relevant areas on the night of the crash. (Place Vendôme - Place de la Concorde – Alma Bridge underpass)

French Dossier D6202-D6214

In order to trace witnesses that had not made themselves known at the scene, the French authorities instigated enquiries with the telephone networks to identify potential witnesses from the mobile telephones that had been in use in the vicinity around the time of the crash.

French Dossier D6212

The three French operators running cellular networks, Itineris, S.F.R. and Bouygues Telecom, were contacted

French Dossier D6211

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Bouygues Telecom, having been asked by Judicial Requisitions, replied that no call made or received had been recorded by its service on 31 August 1997 between midnight and 1am in the sectors of the rue Cambon, the Place Vendôme, the Place de la Concorde and the Alma Bridge. However, Dr Frédéric Mailliez, a witness examined during the police investigation stated that he had dialled the Fire Brigade control number (01 47 54 68 35) from his mobile telephone number 06 60 44 19 23, which is a Bouygues telephone operating on the Bouygues Telecom network.

French Dossier D6112-D6160 and D6161-D6201

Lieutenant Gigou produced a report, based on the raw data collected which detailed calls to and from mobile telephones in the three 'cell site' [Paget Note: Area of usage for a mobile telephone] vicinities listing the time of the call and the detail of the subscribers.

Statements were taken from potential witnesses who were identified from the telephone data, for example:

Mathieu GAGNEZ

French Dossier D6100-D6104

He arrived at the scene shortly after the incident in an electric blue Renault Twingo, having travelled in the same direction as the Mercedes. He entered the tunnel for about one minute before the police arrived. He remembered seeing a large Volvo estate at the entrance to the tunnel and about ten onlookers inside. He did not recall seeing any motorcycles inside the tunnel and said that the allegation in the press that there was a police radar was completely unfounded.

Paul CARRIL

French Dossier D6105-D6106

He was the driver of a black Fiat Cinquecento who was on the Place de l'Alma travelling towards the quai de New-York and who heard *'a fairly long braking, followed by a violent impact with metallic noises, immediately followed by another violent impact, then a horn sounding continuously.'* He called his girlfriend and asked her to call '18' but he did not see anything and did not recall cars coming up from the underpass behind him.

Marc Henri GURNAUD

French Dossier D6107-D6109

He was driving a green Honda Concerto in the opposite direction to the Mercedes, entered the tunnel, heard a continuous car horn, saw debris on the road and a 500cc or 600cc trail bike parked up. He noticed people around the Mercedes including two men arguing. He did not make any identification from the photographs of the paparazzi. He dialled '112' for the emergency services but did not stop.

Operation Paget Comment

French Dossier D6211

One of the French mobile telephone companies, Bouygues Telecoms stated they had no data showing calls in the relevant sectors between midnight and 1am. The evidence of Dr Mailliez, the off-duty doctor at the scene who treated the Princess of Wales, would seem to cast doubt on how effective this data retrieval was. He used his mobile phone at the relevant time and this was on the Bouygues network. The French investigators were aware that they were working with possibly incomplete data.

iv) James Andanson's alibi and alleged connection with the Security Services

James Andanson is discussed in detail in Chapter Fourteen.

Operation Paget concludes that James Andanson was at home with his wife, 175 miles south of Paris, at the time of the crash. The specific claim here is that the French authorities did not make any adequate attempt to establish the validity of his alibi.

The French judicial dossier contained statements from James Andanson, his wife and son, taken in February 1998, six months after the crash. This followed the discovery that James Andanson had owned a white Fiat Uno in August 1997. The dossier also contained documentary evidence of James Andanson's travel to Corsica in the early hours of Sunday 31 August 1997, for a photo assignment with a well-known musician, Gilbert Bécaud.

There were contradictions in the detail contained in the statements of James Andanson's wife and his son that appear to be unresolved in the French Inquiry Dossier. His son recalled that his father was in Bordeaux to cover the grape harvest that weekend. James Andanson's wife stated that he was at home with her.

There is very little detail about the evidence provided by Gilbert Bécaud, the subject of James Andanson's visit to Corsica. The French judicial dossier page D4602 recorded '*Seen, true*'. Gilbert Bécaud has since died.

Operation Paget - Other Document 422

Operation Paget has interviewed the Brigade Criminelle Case Officer, Commandant Jean-Claude Mulès. He was satisfied that James Andanson was properly eliminated from the investigation. He explained that within the French system it is not accepted practice to record everything that is done. For example Gilbert Bécaud would have been contacted and the events verified. The details of this would be recorded only if there was an anomaly, not if everything was satisfactory, hence '*Seen,true*'.

Similarly, Commandant Mulès stated that James Andanson's son would only have been challenged about the discrepancy with his mother's account if the police had not concluded that James Andanson was indeed at home at the material time. With reference to the Security Services, if there was no reason to believe that James Andanson was at or contributed to the events at the scene of the crash there would be no reason to examine links with any agency.

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Operation Paget has interviewed Elisabeth Andanson and spoken to James Andanson's son. Other enquiries have been made to ascertain James Andanson's whereabouts on 30 and 31 August 1997 and how his son may have come to believe that his father was in Bordeaux. This is detailed in Chapter Fourteen.

Operation Paget has reached the same conclusion as the French Inquiry regarding the involvement of James Andanson. Whether the French Inquiry's attempts to establish the validity of the facts were adequate is a matter of judgement.

v) and vi) Information relating to the British Embassy, the United Kingdom Security and Intelligence Services or United States National Security Agency- and certain key witnesses including Richard Spearman and Nicholas Langman

Paul JOHNSTON
Second secretary, British Embassy in 1997.

French Dossier D6985 and D7023

In a letter of 16 December 1998 to Judge Hervé Stéphan, in response to a request for information, Paul Johnston wrote:

'Thank you for your letter of 1 December regarding the evidence that you received from Richard Tomlinson about the accident which claimed the life of the Princess of Wales.

As for his allegations concerning the role of the British [intelligence and security] services in the tragic accident in Paris on 31 August of last year, these are also without any foundation and are moreover extremely hurtful to the royal family, the Princess's family, and for all those who honour her memory and her works.

Nobody in the British Embassy in Paris was aware of the Princess of Wales' trip to France, as it was a strictly private visit.'

In a letter of 12 January 1999 to Judge Hervé Stéphan, responding to a further request for information, Paul Johnston wrote:

'One of the civil parties, you inform me, wishes to know if the British government was providing protection for Diana, Princess of Wales, and in particular whether this was the case during her last visit to Paris.

As I told you in my letter of 16 December, the Embassy was only advised of the presence in Paris of the Princess of Wales on learning of the accident in which she had been involved in the early hours of 31 August. The Princess had arrived in Paris from Italy on the afternoon of 30 August. She did not have to inform the British government of her travel arrangements, especially when travelling in a private capacity as on this occasion. Unless she specifically requested it, she did not have any personal protection. After her divorce, she actually preferred not to have any, except for big occasions. She had not in this case requested any protection as it was a private trip and because the Al-Fayeds had their own security team.'

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Judge Hervé STEPHAN

French Dossier D6982 and D7449

In a note of 22 December 1998 Judge Stéphan recorded that he received from the police liaison officer at the French Embassy in Washington documents relating to the NSA.

In an ‘*Order for Refusal of Request for Investigation*’ dated 19 February 1999 he wrote:

‘Whereas, as regards the services of the United States of America, following the handing over of press articles by the party claiming damages, various public documents have been supplied by the French police liaison officer in Washington and attached to the file, in particular a letter from a representative of the NSA;

Whereas no evidence establishes a link between the documents which are said to be in the possession of that service and the precise events which are the subject of the investigation.’

French Dossier D7455-D7456

In a ‘*Report of Appeal*’ dated 2 March 1999 the Public Prosecutor’s Office reported:

‘Through his counsel Mr Mohamed Al Fayed requested that an examination be carried out of Messrs Spearman and Langman, supposedly members of the British secret services and of Mr Johnston secretary for political affairs at the British Embassy in Paris and also an examination of a representative of the National Security Agency (NSA) of the United States of America.

In rejecting these requests the Examining Magistrates pointed out that following the deposition made by Mr Richard Tomlinson appearing as a former member of the British secret services, the British authorities in the person of Mr Johnston had twice been approached and had on each occasion sent a written reply which had been attached to the file.

Thus all the actions required by the information supplied by Mr Tomlinson had been taken and although since then he had supplied additional items of information by letter these were not such as to challenge or modify his initial statement and the replies which had been made in answer to them.

As regards the American secret services and more particularly the National Security Agency the Examining Magistrates considered that the documents supplied by the French police liaison officer in Washington did not enable any link whatever to be established between the documents which were said to be in the possession of the NSA and the matters which were the subject of the investigation.’

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It is clear that Judge Hervé Stéphan considered the implications of this evidence and discounted it. He decided that he did not need to interview Richard Spearman or Nicholas Langman. Nor did he consider that any NSA material affected his investigation. It was a matter for the judgement of the Examining Magistrate. Judge Stéphan has clearly documented that he was aware of the type of evidence available.

vii) Commandant Jean-Claude Mules of the Brigade Criminelle stating that samples were taken from the body of Dodi Al Fayed

French Dossier D82 and D86

Commandant Mulès wrote statements relating to the external medical examinations of the Princess of Wales and Dodi Al Fayed.

The statements were produced on a standard template used for autopsy examinations. Errors were made in the completion of the statement relating to Dodi Al Fayed. Commandant Mulès stated that samples of blood, urine and other usual samples were taken from the body of Dodi Al Fayed. This could not be correct as Dodi Al Fayed underwent an external physical examination only, albeit this was done at the mortuary. No blood, urine or other samples could have been taken.

French Dossier D1285

Operation Paget - Other Document 422

Commandant Mulès later explained his error. In a subsequent statement he described using the standard default template for autopsies when samples were taken, rather than taking account of the fact that this was an external medical examination only. Commandant Mules reiterated this explanation for his mistake when Operation Paget officers interviewed him in 2006.

The same mistake was not made in the statement detailing the examination of the Princess of Wales. That examination took place in a different location, the Pitié-Salpêtrière Hospital. Commandant Mulès correctly recorded that no samples were taken.

There is no reason to doubt the explanation given and no evidence of or for imputing a sinister motive on behalf of Commandant Mulès. He fully accepted that he had made this error.

viii) Eyewitness Eric Petel

Eric PETEL

Rider of a Yamaha motorcycle who claimed to have been the first person at the scene of the crash.

French Dossier D4094-D4097

Eric Petel was interviewed by the Examining Magistrate on 2 February 1998. He claimed that he was riding his motorcycle along the expressway toward the Alma

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underpass when he was overtaken by a dark coloured car. Shortly afterwards he heard what he termed an ‘implosion’ and saw the vehicle crash in the tunnel.

In his interview in the French Inquiry he stated:

‘I moved out a little and I stopped level with the boot. There was smoke coming from the engine. I got off my motorcycle. I wanted to open the front right hand door but I was unsuccessful. The rear door was slightly open and I got it open. I saw a person with their back towards me – a woman – whose head was between the two seats and whose legs were bent. I lifted the person and at that point I realised that she had blood close to her right ear. I asked her if she was hurt. I saw her eyes palpitating but she didn’t answer. At that point, I realised who she was. I closed the door and I got back on my motorcycle. I left the tunnel on my machine. I went to the public telephone box in place Armand Marceau and I dialled 17. I said that there had been an accident in the underpass beneath the place de l’Alma. I explained that Diana was in it but they did not believe me.’

Eric Petel then stated he attended a local police station and was escorted across town by two police cars and two police motorcycles to what he believed to be the headquarters of the Brigade Criminelle:

‘Other plain clothes inspectors came in. They wanted me to go with them but did not introduce themselves. They wanted me to get into one of their cars. There was an unmarked white 309 and a police R19 as well as two motorcyclists. However, I wanted to take my motorcycle and I insisted that I should do so.’

At the Brigade Criminelle Headquarters he described being interviewed by officers:

‘I was left for three or four minutes and then three inspectors came in. There was only one inspector who asked the questions – the other two sat on the desk. They asked me what happened but without noting anything. At the end of my statement, they went out. They came back and started typing up my statement. Once they had typed my statement, they went out again. Two other inspectors arrived whom I had not seen before. They made me repeat my statement orally. In this way I was questioned about a dozen times by different inspectors. There were two Official Reports to be typed up.’

There was no record of his attendance at the Brigade Criminelle Headquarters or of a statement being taken from him at that time.

French Dossier D4469-D4476 and D4477-D4492

The French authorities have made strenuous enquiries to prove or disprove Eric Petel’s claims, as evidenced in the French judicial dossier. They have found significant discrepancies in his version of events compared to the version of events given by police officers and independent witnesses taken at the time, or in the days that followed the crash. Furthermore, they have found no evidence of a ‘17’ call being made on the night of the incident from the telephone kiosk Eric Petel pointed out to them. There is nothing to suggest that a testimony or statement may have been suppressed.

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It was possible that Eric Petel rode past the scene of the crash on the night. Or indeed he may have been the motorcyclist described by Stéphan Darmon, one of the first people to arrive at the crash site. Stéphan Darmon saw a dark coloured Yamaha motorcycle with two people aboard, stationary at the entrance to the underpass. He did not see it again but says they left without using the underpass.

Neither Stéphan Darmon, nor the other paparazzi who were the first known witnesses to reach the scene of the crash (Romuald Rat, Christian Martinez and Serge Arnal), described anyone near the car opening doors or attending to the Princess of Wales. As they were under investigation from the outset, for failing to render assistance at the scene of the crash, one would expect them to report such an occurrence if they had seen it. It would have assisted their position in that investigation.

If Eric Petel was at the scene, the comprehensive enquiries made by the French authorities to establish authenticity of his version of events would tend to suggest that his testimony could be described as unreliable and should be treated with caution.

His account would appear to exonerate the known paparazzi from culpability regarding offences under French law and it did not add to the conspiracy allegation. He did not describe any vehicle around the Mercedes as it crashed, nor any flashing lights or anything that he described in any way as suspicious.

It is difficult to understand why his account of events, as the alleged first person at the scene, would be suppressed. His statement did not add any unique information - he added no detail to that which other witnesses present at the scene could give.

Operation Paget Comment

Eric Petel's evidence must be treated with caution. There is no corroboration for his account. The evidence available from other witnesses contradicted his view that he stopped and tended to the Princess of Wales. Those immediately arriving at the scene would surely have seen him at the car. His description of a police escort across Paris by two cars and two motorcycles, at a time when the French police were deploying their resources to a very serious fatal road traffic collision involving the Princess of Wales, does seem unusual. There was no rational explanation for such close attention to this witness.

French Dossier D4469

The French Inquiry looked at his account in great detail and concluded that his *'claims must be treated with considerable caution in view of their fanciful nature and the numerous implausibilities.'* Further *'his evidence is pure fabrication.'*

However, they do say that *'the motorcyclist who drove close to the crashed Mercedes without stopping could have been Eric Petel'*. There was such a lack of detail of this particular motorcycle that it cannot be proven either way.

In essence the account of Eric Petel at the scene of the crash, particularly in terms of tending to the Princess of Wales, and the events following it, is in contradiction with all other accounts.

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ix) A photograph of the Mercedes entering the tunnel which showed the speed of the car has also been suppressed. (See Claim 3 Chapter Five)

This claim is dealt with in detail in claim 3, Chapter Five. The conclusion is that the photograph referred to was taken outside the rear of the Ritz Hotel by French photographer Jacques Langevin, before the Mercedes set off on the journey that ended in the Alma underpass. (Photographs in French Dossier D404-D405). There was no evidence that the French Inquiry suppressed a photograph of the Mercedes entering the underpass.

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(iii)

CONCLUSIONS

Claims Outlined in Section (i)

Claims 1, 2, 3, 4, 6 and 7

Claim 1 - All attempts made by Mr Paul's parents to obtain an independent post mortem, as well as access to blood and tissue samples, have been refused.

Claim 2 - On 2 September 1997 Professor Vanezis, Regis Professor of Forensic Medicine in the University of Glasgow, requested on behalf of Mr Paul's parents the opportunity to make an independent examination of Mr Paul's body. This was refused.

Claim 3 - He also requested the opportunity to carry out independent analysis of samples taken from Mr Paul's body. This too was refused without explanation.

Claim 4 - He asked that he or another independent expert should be permitted to attend at any re-examination of Mr Paul's body or samples taken from it.

Claim 6 - All attempts to carry out independent investigation of Henri Paul's blood have been frustrated by the French authorities.

Claim 7 - Mr Paul's parents have requested the return of the samples taken from their son's body. This request has been refused.

Additional Autopsies

There has been no autopsy of Henri Paul's body other than by the French authorities. An autopsy was carried out on Sunday 31 August 1997, a few hours after the crash, at the IML mortuary in Paris by a court appointed expert, Professor Dominique Lecomte. Samples were taken from Henri Paul's body at that time.

On Thursday 4 September 1997 a further examination was carried out by another court appointed expert, Dr Jean-Pierre Campana, this time in the presence of the Examining Magistrate, Hervé Stéphan. Samples were again taken from Henri Paul's body.

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Dr Eva Steiner stated:

‘Any judicial post mortem examination may only be carried out by one or more qualified medical forensic experts either appointed for this purpose by the Authorities or taken from one of the official court registers specified under Article 157 of the Code of Criminal Procedure.

For a ‘partie civile’ to bring along an independent expert, and thus a third-party, at the post mortem would be contrary to the principle according to which the inquiry and investigation proceedings in France are secret (Article 11 of the Code of Criminal Procedure). In addition, criminal procedure being in France ‘inquisitorial’ (as opposed to ‘accusatorial’), it follows that, unless provided otherwise by the law, only the competent authorities (‘Juge d’Instruction’ or Public Prosecutor) have the power to appoint an expert.’

The system in France is clearly different from that in the United Kingdom. The first autopsy, authorised by the Deputy Public Prosecutor Maud Coujard, and the second examination on 4 September 1997 authorised by the Examining Magistrate Hervé Stéphan, were entirely compliant with French procedures. Only court appointed expert pathologists were in attendance.

Having reviewed the French judicial dossier, Operation Paget has been unable to find any official request for Professor Peter Vanezis, who was in Paris at the time, to attend the second examination on Thursday 4 September 1997. Judge Hervé Stéphan himself stated that he had no official request to allow an independent expert to attend the second examination. In any event, he stated that under French procedures this would not have been allowed.

Professor Peter Vanezis, although an eminent pathologist in the United Kingdom, is not recognised as a court expert in France and the same principles of the French judicial system described above in relation to autopsy examinations and samples apply to him - and indeed any ‘independent’ expert who does not have the necessary French judicial approval.

Blood and Tissue samples

Toxicology tests carried out on the forensic samples taken during the two examinations also required a court appointed expert to carry them (the tests) out. Judge Stéphan instructed such an expert, Dr Gilbert Pepin, to carry out the bulk of these tests. He also addressed the issue of the control of Henri Paul’s samples in his Notice of Dismissal issued on 3 September 1999. He decided on a ‘*rejection of application for restitution*’ for the return of the remaining unused samples, stating that a higher jurisdiction may yet have cause to order further investigations.

When asked if it was possible for the family of a victim to instruct a private expert to carry out their own tests in criminal proceedings, Judge Stephan said:

‘No. Expert testing can only be performed by an expert independent from the parties, appointed by a magistrate or a prosecutor from an official list.’

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The French judicial authorities considered and rejected the application on behalf of Henri Paul's parents. There was no evidence to indicate they acted in contravention of French regulations.

The French authorities have explained their position within the French judicial system regarding forensic samples. Mohamed Al Fayed, through his lawyers, appeared to dispute the legality of this position. Chapter Four has examined in detail the evidence relating to the samples taken from Henri Paul at his two examinations and concluded that the evidence supports the conclusions that the toxicological analyses and the samples were those of Henri Paul. Therefore the issue of not being given access to Henri Paul's forensic samples for analysis is essentially a legal and procedural argument.

The French authorities refused requests made on behalf of Mohamed Al Fayed concerning the autopsy examinations and/or forensic samples. They claimed these refusals were consistent with standard French procedures and legal restrictions.

Claim 5 - It transpired that a Professor Dominique Lecomte carried out a further examination of Mr Paul's body, at which further samples were taken, on 4 September 1997 without notifying the lawyers representing Mr Paul's parents.

Professor Lecomte did not carry out the further examination on 4 September 1997. Dr Jean-Pierre Campana carried this out in the presence of the Examining Magistrate Judge Hervé Stéphan and the court appointed toxicologist Dr Gilbert Pepin. As described above, whether the parents of Henri Paul were informed or not of such an examination, those in attendance would only have been court appointed experts.

As outlined by Dr Eva Steiner:

'The choice of an expert can be suggested by the parties. However, although the parties have the right to challenge the decision not to grant an application for an expert opinion (Article 156) or to challenge the conclusions reached by the experts (Article 167), there are no provisions in the Code of criminal procedure suggesting that the parties have the right to challenge the choice of expert made by the judge.'

Claim 8 - Further investigation is rendered impossible because of deterioration albeit that assurances were given that the samples would be properly preserved, and by the French authorities' insistence that Mr Paul's body should be buried or cremated without examination. Indeed, the body was released to Mr Paul's parents by the French Authorities solely on this condition.

Judge Stéphan, on 10 September 1997, wrote to the '*parties civile*' to inform them that there was no longer any obstacle to the final issue of Henri Paul's burial certificate.

Jean-Pierre Brizay, on behalf of Mr and Mrs Paul, wrote to Judge Stéphan to confirm that they were not requesting '*a further expert opinion in accordance with Article 156 of the Code of Criminal Procedure*', but '*may request second opinions at a later stage, in particular on the samples already taken*'. He also stated that they wanted to '*have their son buried as soon as possible*'.

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Accordingly, on 12 September 1997, Judge Stéphan authorised the burial of Henri Paul's body and issued a '*Permission for Burial*' accordingly.

Judge Stéphan made no specific reference as to whether there was any objection to the family of Henri Paul proceeding with a further independent autopsy. In French law however this would not have been permitted, as they would have been deemed to be conducting their own investigation and the principles outlined above would apply.

As with other points in this section there is no indication that the French judicial authorities, and in particular Judge Hervé Stéphan, have broken French regulations even though a different system is adopted in this country where additional examinations on behalf of the family are much more common.

There is no evidence that any of these actions were done deliberately in order to prevent further testing of Henri Paul's forensic samples as part of a cover-up by the French authorities.

Claim 9 - Commandant Mules stated that he received a report from Professor Lecomte concerning the body of Dodi Al Fayed. It mentioned that blood, urine and other usual samples were taken from the body. On 5 September 1997, however, Commandant Mules made a statement that no samples had in fact been taken. His only explanation was that an error had been made when using the computer, apparently by mistakenly including a standard paragraph. However, the standard paragraph does not appear in the report of the examination carried out on the body of the Princess of Wales.

Commandant Mulès fully accepted he made a mistake in his statement relating to Dodi Al Fayed when saying that samples of '*blood, urine and other usual samples*' were taken. He corrected this at the time in 1997 with a supplementary statement. He again confirmed this was a simple mistake when interviewed by Operation Paget officers in 2006. No samples were taken from Dodi Al Fayed in Paris. There was only an external examination.

The same mistake was not made in the statement detailing the examination of the Princess of Wales that took place at the Pitié-Salpêtrière Hospital. It was correctly recorded that no samples were taken.

There is no reason to doubt the explanation given and no evidence of or reason for imputing a sinister motive on behalf of Commandant Mulès.

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Claim 10 - The investigation in France proceeded in the absence of essential or significant evidence, notably:

- 1. autopsy reports on the petitioner's son and the Princess of Wales**
- 2. the records of the incident made by emergency paramedics**
- 3. the records at the material time of certain telephone networks**
- 4. any adequate attempt to establish the validity of the alibi of James Andanson at the time of the crash or to consider his connections with the security services**
- 5. information held or obtained by the British Embassy, the United Kingdom security services or the United States National Security Agency**
- 6. evidence that could be given by certain key witnesses including Richard Spearman and Nicholas Langman**

Conclusions:

1. The post-mortem examination report findings were given on a confidential basis, to Professor Lecomte by the United Kingdom pathologist Dr Robert Chapman at a personal meeting in London in June 1998. The relevant details were included in her expert's report to Judge Hervé Stéphan in November 1998.
2. A police lieutenant collated the records of the incident relating to the emergency services. These included relevant tape recordings, reports, records of calls and relevant statements taken from those at the scene. Statements were not taken from every member of the emergency services that attended the scene.
3. Lieutenant Gigou of the Brigade Criminelle collated the evidence from the three French mobile telephone networks. He looked at calls made in the area from the Ritz Hotel to the Alma underpass between the hours of midnight and 1am. Although there is a doubt regarding the completeness of this data retrieval, Lieutenant Gigou described various enquiries that were made having traced possible witnesses through telephone number analysis
4. The French investigative system seemed to be one very much based on recording details only when it is considered that they differ from the known picture. James Andanson's alibi is an example of this. He stated he had visited a musician in Corsica for a pre-arranged appointment on Sunday 31 August 1997. The French judicial dossier recorded '*seen,true*' in verification of this with no detail recorded. The Brigade Criminelle case officer, Jean-Claude Mulès, told Operation Paget officers that '*seen,true*' indicated it was checked and there was not a problem so there was no need to record details. This is different from investigative working practice in the United Kingdom.

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Operation Paget has examined the alibi evidence given by James Andanson and is satisfied that he had a credible alibi for the time of the crash.

5. Judge Stéphan was aware of the possible evidence that could be supplied by the British Embassy, United Kingdom Security and Intelligence Services, the United States NSA and other named individuals. He decided they were not relevant to his investigation. This was a matter for his judgement and was made under the terms and parameters of his investigation.
6. It is clear that Judge Hervé Stéphan considered the implications of this evidence and discounted it. He decided that he did not need to interview Richard Spearman or Nicholas Langman.

Claim 11 - The French police did not cordon off the scene of the crash long enough to allow a detailed examination of the scene and allowed the tunnel to be washed down the same night.

Hubert Pourceau was a member of the Bureau Central des Accidents, BCA. At around 8am, as per standard French practice, he attended the scene to confirm the findings made during the night by his BCA colleagues and amend the plan accordingly with anything that may have been missed and that was now visible in the daylight.

On his arrival there, he noticed that cleaning services were present and that there was still some oil on the westbound carriageway where the Mercedes had come to a halt. He cannot comment on whether that carriageway had been re-opened earlier, before 8am, but he felt it was unlikely. He recalled that the eastbound (opposite) carriageway had been re-opened, but he did not know at what time this took place.

He made his examination of the westbound carriageway, as he would for any other road traffic incident. That carriageway was re-opened when he left the scene at around 10am to 10.30am. In his experience as a Collision Investigator the incident was dealt with in the same manner as any other. He stated that any view that the carriageway had been re-opened prematurely was incorrect, people might have confused it with the re-opening of the eastbound carriageway.

Claim 12 - The report of the Traffic Investigation has never been made public and was not part of the Judge's dossier.

In the United Kingdom in 1997, the Collision Investigation Report would be recorded on one statement form completed by the Senior Collision Investigator incorporating everything that had been done. In France they had a different system.

The French Collision Investigation Report was not one document, but combined numerous documents within the Judge's (Examining Magistrate's) dossier. In this case numerous documents were included in Judge Hervé Stéphan's dossier that one would recognise as traffic investigation report material.

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Claim 13 - A photograph of the Mercedes entering the tunnel which showed the speed of the car has also been suppressed. (See allegation 3, Chapter Five)

The claim of a photograph showing the Mercedes entering the Alma underpass that has allegedly been suppressed by the French authorities is dealt with in Chapter Five, Claim 3. It is not a photograph at the Alma underpass but one taken outside the Ritz Hotel by French photojournalist Jacques Langevin as the couple were about to depart on the final journey.

Claim 14 - The evidence of a witness who claimed to be first on scene, Eric Petel, who heard what he described as an implosion just before the crash, was originally suppressed by police. His original statement was lost. No explanation for the disappearance of his statement has ever been forthcoming.

Eric Petel's evidence must be treated with caution. There is no corroboration for his account. The evidence available from other witnesses contradicted his view that he stopped and tended to the Princess of Wales. Those immediately arriving at the scene would surely have seen him at the car.

His description of a police escort across Paris by two cars and two motorcycles, at a time when the French police were deploying their resources to a fatal road traffic collision involving the Princess of Wales, does seem unusual. There was no rational explanation for such close attention to this witness.

The French inquiry looked at his account in great detail and concluded that his '*claims must be treated with considerable caution in view of their fanciful nature and the numerous implausibilities.*' Further '*his evidence is pure fabrication*' (French Dossier D4469).

However, they do say that '*the motorcyclist who drove close to the crashed Mercedes without stopping could have been Eric Petel.*' There was such a lack of detail of this particular motorcycle that it cannot be proven either way.

In essence, the account of Eric Petel at the scene of the crash, particularly in terms of tending to the Princess of Wales, and the events following it, is in contradiction with all other accounts.

Operation Paget conclude that the French investigation of Eric Petel's account was correct to cast doubt on its accuracy. In any event his description of events neither added to the culpability of the paparazzi, the focus of the French inquiry, nor to the allegation of conspiracy to murder, the focus of the British criminal inquiry.

CHAPTER ELEVEN

ACTIONS OF THE FOREIGN & COMMONWEALTH OFFICE / BRITISH EMBASSY, PARIS

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(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of the claims made by Mohamed Al Fayed

The British Authorities dishonestly deny knowledge of the Princess of Wales being in Paris before the crash occurred and assisted the co-ordination of the operation to murder the Princess of Wales and Dodi Al Fayed.

They were involved in the decision to embalm the Princess of Wales in order to destroy any chance of carrying out pregnancy tests or to provide a false positive pregnancy result. The embalming claims have been dealt with in Chapter Nine, but are included here for completeness.

Claim

1. The United Kingdom Government has maintained, through its spokesmen at the British Embassy in Paris, that it was entirely unaware of the presence of the Princess of Wales in Paris on 30-31 August 1997. It has also maintained that its services have no information regarding her movements or the circumstances of the crash in which my son died. Since numerous members of the press were waiting for my son and the Princess of Wales on their arrival at Le Bourget airport in Paris on 30 August 1997 and pursued them into the city, I do not find it credible that the United Kingdom Government and its services were wholly ignorant of her presence in Paris at that time.

Source - 7 February 2003 Submission by Mohamed Al Fayed to the Minister for Justice, Scotland for Public Inquiry, Page 2 (iv)

Claims

2. The security services of various countries including the United Kingdom were active in Paris at the time of the crash.

3. It is believed that the arrival of the Princess of Wales in Paris would have been reported to the British authorities, and at the least to the British Embassy in Paris.

Source - Undated 'Note of Argument' Supporting Petition For Judicial Review - Minister For Justice, Scotland -In name of Mohamed Al Fayed, Page 5 (11) (vi)

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Claims 4-6 are examined in detail in Chapter Nine as they relate to embalming issues. They are repeated here for completeness only as they are also claims against the British authorities.

Claim

4. (The embalming of Princess Diana's body) had to be done on the specific instructions from the British authorities, namely MI6, and that instruction was conveyed to the French authorities by Sir Michael Jay, the British Ambassador in Paris. These instructions from Sir Michael Jay were, from what I am given to understand, conveyed by Sir Michael Jay to Madame Coujard of the Public Prosecutor's office in Paris.

Source - 5 July 2005 Witness Statement of Mohamed Al Fayed, Page 5 (g)

Claims

5. There is no doubt whatsoever in my mind that Princess Diana was embalmed on the direct instructions of the British authorities to disguise her pregnancy. I am now informed that the embalming commenced at 2pm on 31 August 1997 in Paris, and the process took some two and a half hours. Therefore her repatriation was delayed pending completion of the embalming process.

6. Madame Coujard, senior Public Prosecutor in Paris, ordered Princess Diana's embalming. I understand your investigators do not believe that Sir Michael Jay, British Ambassador to Paris, was in any way involved. That is in direct conflict with evidence from an investigative journalist which details an interview with Madame Coujard, in which Sir Michael Jay was named.

7. It is said that Robert Fellowes was present at the British Embassy in Paris at 11pm on 30 August 1997, one hour after Henri Paul had been briefed by the security services, and one and a half hours before he took the wheel of the car which resulted in the deaths of my son and Princess Diana. Robert Fellowes commandeered the communications centre at the British Embassy and sent messages to GCHQ.

Source - 21 February 2006 Letter From Mohamed Al Fayed to Lord Stevens

CHAPTER ELEVEN

(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Introduction

A key feature of the claims relating to the actions of the Foreign & Commonwealth Office (FCO) and the British Embassy in Paris is whether they had any prior knowledge of the visit of the Princess of Wales and Dodi Al Fayed to Paris on the weekend of Saturday 30 August 1997. Further, if they were not in possession of that information directly, could other agencies have informed them of the travel plans of the Princess of Wales and Dodi Al Fayed? In examining these claims, the report looks at the knowledge of:

1. The United Kingdom authorities
2. The French authorities
3. Mohamed Al Fayed's staff
4. The paparazzi
5. Others

The claims against the British Embassy staff, particularly the Ambassador, Sir Michael Jay, also focus on their alleged involvement in the decision to embalm the Princess of Wales for the purpose of covering up an alleged pregnancy. Those matters, although relating to the British authorities, have been dealt with in full in Chapter Nine, which also deals with embalming claims relating to the French authorities.

Prior knowledge of the visit of the Princess of Wales and Dodi Al Fayed to Paris

1. Knowledge of the United Kingdom authorities:

- i) **The British Embassy in Paris and**
- ii) **The Foreign & Commonwealth Office in London**

i) The British Embassy in Paris

Operation Paget has interviewed staff at the British Embassy who had a role in the events after the crash.

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Sir Michael JAY

Her Majesty's Ambassador to France from 1996 until 2001. In post at the time of the crash and responsible for co-ordinating the response of the British Embassy. He denies any prior knowledge of the visit of the Princess of Wales. He outlines the liaison work between the Secret Intelligence Service and the French authorities.

Interviewed by Operation Paget - Statement 184

Sir Michael Jay stated he had no personal knowledge that the Princess of Wales had been in Paris that weekend, until woken by a telephone call from Keith Moss, the Consul-General at the Embassy, at about 1.45am to inform him of the crash. He also confirmed his view that the British Embassy was not aware that the Princess of Wales was in Paris until the Security Officer, George Younes, was notified of the crash in the early hours of Sunday 31 August 1997.

In relation to embalming, Sir Michael was unaware that the Princess of Wales had been embalmed whilst her body was at the Pitié-Salpêtrière Hospital. He categorically refuted any suggestion that he was aware of this or that he was in some way involved in the decision-making process which led to the embalming taking place. (This is dealt with in full in Chapter Nine.)

Sir Michael also stated that to the best of his knowledge and belief there is no foundation to claims that officers acting for the Security Service or the Secret Intelligence Service (SIS) were involved in a conspiracy to cause the death of the Princess of Wales and/or Dodi Al Fayed, or were involved in any cover-up to mask their involvement in the deaths. (The Secret Intelligence Service and Security Service are dealt with in Chapter Sixteen.)

Sir Michael explained that it was common practice for many overseas posts to have a number of intelligence officers from the SIS seconded to them. There may also have been officers of the Security Service on attachment. He confirmed that such officers were engaged in August 1997 within the Embassy. Their role consisted of liaison work with the French authorities in respect of such matters as counter terrorism and tackling organised/international crime.

Sir Michael was kept informed, by means of regular briefings and reporting, about the matters in which these agencies within the Embassy were involved. As Ambassador he had overall responsibility for their conduct and as such would expect to be informed of any significant complaint about their work and about any particular operation that was of an unusual and/or sensitive nature.

Sir Michael was asked whether any SIS or Security Service officers were deployed operationally in Paris during the weekend of 30-31 August 1997. He stated that he was not aware that any such officers, in which description he would include any persons working with them or on their behalf, had been deployed in Paris during that weekend.

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Keith MOSS

Consul-General at the British Embassy in 1997. The Consul-General in Paris has an overview of the consular services throughout France.

Interviewed by Operation Paget - Statement 91

Keith Moss stated that he first became aware of the Princess of Wales' presence in Paris when he was woken at around 1.10am on 31 August 1997 and informed of the crash in a telephone call from the Embassy Duty Officer, Keith Shannon. Keith Shannon had apparently been informed by George Younes, the duty Security Officer who had himself apparently been informed by the Elysée Palace Duty Officer.

Keith Moss went to the Pitié-Salpêtrière Hospital and had particular responsibility on behalf of the Embassy for the consular responsibilities associated with the body of the Princess of Wales. He subsequently produced an official record in the form of a Consular Report on 1 September 1997. This was standard practice following the death of a British national of note in a foreign country in which the Consular Authority had become involved. The report was forwarded to the FCO in London so that they could liaise with the relevant authorities and the families.

Keith Moss was involved in the decision to embalm the Princess of Wales' body later that day. (This is dealt with in Chapter Nine.)

Brigadier Charles RITCHIE

Military Attaché to the British Embassy in 1997. Brigadier Ritchie was made aware, just before midnight on Saturday 30 August 1997, that the Princess of Wales was in Paris. By chance, while passing the Ritz Hotel with his family they were informed by someone in the crowd that the Princess of Wales was inside. He saw no reason to take any action at that time and explained this in his statement.

Interviewed by Operation Paget - Statement 113

Brigadier Ritchie had been out socially with family members on the evening of Saturday 30 August 1997. Having dined at a restaurant, Brigadier Ritchie and those accompanying him walked into the Place Vendôme and past the Ritz Hotel. It was about 11.55pm and this was on the route to his flat. He noticed a gathering of some 50 or so people outside the Ritz Hotel and in addition, eight to ten paparazzi.

Brigadier Ritchie's wife spoke to a member of the crowd and was told that the Princess of Wales and Dodi Al Fayed were at the Ritz Hotel. She brought this to the attention of her husband.

Brigadier Ritchie noticed that outside the Ritz Hotel were two Range Rovers together with two men who appeared to be drivers or bodyguards. He associated both the vehicles and bodyguards with the Princess of Wales and Dodi Al Fayed. As he perceived it, the Princess of Wales had security with her, as well as hotel security. At that time of night, he assumed that she would not be leaving the hotel, which he knew to be owned by Mohamed Al Fayed.

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He had been unaware until this time of the presence of the Princess of Wales in Paris. It was his intention to inform Sir Michael Jay the following morning at about 8.30am.

Brigadier Ritchie first became aware of the death of the Princess of Wales at about 6.30am, when a friend unconnected to the Embassy, telephoned him.

Keith SHANNON

Second Secretary (Technology) at the British Embassy in 1997. He was the on-call Duty Officer for the Embassy on the Saturday night.

Interviewed by Operation Paget - Statement 169

Keith Shannon stated that he first became aware of the crash at just after 1am on 31 August 1997 when he was woken by a telephone call from George Younes, the Security Officer at the Embassy. This call was followed by a second call from Philippe Massoni, the Préfet de Police of Paris [Paget Note: He is responsible for the judicial and administrative police staff and the Paris Fire Brigade] who Keith Shannon understood to be at the scene of the crash. These calls were his first knowledge of the Princess of Wales' presence in Paris.

Steven DONNELLY

Vice-Consul in the Protection Section of the British Consulate in 1997.

Interviewed by Operation Paget - Statement 174

Steven Donnelly stated that he first became aware of the crash and subsequent deaths at about 8.15am on 31 August 1997 when he was informed in a telephone call from Keith Moss. This was his first knowledge that the Princess of Wales was in Paris.

Timothy LIVESEY

Head of Press and Public Affairs at the British Embassy in 1997.

Interviewed by Operation Paget - Statement 112

Timothy Livesey stated he was informed of the crash at about 1.20am on 31 August 1997 in a telephone call from the Security Officer at the British Embassy, who himself had been informed by the Duty Officer at the Elysée Palace. Timothy Livesey stated he was not aware of the Princess of Wales' presence in Paris before the crash.

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Steven GUNNER, Wing Commander, Royal Air Force

Assistant Air Attaché to the British Embassy in August 1997. He was principally responsible for transport arrangements for the Princess's body to the airport.

Operation Paget - Correspondence 323, Other Documents 117 and 124

Wing Commander Gunner is posted abroad. Operation Paget officers have spoken to him, and in correspondence of 20 November 2004, he stated:

'On 31 August 1997, I was serving as the Assistant Air Attaché at the British Embassy in Paris. The first I heard of the death of Princess Diana was on the BBC Radio News early on Sunday morning.'

Paul JOHNSTON

Second Secretary (Political) at the British Embassy in 1997. He stated he had no personal prior knowledge of the visit and he also responded officially on behalf of the British Embassy to the French inquiry.

Interviewed by Operation Paget - Statement 128

Paul Johnston stated he first became aware that the Princess of Wales was in Paris, when he heard news of the crash on the 'Today' radio programme whilst staying at a friend's house in Normandy. Paul Johnston then telephoned Sir Michael Jay at about 9.30am. He stated that the British Embassy in Paris first became aware of the presence of the Princess of Wales at about 1.10am on receipt of a telephone call from the Elysée Palace.

Paul Johnston also wrote officially to Judge Hervé Stéphan on two occasions, in response to enquiries from the Judge:

French Dossier D6985

Letter dated 16 December 1998

'Nobody in the British Embassy in Paris was aware of the Princess of Wales' trip to France, as it was a strictly private visit. The first person to have any knowledge of it was the duty officer, who received the call from the police just after the accident.'

French Dossier D7023

Letter dated 12 January 1998 – (actually dated incorrectly - believed to be 1999)

'As I told you in my letter of 16 December, the Embassy was only advised of the presence in Paris of the Princess of Wales on learning of the accident in which she had been involved in the early hours of 31 August. The Princess had arrived in Paris from Italy on the afternoon of 30 August. She did not have to inform the British government of her travel arrangements, especially when travelling in a private capacity as on this occasion. Unless she specifically requested it, she did not have any personal protection.'

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George YOUNES

British Embassy Security Officer. He was on duty on the night of the crash and took the first telephone calls informing the British Embassy of the crash. George Younes believed this to be at 12.50am, but records indicate it may have been at 1.10am. He then informed what he considered to be the relevant members of the Embassy staff.

Interviewed by Operation Paget - Statement 165

George Younes stated that he was unaware of the presence of the Princess of Wales in Paris until between 12.50am and 1am on 31 August 1997, when he received a telephone call from the then Préfet de Police for Paris, Philippe Massoni, who informed the British Embassy of the crash. George Younes recorded the details of the call in the Chancery Daily Occurrence Log.

George Younes then received a further telephone call at 1.10am from the Duty Officer at the Elysée Palace. This was also noted in the Occurrence Log at entry number '3' and is held by Operation Paget as an exhibit. (Exhibit GY/1)

George Younes then telephoned Keith Shannon, the Embassy Duty Officer, at 1.15am and left a telephone voice message, as he could not initially raise him. He then telephoned and informed Timothy Livesey at about 1.50am.

Documentation held by the FCO, viewed by Operation Paget shows a copy of George Younes's log entry number '3' on the night in question:

'T/C from Mr (unreadable) Permanence de Palais Elysee to inform the Embassy that Lady Diana had a serious accident car at tunnel Pont de l'Alma Paris. There is death in her car, she is being taken away to a hospital (unreadable) Paris that still kept secret for instant take all details from here.'

[Paget Note: Chapter Eight looks at the medical treatment received by the Princess of Wales at the scene and her transfer to the Pitié Salpêtrière Hospital. The first emergency doctor arrived at the scene at 12.40am. After being removed from the car and receiving urgent treatment following a cardiac arrest her transfer to hospital began at 1.41am.]

The copy log entries '1' and '2' are missing. George Younes believes number '1' was the routine security check entry after midnight and that number '2' referred to the call from Philippe Massoni. It is not known why logs '1' and '2' were not copied when subsequently the other logs relating to the night were. Christopher Whomersley, the Deputy Legal Adviser to the FCO, has indicated that to the best of his knowledge the original logs would probably have been destroyed in 2001 in line with standard policy (Operation Paget Correspondence 527). The FCO is unable to identify who copied the original log entries while they were in existence, and consequently who missed logs '1' and '2' and how. The log entries were made on detachable sheets running consecutively.

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While unfortunate in terms of providing a complete picture, the effect of copy logs '1' and '2' being missing is that George Younes believed the Embassy were informed by the police at 12.50am, while other Embassy officials have understood the first call to be from the Elysée Palace at 1.10am, around twenty minutes later. The evidence of George Younes is that both calls were straightforward communications of the relevant information.

[Paget Note: Préfet Philippe Massoni, interviewed by Operation Paget, stated that he attended the scene around 12.50am. His assistant, Nicola Basselier, was tasked on behalf of the Préfet to inform key people. This included the British Embassy. Philippe Massoni cannot recall after this length of time when this was done or indeed if he made that call himself.]

ii) Foreign & Commonwealth Office

Christopher WHOMERSLEY

Deputy Legal Adviser, based in London. He has assisted Operation Paget in identifying and retrieving relevant FCO documentation.

Interviewed by Operation Paget - Statement 127

Christopher Whomersley assisted Operation Paget to identify all known documentation held by the FCO in all locations that related in any way to the events in Paris on and following the 30 August 1997.

Some of the documents contained within the files were numbered and in sequence, whereas some were not numbered at all. This has essentially made it virtually impossible to conclude that every piece of material held by the FCO, in whatever location, has now been viewed by this inquiry. Christopher Whomersley and Roland Phillips, of Treasury Solicitors, acting on behalf of the FCO, have provided the assurance that to the best of their knowledge and belief, Operation Paget has now seen all documentation. Nothing has come to light to cast doubt on that assurance.

Clearly the FCO had many responsibilities following the deaths and the Operation Paget Inquiry team have viewed thousands of documents. Schedules were prepared to aid the viewing process. These schedules are retained within the Operation Paget office (Operation Paget Other Documents 386). Copies of the original FCO documents relevant to this inquiry are also retained (Operation Paget Other Documents 137 and 168).

Operation Paget has not seen any document that supports the claim that the British Embassy in Paris, or indeed any part of the FCO, had prior knowledge of the Princess of Wales' visit to Paris.

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FCO File MBF 390/001/03 - dated 2 September 1997 - Other Document 137

This document detailed the minutes of a Cabinet Office Group with responsibility for the security of overseas visits by VIPs and recorded the following:

'The group had not been informed of the Princess of Wales' visit to France. The visit had been private and the Princess of Wales had not been accompanied by a member of the Royal Family for whom protection was provided. In accordance with the May 1994 guidelines, even had the Group been aware of the visit, it would not have recommended that the Princess of Wales be accompanied by a Personal Protection Officer.'

Paul BURRELL

Butler to the Princess of Wales. He accompanied her on many overseas trips.

Interviewed by Operation Paget - Statement 24B

Paul Burrell explained the security aspects of visits with the Princess of Wales:

'When the Princess was due to travel abroad she had an obligation to inform the Home Secretary and the Foreign Office. She tended to do this for official visits but not private trips, which she viewed as personal. Sometimes she had to have protection at the insistence of the Foreign Office, when visiting Angola and Bosnia for example. I know when she hired Colin Tebbutt as her driver it was in the back of her mind that as an ex-police officer, if anything happened he would be able to sort it out but she had no protection as such. Her sons always travelled with personal protection officers and so when she was with them she would receive that protection.'

2. Prior knowledge of the French authorities

Pascal WINIESKI

Police Officer, Immigration Control, Le Bourget airport.

French Dossier D2540-D2544

Officer Pascal Winieski stated that when he came on duty at 1pm, he checked the two notification systems namely 'Sigma' and the 'Daily Order' book that would have given warning of a VIP or State arrival. There was no notification of any such arrival for Saturday 30 August 1997. He then said that a few minutes before the aircraft touched down, a Gendarme informed him that the Princess of Wales was due to arrive at Le Bourget airport that day, but there was no detail given. He was first aware of her arrival when he saw the Princess of Wales walking down the steps of the aircraft.

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Chef DELEBECQUE

Maréchal de Logis at Airport Gendarmerie, Le Bourget.

French Dossier D2539

Maréchal de Logis Chef Delebecque stated that the flight was unannounced. The status of occupants was given to the Gendarmerie only five minutes before the Gulfstream aircraft landed. He did not state where that information came from. The only assistance given by the police to the Princess of Wales' party was an escort to the airport boundary.

Vianney DYEUVRE

Commissaire de Police. He made enquiries of the Diplomatic/VIP Protection Squad in Paris and was told they had no knowledge of the Princess's visit.

Document of 15 September 1997 - Other Document 41 (Pre-Paget)

Commissaire Vianney Dyèvre of the Brigade Criminelle makes reference to enquiries made during the French investigation with the Chief of Staff of the Diplomatic/VIP Protection Squad in Paris. The Chief of Staff categorically denied that his team were made aware before the crash of the visit of the Princess of Wales to Paris.

Philippe MASSONI

Préfet de Police in Paris at the time of the crash. He was the senior police officer in Paris, responsible for the security of the capital and diplomatic premises and visitors.

Interviewed by Operation Paget - Statement 241

Préfet Massoni did not know of the visit of the Princess of Wales until being called by telephone at 12.40am on Sunday 31 August 1997 to be informed of the crash. In answer to specific questions he stated:

'Reply to question: "I did not know prior to the accident that the Princess of Wales was in France, and she was in fact on a private visit. Like countless other foreign VIPs, she had come to France on holiday without seeking the assistance of the authorities in respect of her protection."

Reply to question: "If the Princess of Wales had announced her trip to France, discussions would have taken place with her representative as to any security measures that she might have wanted put in place. I should point out however that the French authorities do not impose security measures on a visitor contrary to his or her wishes."

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Paul JOHNSTON

Second Secretary, British Embassy

Document dated 11 September 1997 - Other Document 204 (Pre-Paget)

Paul Johnston of the British Embassy wrote an internal memorandum on 12 September 1997 as follows:

'Sir M. Jay asked me to check with the Interior Ministry whether the suggestion in 'Le Monde' of 11 September that the Ministry had been warned of the Princess's visit to Paris on 30 August was true.

I spoke to Gouyette (Diplomatic Adviser) who rang back today having checked with the relevant departments to confirm that neither the Ministry nor the Prefecture de Police had been aware of the Princess's visit. The first they had known was when the accident was reported around 00.30 the following morning.'

3. Knowledge of Mohamed Al Fayed's Staff

Franz KLEIN

President of the Ritz Hotel. He stated he first knew of the intended Paris visit on 18 August 1997. He referenced this date to his holiday in Antibes.

Interviewed by Operation Paget - Statement 205

'I was on holiday in Antibes when on 18 August 1997 I received a telephone call from Dodi Al Fayed telling me that he intended to come to Paris at the end of the month...'

'...I knew he was with the Princess, although he didn't mention her by name for security reasons. I telephoned Roulet and told him of my conversation with Dodi and I had no further involvement in the arrangements for the visit...'

'...I did not have any communications with Mohamed Al Fayed other than when he called me to confirm the visit around 18th or 19th August 1997 and I explained to him what the circumstances were - that the hotel was fully booked, that I would not be present and so on. I did not receive any instructions from Mohamed Al Fayed about the visit. I did not issue any instructions, nor did I have any communication with any members of staff in connection with the visit on 30th August 1997. This includes Henri Paul.'

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Claude ROULET

Assistant to Franz Klein at the Ritz Hotel. He was first informed of the intended visit around 25 or 26 August 1997 in a telephone conversation with Dodi Al Fayed.

French Dossier D5148

In August 1998 in an interview with Judge Stéphan, Claude Roulet stated:

'...As for their stay at the end of August, I was told in person by Dodi, with whom I often spoke by phone, that he was coming to Paris with his girlfriend. As a precaution he did not mention the Princess by name over the phone. He wanted to go to the Rue Arsène Houssaye as the hotel was full, but I tried to persuade him to go to the Bois de Boulogne as it was much more out of the way and quieter, however he was not keen on that. He told me that he would be coming to the hotel in the afternoon. He also asked me to get Repossi the jeweller's in Place Vendôme open and to bring over a selection of rings from Monte Carlo....'

Interviewed by Operation Paget - Statement 136A

When further interviewed by Operation Paget in October 2005 Claude Roulet stated:

'You ask me when I found out that the couple would be coming to the hotel on 30th August 1997. Generally, Mr Klein and Mohamed Al Fayed were vague. They would have said that they would be coming at the end of August. But I found out the date of their arrival from Mohamed Al Fayed or Mr Klein just one or two days beforehand.

Four or five days before 30th August 1997, I spoke to Dodi by phone. Either he had called me himself, or Mr Klein or Mohamed Al Fayed asked me to speak to him. Dodi told me that he had been for a stroll with the Princess in Monte Carlo and that the Princess liked a ring that she had seen in the window of the jewellers' Repossi....'

Paul HANDLEY-GREAVES

Head of Personal Security for Mohamed Al Fayed. He had no knowledge of the itinerary or arrangements for the trip to Paris.

Interviewed by Operation Paget - Statement 170

'We never notified officials / authorities in countries we visited.'

'I was in the UK on 30 August 1997 and had no knowledge of any of the itinerary or arrangements for Dodi's visit to Paris...'

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David MOODIE

Member of Mohamed Al Fayed's security team in the Operations Room in London, responsible for co-ordinating the security of Mohamed Al Fayed's family. He had no prior knowledge of the visit to Paris.

Interviewed by Operation Paget – Other Document 190

David Moodie provided information to Operation Paget by telephone.

He stated that the Operations Room were not aware of the trip to Paris until the party '*...more or less arrived there...*'

The following people all state that they were told of the visit to Paris on Friday 29 or Saturday 30 August 1997.

All have been interviewed by Operation Paget and have made statements.

Trevor REES-JONES, Bodyguard (Statement 104)

Kieran 'Kes' WINGFIELD, Bodyguard (Statement 20A)

Myriah DANIELS, Masseuse (Statement 182)

Deborah GRIBBLE, Stewardess/Personal Assistant (Statement 183)

René DELORM, Butler (Statement 120)

Philippe DOURNEAU, Chauffeur (French Dossier D4908)

Franco MORA, Ritz Manager (Statement 185)

Jean-François MUSA, Limousine Company Owner (French Dossier D717)

Reuben 'Ben' MURRELL, Security Officer, Villa Windsor (Statement 211)

4. Prior Knowledge of the Paparazzi

Romuald RAT

Paparazzo.

French Dossier D340 and D1634-D1635

Romuald Rat stated that he received a telephone call from Stéphane Lenhof, a colleague in Italy, who informed him of the expected arrival of the Princess of Wales in Paris.

CHAPTER ELEVEN

Alain GUIZARD

Photographic Agency Editor.

French Dossier D1059

He stated he was informed between 12.30pm and 1pm on Saturday 30 August 1997 by a colleague in Corsica, Max Colin, who in turn had been informed by someone working in the control tower at Olbia Airport, Sardinia.

Fabrice CHASSERY

Paparazzo.

French Dossier D1107

He stated that he was contacted by Laurent Sola, a photographic agency owner, at 12.30pm on 30 August 1997 with the information that the Princess of Wales would be landing at Le Bourget airport at around 1.30pm. Laurent Sola said this information came from his photographer in Sardinia, but did not name him.

Other paparazzi who have commented on this issue state they were informed much later in the day.

5. Prior Knowledge of Others

Paul BURRELL

Butler to the Princess of Wales.

Interviewed by Operation Paget - Statement 24A

Paul Burrell when interviewed by Operation Paget, stated he was told of the intended trip to Paris by the Princess of Wales on Thursday 28 August 1997.

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CONCLUSIONS

Part A – Claims outlined in Section (i)

Claim 1 - The United Kingdom Government has maintained, through its spokesmen at the British Embassy in Paris, that it was entirely unaware of the presence of the Princess of Wales in Paris on 30-31 August 1997. It has also maintained that its services have no information regarding her movements or the circumstances of the crash in which my son died. Since numerous members of the press were waiting for my son and the Princess of Wales on their arrival at Le Bourget airport in Paris on 30 August 1997 and pursued them into the city, I do not find it credible that the United Kingdom Government and its services were wholly ignorant of her presence in Paris at that time.

Neither the FCO in London, nor the British Embassy or Consulate in Paris, with the exception of Brigadier Charles Ritchie, were aware of the presence of the Princess of Wales and Dodi Al Fayed in Paris until the Embassy Security Officer was notified at somewhere between around 12.50am and 1.10am on Sunday 31 August 1997. The security officer was informed that the Princess of Wales had been involved in a car crash.

The Military Attaché at the Embassy, Brigadier Charles Ritchie, was the only member of the Embassy staff to know of the Princess of Wales' presence in Paris before the crash. He was out with his family, just before midnight, when by chance he came across a crowd in Place Vendôme outside the Ritz Hotel and was informed that the Princess of Wales was inside.

Brigadier Ritchie had not previously been aware that the Princess of Wales was in Paris. The Princess of Wales and Dodi Al Fayed left the Ritz Hotel around twenty minutes later intending to travel to the apartment in rue Arsène Houssaye.

Having also noted the presence of Ritz Hotel security and bodyguards/drivers, he decided to inform the British Ambassador the next day as he believed no urgent action was necessary in relation to her presence there.

The paparazzi seem to have been made aware of the visit no earlier than 12.30pm on Saturday 30 August 1997. It would appear that at least one source of the information was the Control Tower at Olbia Airport in Sardinia, or photographers based on the island. Other paparazzi present at the Ritz Hotel or other venues appear to have found out by word of mouth. There is no evidence that the paparazzi considered, or had any reason to consider, informing the French authorities when they followed particular personalities.

It would appear from the evidence that the earliest notification to anyone of the intended trip to Paris was given by Dodi Al Fayed to Franz Klein, President of the Ritz Hotel on or around 18 August 1997. Only the most senior managers at the hotel seem to have been made aware at that early stage.

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Mohamed Al Fayed's Head of Personal Security at the time stated that the security team '*never notified officials/authorities in countries we visited.*'

Other staff, including the personal bodyguards, were told either late on Friday 29 or early on Saturday 30 August 1997.

The Princess of Wales informed Paul Burrell of the change of travel plans on Thursday 28 August 1997 stating that she would not be returning on Saturday 30 August 1997 to Stansted airport as previously planned. She told him that she would be delayed until Sunday as Dodi Al Fayed had to go to Paris on business for his father.

The authorities at the airport were aware of the arrival of the Princess of Wales and Dodi Al Fayed in Paris only a few minutes before their aircraft landed at Le Bourget airport. This information appeared not to be shared with anyone outside the airport authorities.

The Head of the Diplomatic/VIP Protection Squad in Paris confirmed that they were not informed of the visit. The French Ministry of the Interior confirmed that they had not been aware of the Princess of Wales' visit.

The Préfet de Police of Paris, responsible for the security of the capital and diplomatic premises and visitors, stated that he did not know of the visit until being telephoned at 12.40am to be told of the crash.

There is no evidence that anybody within the FCO in London or at the British Embassy or Consulate in Paris had prior knowledge of the Princess of Wales' intention to fly to Paris on Saturday 30 August 1997. The British Embassy was closed on Saturday 30 August 1997. It is difficult to know who would have been expected to inform the authorities of the private visit of the Princess of Wales. The authorities at Le Bourget airport saw no reason to and did not do so.

There is no evidence that anyone connected to the British authorities was aware of the Princess of Wales' previous visit to Paris with Dodi Al Fayed at the end of July 1997, although the relationship at that time did attract much less media attention.

Claim 2 - The security services of various countries including the United Kingdom were active in Paris at the time of the crash.

The security services of many countries, including the United Kingdom, would be expected to be active in Paris at the time. There is nothing unusual in this. The British Ambassador at the time has explained the counter-terrorism and organised crime liaison role of intelligence agencies. There is no evidence from enquiries undertaken by Operation Paget at the Security Service and the SIS that they were involved in any activity linked to the crash. There is no evidence that they were aware that the Princess of Wales was in Paris that weekend. There is no evidence that they were tracking the movements of the Princess of Wales.

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Claim 3 - It is believed that the arrival of the Princess of Wales in Paris would have been reported to the British authorities, and at the least to the British Embassy in Paris.

The facts are as outlined under point 1. One must ask the question, who would have informed the British Authorities, why and how? There is no evidence to show that anyone did or had any reason to. This was a private visit by the Princess of Wales.

Claims 4, 5 and 6 – Detailed in Chapter Nine

Claim 4 - (The embalming of Princess Diana's body) had to be done on the specific instructions from the British authorities, namely MI6, and that instruction was conveyed to the French authorities by Sir Michael Jay, the British Ambassador in Paris. These instructions from Sir Michael Jay were, from what I am given to understand, conveyed by Sir Michael Jay to Madame Coujard of the Public Prosecutor's office in Paris.

Claim 5 - There is no doubt whatsoever in my mind that Princess Diana was embalmed on the direct instructions of the British authorities to disguise her pregnancy. I am now informed that the embalming commenced at 2pm on 31 August 1997 in Paris, and the process took some two and a half hours. Therefore her repatriation was delayed pending completion of the embalming process.

Claim 6 - Madame Coujard, senior Public Prosecutor in Paris, ordered Princess Diana's embalming. I understand your investigators do not believe that Sir Michael Jay, British Ambassador to Paris, was in any way involved. That is in direct conflict with evidence from an investigative journalist which details an interview with Madame Coujard, in which Sir Michael Jay was named.

Embalming and the alleged involvement of the British Ambassador, Sir Michael Jay, have been covered in full detail in Chapter Nine. There is no evidence that Sir Michael Jay was involved in any way in the decision-making relating to embalming.

Claim 7 - It is said that Robert Fellowes was present at the British Embassy in Paris at 11pm on 30 August 1997, one hour after Henri Paul had been briefed by the security services, and one and a half hours before he took the wheel of the car which resulted in the deaths of my son and Princess Diana. Robert Fellowes commandeered the communications centre at the British Embassy and sent messages to GCHQ.

There is no evidence to support this claim.

All of the evidence shows that Lord Robert Fellowes was at home in England with his family, including his wife, Lady Jane Fellowes, on Saturday night and Sunday morning. Lady Jane Fellowes was the sister of the Princess of Wales. Lord Fellowes was with friends in his local village in England on the night of Saturday 30 August 1997. This information has been confirmed to Operation Paget officers.

The two Security Officers on duty at the British Embassy in Paris on the night of Saturday 30 August 1997 have provided statements confirming that nothing like this could happen or did happen at the Embassy. There is no supporting evidence at all to substantiate anything to do with this claim.

CHAPTER **TWELVE**

BRITISH AUTHORITIES' ACTIONS **WITH REGARD TO** **'SUSPICIOUS DEATHS'**

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(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of the claims made by Mohamed Al Fayed

Mohamed Al Fayed alleges that the British authorities immediately viewed the crash as 'suspicious' and carried out actions consistent with this, such as having police attend the post-mortem examinations of the Princess of Wales and Dodi Al Fayed. John Macnamara, Mohamed Al Fayed's Director of Security, adds to this claim by querying the appointment of a police officer to these enquiries who was already investigating Mohamed Al Fayed on other matters. The British authorities, including H.M. Coroner for Surrey and Coroner of the Queen's Household, Michael Burgess, have always denied describing or dealing with the incident as suspicious.

Claim

1. On 31 August 1997 Mr John Macnamara, a former Detective Chief Superintendent in the Metropolitan Police, who was arranging the return of my son's body to the United Kingdom, was informed by Dr Burgess, the coroner for Surrey, that he had received a phone call from Scotland Yard saying that the deaths of my son and others in the crash were being treated by the authorities as suspicious and that there would therefore be a delay in returning my son's body to the United Kingdom. There was in fact a delay in repatriating his body. Many of the circumstances are indeed suspicious.

Source - 7 February 2003, Submission by Mohamed Al Fayed to Minister for Justice, Scotland for Public Inquiry Page 5 (x)

Claim

2. Re deaths being regarded as suspicious this is consistent both with the extensive sampling involved in the post mortem examinations of the bodies of Mr Al Fayed's son and the Princess of Wales and with police attendance at these examinations. Neither of these ordinarily takes place except where deaths are being treated as suspicious.

Source - May 2003 Petition For Judicial Review - Minister For Justice, Scotland - In name of Mohamed Al Fayed, Item 14

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Claim (Made by John Macnamara on behalf of Mohamed Al Fayed)

[Paget Note: The statement is paraphrased to highlight key points.]

3. John Macnamara states that he was extremely surprised to see Detective Superintendent Jeffrey Rees at the mortuary acting as the police liaison officer for the Coroner. He had been appointed by Assistant Commissioner David Veness to investigate Mr Al Fayed, John Macnamara and others in connection with a safe deposit box. He had to be seen to be impartial. In those circumstances it was surprising that he had this liaison role. Jeffrey Rees told John Macnamara that he had been appointed liaison officer by Assistant Commissioner Veness. Jeffrey Rees told John Macnamara that a 'most experienced Detective Superintendent', Geoffrey Hunt, was on call to deal with such situations whereas he, Jeffrey Rees, was on holiday in Lincolnshire when David Veness insisted that he should attend personally

**Source - Statement for Operation Paget by John Macnamara dated 3 July 2006,
Page 3**

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(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Introduction

The claims made by Mohamed Al Fayed and John Macnamara in Section (i) raise four questions. This report deals with each in turn:

1. Why was Detective Superintendent Rees, of the Organised Crime Group (OCG) at New Scotland Yard, appointed to deal with the Metropolitan Police Service response to the deaths in Paris rather than the on-call Senior Investigating Officer (SIO)?
2. Who was responsible for defining the Metropolitan Police Service (MPS) role after the deaths and how was that role defined?
3. Why did officers of the MPS attend the post-mortem examinations of the Princess of Wales and Dodi Al Fayed at Hammersmith and Fulham mortuary on 31 August 1997?
4. Did the authorities, in particular the Coroner, Michael Burgess, or officers at New Scotland Yard, state that the deaths were regarded as suspicious and did this result in a delay of the repatriation of Dodi Al Fayed's body?

It may be helpful to set out the rank structure within the OCG as of 31 August 1997. Only those referred to within this report are shown:

- Assistant Commissioner Specialist Operations (ACSO) – David Veness
- OCG Commander – Niall Mulvihill
- Operational Head of OCG – Detective Chief Superintendent (DCS) Mike Dixon
- OCG Investigating Officer – Detective Superintendent Jeffrey Rees (Detective Superintendent Jeffrey Rees was the most experienced investigator in the OCG and designated deputy to DCS Dixon)
- OCG Investigating Officer – Detective Chief Inspector (DCI) Peter Heard (DCI Heard was on-call SIO that week)
- Detective Inspector (DI) OCG – Dennis Sharp
- Detective Sergeant (DS) OCG – Richard Wall

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Organised Crime Group

Detective Superintendent Rees, Acting Head of the OCG, described its responsibility as amongst other matters, the investigation of serious offences that did not fall naturally into other departments such as kidnappings, major extortion and where applicable, the deaths of British citizens overseas. In addition the OCG had responsibility for investigating crimes that put the security of the Royal Family at risk.

On-Call Senior Investigating Officer

The officer who was on call, generally on a weekly rota, to deal with any issues arising that came within the terms of reference of the OCG, or where the skills of that group were required.

Question 1

Why was Detective Superintendent Rees of the OCG at New Scotland Yard appointed to deal with the MPS response to the deaths in Paris rather than the on-call SIO?

Peter HEARD

Detective Chief Inspector, Organised Crime Group (retired). He was the on-call SIO for the week leading up to 31 August 1997. As such he was tasked to deal with the practical issues arising from the return of the bodies to the United Kingdom such as post-mortem examinations. He was replaced before attending the post-mortems at Hammersmith and Fulham mortuary as he was due to fly abroad on Tuesday 2 September 1997 to continue a long-running, complex investigation. He explained the process of how this occurred.

Interviewed by Operation Paget - Statement 192

He confirmed that on Sunday 31 August 1997 he was the SIO for the OCG and therefore responsible for any major incidents that required a response from them. He recalled that the OCG Head, DCS Mike Dixon was away at that time. Although he knew that Detective Superintendent Jeffrey Rees was the Acting Head of the OCG at that time he also knew that Jeffrey Rees was spending that weekend away with his family.

DCI Heard was at home at around midday on Sunday 31 August 1997 when he received a telephone call or a pager message to contact New Scotland Yard. He was unable to recall with whom he made contact. He was informed that the bodies of both the Princess of Wales and Dodi Al Fayed would be arriving back into the United Kingdom later that day and that there would be a requirement for him to supervise the arrival of the body of the Princess of Wales at RAF Northolt. In addition, he was told that he should make any arrangements that needed to be made from a police perspective in relation to the post-mortem examination later that day. His instructions only concerned the Princess of Wales. He was given no instructions regarding Dodi Al Fayed.

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At that time he was heavily committed to a highly sensitive and complex investigation that was due to take him to Canada on Tuesday 2 September 1997. With this in mind, he telephoned New Scotland Yard and discussed his involvement with a senior officer. He cannot now recall who that was. He believed it may well have been David Veness, the Assistant Commissioner (AC) with overall responsibility for the OCG.

After discussing the necessity for DCI Heard to travel to Canada it was decided to contact Detective Superintendent Jeffrey Rees. If DCI Heard was not to deal with events that day Detective Superintendent Rees would be a logical choice to take over. Some time later DCI Heard received a telephone call from New Scotland Yard informing him that Detective Superintendent Rees had been located and that the MPS were arranging for his return to London.

DCI Heard received a further call in which he was formally released and instructed to continue with his travel plans to Canada.

Dennis SHARP

Detective Inspector, Organised Crime Group (retired). A member of the OCG at the time, DI Sharp was tasked by DCI Heard to attend the Hammersmith and Fulham mortuary. He was later informed that Detective Superintendent Rees had replaced DCI Heard.

Provided a statement for Operation Paget - Statement 10C

Shortly after learning of the deaths of the Princess of Wales and Dodi Al Fayed he received a telephone call from DCI Heard, his line manager at the time. He was told to attend Hammersmith and Fulham mortuary that afternoon for the post-mortem examination of the Princess of Wales, but he no longer recalls if he was told anything about Dodi Al Fayed.

DI Sharp did not recall whether it was during this call, or whether he was telephoned back a short while later, that DCI Heard informed him that he, Peter Heard, would not be dealing with the matter and that Detective Superintendent Rees had been appointed. DI Sharp was unable to recall whether or not DCI Heard gave an explanation as to why he was unable to attend.

Jeffrey REES

Detective Superintendent, Organised Crime Group (retired as Detective Chief Superintendent). He was instructed to attend Hammersmith and Fulham mortuary and oversee the police response to the post-mortem examination. He outlined his role and actions on Sunday 31 August 1997 and discussed his perception of a possible compromise due to a separate investigation he was heading into an alleged theft from a safe deposit box at Harrods.

Interviewed by Operation Paget - Statements 216 and 216A

He first became aware of the deaths of the Princess of Wales and Dodi Al Fayed while reading the morning papers and watching television. He was spending time with his family and friends. Detective Superintendent Rees stated that although he was not on-call that weekend he was at that time the Acting Detective Chief Superintendent, as the Head of the OCG was either away on enquiries overseas or on a period of leave.

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He therefore made a professional assessment that it was necessary to consider whether or not there was a role for the OCG in the immediate aftermath of the deaths.

With this in mind he telephoned Commander Niall Mulvihill, his line manager. They assessed that short-term implications for the OCG were unlikely at that stage.

It was some time later that day that Detective Superintendent Rees received a pager message to contact AC David Veness's staff officer. Detective Superintendent Rees cannot now recall the name of that officer. As the bodies were to be repatriated that day he was informed that AC Veness wished him to take over responsibility from DCI Heard and for him to do whatever was necessary from the police point of view concerning the post-mortem examination of the bodies of the Princess of Wales and Dodi Al Fayed.

Detective Superintendent Rees had concerns about a possible compromise in this role. In May 1997 he had been appointed as the SIO in an investigation into alleged theft from a safe deposit box at Harrods.

On 22 January 1998, Detective Superintendent Rees sent a report to Commander Mulvihill, through his line manager, outlining these concerns. (Unregistered Docket 678/2000/DCS) He stated that he was willing to continue in both roles but felt it necessary to formally raise and put on record his concerns about what might be perceived as a conflict of interest in the two tasks. In recording his concerns, Detective Superintendent Rees wrote that it might help to counter allegations that might be made in the future that his involvement was somehow contrived, had sinister implications or affected his judgement and impartiality. He noted that despite Mohamed Al Fayed's lawyers being aware of his involvement in both cases, no comment or complaint had been made.

Commander Mulvihill made the decision that Detective Superintendent Rees was to continue in both roles, at the same time formally acknowledging the concerns highlighted in his report. The correspondence, now in the possession of Operation Paget, shows that this decision rested with Commander Mulvihill and was not referred elsewhere.

David VENESS

Assistant Commissioner Specialist Operations (retired). David (now Sir David) Veness tasked Detective Superintendent Rees to attend the post-mortem examinations because of DCI Heard's arrangement to travel abroad on another case. He explained his decision to do this, even though he was aware of a possible conflict between Detective Superintendent Rees and Mohamed Al Fayed.

Interviewed by Operation Paget - Statement 227

He stated that on Sunday 31 August 1997 discussions were held within the MPS regarding possible forensic issues following the repatriation of the bodies of the Princess of Wales and Dodi Al Fayed that might require a police response.

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DCI Heard was the senior officer on call but when Sir David Veness became aware that DCI Heard was travelling to Canada the next day on OCG business, he appointed Detective Superintendent Rees to manage the police response.

Sir David Veness recalled an issue raised at the time by Detective Superintendent Rees. Detective Superintendent Rees was dealing with an allegation of theft from a safe deposit box at Harrods. Sir David Veness was aware of the case when tasking Detective Superintendent Rees on 31 August 1997. He considered that because of his great experience and skills he was the best person for the role. He was confident that Detective Superintendent Rees could separate the two roles.

He now states that with the benefit of hindsight perhaps it may have been better to appoint another officer because of the possible conflict and the perception others may have. Sir David Veness, while recalling that he was aware of the general issues, cannot recall seeing any correspondence in respect of Detective Superintendent Rees's concerns.

Keith BROWN

Surrey Coroner's Officer. He assisted Michael Burgess with arrangements on Sunday 31 August 1997 with regard to the body of Dodi Al Fayed.

Interviewed by Operation Paget - Statement 143A

When he and Michael Burgess arrived at Hammersmith and Fulham mortuary that afternoon, there were a number of police officers present, including a photographer and a scenes of crime officer. He recalled that Detective Superintendent Rees, who he did not know at that time, was also present.

Keith Brown stated that he overheard a conversation in either the corridor or in the waiting area at the mortuary during which Detective Superintendent Rees explained that he was somewhat surprised to have been requested to be the senior officer in charge from the MPS as he either was, or had been, investigating Mohamed Al Fayed in a separate matter. Keith Brown did not recall who Detective Superintendent Rees was saying this to and as far as he could remember it was just a general conversation with whoever was in the room. He remembered clearly that neither John Macnamara nor Mohamed Al Fayed were in the room at that time.

Operation Paget Comment

DCI Heard was the on-call SIO for the OCG on Sunday 31 August 1997. He was contacted by New Scotland Yard at around midday and informed that he was to supervise the return of the bodies and manage the post-mortem examination process scheduled for later that day. DCI Heard cannot recall now who gave him these instructions.

He was committed to travel overseas on Tuesday 2 September 1997 to deal with a long-running and sensitive investigation. He therefore sought advice from senior officers (probably, he believed, Sir David Veness) on how to manage this professional conflict. A decision was made to contact the Acting Head of the OCG, Detective Superintendent Rees.

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Sir David Veness confirmed that he made the decision to appoint Detective Superintendent Rees when he became aware that DCI Heard was scheduled to leave the country in the next day or so. Once Detective Superintendent Rees was located and confirmed his availability, DCI Heard was released to continue his overseas enquiry.

Sir David Veness selected Detective Superintendent Rees as he believed him to have great experience and skills. He was aware that Detective Superintendent Rees was heading a separate ongoing criminal investigation in which senior Harrods staff were amongst those accused of theft from a safe deposit box. Sir David Veness believed that Detective Superintendent Rees could manage both tasks without compromise.

Detective Superintendent Rees was not actually on duty that weekend but was Acting Head of the OCG in the absence of DCS Mike Dixon. His instructions, passed to him on behalf of Sir David Veness by his staff officer, were that he was to do whatever was necessary from a police perspective when the bodies of the Princess of Wales and Dodi Al Fayed returned from France.

Question 2

Who was responsible for defining the MPS's role after the deaths and how was that role defined?

David VENESS

David (now Sir David) Veness decided the Terms of Reference for the MPS and agreed these with Detective Superintendent Rees.

Interviewed by Operation Paget - Statement 227

Sir David Veness stated that after dealing with the forensic and other immediate issues such as transport of Dodi Al Fayed's body to Surrey, the '*Terms of Reference*' were agreed with Detective Superintendent Rees. Sir David Veness referred to Unregistered Docket 678/2000/DO held by Operation Paget and recognised the '*Terms of Reference*' therein.

He tasked Detective Superintendent Rees to liaise with the French investigators and to assist them where necessary with enquiries in the United Kingdom. He was also to work to and assist the two United Kingdom Coroners involved. Sir David Veness stated that the role was similar to an SIO, although the MPS was not conducting an investigation, as that was a French responsibility. He retained the role of 'strategic overview'.

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Jeffrey REES

Detective Superintendent Rees explained his role and referred to the official documentation recording the *'Terms of Reference'*.

Provided statement to Operation Paget - Statement 216

Detective Superintendent Rees detailed his initial role, passed to him through the staff officer of Sir David Veness. This was to do whatever was necessary from the police point of view at the post-mortem examinations of the Princess of Wales and Dodi Al Fayed on their return to the United Kingdom on Sunday afternoon.

The earliest documentation relating to this is in a policy file document timed at 9am on Monday 1 September 1997 titled *'Operation Paris'* (Unregistered Docket 678/2000/DO). This was the operation name assigned in the early stages to enquiries relating to the deaths of the Princess of Wales and Dodi Al Fayed, preceding the subsequently assigned operation name *'Operation Paget'*.

This document was the first of a number of policy file documents used by Detective Superintendent Rees to record decisions made in connection with Operation Paris. It stated that the OCG's role in this case was specifically to gather evidence and facts on behalf of the Coroners.

Later, in a number of separate reports, Detective Superintendent Rees set out his role and objectives on behalf of the MPS. In each of the reports Detective Superintendent Rees stated that on Sunday 31 August 1997, whilst he was the Acting OCG Commander, he was directed by Assistant Commissioner *'Specialist Operations'* [Paget Note: This was the organisational title of Sir David Veness] to act as SIO in respect of the British investigations into the deaths.

In a report dated 22 January 1998 he clarified the term *'investigation'* - because of the location of the deaths he had personally not carried out any *'investigations'* as such, but was *'monitoring'* the French investigation.

He explained that he had advised his French counterparts on British procedures and acted as the focal point for enquiries they wished to have carried out in the United Kingdom. The report stated that in due course he would play a major part in ensuring that the appropriate evidence was placed before the Coroners at the two inquests. To that end, he described a meeting with Judge Stéphan in order to establish the most appropriate means of allowing the United Kingdom Coroners access to evidence from the French investigation.

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He then outlined his own specific responsibilities:

- *'To liaise closely with the French authorities and provide them with any appropriate assistance*
- *To facilitate any enquiries they might wish carried out in the United Kingdom*
- *To apprise ACSO (Assistant Commissioner Specialist Operations) of all significant developments in the investigation*
- *To liaise closely with the British Ambassador and his staff at the British Embassy in Paris, and apprise them of developments'*

He reported that he had been additionally directed by the two Coroners to monitor the French investigations on their behalf. The report of 28 April 1998 described this direction as carrying out *'investigations into the deaths on their behalf and report his findings at the inquest(s). A decision has not yet been taken as to whether the Coroners will hold separate inquests.'*

Provided a further statement to Operation Paget - Statement 216A

Detective Superintendent Rees stated:

'My reference to 'British investigations' in my report dated 26th September 1997 is a reference to any enquiries that the French authorities wanted carrying out in the United Kingdom.

The reference to investigations on behalf of the two British Coroners is a reference to any enquiries that they might wish to be carried out. For example, at an early stage Dr Burton mentioned that he might wish the French findings at the scene of the accident to be reviewed by a MPS Accident Investigator.

I was not engaged on a criminal investigation. In the context identified by 'Operation Paget' the word 'investigation' is synonymous with the word 'enquiry'.'

Operation Paget Comment

The initial role of the MPS was to manage the arrival in the United Kingdom of the bodies of the Princess of Wales and Dodi Al Fayed, their transport to Hammersmith and Fulham mortuary and attend the post-mortem examinations. Commander Michael Messinger of the MPS managed transport and security arrangements.

Sir David Veness defined the initial role of the MPS with respect to the post-mortem examinations. Detective Superintendent Rees was to do whatever was necessary from the police point of view.

The MPS role evolved from the initial practical tasks in the immediate aftermath of the deaths to a more reactive liaison role with the French authorities in the days and months that followed.

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Detective Superintendent Rees' specific responsibilities were to:

- Liaise closely with the French authorities
- Provide them with any appropriate assistance
- Facilitate any enquiries they might have in the United Kingdom
- Apprise Sir David Veness of all significant developments in the investigation
- Communicate with and apprise the British Ambassador in Paris

In addition to these specific roles Detective Superintendent Rees was directed by the two Coroners to carry out investigations into the deaths on their behalf and report his findings at the two inquests.

Detective Superintendent Rees clarified the term '*investigation*' by stating that because of the location of the deaths he had personally not carried out any '*investigations*' as such, but was '*monitoring*' the French investigation.

Sir David Veness retained a strategic overview of the enquiry. He stated that the role of Detective Superintendent Rees was primarily one of liaison with the French authorities and United Kingdom Coroners - the role was similar to an SIO but the MPS were not conducting an investigation, as that was the responsibility of the French judicial authorities.

Question 3

Why did officers of the MPS attend the post-mortem examinations of Dodi Al Fayed and the Princess of Wales at Hammersmith and Fulham mortuary on 31 August 1997?

Question 3 examines whether police attending the post-mortem examinations and being present at the taking of forensic samples was unusual and would only take place if the circumstances of the deaths were considered to be suspicious. Michael Burgess and Dr John Burton, the respective Coroners involved, gave their reasons for ordering post-mortem examinations.

Michael BURGESS

H.M. Coroner for Surrey in 1997 explained why he requested a post-mortem examination on Dodi Al Fayed.

Information provided to Operation Paget - Statement 59A

'Around 9.45am I received a call from Peter Fahy the Assistant Chief Constable of Surrey Police. He informed me that the body of Dodi Al Fayed was being brought back for burial at Brookwood Cemetery before sunset. He asked me if I would become involved. I advised him that due to the case of Helen Smith and Section 8 (1) of the Coroners Act there was a requirement for a post mortem and an inquest, I would be taking jurisdiction of the body of Dodi Al Fayed.'

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There was a suggestion that the body would be arriving at either Fairoaks Airfield in Surrey or Heathrow Airport. He was unable to assist with the timing of the arrival of the body. At approximately 10 am I phoned Mr Keith Brown one of my Coroner's officers and informed him that I would be taking jurisdiction in relation to the body of Dodi Al Fayed and asked him to arrange the opening of the mortuary at the Royal Surrey County Hospital and in addition to arrange for a Home Office Pathologist either Dr Richard Shepherd or Dr Robert Chapman to attend and conduct the post mortem on the body of Dodi Al Fayed. We chose a Forensic Pathologist because they are available out of hours and because we wanted to obtain the best evidence available.'

And in response to questions he continued:

'Question: "Why did you hold a PM?" [Paget Note: Post Mortem]

Answer: "Although a post-mortem examination may not be required in every inquest case, if there was or could be in the future any doubt about the injuries that resulted in the death, then a post-mortem examination should be made with all the injuries and the state of the body carefully noted by the independent pathologist employed to make the examination."

Question: "Was the PM a normal one?"

Answer: "The pathologist was authorised by me, to make the examination. He was given the usual instructions to make an examination. Through my officer he was told that the deceased was understood to have been the rear seat passenger in a car and was the victim of a road traffic crash in Paris. It is understood that he had died from his injuries."

Question: "Did you request a special PM?"

Answer: "I did not request any special examination, and had no reason to believe at that time that one might be necessary. I had no knowledge of any particular police involvement until we arrived at the mortuary. Police officers do quite frequently attend post-mortem examinations, especially of road traffic casualties because they can assist the pathologist in relating specific injuries to possible scenarios."

Question: "What is the difference between a normal and a special PM?"

Answer: "Theoretically none. However, the Coroner may, in certain cases, pay the pathologist an enhanced fee for making an examination that is unusually complex or difficult. Further in certain circumstances, a police force that is making inquiries or investigating the death may ask the pathologist to perform additional services and give advice to it concerning the injuries and possible causes, and also advise as to whether injuries are consistent with certain possible scenarios. Such examinations are made by duly Home Office accredited forensic pathologists and the police pay an additional fee to them for the extra advice and services rendered." '

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Doctor John BURTON

H.M. Coroner for the district of West London and Coroner of the Queen's Household in 1997 (now deceased).

Interviewed by Operation Paget in 2004 - Statement 36

'I did not know where the funeral was to take place but I decided that didn't matter because as I previously mentioned I had jurisdiction for RAF Northolt and the body would likely lay in one of the Royal Palaces.

Having taken the decision that I would be taking jurisdiction I was aware that Diana Princess of Wales had died as a result of being a passenger in a car that had crashed earlier that day in Paris. She had therefore died an unnatural death. I was unaware if a post mortem had taken place in France. I needed to obtain evidence from a Post Mortem and in keeping with the Coroners rules together with my own normal practice I would be ordering a post mortem on the body of Diana Princess of Wales. I knew that I would require a post mortem to be carried out because I had an unnatural death and no evidence from a post mortem.

Later that morning I spoke to Levertons the undertakers in order to make arrangements for the post Mortem to be carried out at the Hammersmith and Fulham mortuary. I did not give them any other instructions nor was the subject of embalming mentioned. I would have assumed that the body transported by air would have been embalmed. Levertons informed me that Diana Princess of Wales was to be buried and not cremated. I believe that I did inform Levertons that I was intending to have a post mortem.

I phoned one of my Coroner's officers Harry Brown and asked him to make arrangements for the post Mortem to be held at the Hammersmith and Fulham mortuary and place the duty home office pathologist on standby.

Around midday Michael Burgess the Coroner for the county of Surrey and also my deputy as the Coroner for the Royal Household phoned. He offered me his assistance in relation to matters surrounding Diana Princess of Wales. He informed me that he intended to take jurisdiction over the body of Mr Dodi Al Fayed in the knowledge that he was to be buried at Brookwood cemetery in Surrey. He was arranging a post mortem at Chertsey and had Dr Chapman the home office pathologist on standby.'

He continued in relation to the taking of samples:

'Both post mortems were conducted in the normal fashion but were made special by the police and the methods taken by the police to secure evidence. It was the police that authorised the taking of the photographs. I was happy with the method and timing of when the photographs were taken. Where the police are involved in an investigation the Coroner cooperates and the investigations are conducted at the same time. Sometimes samples are taken by the pathologists for both the police and also the Coroner.

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There was a discussion regarding the obtaining of toxicology samples when a body had been embalmed and a desire to find a fluid that had not been contaminated by the embalming fluid.

Clinical Pregnancy tests are not carried out on dead bodies. I have never known one being carried out at a post mortem. There were no unusual events during the post mortems. From all the various information I gleaned on the day I had no reason to treat the death of Diana Princess of Wales as being suspicious.'

Jeffrey REES

Detective Superintendent of the OCG. He explained the instructions he gave to his staff at the post-mortem examinations.

Provided statement to Operation Paget - Statements 216 and 216A

He stated that he was instructed by Sir David Veness, through his Staff Officer, to do whatever was necessary from the police point of view concerning the post-mortem examinations of the bodies of the Princess of Wales and Dodi Al Fayed. He understood this to mean taking the steps normally taken by the police at a post-mortem examination; for example ensuring the taking of appropriate samples by the pathologist and the laboratory Sergeant, and ensuring the taking of necessary photographs and exhibits.

He also understood the instruction to mean that he should represent the police interest as the circumstances required and he should attend the post-mortem examinations.

He was informed that DI Dennis Sharp would be attending the mortuary on the Sunday afternoon and ensured that he made the Coroner for West London, Dr John Burton (also the Coroner of the Queen's Household), aware that police would be attending the post-mortem examinations.

In his statement Detective Superintendent Rees explained why he asked for police resources at the examinations:

'Concerning the resources identified, I asked for these to be available as I did not know what to expect at the post mortem examinations, so I decided to err on the side of caution.

At the post mortem examinations the MPS was represented by myself, by Detective Inspector Sharp, by the laboratory sergeant, by DS Wall (the exhibits officer) and by three photographers. DI Sharpe, who was my deputy, was responsible for arranging the attendance at the examinations of the laboratory sergeant and the exhibits officer and he observed proceedings. The laboratory sergeant and DS Wall managed the exhibits. I observed the proceedings, advised on the taking of exhibits and photographs and discussed the situation with the Coroners and the pathologist. The photographers took photographs of the bodies and the internal organs.'

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Detective Superintendent Rees stated that while at the post-mortem examinations he did not recall asking the pathologist, Dr Robert Chapman, to take any specific samples from either the body of the Princess of Wales or Dodi Al Fayed. The view he expressed to Dr Chapman was that they should err on the side of caution and take any samples that could possibly be required in the future.

Philip STONEHAM

Detective Sergeant, Laboratory Liaison Officer/Crime Scene Co-ordinator. He provided advice and skills at post-mortem examinations where the death was considered suspicious or involved high profile or confidential issues.

Interviewed by Operation Paget - Statement 123 and 123A

His role involved attending and investigating all suspicious scenes of death as well as scenes of a high profile or confidential nature. He also attended post-mortem examinations arising from such circumstances. This included deceased persons repatriated to England from another country.

He received a call on Sunday 31 August 1997 to attend New Scotland Yard and meet with DI Sharp. There he was advised of two post-mortem examinations that were to take place later that day at Hammersmith and Fulham mortuary. He attended the post-mortem examinations of Dodi Al Fayed and the Princess of Wales and witnessed DS Wall (exhibits officer) packaging and labelling exhibits that were handed to him by the pathologist, Dr Chapman.

In his time as a Laboratory Sergeant he was only ever called upon to attend post-mortem examinations when the examination to be conducted was a '*special*' one. At no time did anybody *tell* him that he was going to be attending two '*special*' post-mortems, it was an assumption on his part, bearing in mind his previous involvement in post-mortem examinations.

When he arrived at the mortuary he met Detective Superintendent Rees for the first time. Detective Superintendent Rees told him that he had received a directive that the only samples to be taken during the post-mortem examinations of the Princess of Wales and Dodi Al Fayed were to be ones routinely taken during any post-mortem examination following a road traffic accident. DS Stoneham stated that he did not know who gave Detective Superintendent Rees this directive. Detective Superintendent Rees for his part did not recollect receiving or giving such a directive, he stated '*err on the side of caution*' in taking samples rather than relating it to a traffic accident.

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Dennis SHARP

Detective Inspector in the OCG. He attended both post-mortem examinations and explained his understanding of the reasons for police attendance.

Interviewed by Operation Paget - Statement 10C

He made his way to Hammersmith and Fulham mortuary but did not recall if he attended New Scotland Yard prior to that. He arrived at the mortuary before the arrival of the bodies. He did not recall if there was a Laboratory Sergeant at the mortuary but does remember that police photographers were present during the examinations. He was aware that DS Richard Wall was present to perform the role of exhibits officer.

Before the examinations took place, he did not recall being given any directive by Detective Superintendent Rees or overhearing him giving any directive to other officers regarding the sampling that was to take place at both examinations.

Asked about the MPS presence at the post-mortem examinations, he stated that they attended solely because it was the Princess of Wales who had died. The OCG were involved as their unit had sole responsibility for dealing with all issues concerning the Royal Family. They would be the obvious and only appropriate unit to attend.

Richard WALL

Detective Sergeant OCG (retired). Exhibits officer at the post-mortem examinations. He explained why he attended and the actions he took there.

Interviewed by Operation Paget - Statements 19C and 19E

He was telephoned by DI Sharp and instructed to attend the examinations. He cannot recall if Detective Superintendent Rees gave any directives regarding the samples to be taken.

He travelled directly to the mortuary. As to why the MPS attended the post-mortem examinations and whether the MPS were carrying out any '*criminal investigation*' into their deaths at that stage, he states that as far as he was concerned the officers were in attendance purely because of the status of the person involved. He stated that the Princess of Wales had died in a car crash overseas and that the MPS were not carrying out any sort of criminal investigation whatsoever. Had there been any suggestion that their deaths were suspicious, then Detective Superintendent Rees would have told him about it, he was certain.

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Peter HEARD

Detective Chief Inspector OCG (retired).

Interviewed by Operation Paget - Statement 192

As to why the MPS attended the post-mortem examination of the Princess of Wales on Sunday 31 August 1997, DCI Heard stated that when he was notified that there was to be an examination later that day and that he was asked to attend, it came as no surprise to him whatsoever. Nobody ever suggested to him that he would be attending as an investigator dealing with a criminal investigation. On reflection, he concluded that the reason for police attendance at the post-mortem examinations that day was simply due to the identity of the personalities involved and nothing else.

Keith BROWN

Surrey Coroner's officer and assistant to the Coroner, Michael Burgess.

Interviewed by Operation Paget - Statement 143 and 143A

It did not strike him as unusual to see police officers at the examination, in fact he expected it. Had the examinations been conducted in Surrey (as opposed to West London) they would almost certainly have had police officers present. In his opinion MPS officers were present on this particular occasion simply because of the people involved, not for any other reason. He was certainly not aware that they were conducting any sort of '*official investigation*' at that time.

Dr Robert CHAPMAN

Forensic pathologist who carried out the two post-mortem examinations.

Interviewed by Operation Paget -Statement 13B

Dr Chapman stated that samples taken at a '*special post mortem*' varied according to the circumstances of the case and that there may be many samples obtained or relatively few. He explained that the decision as to whether an examination was regarded as a '*special*' examination, was made by the Coroner although a pathologist could advise on the basis of circumstances and initial findings if he or she felt that an '*ordinary*' examination should be proceeded with as a '*special*'.

He stated that such a case would usually involve the attendance of police officers at the examination and the taking of photographs and other exhibits to further an investigation. This would take place at a time convenient to all parties and separate from any other '*routine*' examinations.

Dr Chapman stated that whether the examinations were to be called '*special*' or '*ordinary*' appeared irrelevant when a large number of personnel were gathered and it was clear that only a thorough and complete examination would suffice.

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He stated that an ordinary post-mortem examination was usually carried out in the absence of any police officers, photography or exhibit collection, in cases in which there were either no suspicious circumstances or a requirement for additional police investigation. Such examinations were usually grouped together within the mortuary and carried out during set sessions. There was usually a greater involvement of technical staff in the preparation of the bodies for the pathologist on these occasions.

Dr Chapman regarded the examinations on 31 August 1997 as ‘special’ because of the attendance of police officers, the taking of exhibits and photographs and the unique circumstances, with respect to the identity of the Princess of Wales and the circumstances of her death. He did not discuss the nature of the examinations with the Coroner except to confirm with him that he would carry out a full dissection of the bodies. He stated that the senior officer, in this case Detective Superintendent Rees, liaised with DI Sharp and DS Stoneham in advising on the seizure of exhibits.

In his statement to Operation Paget Dr Chapman stated:

‘It was decided that the samples intended for toxicology analysis were to be sent to the Toxicology Unit at Charing Cross Hospital and this may be the reason that D.S. Wall did not formally receive them. Once the samples have been taken there would normally be a discussion as to the appropriate destination of those samples between police and Coroner or Coroner’s officer. If the outcome of the post-mortem and other available information indicates that charges are unlikely to be brought against anyone by the police it is common practice to send samples to the laboratory which is used to dealing with the Coroner’s samples from that mortuary.’

[Paget Note: The samples in this case were sent for analysis to the Imperial College Unit based at Charing Cross Hospital, the laboratory used by the Coroner in routine cases. A ‘police forensic laboratory’ would have been used if this case had been dealt with as a suspicious death - that is the usual destination in crime cases.]

Dr Chapman took plucked head hair, preserved blood, sections of liver and vitreous humour from both bodies, and additionally stomach contents from the Princess of Wales and brown material from the mouth of Dodi Al Fayed.

Dr Chapman explained the reason for taking plucked head hair and why he could not take a sample of urine from the Princess of Wales:

‘Head hair is a normal sample taken during a post-mortem of this type. Head hair may be useful in matching similar material deposited at a scene, on a weapon or in/on a vehicle. During the early stages of an investigation samples may be taken which later appear irrelevant with the benefit of hindsight.’

‘No urine was present in the bladder. A sample would have been obtained if available for toxicology studies. This would, if obtained, be tested for alcohol and drugs.’

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And in respect of Dodi Al Fayed:

'No urine was available because the bladder had been severely injured during the crash and had ruptured leading to the loss of its contents. If urine had been available it would have been sampled for toxicology study. If urine had been present it is unlikely that vitreous humor would have been taken for toxicology.'

Dr Chapman then went on to describe a subsequent test carried out on the blood sample of Dodi Al Fayed regarding carboxyhaemoglobin:

'It is usual to attempt toxicology analysis on samples obtained from people dying from non-natural causes on behalf of the Coroner and Police. Samples of stomach contents, blood, liver and vitreous were retained for this purpose. At a subsequent date information was received concerning the finding of an elevated level of carboxyhaemoglobin (carbon monoxide) level in the driver of the vehicle in which the Princess died. I then made a decision to ask Dr Paterson to attempt an analysis on the blood sample in her possession for this substance. However, due to the small sample volume remaining and the condition of that sample, it was decided to test a sample obtained from Dodi Al Fayed first and then to review this decision if Mr. Al Fayed's sample showed an elevated level.'

[Paget Note: Dodi Al Fayed's carboxyhaemoglobin level was not high.]

Robert THOMPSON

Mortuary manager at Hammersmith and Fulham mortuary in 1997 (now retired). He assisted Dr Chapman in both post-mortem examinations.

Interviewed by Operation Paget - Statement 96

In his statement he said:

'I cannot recall being in possession of any post mortem samples from Dodi Al Fayed's body though I do remember having samples from Diana, Princess of Wales. I would just like to explain that in the case of a criminal/forensic post mortem it is the police exhibits officer who takes the samples but it was a different situation in the cases of the Princess and Dodi Al Fayed.'

'I do, however, remember that the day after the post mortems I dispatched the samples taken from the Princess to the lab at Charing Cross hospital.'

He also noted one aspect of the examination of the Princess of Wales that he found puzzling:

'Although I could smell formaldehyde on the Princess, when her stomach was opened I smelt what I believe was alcohol, not formaldehyde. When I noticed this I was standing very close to Dr Chapman and, thus, very close to the body of Diana, Princess of Wales. The smell caused me to step back a pace and although Dr Chapman did not say anything, he reacted in such a way as to cause me to believe that he had experienced something that he was not expecting. I must stress, however, that there was no comment made about this between Dr Chapman and myself.'

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I have been present at enough post mortems to know what people smell like when they have been drinking prior to death. It is not so much the alcohol that you smell but rather the effects it has on the body, which causes the contents of the stomach to smell strongly of alcohol. Embalming fluid also contains ethanol but the smell of embalming fluid in a body is completely different to that of alcohol. I was very surprised when I subsequently found out that no alcohol had been found in the Princess's body.'

Conversely, Dr Chapman (Operation Paget Statement 13B) specifically stated:

'It was not possible to see what the stomach contents contained other than being food matter. This suggests a degree of digestion of the material. The material did not smell of alcohol.'

Dr Susan PATERSON

Consultant Toxicologist and Head of the Toxicology Unit at Imperial College (Charing Cross Hospital Campus), London. She undertook analysis of the samples from the post-mortem examinations.

Interviewed by Operation Paget - Statement 75

In her statement she said:

'The Toxicology Unit at Imperial College London provides a full toxicology service to several HM Coroners including HM Coroner for West London. It has analysed post mortem samples from Hammersmith & Fulham Mortuary on behalf of HM Coroner for at least the last 25 years.

On 1st September 1997, one of the toxicologists went to Fulham mortuary and was handed, by a member of the mortuary staff, samples relating to a Female (Fulham 31897). He brought the samples directly to the Toxicology Unit where they were assigned the unique case number 676/97.

The samples included: -

Exhibit RC/2 labelled: Stomach contents, A Female, Fulham Mortuary, 31/8/97, Dr R Chapman

Exhibit RC/3 labelled: Blood preserved, A Female, Fulham Mortuary, 31/8/97, Dr R Chapman

Exhibit RC/4 labelled: Liver section, A Female, Fulham Mortuary, 31/8/97, Dr Chapman

Exhibit RC/5 labelled: Vitreous humor, A Female, Fulham Mortuary, 31/8/97, Dr Chapman

On 1st September 1997, one of the toxicologists went to Fulham mortuary and was handed, by a member of the mortuary staff, samples relating to a Male (Fulham 31897). He brought the samples directly to the Toxicology Unit where they were assigned the unique case number 677/97.

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Exhibit RC/3 labelled: Blood preserved, A Male, Fulham Mortuary, 31/8/97, Dr R Chapman

Exhibit RC/4 labelled: Liver sample, A Male, Fulham Mortuary, 31/8/97, Dr Chapman

Exhibit RC/5 labelled: Vitreous humor, A Male, Fulham Mortuary, 31/8/97, Dr Chapman

Dr R. Chapman, on behalf of HM Coroner, requested that I analyse the samples for ethanol and drugs.'

Her conclusions from the toxicological analyses of the samples obtained from the Princess of Wales were that ethanol was not detected in preserved blood or vitreous humour, and no drugs were detected in the stomach contents, preserved blood or vitreous humour.

Her conclusions from the toxicological analyses of the samples obtained from Dodi Al Fayed were that the preserved blood contained 78mg/100ml ethanol, the vitreous humour contained 82mg/100ml ethanol and no drugs were detected in the preserved blood [Paget Note: In general terms this alcohol level is equivalent to around 2 ½ glasses of wine.]

Operation Paget Comment

Question 3 examined whether police attending the post-mortem examinations and being present at the taking of forensic samples was unusual, and would only take place if the circumstances of the deaths were considered to be suspicious.

Detective Superintendent Rees believed he was to do whatever was necessary from the police point of view concerning the post-mortem examinations of the Princess of Wales and Dodi Al Fayed. He directed others in relation to attendance at the post-mortem examinations. The police officers that attended were those that would be expected at a '*special*' post-mortem.

Dr Robert Chapman, the Home Office forensic pathologist who carried out the examinations, explained that there was no specific definition of a '*special*' examination. He considered these examinations to be '*special*' because of the unique circumstances with respect to the identity of the deceased, and the attendance of police.

The police officers present at the post-mortem examinations undertook standard roles: photographer, exhibits officer, laboratory liaison, SIO, deputy SIO etc.

None of these officers described their presence at the post-mortem examinations as the result of the MPS treating the deaths as '*suspicious*'.

None of these officers described their presence there as the result of any '*investigation*' by the MPS.

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When asked to express an opinion as to why they were present during the post-mortem examinations of the Princess of Wales and Dodi Al Fayed on 31 August 1997, they stated that it was simply due to the identity of the people involved and nothing else.

The samples taken at the post-mortem examinations were sent for analysis to Charing Cross Hospital. This was the routine destination for samples taken on behalf of the Coroner. If the police had considered the deaths to be suspicious, they would have taken possession of the samples and sent them to a police forensic laboratory for analysis, to ensure continuity of the exhibits and associated evidence.

Question 4

Did the authorities, in particular the Coroner Michael Burgess or officers at New Scotland Yard, state that the deaths were regarded as suspicious and did this result in a delay in the repatriation of Dodi Al Fayed's body?

It may assist to outline at this point the differing roles at the time of the MPS, Surrey Constabulary, Dr John Burton, the Coroner of the Queen's Household and the district of West London, and Mr Michael Burgess, the Coroner for Surrey.

Although not formally a member of the Royal Household at the time of her death, the Princess of Wales was afforded arrangements as if she were still a member of the Royal Household. [Paget Note: The return of the body of the Princess of Wales is detailed in Chapter Nine. A representative of the Lord Chamberlain's Office explained how the operational plan for the return of a member of the Royal Family dying abroad was used in this case, even though the Princess of Wales was not in a formal sense a member of the Royal Family.]

As such, in respect of this arrangement, Commander Michael Messinger of the MPS, based at New Scotland Yard, was responsible for ensuring that the necessary transport and security arrangements concerning the Princess of Wales were put in place.

In order for him to do so, it was necessary to liaise with Dr Burton, the Coroner of the Queen's Household, who was responsible for the Princess of Wales's body upon arrival into the United Kingdom.

Dr Burton was also at the time the Coroner for the district of West London. His area of jurisdiction included Northolt airport, the arrival point of the body of the Princess of Wales.

Assistant Chief Constable (ACC) Peter Fahy of Surrey Constabulary was also in contact with Michael Burgess, the Coroner for Surrey. They had responsibility for Dodi Al Fayed's body on its return to the United Kingdom, as he was to be buried in the county of Surrey.

Commander Messinger also liaised with ACC Peter Fahy to ensure that both bodies were transported appropriately and with as little delay as possible.

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John MACNAMARA

Former Head and Director of Security for Mohamed Al Fayed.

Provided a statement to Operation Paget - Statement 5A

He gave evidence of conversations with the Coroner for Surrey, Michael Burgess, and Commander Michael Messinger of New Scotland Yard. He stated that these showed that the authorities were dealing with the deaths as suspicious. The Coroner and Commander Messinger have subsequently denied those conversations, but John Macnamara is adamant that they took place.

He stated that between 2.30pm and 3pm on 31 August 1997, Michael Burgess telephoned him and told him that unfortunately the repatriation of Dodi Al Fayed's body had been delayed. Michael Burgess told him that he had just received a telephone call from New Scotland Yard to say that the deaths were not the result of a straightforward traffic accident but were in fact suspicious. Michael Burgess stated that he had not taken the name of the person who had called him and no further detail had been given.

John Macnamara's evidence was that he then telephoned Commander Messinger at New Scotland Yard who told him that he had no knowledge of this and he was unaware of any such call.

John Macnamara then telephoned Franz Klein, President of the Ritz Hotel in Paris, and told him what Michael Burgess had said about the deaths. Franz Klein was unaware of any such allegation. He spoke to Professor Dominique Lecomte, the French medical examiner and pathologist who was responsible for Dodi Al Fayed's body in the Institut Médico-Légal (IML) Paris mortuary and told her of the telephone call. John Macnamara believed that she instructed that the body should not leave and made various telephone calls to Patrick Riou, the Director of Judicial Police in France, and to the office of the French Ministry of the Interior.

John Macnamara stated that repatriation of the body was in fact delayed for at least an hour and as a result the burial was not conducted until 10pm on Sunday 31 August 1997. He was at Hammersmith and Fulham mortuary when Dodi Al Fayed's body arrived soon after 5pm on Sunday. (United Kingdom time)

Franz KLEIN

President of the Ritz Hotel, Paris. He gave information about the telephone call received from John Macnamara outlining the '*suspicious*' claims. He made enquiries with the French authorities and gave details of the release of Dodi Al Fayed's body.

Interviewed by Operation Paget - Statement 205

During this statement Franz Klein provided a pre-prepared statement of events, dated 16 May 2000. (Operation Paget - Exhibit PAI/1)

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Franz Klein stated that at around 4pm [Paget Note: 3pm United Kingdom time] he received a telephone call from John Macnamara, who was at Harrods arranging for the repatriation of the body of Dodi Al Fayed. John Macnamara said that he had received a telephone call from Michael Burgess saying that the death of Dodi Al Fayed was suspicious and not the result of a straightforward traffic accident. The return of Dodi Al Fayed's body would therefore be delayed. Michael Burgess had apparently received this information by telephone from New Scotland Yard but he had not noted the name of the police officer concerned. Franz Klein stated that John Macnamara said he had checked with New Scotland Yard but they had no knowledge of this information.

Franz Klein stated that Professor Dominique Lecomte, the Forensic Pathologist with responsibility for Dodi Al Fayed's body, was present at the mortuary. Dodi Al Fayed's body was already in the car in preparation for the journey to Issy-les-Moulineaux Heliport. Franz Klein went to see Professor Lecomte and repeated to her what John Macnamara had told him.

Franz Klein stated that she seemed startled by what he told her and as a result she immediately instructed that Dodi Al Fayed's body would not leave the country. Franz Klein stated that she then left him in a hurry, saying she was going to contact the authorities.

After about three quarters of an hour he and Claude Roulet, his assistant at the Ritz Hotel, went to Professor Lecomte's office. She said she had spoken with various judicial authorities and the release of Dodi Al Fayed's body had now been authorised. He believed she had spoken to the French Director of Judicial Police, Patrick Riou and the French Minister of the Interior.

Franz Klein stated that Professor Lecomte offered no explanation whatsoever for the delay. His priority at that time was to remove Dodi Al Fayed's body and so he did not engage in further discussion with her.

He concluded by saying that the repatriation of Dodi Al Fayed's body was delayed for over an hour.

Claude ROULET

Assistant to the President of the Ritz Hotel. He provided corroboration of the telephone call and the actions taken by Franz Klein.

Interviewed by Operation Paget - Statement 136A

John Macnamara telephoned Claude Roulet and asked to speak to Franz Klein. He passed his telephone to Franz Klein who took the call and moved away.

Franz Klein then came back over and told him that John Macnamara had said to him that he suspected murder rather than an accident, but Claude Roulet did not know where John Macnamara had got that information. Claude Roulet stated that Professor Dominique Lecomte from the IML heard this and immediately instructed that Dodi Al Fayed's body was not to leave France. Claude Roulet said this instruction was given at approximately 5pm [Paget Note: 4pm United Kingdom time.]

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As a result of Professor Lecomte refusing to allow Dodi Al Fayed's body out of the country, Franz Klein asked Claude Roulet to make a number of telephone calls. He contacted the Director of the French Judicial Police at the Palais de la Cité by telephone and explained to him that Professor Lecomte was refusing to let Dodi Al Fayed's body leave the country because of the information in the call from John Macnamara.

The Director of the French Judicial Police called him back and told him that he had spoken with Professor Lecomte and that she had given authority for the release of the body. Claude Roulet did not know what the French Director of the Judicial Police had said to Professor Lecomte.

Claude Roulet stated they had also received numerous telephone calls during the day saying that it was an assassination, and the Secretariat and the Press and Communications Department at the Ritz Hotel were taking calls, of which they made a record which they passed to Franz Klein.

Following the release of Dodi Al Fayed's body, Claude Roulet discussed these telephone calls with Franz Klein en route to the Ritz Hotel. They decided to discuss the matter with the French Director of the Judicial Police at the Palais de la Cité. Franz Klein spoke to him for five minutes in his office. The Director told him that this happened all the time in high-profile cases.

Patrick RIOU

Director of French Judicial Police in August 1997.

Interviewed by Operation Paget - Statement 237

Patrick Riou attended the scene of the crash and was involved in the events of the day in his role as Head of the Judicial Police. He stated that he did not consider the deaths of the Princess of Wales and Dodi Al Fayed to be suspicious, and they were not dealt with as such. This was reflected in Claude Roulet's view of the conversation that he and Franz Klein had with the Director, in his office, on Sunday 31 August 1997.

German NOUVION

Capitaine in the Paris Judicial Police, in 1997.

French Dossier D704

The statement is titled '*Meeting Between the Director of the Judicial Police and Messrs Roulet and Klein*'.

The officer wrote that he was at the office of the Director of Judicial Police in Paris when at 5.40pm Claude Roulet and Franz Klein appeared before them, representing the Al Fayed family. This was after the release of Dodi Al Fayed's body and referred to the anonymous telephone claims mentioned by Claude Roulet.

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Capitaine Nouvion stated:

'They informed us that they have today received information from London stating that the French National Police would have intelligence according to which the death of Mr Dodi Al Fayed would be suspicious. They told us that they have made contact with Mr Patrick Riou, the Director of the Judicial Police in Paris. The latter having informed them that in the current stage of the investigation no information to this effect had been uncovered by the investigators. Similarly the medico-legal observations effected by Professor Lecomte did not reveal any suspicious factors. Given this information Messrs Roulet and Klein notified the Director of the Judicial Police that the family of Dodi Al Fayed would sincerely like the mortal remains of Mr Dodi Al Fayed to leave French territory from today. The Director of the Judicial Police and Messrs Roulet and Klein signed the present with us.'

Jean-Claude PLUMET

He worked for Paris Undertakers, Pompes Funèbres Générales (PFG).

He was involved in the arrangements for the repatriation of the body of Dodi Al Fayed.

Provided information to Operation Paget - Statement 58J

Jean-Claude Plumet, a French undertaker, was employed by Mohamed Al Fayed to deal with all aspects of arranging the repatriation of his son, Dodi Al Fayed, back to the United Kingdom on 31 August 1997.

He stated that Dodi Al Fayed's body was due to leave the IML and be taken to the heliport at Issy-les-Moulineaux for the flight back to the United Kingdom. At some point Professor Lecomte, who was in charge of the IML, told everyone to stop. Jean-Claude Plumet stated that he did not know the reason for this, but a little while later she re-authorised the departure of the body.

Gérard JAUZE

He worked with Jean-Claude Plumet at the Paris Undertakers (PFG).

Interviewed by Operation Paget - Statement 198

Gérard Jauze was an undertaker working for the same company as Jean-Claude Plumet. They were employed by Mohamed Al Fayed to deal with all aspects of arranging the repatriation of his son, Dodi, back to the United Kingdom on 31 August 1997. He stated that at around 2pm the coffin had been placed in the PFG hearse and their driver was about to depart for the heliport.

The doors were opened and at the last moment Professor Lecomte stopped the departure of Dodi Al Fayed's body. Gérard Jauze stated that a plain-clothes police officer ordered the car to stop and the doors closed. He stated that everything had unfolded so quickly. The schedule requested by the Al Fayed family had been adhered to until then, but then it all stopped.

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Gérard Jauze stated that he did not know how or when Professor Lecomte heard it, but the reason for stopping the departure was allegedly that she had heard that the British authorities had doubts over the reasons for the deaths.

The plain-clothes police officer kept walking back and forth and told them that Professor Lecomte was speaking with the Public Prosecutor about this. Gérard Jauze stated that both he and Jean-Claude Plumet had started to worry, as they were on a deadline to attend the Pitié-Salpêtrière Hospital to deal with the transportation arrangements for the Princess of Wales.

He asked the police officer what was happening and was told that he did not know, but that it was possible that Dodi Al Fayed's body would not be allowed to leave the IML and that a post-mortem examination may have to be performed.

Gérard Jauze stated that they waited, although he was not sure how long, maybe fifteen or twenty minutes. Then someone said that the body could leave. He immediately told the driver of the car to go, as he did not want them to be delayed further.

Michael BURGESS

H.M. Coroner for Surrey and, in 1997, Deputy Coroner of the Queen's Household.

Provided information to Operation Paget - Correspondence 489 and 500 (Pre-Paget) and Statement 59A

John Macnamara in his statement to Operation Paget (Statement 5A) discussed a series of communications between Michael Burgess and solicitors Lewis Silkin acting on behalf of Mohamed Al Fayed (Operation Paget Other Document Pre-Paget 489 and 500).

Pre-Paget correspondence 489 relates to a letter to Michael Burgess from Lewis Silkin, dated 18 April 2002. Amongst other issues, they stated with regard to Michael Burgess:

'At around 1pm on that day you informed Mr Macnamara that you had received a telephone call from Scotland Yard notifying you that the deaths of Dodi Al Fayed and others in the crash were being treated as suspicious and as a result the repatriation of the body of Dodi Al Fayed to the United Kingdom would be delayed.'

[Paget Note: John Macnamara in his statement believed this call took place between 2.30pm and 3pm.]

Pre-Paget correspondence 500 relates to Michael Burgess's reply on 23 May 2002:

Michael Burgess stated that he first spoke on the telephone with John Macnamara in the early afternoon and noted that he was seeking to persuade him that his coronal involvement was either unnecessary or should be kept to a minimum.

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Michael Burgess stated that at no time did he tell him that he had heard from New Scotland Yard (i.e. MPS Officers or Police Staff) that the death of Dodi Al Fayed was being treated as '*suspicious*'. Indeed, he stated that until much later in the afternoon, the only police force with which he had had any contact had been Surrey Constabulary.

Michael Burgess wrote that in the course of at least two, if not three telephone conversations during that Sunday afternoon, John Macnamara repeated Mohamed Al Fayed's concern that any action on the part of a coroner could delay the burial.

Michael Burgess stated that he did tell John Macnamara that he understood the general way in which the death of Dodi Al Fayed had apparently come about, and as it was intended to bury his body in Surrey, the death did appear to be one where he would have to take jurisdiction.

He stated that he told John Macnamara that he recognised that the death of Dodi Al Fayed did seem to fall within S.8(1)(a) Coroners Act 1988, i.e., that he would have reasonable cause to suspect that the death was due to violence or was unnatural. Thus, he required that the body be identified and examined before he would be in a position to authorise its burial.

Michael Burgess recalled that John Macnamara suggested to him that the French authorities were unwilling to authorise the repatriation of the body to England if, once in England, the death was then investigated as though it were suspicious. Michael Burgess wrote that whether '*suspicious*' was the exact word relayed to him he could not now say. However, the idea of '*suspicious*', if used at all, was given by John Macnamara, in the context of reluctance or refusal on the part of the French authorities rather than anything emanating from those in England.

[Paget Note: John Macnamara in his Operation Paget Statement 5A denied this suggestion.]

Until he arrived at the mortuary, Michael Burgess wrote that all of his dealings had been with the Surrey Constabulary, namely ACC Peter Fahy, and concerned the procedures that had to be carried out in accordance with Dodi Al Fayed's faith to enable his burial to take place before nightfall.

Michael Burgess concluded his letter to Lewis Silkin solicitors by stating that he had no record nor any recollection that at any time, then or later, of the suggestion ever being made to him by any United Kingdom police officer that this death was '*suspicious*' and he has no record or note of any sort to suggest that he did say this to John Macnamara.

Provided information to Operation Paget - Statement 59A of Operation Paget officer

In referring to five pages of handwritten notes he made on 31 August 1997, and produced as Operation Paget Exhibit KCR/6, he provided relevant information to Operation Paget.

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Michael Burgess stated that he spoke with ACC Peter Fahy, and possibly duty officers or inspectors etc. at the Police Headquarters in Surrey. He did not receive any instructions from any of them, nor would it have been appropriate for them to give him any. His conversations with them were purely to transfer of information.

So far as the MPS was concerned, Michael Burgess had no contact with them until he arrived at Hammersmith and Fulham mortuary.

Michael Burgess confirmed that he did not tell anyone that he was treating the death as suspicious.

He stated that at some point around midday, he received a call from John Macnamara, who was concerned about a post-mortem examination being carried out on the body of Dodi Al Fayed bearing in mind the need for a burial before nightfall. Michael Burgess explained to him that the Coroner had duties because of S.8 (1)(a) Coroners Act 1988 and explained the necessity for a post-mortem examination.

Michael Burgess explained that arrangements for the examination were in hand at Hammersmith and Fulham mortuary. John Macnamara told him that 3pm was the likely time of departure from Paris but that he could not be certain of that.

At 3pm, whilst en route to the Hammersmith and Fulham mortuary, he received a call from John Macnamara, who he believed was in Paris. John Macnamara told him that there were problems with the French authorities, who were apparently refusing to release the body of Dodi Al Fayed if there was going to be an investigation in England. Michael Burgess told him his duties were laid down in the Coroners Act and explained to him the necessity to have a post-mortem examination in this case. He duly noted the concerns of John Macnamara. He told him that it was up to him or Mohamed Al Fayed to deal with the French authorities.

Michael Burgess stated that at about 3.40pm they arrived at the Hammersmith and Fulham mortuary and he had another telephone call from John Macnamara, who told him that they were either on way or were about to leave Paris.

Operation Paget retain a copy of the Surrey Police Incident Log for 31 August 1997
Operation Paget - Other Document 195

At 3.29pm a message was recorded from Michael Burgess, into the control room, stating that Mohamed Al Fayed's security team were stating there was a problem with the French authorities over the release of the body. He asked that Surrey Police check with the MPS to see what was happening as Mohamed Al Fayed's team were very unhappy.

At 3.44pm a further incident log message records:

'French have now released the body, Mr Burgess informed.'

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Keith BROWN

Surrey Coroner's Officer.

Interviewed by Operation Paget - Statement 143 and 143A

Just before leaving for Michael Burgess's home (he was to collect him and take him to the mortuary) Keith Brown believed that he made a telephone call to John Macnamara in order to explain the involvement of a coroner. From recollection, Keith Brown recalled that they were not happy about the requirement for a post-mortem examination and any delays that it may cause to the timing of the burial. Keith Brown stated that he would have explained that with all repatriated bodies the coroner would have to be involved if the death was termed as unnatural, i.e. not the result of natural causes.

Michael Burgess drove to Hammersmith and Fulham mortuary and en route his telephone rang. Keith Brown answered it. Although he could not now recall the exact conversation, the call was from John Macnamara, and Keith Brown relayed to Michael Burgess who was driving. Keith Brown stated that some confusion had arisen over the perceived arrangements for the post-mortem examination and the documentation required in order to authorise the release of the body that day.

At no time did he remember the word '*suspicious*' being used. As far as they were concerned, they were dealing with the repatriation of a body as a result of a road traffic collision. The reason that they had switched to Hammersmith and Fulham mortuary was in order to facilitate the burial arrangements on behalf of the Al Fayed family.

At no time that day, either in the presence of Michael Burgess or alone, did either John Macnamara or Mohamed Al Fayed mention anything to him about the deaths being '*suspicious*'. Keith Brown stated that he had had a good number of dealings with John Macnamara since the 31 August 1997 and he had never mentioned that he had heard that the deaths of Dodi Al Fayed and the Princess of Wales were, or were being treated as, '*suspicious*'.

Additionally, at no point since had John Macnamara informed him that on the 31 August 1997 he had received a telephone call from Michael Burgess informing him of a delay in the repatriation of Dodi Al Fayed's body or that he, Michael Burgess, had been informed by New Scotland Yard that the deaths were regarded as suspicious and not the result of a straightforward traffic accident.

With specific reference to John Macnamara's claim that the Coroner telephoned him between 2.30pm and 3pm to inform him the deaths were suspicious, Keith Brown stated that he was with Michael Burgess between those times and he did not call John Macnamara and give such information.

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Michael MESSINGER

Commander, Metropolitan Police Service (retired). He had responsibility for the transport and security of the bodies of the Princess of Wales and for Dodi Al Fayed within the Metropolitan Police District. He operated from New Scotland Yard.

Interviewed by Operation Paget - Statement 199

In his statement Commander Messinger said:

'With regard to Dodi Al Fayed, I had contact from John Macnamara the Harrods' representative in this matter. This contact was only by telephone, I do not know where John Macnamara was. It was agreed that Mr Al Fayed's body should be flown to Battersea heliport and the MPS would inform Immigration and Customs & Excise officers as is usual in these cases. Dodi Al Fayed's coffin was to be escorted to the mortuary in Fulham and then to the central London mosque in Regents Park for a religious ceremony prior to being taken to Surrey for internment before sunset. John Macnamara was on the telephone to me fairly regularly but there was nothing untoward in this with no unreasonable or unrealistic demands being made. He was concerned about getting Mr Al Fayed's body back from France and to the Surrey cemetery before dark. I told him to tell me what he wanted and the MPS would sort it out.'

'I have been asked whether there was any indication at the time that the deaths were unusual. I would say they were unusual from the fact that two young, fit people had died suddenly in a car crash but neither John Macnamara nor anyone else suggested that there was anything suspicious about the death. The other people I would have had contact with that day were royal courtiers, significant members of the MPS, the Directorate of Public Affairs due to press interest and Coroners' staff but I do not recall such a conversation and I am sure if such a suspicion had been mentioned I would have remembered it. I did not speak directly to either Coroner that day though probably would have delegated this task to someone like Detective Superintendent Rees.'

'I found out during the day that Michael Burgess was the Coroner for Surrey but would have had no reason to contact him. My only contact would have been with Peter Fahy, Assistant Chief Constable to arrange for Dodi Al Fayed's body to get to the cemetery as previously mentioned.'

'I have been asked whether John Macnamara telephoned me and told me that Mr Michael Burgess the Surrey Coroner had received a telephone call from someone at Scotland Yard stating that the death was suspicious. I do not recall this at all. Had I received such a call I would have contacted ACSO David Veness and if I had been informed by that stage that Jeff Rees was the senior detective dealing with this matter, I would have informed him as well.'

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Commander Messinger was shown a copy of the Computer Aided Despatch (CAD) messages and GT [Paget Note: Home Office call-sign] Operations log report that were recorded contemporaneously on the day at New Scotland Yard (Operation Paget Other Document 284 and Exhibits RJS/4-5-6 – record of communications from the control room). He found nothing untoward within those reports and from his recollection there are no omissions.

Operation Paget has checked these reports and there is no reference to telephone calls from New Scotland Yard to Michael Burgess.

CAD reference 4435 referred to John Macnamara informing Battersea Police that the helicopter was delayed from 2.30pm to between 4pm and 4.30pm.

Dr Robert CHAPMAN

Home Office Accredited Pathologist, he carried out both post-mortem examinations.

Interviewed by Operation Paget - Statement 13C

Dr Chapman stated that nobody from the MPS ever suggested to him that the deaths were considered to be '*suspicious*', adding that had the police been investigating any criminal offences then he would certainly have discussed this with the appropriate SIO before any examination took place.

Dennis SHARP

Detective Inspector, Organised Crime Group (retired).

Interviewed by Operation Paget - Statement 10C

He stated that he was present during both post-mortem examinations. He spoke with John Macnamara, Mohamed Al Fayed or both, he could not now recall. However, he stated that he did remember speaking to at least one of them on a number of occasions as they were very anxious for the examination process to be hurried along, as they wanted Dodi Al Fayed's body released for burial that day.

DI Sharp stated that at no time did either John Macnamara or Mohamed Al Fayed mention anything to him about the fact that the MPS or anybody else for that matter was treating the deaths as suspicious.

Dr John BURTON

H.M. Coroner for the district of West London and Coroner of the Queen's Household (now deceased).

Interviewed by Operation Paget - Statement 36

He stated that Michael Burgess informed him that the French authorities were apparently delaying the release of the body of Dodi Al Fayed as they were concerned that an investigation was to be carried out in England and that this would delay the examination and any funeral arrangements. Dr Burton stated that he did not know what the problems were in France or where this information came from.

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Operation Paget Summary

John Macnamara, Director of Security at Harrods at the time, provided the following evidence:

Michael Burgess, (the Surrey Coroner with responsibility for the body of Dodi Al Fayed) telephoned him between 2.30pm and 3pm stating that he had been informed by someone at New Scotland Yard, whose name he could not recall, that the deaths were regarded as '*suspicious*' and not the result of a straightforward traffic accident. Consequently the repatriation of Dodi Al Fayed's body would be delayed.

John Macnamara then contacted Commander Michael Messinger (in overall control of transport and security) at New Scotland Yard. Commander Messinger stated that he had not telephoned Michael Burgess and was not aware of such a call being made.

John Macnamara then contacted the President of the Ritz Hotel in Paris (owned by Mohamed Al Fayed), Franz Klein, and told him of his conversation with the Coroner about '*suspicious deaths*'.

Franz Klein, President of the Ritz Hotel, Paris provided the following evidence:

He informed the French pathologist, Professor Lecomte, of John Macnamara's information. She was '*startled*' by this and went off to make contact with the judicial authorities. After about three quarters of an hour she informed Franz Klein that Dodi Al Fayed's body could be removed. Franz Klein stated there was therefore a delay of about one hour.

Claude Roulet, Assistant to Franz Klein supported this account.

Jean-Claude Plumet and Gérard Jauze, French undertakers responsible for the body of Dodi Al Fayed:

They confirmed that repatriation was delayed. Gérard Jauze stated that Professor Lecomte was responsible for this, as she had allegedly heard that the British authorities had doubts over the reasons for the deaths. He stated there was a delay of fifteen to twenty minutes before the body was released.

Michael Burgess, H.M. Coroner for Surrey and Coroner of the Queen's Household (Deputy in 1997):

He stated that he had telephone conversations with John Macnamara on 31 August 1997 but denied telling him that the deaths were '*suspicious*' or that he had a telephone call from New Scotland Yard to that effect.

Michael Burgess told John Macnamara that he recognised that the death of Dodi Al Fayed did seem to fall within S.8 (1)(a) Coroners Act 1988, i.e., that he would have reasonable cause to suspect that the death was due to violence or was unnatural. Thus, he required the body to be identified and examined before he would be in any position to authorise burial.

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Michael Burgess stated that at 3pm he received a call from John Macnamara who he believed was in Paris (John Macnamara referred to the Coroner making a call to him at about this time). John Macnamara told Michael Burgess that there were problems with the French authorities who were apparently refusing to release the body of Dodi Al Fayed if there was going to be an investigation in England.

Keith Brown, Coroner's Officer for the County of Surrey, stated that he had telephone calls in his official capacity with John Macnamara on Sunday. This was to discuss the arrangements for Dodi Al Fayed's body. He supported the evidence of Michael Burgess and stated that no one referred to the deaths as being '*suspicious*'.

Commander Michael Messinger, MPS:

Commander Messinger was responsible for the transport and security of the body of the Princess of Wales and to some extent, in assisting Surrey Police with the body of Dodi Al Fayed.

He stated that he did not contact Michael Burgess and at no point believed that the deaths were being dealt with as '*suspicious*'.

He denied receiving a telephone call from John Macnamara when the description '*suspicious*' was used although he did talk to him on a number of other occasions on procedural matters. He would remember anyone referring to the death of the Princess of Wales as '*suspicious*'.

There was no obvious reason for Commander Messinger to contact Michael Burgess, the Surrey Coroner. His dealings that day were with a senior officer in Surrey Police to ensure co-ordination of the movement of Dodi Al Fayed's body.

The CAD and GT Operations log reports for New Scotland Yard: (record of communications).

These contemporaneous records did not show any communication between Commander Messinger and Michael Burgess on Sunday 31 August 1997.

Dr Robert Chapman, Home Office Accredited Pathologist:

He provided evidence, as the pathologist responsible for carrying out the post-mortem examinations of the Princess of Wales and Dodi Al Fayed, that at no time did anybody inform him that the deaths were suspicious in any way. Had this been the case it would have been vital to hold discussions with the senior officer investigating the deaths prior to any examinations taking place.

None of the police officers who attended the post-mortem examinations that day believed that they were dealing with a suspicious death. They all considered their presence there to be due solely to the fact that it was the Princess of Wales who had died.

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(iii)

CONCLUSIONS

Part A – Claims outlined in Section (i)

Claim 1 - On 31 August 1997 Mr John Macnamara, a former Detective Chief Superintendent in the Metropolitan Police, who was arranging the return of my son's body to the United Kingdom, was informed by Dr Burgess, the coroner for Surrey, that he had received a phone call from Scotland Yard saying that the deaths of my son and others in the crash were being treated by the authorities as suspicious and that there would therefore be a delay in returning my son's body to the United Kingdom. There was in fact a delay in repatriating his body. Many of the circumstances are indeed suspicious.

There is clearly a conflict in the evidence of John Macnamara and the Coroner, Michael Burgess.

John Macnamara was certain that Michael Burgess telephoned him between 2.30pm and 3pm on Sunday 31 August 1997 stating that the deaths were being regarded as '*suspicious*' and therefore the repatriation of Dodi Al Fayed would be delayed. He was equally certain that Michael Burgess informed him that this information came from New Scotland Yard, but could not recall the name of the person who provided it.

That John Macnamara believed that he had been told of the deaths being regarded as '*suspicious*' was consistent with his passing that information to Franz Klein and Claude Roulet. He had no reason to pass on that information unless he believed it to be so.

Franz Klein and Claude Roulet, President and Assistant to the President respectively of the Ritz Hotel in Paris, confirmed that John Macnamara telephoned them in Paris with this information at about 4pm or 5pm local time. They informed the Head of the IML mortuary, Professor Dominique Lecomte, of this information. She halted the release of Dodi Al Fayed's body. She then went on to make immediate enquiries of the judicial authorities and within an hour Dodi Al Fayed's body was released for repatriation.

The two French undertakers, Gérard Jauze and Jean-Claude Plumet, confirmed that Professor Lecomte had halted release of the body. Gérard Jauze believed there was a delay of fifteen to twenty minutes before they were allowed to take Dodi Al Fayed's body to the heliport.

This information certainly indicated that the French authorities were not treating the deaths as '*suspicious*', as Dodi Al Fayed had been placed in the car and was waiting to go to the heliport when Franz Klein and Claude Roulet informed Professor Lecomte of the concerns.

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It is reasonable to conclude that the intervention of John Macnamara's information caused this delay. There was no reason for John Macnamara to misinform the French authorities. This suggested that the telephone call to Franz Klein was based on a genuinely held belief.

Michael Burgess denied describing the deaths as '*suspicious*'. He stated he did have telephone conversations with John Macnamara on Sunday 31 August 1997 and discussed his coronal requirement, because the deaths occurred abroad and were due to violence or were unnatural. Michael Burgess referred to notes made and retained on the day that made no reference to the deaths being regarded as '*suspicious*'.

His own notes and the evidence of Keith Brown and Commander Michael Messinger corroborated Michael Burgess's recollection. They contradicted John Macnamara.

Keith Brown supported Michael Burgess's recollection. He denied describing the deaths to be '*suspicious*' or believing that they were.

Commander Messinger stated that, to his knowledge, he did not speak to Michael Burgess that day. He denied having a conversation with John Macnamara about '*suspicious*' elements to the deaths. He was sure he would have remembered if someone had referred to the death of the Princess of Wales as being in any way '*suspicious*'.

The police computer records from the day supported the view that the MPS were not dealing with the deaths as '*suspicious*'. The absence of a record of communication from John Macnamara is an indicator only – one cannot be certain that every telephone call received and made by every officer was logged. There was no evidence, John Macnamara's account apart, suggesting that anyone from the MPS conveyed to Michael Burgess that the deaths were regarded as '*suspicious*'.

The incident logs and CAD messages (record of communications) at the Control Rooms at New Scotland Yard and Surrey Police Headquarters made no reference to the deaths being regarded as '*suspicious*'. The New Scotland Yard logs showed no communication recorded between Commander Messinger and Michael Burgess.

There was no reference in the French judicial dossier or within Operation Paget documentation to show that the repatriation of the Princess of Wales was delayed because of any inference that her death was '*suspicious*'.

In conclusion

It is clear that Michael Burgess and John Macnamara were in telephone communication on Sunday 31 August 1997. The question is, 'what was said?'

If Michael Burgess, contrary to his recollection, used the word '*suspicious*' to John Macnamara or if John Macnamara understood Michael Burgess to be conveying such a suggestion, it is plain that no one else in authority was referring to these deaths or dealing with them as suspicious.

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The effect of John Macnamara's call to Franz Klein and the information given led to the repatriation of Dodi Al Fayed being delayed for around one hour. Dodi Al Fayed's body was at Hammersmith and Fulham mortuary by around 5.25pm on Sunday.

The most likely explanation was that there was a genuine misunderstanding between John Macnamara and Michael Burgess. Operation Paget has discovered no evidence that anyone in the MPS regarded the deaths or said that the deaths were '*suspicious*'.

Claim 2 - Re deaths being regarded as suspicious this is consistent both with the extensive sampling involved in the post mortem examinations of the bodies of Mr Al Fayed's son and the Princess of Wales and with police attendance at these examinations. Neither of these ordinarily takes place except where deaths are being treated as suspicious.

The post-mortem examinations were carried out as '*specials*'. There is no set definition for what constitutes a '*special*' post-mortem.

These post-mortem examinations were considered '*special*' by those in attendance, only because of the identity of one of the people involved i.e. the Princess of Wales, and not because the deaths were considered '*suspicious*'.

All the police officers attending the examinations provided evidence to this effect. They were undertaking routine roles such as exhibits officer, laboratory liaison or SIO.

The pathologist, Dr Robert Chapman, confirmed that he considered it to be a '*special*' post-mortem because it was the Princess of Wales and he fully expected to see police officers there because of that.

He took samples of head hair, blood, liver, and vitreous humour from both bodies and additionally stomach contents from the Princess of Wales and mouth contents from Dodi Al Fayed. At no point did he think he was dealing with a '*suspicious*' death and at no point was he instructed to deal with it as such.

Toxicological analysis of samples was undertaken at the local hospital, Charing Cross. This is the usual venue for samples taken on behalf of the Coroner in routine cases. Police forensic laboratories are used in criminal matters as continuity and documentation of evidence is important. The fact that such a laboratory was not used for toxicological analysis further indicated that the deaths were not being dealt with as '*suspicious*'.

In conclusion

There was no evidence that there was '*extensive*' sampling of the bodies at post-mortem. Routine samples were taken, as Detective Superintendent Rees stated, to '*err on the side of caution*'.

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All of the evidence showed that police attended the examinations because of the identity of one of the victims, the Princess of Wales.

No one who attended believed they were undertaking an investigation into '*suspicious*' deaths.

Claim 3 - John Macnamara states that he was extremely surprised to see Detective Superintendent Jeffrey Rees at the mortuary acting as the police liaison officer for the Coroner. He had been appointed by Assistant Commissioner David Veness to investigate Mr Al Fayed, John Macnamara and others in connection with a safe deposit box. He had to be seen to be impartial. In those circumstances it was surprising that he had this liaison role. Jeffrey Rees told John Macnamara that he had been appointed liaison officer by Assistant Commissioner Veness. Jeffrey Rees told John Macnamara that a 'most experienced Detective Superintendent', Geoffrey Hunt, was on call to deal with such situations whereas he, Jeffrey Rees, was on holiday in Lincolnshire when David Veness insisted that he should attend personally.

The on-call officer for the Organised Crime Group was originally contacted to deal with any issues arising from the return of the bodies to the United Kingdom. That officer was scheduled to fly overseas on Tuesday 2 September 1997 and therefore it was not felt appropriate for him to continue this new task.

The most experienced officer in the OCG was then called in by the Assistant Commissioner to deal with any issues arising from the return of the bodies. This officer was involved in an ongoing investigation involving Mohamed Al Fayed and he himself did consider that there might be professional conflict.

His supervising officer, who knew that the new role would involve close liaison with both families, was confident that the officer had the necessary skills and experience to undertake both cases. He has subsequently stated that, with hindsight, it may have been appropriate to appoint another officer to undertake this liaison role to prevent such accusations.

In conclusion

There was no evidence associated with the appointment of this officer that supports the conspiracy allegation.

CHAPTER **THIRTEEN**

BODYGUARDS OF
MOHAMED AL FAYED

TREVOR REES-JONES, KIERAN WINGFIELD
AND
REUBEN MURRELL

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CHAPTER THIRTEEN

(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of the claims made by Mohamed Al Fayed

Mohamed Al Fayed claimed that the named bodyguards who were working for him in August 1997 had been '*turned*' by the security services after initially being supportive of him. In some cases he claimed they had been provided with reward for undertaking such actions. He believed that part of this turning process followed concerns that they would '*tell the truth*' about what really happened.

Claims

1. 'My former bodyguards, Trevor Rees-Jones, Kes Wingfield and Ben Murrell. It is a fact that these men were turned against me by the security services. They were worried that Trevor Rees-Jones may begin to tell the truth.'
2. 'The fact is that Trevor Rees-Jones did not lose his memory. He knows exactly what happened between Rue Cambon and the Alma Tunnel. He knows the detail which the security services are so eager to suppress, including why Henri Paul took the route via the Alma Tunnel, the motorcycle which blocked their exit, the flashlight which blinded the driver – the list is endless.'
3. 'Trevor Rees-Jones book, 'The Bodyguard's Story' is clear evidence of how he, Kes Wingfield and Ben Murrell were turned against me. The book, which was not written by him but by the security services, is a tissue of lies and deceit designed to denigrate me and to support the British authorities account that the deaths of my son and Princess Diana were the result of a simple traffic accident.'
4. 'The Bodyguard's Story' book was written with the co-operation of such people as Martyn Gregory and Dominic Lawson.
5. 'They were well rewarded financially and additionally Rees-Jones was appointed as Head of United Nations security in East Timor. The only explanation is that it was an inducement to ensure his continued silence.'

Source - 9 February 2006 - Letter from Mohamed Al Fayed to Lord Stevens

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Claim

6. 'Trevor Rees-Jones was not part of it but he had been turned against me. He was in the car, he knows how the car was blocked not to go to the Champs Elysees, motorcycles behind, floodlights blind the driver and blind him at the same time' 'Basically they want to kill him because he's the only person who can say the truth'.

'And he told me exactly what happened and he started to give an interview to a very prominent newspaper the Daily Mirror, and the minute the Security Services know that the guy starts talking, they approach the guy behind my back through other people, they turn him against me. And because they know they had to, the guy started talking, they appoint him Deputy Security in Timor Island for the United Nations and pay him a lot of money.'

Source - 9 February 2006 TV - Daphne Barak Videotape, Mohamed Al Fayed to Camera

CHAPTER THIRTEEN

(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Introduction

The claims made by Mohamed Al Fayed concerning his former bodyguards can be broadly separated into the following areas:

1. Recollection of Trevor Rees-Jones of events on the night of the crash.
2. Circumstances of their resignations.
3. The writing of *'The Bodyguard's Story'* by Trevor Rees-Jones.
4. Inappropriate financial rewards or inducements to the bodyguards.
5. *'They'* want to kill Trevor Rees-Jones.
6. The bodyguards had links with the intelligence/security services.

Each of these elements is looked at in turn. Because of the claim that the bodyguards were linked to or had been influenced by the security/intelligence services, some of the detail here is also covered in Chapter Sixteen looking specifically at the Secret Intelligence Service (SIS) and the Security Service.

1. Recollection of Trevor Rees-Jones of events on the night of the crash

Trevor REES-JONES

First Interviewed by Judge Hervé Stéphan on 19 September 1997.

French Dossier D1466-D1475

Examining Magistrate Hervé Stéphan first interviewed Trevor Rees-Jones in the Pitié-Salpêtrière Hospital on 19 September 1997. In this interview, Trevor Rees-Jones stated that he only recalled getting into the Mercedes and departing for Dodi Al Fayed's apartment. He stated that the vehicle was followed from the rear of the Ritz Hotel by two cars, one a white three-door hatchback, and a motorcycle. Trevor Rees-Jones stated that he was unable to remember any further details of these vehicles and had no recollection of the collision.

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French Dossier D2469-D2473

The Brigade Criminelle then interviewed Trevor Rees-Jones on 2 October 1997. In this statement he said *'we pulled away followed by the light-coloured car, I do not remember if the motorbikes followed us.'*

French Dossier D2013-D2020

Further interviewed by Judge Hervé Stéphan on 19 December 1997, Trevor Rees-Jones again described a small white or light-coloured car and possibly a scooter following from the rear of the hotel.

Piers Morgan, former editor of *'The Mirror'* newspaper, interviewed Trevor Rees-Jones on 25 February 1998. The interview lasted about thirty minutes and Trevor Rees-Jones stated he was *'getting flashbacks of more and more stuff'* and *'now remembered hearing Diana's voice after the crash, calling out Dodi's name.'* This interview formed the basis of a series of stories that appeared in *'The Mirror'* newspaper commencing on Saturday 28 February 1998 - Reference: p191-192 *'The Insider'* by Piers Morgan.

French Dossier D4344-D4346

Interviewed again by Judge Hervé Stéphan on 6 March 1998

Trevor Rees-Jones appeared before Judge Hervé Stéphan again. He explained the circumstances under which the interview with Piers Morgan had come about and that he had answered the journalist's questions to the best of his ability, not realising that they would be published before he had had the opportunity to pass the new memories he had recalled on to the French authorities. He stated that he had seen and corrected the newspaper article and was satisfied that what was said reflected the truth as he knew it.

Trevor Rees-Jones stated the new memories were in two parts. Firstly, he recalled stopping at a set of traffic lights he believed to be in Place de la Concorde. There he turned to look out of the rear window and saw a motorcycle stationary on the right hand side of the Mercedes. When the Mercedes moved off he recalled lots of flashes, which he presumed to be from photographers.

The second memory he recalled was very vague and was, he believed, post collision. He remembered *'total confusion'* and that a female voice spoke the name *'Dodi'*. He was unsure who spoke the name but concluded that if only the occupants of the car were present then it must have been the Princess of Wales. He stated that the memories were vague and that he sometimes doubted them but they were coming back repeatedly. He stated that his psychiatrist had warned him of the danger of false memories. If he recalled anything further, he agreed to inform the Examining Magistrate rather than the media.

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Interviewed by Operation Paget - Statement 104

In his statement of 21 December 2004, Trevor Rees-Jones was asked about his recollection of the journey from the rear of the Ritz Hotel. He confirmed his recollection of a 'light-coloured vehicle' following the Mercedes when they departed. He stated he did not have a specific first recollection after the collision but believes it would have been waking up in the hospital after his first operation. He had no new recollections of what happened on the final journey.

Operation Paget - Correspondence 648

Letter to Lord Stevens from Mohamed Al Fayed, 9 February 2006

Mohamed Al Fayed stated that Trevor Rees-Jones did not lose his memory and knew exactly what happened between rue Cambon and the Alma underpass:

'He knows the detail which the security services are so eager to suppress, including why Henri Paul took the route via the Alma tunnel, the motorcycle which blocked their exit, the flashlight which blinded the driver – the list is endless.'

Operation Paget - Correspondence 776

Operation Paget contacted Trevor Rees-Jones on 11 May 2006 via his solicitor, advising him of the comments of Mohamed Al Fayed.

Operation Paget - Correspondence 788

In correspondence dated 25 May 2006 his solicitor replied:

'As my client has told you repeatedly, he has no recollection of the accident other than that which he has already described.'

Dr Maurice LIPSEGE **Psychiatrist.**

French Dossier D4941-D4947

Interviewed by Examining Magistrate Marie-Christine Devidal

On 4 May 1998 Dr Maurice Lipsedge appeared before Examining Magistrate Marie-Christine Devidal. She stated that Trevor Rees-Jones:

'...sustained severe head injuries and it is quite common for this to cause major problems with memory. These are of two types: post-traumatic amnesia, which starts from the impact and covers a relatively long period, lasting throughout the period of unconsciousness immediately after the impact plus with several more days or even several weeks of amnesia, and retrograde amnesia, which covers the period immediately before the impact. The length of the retrograde amnesia can vary considerably, if the post-traumatic amnesia is very long there is generally retrograde amnesia for a certain period.'

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Dr Lipsedge continued:

'In this case Trevor Rees-Jones remembers getting into the Mercedes in the rue Cambon and the car driving off, he remembers nothing after that... In view of the time that has elapsed, the chances of him recovering his memory are very slight, a few snatches might come back to him but his memories are not at all reliable because even for him it is impossible to tell if these are genuine memories or reconstructions of events from information he might have had later, dreams or imagination.'

Operation Paget Comment

Trevor Rees-Jones had very limited recall of the events directly leading up to and following the crash. This position has not changed since 1997. There was no evidence found by Operation Paget of Trevor Rees-Jones providing, or claiming he could provide, a fuller account of those events.

2. Circumstances of their resignations

Trevor REES-JONES **Resigned in April 1998.**

Interviewed Operation Paget - Statement 104

Trevor Rees-Jones stated that he resigned from employment with Mohamed Al Fayed as a result of advice received from his solicitors.

On his return to the United Kingdom, his one aim was to return to work as soon as possible. When he did so, he found that he was *'treated very differently'*, no longer staying with the other security team members but in an apartment within 60 Park Lane. [Paget Note: These are residential apartments owned by Mohamed Al Fayed.]

He did not know why he was kept separately. Instead of performing light duties, Trevor Rees-Jones *'kept seeing'* Mohamed Al Fayed, who would become upset during their meetings, something Trevor Rees-Jones *'did not enjoy'*. He stated that he saw Mohamed Al Fayed more times than he had ever done before and that this included one-to-one meetings, which had never happened previously. Though unable to recall the specifics of the conversations they had, Trevor Rees-Jones stated Mohamed Al Fayed *'went on that they were killed, it was murder'*. Trevor Rees-Jones stated he would *'just nod and do what [he] could to get out of there'... 'as the situation got bigger and bigger there was no way [he] would be able to slot back into the security set up.'*

He eventually resigned on the advice of his solicitors because of his position as a *'partie civile'* [Paget Note: Interested party] in France. He believed he had to be seen to be separate from Mohamed Al Fayed and not as an *'Al Fayed stool pigeon'*, which he believed he appeared to be following an interview with the *'Daily Mirror'* which he claimed was *'sprung'* on him by Mohamed Al Fayed's organisation.

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Kieran WINGFIELD **Resigned June 1998.**

Interviewed by Operation Paget - Statement 20A

Kieran Wingfield stated that he resigned from the Al Fayed security team because of his reluctance to become involved with the media and his refusal to follow Mohamed Al Fayed's version of events surrounding the collision.

After the collision he returned to the United Kingdom and went on leave to Ireland. Whilst he was away, he was paged to contact Paul Handley-Greaves. [Paget Note: Head of Personal Security for Mohamed Al Fayed.] He called and was asked to return and appear on television. Kieran Wingfield told Paul Handley-Greaves that he did not want to do this, but Handley-Greaves called him again and said that Mohamed Al Fayed had asked him *'to find it in [his] heart to do it'*. Kieran Wingfield stated he was *'not that hard-hearted'* and thought he could lose his job. He therefore returned to London and was interviewed in the presence of John Macnamara. [Paget Note: Director of Security for Harrods.]

He stated that after one interview he was asked to do another. He believed the management view was that having done one interview he could do another.

In late 1997 or early 1998 he was working at Mohamed Al Fayed's estate in Scotland. In the middle of 1998 he was asked to speak to Mohamed Al Fayed while there. Kieran Wingfield stated:

'He kept going on about how Dodi and the Princess had been murdered and how he wanted me to appear on television for him. When I refused he said something along the lines of "Who do you work for, you work for me." I took this as veiled threat that if I refused then my job was in jeopardy.'

'Although he did not directly ask me to go on there and say that they had been murdered, I could tell it was going that way. I refused and he completely lost it – he was swearing at me and I thought 'Oh no, I've lost the best job in the world up here'. 'The reason why I felt so strongly about this was that I just did not believe any of the conspiracy theories that were beginning to come out, including the fact that both Dodi and the Princess were murdered and I refused to go on national television and say something I simply did not believe to be true. I've got my self-respect and I thought, "No, I'm not having it".'

Kieran Wingfield asked for time to consider his position, went on leave and then resigned.

French Dossier D5071-D5073

He requested an interview with the Examining Magistrate in Paris, which took place on 3 July 1998. He stated that he had resigned from his job as Mohamed Al Fayed was *'convinced that his son and the Princess of Wales were the victims of a conspiracy and he expected me to subscribe to this theory, which it was not possible for me to do in all conscience'*.

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He brought a legal action against his former employer for constructive dismissal. The matter proceeded to a tribunal but midway through proceedings the matter was settled between the parties.

Reuben MURRELL

Security Officer at Villa Windsor, Paris. [Paget Note: Former home of the Duke and Duchess of Windsor.] He resigned from Mohamed Al Fayed's employment in July/August 1998.

Interviewed by Operation Paget - Statement 211

After the crash, Reuben Murrell was asked to act as a liaison point in Paris for Trevor Rees-Jones' family. However, he became concerned that rather than performing this role for genuine welfare or assistance purposes, he was being '*used as a tool*' to gather information about the family's views and movements.

'Kes was briefed in London to get into the hospital with me to make sure Trevor did not say anything until he had been briefed. When Kes arrived in Paris he informed me that Paul Handley-Greaves had briefed him in London and that this would involve trying to get to the hospital before any statements were taken. I guess this meant police statements. It was not clear who would brief Trevor'.

Reuben Murrell stated that he did not comply with these instructions.

He felt his position with Mohamed Al Fayed's security team was coming under pressure following incidents in which he was required by his employers to act in a manner with which he was uncomfortable. In his statement he said:

'I particularly recall a visit by two American journalists whose names I do not recall. Frank Klein [Paget Note: President of the Ritz Hotel] and Martin [Paget Note: Caretaker of the Villa Windsor] hosted their visit. I opened the gate and showed them in. Before they arrived at the villa I had received a call from David Pinch [Paget Note – personal bodyguard to Mohamed Al Fayed] who told me to tell the journalists that during the visit of Dodi and Diana on 30 August 1997 an Italian designer called Ardo Grossi was also present. I was told to say that they were choosing suitable decoration for the villa and also to indicate that I had overheard them discussing which would be a good room for the new baby and that the grounds would be good for a new baby to play in. I was also to present it as fact that it was their intention to come to the villa Windsor to live. The Americans arrived with Frank Klein and prior to showing them around, Mr Klein spoke to me and more or less said "What are you going to say to them?" but not in such a direct fashion. I felt my job was under pressure, but I did not want to go down that road and when I showed reluctance to follow the instruction I had been given Martin was taken by Frank Klein to take the journalists around. I remained in the background but saw Martin giving the story that I had been asked to give. At this time I felt vulnerable.'

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He felt that Trevor Rees-Jones and Kieran Wingfield were also '*under pressure*' and that the people involved in security for the visit of 30 and 31 August 1997 were being slowly laid off.

'I thought the writing was on the wall for me and I thought Kes [Paget Note: Kieran Wingfield] and Trevor were on the way out too.'

He believed it would be better to take payment for telling the truth as opposed to lies and he consequently did an interview with '*The Sun*' newspaper in June or July 1998, which was published on 2 September 1998. This story was based on the publication of still images taken from the closed circuit security video at the Villa Windsor, Paris showing the Princess of Wales and Dodi Al Fayed visiting on Saturday 30 August 1997. He resigned before publication of the story. He stated he received £40,000 for the story.

He was taken to court over the publication of the still images and in response he too brought a legal action against Mohamed Al Fayed for constructive dismissal. The Court of Appeal found against Reuben Murrell and ordered him to pay £40,000 to Hyde Park Residences [Paget Note: Believed company name for the Al-Fayed Security Team.] He was not in a position to pay this sum but has not been pursued for the money. The tribunal is to the best of his knowledge '*pending indefinitely*'.

Paul HANDLEY-GREAVES

Ex-Head of Personal Security for Mohamed Al Fayed.

Interviewed by Operation Paget - Statement 170

His recollection of events surrounding the resignations of the bodyguards was that he thought that Trevor Rees-Jones' family were '*very hostile*' to the Al Fayed Security Team. He also thought that Trevor Rees-Jones '*felt guilty because he'd made a mistake over allowing the use of only one vehicle*' and '*that he shouldn't have let Dodi run the show*'.

He stated that Kieran Wingfield, '*never expressed any sense of wrongdoing afterwards. As far as he was concerned, he did what he was told. He wanted to stay in his job.*'

To start with, both Trevor Rees-Jones and Kieran Wingfield were '*...willing to go along with the press attention – there was a lot of spin flying around with the press then and we were trying to get certain things out there and they were co-operating fully with that. But then while ... in Scotland Kes stopped co-operating and resigned. And then Trevor decided that he didn't want to work for the organisation anymore.*' Paul Handley-Greaves stated that he did not know why they resigned and that he found it surprising.

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He stated that Reuben Murrell had been at the Villa Windsor *'because of a discipline problem that had arisen whereby he'd become a bit too familiar with one of the family at Oxted. Discipline issues continued whilst he was in Paris... Then, whilst he was in Paris with Trevor and Kes, there were some shenanigans surrounding which car Trevor should be transported in. Mohamed wanted Trevor to go in one of our cars but he went in a British Embassy car. Ben left the team shortly after this and sold his story to a newspaper.'*

John MACNAMARA

Head of Security for Mohamed Al Fayed in 1997.

Provided statement to Operation Paget - Statement 5A

John Macnamara stated that in February 1998, Piers Morgan conducted an interview with Trevor Rees-Jones when he indicated that some memories were returning. On 20 April 1998, Trevor Rees-Jones issued a press release via his solicitor in which he gave notice of the termination of his employment. This led John Macnamara to *'firmly believe, because of the extraordinary and otherwise inexplicable volte face by Trevor Rees-Jones, that the security services must have contacted him and persuaded him to leave Mr Al Fayed's employ.'*

He stated that Kieran Wingfield had a meeting with Richard Belfield, a television producer, at Harrods in or around February 1998 at the end of which John Macnamara understood that Wingfield had agreed to participate in a further television production. John Macnamara stated that Kieran Wingfield then resigned on 2 June 1998 and *'claimed that Mr Al Fayed was trying to pressure him into appearing on a programme being produced by Richard Belfield. This is simply untrue. Wingfield then claimed constructive dismissal, and relying on the fact that Mr Al Fayed would not appear before an employment tribunal, he negotiated a settlement.'*

John Macnamara stated that on 7 August 1998 Reuben Murrell *'suddenly and inexplicably resigned and sold a story to The Sun newspaper'*.

Shaun SMITH

Security team member for Mohamed Al Fayed.

Interviewed by Operation Paget - Statement 175

He stated that he did not know for sure why Trevor Rees-Jones and Kieran Wingfield left the team and that it was a *'gradual thing'*. He stated that Murrell *'wasn't really that well liked - he was just one of those blokes - and as far as I know he was removed from the team over selling information and photos to the newspapers.'*

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John JOHNSON

Ex-Security Team member for Mohamed Al Fayed and personal bodyguard of Dodi Al Fayed.

Interviewed by Operation Paget - Statement 210

Although John Johnson provided no information in respect of the resignations of Trevor Rees-Jones, Kieran Wingfield and Reuben Murrell, it may be considered relevant to note the circumstances in which he departed from the Security Team. After the crash he did not really have a role and found that he could not go to Oxted because the children associated him with Dodi Al Fayed. Then, '*a few months after the crash*' he went to work and was told that he was "*surplus to requirements*". He stated that he was never given a direct reason for his dismissal from the team.

Operation Paget Comment

The bodyguards explained why they left the employment of Mohamed Al Fayed. The actions were independent of each other. The reasons for leaving were personal to each of them and involved their perception of future working prospects under Mohamed Al Fayed.

The bodyguards did in fact all leave within the space of a few months in spring and summer of 1998 within a year of the crash. There is no evidence that this was a co-ordinated action, or was at the behest, orders or influence of the security/intelligence services, or in fact was the result of any ulterior motive.

3. The writing of '*The Bodyguard's Story*', by Trevor Rees-Jones

Mohamed Al Fayed had stated, both in his statement to Operation Paget and in a letter to Lord Stevens (Operation Paget Correspondence 648) dated 9 February 2006, that the book '*The Bodyguard's Story*' was written by the security services '*with the co-operation of such people as Martyn Gregory and Dominic Lawson*' (Operation Paget Statement 163).

Examination of '*The Bodyguard's Story*' showed Trevor Rees-Jones as the author and Moira Johnston as co-writer. The prelude is headed '*Trevor's Statement*' and credits, in addition to Moira Johnston, the contributions of the following persons; Jill Rees-Jones [Paget Note: Mother], Ernie Rees-Jones [Paget Note: Stepfather], Ian Lucas, David Crawford, Christian Curtil [Paget Note: Solicitors] and Kieran Wingfield. (Page xiii - xiv '*The Bodyguard's Story*')

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Trevor REES-JONES

Bodyguard to Dodi Al Fayed

Interviewed by Operation Paget - Statement 104

Interviewed in 2004, he stated that he wrote the book in collaboration with Moira Johnston and others, including Kieran Wingfield, his mother and stepfather. He stated that he read every transcript and that the book was '*as accurate as it could be and for the publisher to be happy that it was going to sell*'. He believed that it presented the facts but that the way that it was written was not his style. [Paget Note: Moira Johnston is a Canadian-born writer and author.]

Operation Paget - Correspondence 776

Operation Paget contacted Trevor Rees-Jones via his solicitor on 11 May 2006 advising him that Mohamed Al Fayed had alleged that the book was written by the security services '*with the co-operation of such people as Martyn Gregory* [Paget Note: Author and broadcaster] *and Dominic Lawson*' [Paget Note: Brother of Rosa Monckton, friend of the Princess of Wales.]

Operation Paget - Correspondence 788

Trevor Rees-Jones replied through his solicitor, stating:

'it is not true that the book was written with the co-operation of Martyn Gregory and Dominic Lawson. The book itself makes this very clear'.

Kieran WINGFIELD

Interviewed by Operation Paget - Statement 20A

In respect of his involvement in the writing of the book, he stated that he helped Trevor Rees-Jones with his notes and was interviewed by Moira Johnston. He stated that there were some inaccuracies and that some things were taken out of context, but that overall the book was '*fairly accurate*'.

Reuben MURRELL

Operation Paget - Statement 211 (Reuben Murrell)

Operation Paget - Statement 104 (Trevor Rees-Jones)

Operation Paget - Statement 20A (Kieran Wingfield)

There was no information that Reuben Murrell was involved in or contributed to the writing of '*The Bodyguard's Story*'.

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John MACNAMARA

Head of Security for Mohamed Al Fayed in 1997.

Provided Statement to Operation Paget - Statement 5A

He believed that the book *'The Bodyguard's Story'* *'was not written by them [Trevor Rees-Jones and Kieran Wingfield] but was... an attempt by the security services to use them to contradict the rapidly mounting evidence that Princess Diana and Dodi had been murdered.'*

He stated that in his opinion Trevor Rees-Jones had:

'...willingly and in return for payment, been used as a mouthpiece by, or on behalf of, security services to try to discredit the mounting evidence that the crash was not a simple accident'.

He could personally attest to the fact that many of the statements in the book are in direct conflict with his own knowledge and with statements Trevor Rees-Jones made before he walked out on Mohamed Al Fayed, stating the book contained, *'numerous inaccuracies and fabrications'.*

In his statement to Operation Paget, John Macnamara quoted a number of sections from the book to support his contention of inaccuracies and fabrications. Some of these are examined in detail here in sections (a) to (e):

John Macnamara, quoting from *'The Bodyguard's Story'*, said in his statement:

a) *'Page 76 - A reference is made to Ben Murrell, the man in charge of security at the Villa Windsor. He is quoted as saying, "chatting with Henri Paul, Murrell noticed that he smelled as if he'd had a very good lunch. If he did smell of wine and garlic of 'a good lunch', it was disguised for Kes, a non smoker by the offensive smell of Henri Paul's cigars." Both Wingfield and Rees-Jones were with Henri Paul throughout that Saturday therefore it is a complete fabrication that he had separately enjoyed a good lunch with wine.'*

'Rees-Jones attempts to again support Murrell's contention that Henri Paul had been drinking on the Saturday where in reference to the two pastis which Henri Paul drank during the evening, he said, "Those two drinks would soon be revealed as the top up to other drinking during the time between Paul's arrival home from the afternoon's airport pickup and his return to the hotel." This statement is without foundation. He went on to say, "As he finished his pastis, Paul's bloodstream carried a concentration of pure alcohol 'far superior to the legal level', as an autopsy would state, combined with a cocktail of two prescription drugs — an anti depressant and a deterrent to alcohol dependence — and low enough levels of the protein transferrin to indicate 'chronic alcoholism over the course of at least a week". I find this attempt by an unqualified bodyguard to interpret the forensic findings of toxicology reports relating to Henri Paul quite bizarre, as well as being wholly inaccurate.'

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Operation Paget Enquiries

Reuben Murrell

Bodyguard to the Al Fayed family.

Interviewed by Operation Paget - Statement 211

He described his meeting with Henri Paul that day at the Villa Windsor and commented on relevant newspaper articles:

'I have been asked about meeting with Henri Paul on the day of the visit of Dodi and Diana to the villa Windsor. I think I met him on the afternoon of the visit when he came to the villa Windsor to drop something off. He came to the villa in a car driving by himself. I went to the back gate to open it and let him in. He opened the window and started joking with me about the visit. I think he said something like, "We've hit the big time now we've got Dodi and the Princess around". He was almost hugging me through the window. This was completely out of character from my experience of him and I walked away from him thinking, "What was that about?"'

'I have been asked if Henri Paul smelled of alcohol when I saw him. He smelled of eating and drinking, the same sort of smell you get from someone coming out of a restaurant. Henri Paul was normally demure. He was acting completely out of character. Whether that was fuelled by alcohol or having these people around, by which I mean Dodi and the Princess, or whether there was another factor I cannot say. I can say he was acting out of character from my previous experience of him.'

'I have been shown a copy of an article from 'The Sun' newspaper (page 6) dated 3rd September 1998 attributing a quote to me about the incident with Henri Paul under the headline 'Trevor's fury over Di's drunk chauffeur'. This reads, "I went down to the gate to let Paul in. As he pulled alongside he opened the window. He suddenly pulled me towards him and said "Yeah, Ben, you good"' His breath smelt. It was the sort of smell I recognise from someone who has had a good lunch with wine. It was a bit overpowering but I did not say anything. I stood there quite shocked by his actions. I had met him on many occasions at the Ritz and he seemed so quiet. To grab me was so out of character. He seemed so excited. I am sure he had had a drink.'

'I agree with this quote apart from the last sentence. I am not sure that he had had a drink. I have been misquoted and I never said that. I told my wife at the time "I've just met that Henri Paul. He's acting a bit strange. I don't know what's up with him."'

Rebecca Murrell, then married to Reuben Murrell, has provided a statement to Mohamed Al Fayed. She stated that on the day of the visit to Villa Windsor, Henri Paul's demeanour was exactly as she had always known it. He was a very shy man, quiet and unassuming. She disputed the account attributed to Reuben Murrell in the newspaper article, stating *'That statement is totally untrue. I was watching everything through the CCTV monitor. Ben Murrell never approached or even spoke to Henri Paul until the party was just leaving when he opened the gate in order for them to leave'*.

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Operation Paget Comment

The bodyguards first met Henri Paul that day at Le Bourget airport, when the aircraft landed at around 3.20pm. Kieran Wingfield travelled with Henri Paul in a Range Rover and reported that he '*drove all right*' (Operation Paget Statement 20A Kieran Wingfield).

At around 7pm Henri Paul went off duty and Jean-François Musa took over the driving of the Range Rover. Henri Paul then returned to the Ritz at around 10.05pm. (French Dossier D2160-D2161 François Tendil and French Dossier D713-D717 Jean-François Musa)

Trevor Rees-Jones did not travel in a vehicle with Henri Paul until the departure that led to the crash. (Operation Paget Statement 104, Trevor Rees-Jones)

In respect of the information relating to alcohol levels and drugs in Henri Paul's body, the sections from '*The Bodyguard's Story*' are not shown as direct quotes from Trevor Rees-Jones. It would be expected that a reasonable level of knowledge of toxicology would be needed to interpret toxicology results in such a way.

Ben Murrell stated that the newspaper misquoted him when the phrase '*I am sure he had had a drink*' was attributed to him.

b) John Macnamara continued in his statement to Operation Paget (Statement 5A), quoting other references from '*The Bodyguard's Story*':

'Page 76 / 77 - Rees-Jones describes Dodi's visit to Repossi in Place Vendome. Although Trevor has a vague recollection of Dodi leaving the boutique carrying one of those small elegant shopping bags with strings, it has been continually reported that the ring was picked up and take back to the Ritz by Roulet, and given to Dodi later.'

'After Rees-Jones returned to work in London he told me that he had accompanied Dodi to Repossi jewellers in the early evening of 30 August to collect a ring. He also told me that he believed this was an engagement ring.'

Operation Paget Enquiries

Operation Paget – Statement 104

Trevor Rees-Jones in his statement said:

'Dodi got out of the car and walked into the jeweller's with the assistant manager. Kes and myself waited by the vehicle for him to come out. When he did so he was in possession of a bag but he didn't tell me what was in it. We drove back round the Place Vendome to the front entrance of the Ritz. I have no knowledge of any ring and I don't know what happened to the bag. Actually I don't remember who carried the bag back, but it was either Dodi or the assistant manager.'

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There is no mention of a ring and Trevor Rees-Jones declined to comment on the relationship between Dodi Al Fayed and the Princess of Wales.

c) Again quoting from the book, John Macnamara in his statement said:

'Page 83 - Rees-Jones chronicles the events leading up to the decoy plan. Having learned from Henri Paul of the plan, he quotes, The Bodyguards announced that "they'd have to report this to London, only the second time in the trip they'd felt Ops should be told about a bad plan of Dodi's. But Henri Paul confirmed 'It's been okayed by Mr Mohamed'. Kes is sure of this, the phrase 'Mr Mohamed' standing out from the ubiquitous 'the Boss' of the lads. He had heard the second in command of security at the Ritz say this plan had been okayed by Fayed but he knew that employees often took Fayed's name in vain, since there was no way to check without causing offence — or worse. And the plan was still a hopeless one. 'It wasn't Henri Paul driving that bothered me', says Trevor, 'he'd already driven that day — it would have been like challenging Paul Handley Greaves about driving the Boss.' It was the plan itself that disturbed."

This once again flies in the face of Rees-Jones' assertion that such a deviation from procedure should be cleared with Mr Mohamed Al Fayed.'

Continuing on the same issue:

'Page 84 - It is stated that Kes Wingfield suggested bringing a car round to act as a backup but Dodi was resolved. Trevor had argued against the decision but now he had to put it into play. "Quickly." Dodi is alleged to have said, "It's been okayed by my Father."

Both Wingfield and Rees-Jones knew that they could not take such an order from Dodi (even if such an order or instruction was in fact given) if it was something that they disagreed with or questioned. At this particular stage both Rees-Jones and Wingfield were at pains to tell me that they disagreed with the plan. In those circumstances it is incomprehensible, and in clear breach of their responsibilities, that they failed to contact Mr Al Fayed.'

John Macnamara in his statement to Operation Paget:

'They were both aware that the principal's car should never travel without the escort of a backup car containing security personnel. When they became aware of the decoy plan, they had a duty to immediately contact Mr Al Fayed, either directly or through the control room at Park Lane. I now know that they made no telephone call either to Park Lane, Paul Handley Greaves or Mr Al Fayed.'

'Had Princess Diana and Dodi left the Ritz Hotel using the proper backup vehicle, no opportunity would have been afforded to the paparazzi to provide cover for executing what I now believe was an assassination.'

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‘Both Rees-Jones and Wingfield, when I saw them, claimed that they were acting upon Dodi’s instructions but disagreed with the plan. In those circumstances, it is in my view inconceivable that they would not have contacted Mr Al Fayed direct. Indeed, both of them accepted that that was the appropriate course of action and that it was wrong to have accepted such an instruction from Dodi.’

Operation Paget Enquiries

Trevor Rees-Jones in his statement to Operation Paget (Statement 104) said:

‘Mr Al Fayed was the boss and the fact is he paid the wages. I didn’t have a close relationship with him, John Macnamara or Paul Handley-Greaves.... I never questioned any instructions coming from him. I had no reason to. The protocol surrounding the communication with Mr Al Fayed would be for, John Macnamara, Mr Handley-Greaves or the team leader to have discussions at that level.’

Before his relationship with the Princess of Wales, Dodi Al Fayed was allocated a single bodyguard, who worked alone in the United Kingdom, with one vehicle for transportation, although back-up was available if required. In France, the bodyguard would work alone, but with a driver and car. A back-up car was introduced as a standard procedure for transportation of the Princess of Wales apparently following an informal decision within the Al Fayed Security Team. The back-up vehicle would be driven by one of the Park Lane Security Team. Trevor Rees-Jones stated that:

‘...there was not an occasion during that summer that Dodi travelled without a backup vehicle in London when I was on duty.’

Trevor Rees-Jones and Kieran Wingfield stated that they disagreed with the plan for the departure from the Ritz Hotel, but only in respect of departure from the rear and without any security cover. They had no problem with Henri Paul driving. They suggested leaving from the front, an idea they say Dodi Al Fayed dismissed, and ultimately a compromise was reached. [This is covered in detail in Chapter Four.]

Kieran Wingfield (Operation Paget Statement 20A) stated that Mohamed Al Fayed was not called because Dodi Al Fayed claimed he had already informed him:

‘No one ever directly rang the Boss unless you had leave to do so.... you wouldn’t do it, not unless it was very urgent.’

Operation Paget does not have the Log of Communications from Mohamed Al Fayed’s Security Team Operations Room at Park Lane in which details of the movements of family members are recorded. That said, neither Trevor Rees-Jones nor Kieran Wingfield are claiming that they did inform Mohamed Al Fayed of the plan to depart from the Ritz that evening. Kieran Wingfield stated that Dodi Al Fayed told him, *“Its been okayed by M F, its been okayed by my father”, ‘those were his exact words... People often used Mohamed Al-Fayed’s name in vain and you couldn’t go and check.’*

CHAPTER THIRTEEN

Operation Paget Comment

Exactly what constituted ‘proper procedure’ has not been fully established. There is dispute amongst witnesses as to its existence and content in 1997. It appeared that the team was run along military lines. The close protection course run by the Royal Military Police appeared to set the benchmark in terms of close protection issues.

d) John Macnamara continued in relation to the book:

‘Page 85 - Rees-Jones stated that he was unaware that Henri Paul was not licensed to drive the commercial limousine which Musa had ordered. In fact no such licence was required. Had Henri Paul been driving the Mercedes for hire or reward he would have had to have a taxi drivers licence, but this was not the case.’

Operation Paget Enquiries

Operation Paget – Statement 200

In his statement, Jean-François Musa, Director of Etoile Limousine said:

‘After the crash I drew up a retrospective bill for the use of the ‘688’ car that night. I had no prior order form at the time as is strictly required but it was impossible for me to say no to the VIP couple and Roulet. This was the only time that one of the Étoile Limousine cars was ever driven by a driver without a ‘Grande Remise’ licence. This has not happened either before or since.’

French Dossier D7576 and D7584

Maud Morel-Coujard of the Public Prosecutor’s Office, in her notice of final dismissal in August 1998, wrote:

‘In fact, although the appointment of Henri Paul as a chauffeur raises the problem of awareness of his condition on the evening of the incident in question and of his intemperance, it also leads to the examination of the circumstances under which it had been decided to use a vehicle from the company Etoile Limousine, whose fleet consisted of chauffeur-driven hire vehicles, requiring a special licence to drive them, which Mr Paul did not hold.’

‘On this point, the versions of the Ritz management and Jean-François Musa, the manager of Etoile Limousines, differ: Jean-François Musa maintains that he expressed his reservations when he learned that Henri Paul would be driving the car, particularly because of the absence of the special licence, but no witness corroborates this.’

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Later in response to a claim by Trevor Rees-Jones' French solicitor she wrote:

'It cannot however be upheld that non-compliance with the provisions of the decree of 15 July 1955 and of the order of 18 April 1966 which require the drivers of hired chauffeur limousines to hold a special licence directly exposed the plaintiff to an immediate risk of death, serious injury or permanent disability, given that it involved a relatively short journey in town, in other words in a secure road traffic environment, all on board a vehicle which admittedly was a hired chauffeur limousine, but which technically is available to any driver with a class B licence.'

Operation Paget Comment

This was a technical issue in French law that was assessed by the Public Prosecutor, and she decided it was not appropriate to pursue it. Henri Paul had a driving licence for a vehicle of this make and model and indeed had been on driving courses with such a vehicle. Whether he was acting as a hired chauffeur or not did not affect his ability to control the vehicle.

e) John Macnamara continued in his statement:

'Page 153 - Referring to Rees-Jones' parents, it is stated, "Back at the apartment, Paul Handley-Greaves and John Macnamara, Fayed's two heads of security, were waiting for them. It was Handley Greaves' second visit, Macnamara's first, from London. The two had been denied access to Trevor by the hospital staff, and asked many questions about the crash. Jill and Ernie, of course knew nothing. "What they really wanted to know", Ernie could tell, "was whether Trev had remembered anything." '

'I did indeed meet Rees-Jones' parents where Mr Al Fayed had generously accommodated them in an apartment at Rue Arsène Houssaye. He had not only paid for their entire visits but also for other members of the family. This was certainly not my first visit to Paris but the purpose of meeting Rees-Jones' parents was firstly to commiserate with them, and secondly to offer any assistance I could. Neither Handley Greaves nor I had ever made application or indeed attempted to visit Rees-Jones in hospital.'

'He reiterated that claim on page 163 where he states, "The clock was ticking. In a few days, Trevor would have to talk to the Judge – next week was the rumour. Handley-Greaves and Macnamara had both tried, and failed, to get in to see Trevor." That statement is completely untrue.'

Operation Paget Comment

Other than the comment from his stepfather Ernie Rees-Jones, the extracts from pages 153 and 163 of *'The Bodyguard's Story'* are not shown in direct speech or otherwise attributable to any individual.

Operation Paget has not specifically reviewed visits to Trevor Rees-Jones whilst he was in hospital following the crash.

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Operation Paget Comment – Summary of the issues relating to the book

Trevor Rees-Jones stated that he wrote the book in collaboration with Moira Johnston and others, including Kieran Wingfield, his mother and stepfather. He stated that he read every transcript and that the book was '*as accurate as it could be and for the publisher to be happy that it was going to sell*'.

He believed that it presented the facts but the writing was not his style.

There is no evidence that members of the Security/Intelligence Services or the wider 'Establishment' influenced the writing of this book in any way.

Some of those passages that were said to contain '*inaccuracies or fabrications*' were examined in closer detail. In many cases, it could be considered a matter of interpretation of how something was said and by whom.

4. Inappropriate financial rewards or inducements to the bodyguards

Operation Paget - Correspondence 648

Letter to Lord Stevens, 9 February 2006 from Mohamed Al Fayed

Mohamed Al Fayed stated that Trevor Rees-Jones, Kieran Wingfield and Reuben Murrell told lies and were '*well rewarded financially and additionally Rees-Jones was appointed as Head of United Nations Security in East Timor*'. He questioned how such an appointment could ever be justified for a man with '*such limited education and experience*.' Mohamed Al Fayed stated that the only explanation was that it was an inducement '*to ensure his continued silence*'.

Operation Paget Enquiries

Operation Paget - Correspondence 788

Operation Paget - Correspondence 377

Operation Paget – Other Document 444 (Pre-Paget)

Trevor Rees-Jones did work for the United Nations in East Timor. He began in August 2000. He applied directly to the United Nations Department of Peace Keeping Operations. His job title was 'District Security Officer' in the Cova Lima (Suai) District in East Timor and he reported directly to the Chief Security Officer.

Trevor Rees-Jones never was or claimed to be 'Head of United Nations Security'.

Operation Paget - Message 411

A potential source of confusion as to Trevor Rees-Jones' precise role in East Timor may have been information that appeared in the '*Guardian*' newspaper of 5 September 2000 stated that Trevor Rees-Jones' solicitor had referred to his United Nations posting as '*Deputy Head of Security in the town of Suai*'.

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Rebecca Murrell, estranged wife of Reuben Murrell, in a statement provided to Mohamed Al Fayed, stated that *‘Ben Murrell has secured a very high powered security position in West Africa with Control Risks Group. He is getting something in the region of £10,000 a month. I have no idea how he was able to get that job as he is totally unqualified to perform a managerial role.’*

Operation Paget holds no other information in respect of any alleged financial reward that Trevor Rees-Jones, Kieran Wingfield or Reuben Murrell received.

Operation Paget Comment

All three men work now, or have worked, in the private security or close protection industry. While Operation Paget is not divulging the location of their employment, they are known to have worked in conflicted zones where their military skills are in demand. None of the three men have jobs that could be considered to be provided as inducement or to be sinecures.

Trevor Rees-Jones did work for the United Nations in East Timor. He began in mid-2000. He applied directly to the United Nations Department of Peace Keeping Operations. His job title was ‘District Security Officer’ in the Cova Lima (Suai) District in East Timor and he reported directly to the Chief Security Officer. This was a job for which it would appear that Trevor Rees-Jones was qualified.

It could not be described as heading the United Nations security response in that country. Nor could it be described as such a prestigious job that it could only be regarded as some form of inducement. The position there was on a one-year contract that ended in 2001.

Trevor Rees-Jones never was or claimed to be ‘Head of United Nations Security’.

There is no evidence to indicate that any of the bodyguards had received any financial reward for actions relating to these events other than through involvement with the media and this is well documented.

5. ‘They’ want to kill Trevor Rees-Jones

Olivier LAFAYE

Former chauffeur at Etoile Limousine.

French Dossier D5043-D5070

The French Dossier contains details of an alleged conversation about murdering Trevor Rees-Jones in the form of a letter from Olivier Lafaye that was handed to Examining Magistrate Hervé Stéphan on 29 June 1998. Olivier Lafaye stated that on 31 August 1997 he was with Philippe Siegel [Paget Note: Also of Etoile Limousine] when Philippe Siegel told him; *“We’re going to top him in hospital, Trevor that is, he mustn’t talk... Perhaps an engine part got jammed, preventing Paul from controlling the car?”* Olivier Lafaye asked him if he was joking. Philippe Siegel stated that he was not. Olivier Lafaye did not believe the threat was serious, but that this incident demonstrated the prevailing mood.

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Christian CURTIL

French Solicitor for Trevor Rees-Jones.

French Dossier D5132-D5135

Christian Curtil wrote to the Examining Magistrate, Hervé Stéphan, on behalf of Trevor Rees-Jones requesting that Philippe Siegel, Claude Roulet and Franz Klein of the Ritz Hotel be questioned about this information.

Philippe SIEGEL

Chauffeur at Etoile Limousine – work colleague of Olivier Lafaye.

French Dossier D5151-D5155

Interviewed by Judge Stéphan August 1998

‘However, as for what I am supposed to have said about ‘topping’ Trevor Rees-Jones in hospital, although I have a good sense of humour I have never said anything of the sort. It is madness to attribute such comments to me. It is surreal, straight out of a novel. I had heard very vaguely from a friend living in the UK that certain remarks had been attributed to me, simply “make sure he doesn’t talk” in respect of Trevor Rees-Jones. This almost amused me. I did not take it seriously. It was so ludicrous that it made me smile. I only found out today that it is mentioned very officially in the case papers. I shall consult a lawyer, as I cannot allow such things to be written.’

Franz Klein and Claude Roulet were also interviewed and denied any knowledge of any plan to murder Trevor Rees-Jones. This matter was not pursued further in the French investigation (French Dossier D5136-D5150).

Karen MACKENZIE

Housekeeper at 60 Park Lane, the London property of Mohamed Al Fayed.

Interviewed by Operation Paget - Statement 25

On 30 October 2003, ABC television broadcast a programme titled *‘Primetime Thursday - Scene of the Crime’*. In this programme Patricia Cornwell interviewed Karen Mackenzie, the housekeeper at 60 Park Lane. She stated that Trevor Rees-Jones had told her, “...if I remember, they’ll kill me” (Operation Paget Other Document 22).

Karen Mackenzie was interviewed on 11 March 2004. She stated that whilst Trevor Rees-Jones was staying at the Park Lane residences she had met him while waiting for a lift. No one else was present. As he got into the lift he said to her, “If I remember they’ll kill me”. She could not remember what they’d been talking about that would have led him to make this comment and she could not recall telling anyone else about it before her appearance on the *‘Primetime’* television programme, although she may have informed her husband.

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Trevor REES-JONES

Bodyguard to Dodi Al Fayed.

Interviewed by Operation Paget - Statement 104

He was informed of the comment attributed to him by Karen Mackenzie and he denied that he had made it.

He was also asked about threats he received whilst working in a sports shop in Oswestry that were reported in *'The Bodyguard's Story'*. He received a number of phone calls at the shop from someone saying, *"Keep quiet, we know where you live, we know where you are, you know who we are, if you don't keep quiet, we'll do you"*. He told them to come to the shop and made light of it. He had no idea as to the identity of the caller. These calls did not bother him at all and he never felt that his life was in danger. He also received *'a couple'* of threatening letters but believed that he threw them away and did not know if he passed the details to the police, stating that as far as he was concerned *'they were just idiots'*.

Paul HANDLEY-GREAVES

Head of Personal Security for Mohamed Al Fayed in 1997.

Interviewed by Operation Paget – Statement 170

'I remember hearing this story from a guy called Darren (who was one of the team who had gone up to Oswestry to help Trevor and his family) that I was supposed to have been involved in a plan to go and see Trevor and kill him by smothering him with a pillow. This is completely untrue.'

Mohamed Al FAYED

Interview to camera with Daphne Barak, 9 February 2006

Operation Paget Transcript of interview - Other Document 311

Mohamed Al Fayed stated that *"basically they want to kill him [Rees-Jones] because he's the only person who can say the truth"*. From other documentation it is believed this reference is to the Intelligence/Security Services. Their alleged links with the bodyguards follows at section six.

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Operation Paget Comment

These claims were based generally on what people believe they have heard other people say. The people involved deny making comments that relate to killing or harming Trevor Rees-Jones.

Operation Paget has found no evidence of any plan or action that relates to such events.

There was no evidence that the security or intelligence agencies or the 'Establishment' had made a threat or formulated a plan to harm or kill Trevor Rees-Jones.

The speculation/implication in respect of Olivier Lafaye, Philippe Siegel and Paul Handley-Greaves is that, contrary to the security services being accused, it was Mohamed Al Fayed's organisation that wanted Trevor Rees-Jones dead.

6. The bodyguards had links with the intelligence/security services.

The claim that Trevor Rees-Jones, Kieran Wingfield and Reuben Murrell were 'turned' against Mohamed Al Fayed by the security services arose after the men left his employment in 1998.

Trevor Rees-Jones gave notice of his resignation on 20 April 1998 and his employment terminated on 15 May 1998. Kieran Wingfield resigned on 2 June 1998. Reuben Murrell resigned on 7 August 1998.

French Dossier D7442-D7446

In a letter to the Examining Magistrate, Hervé Stéphan, dated 18 February 1999, Georges Kiejman, solicitor, listed a number of observations on behalf of Mohamed Al Fayed. These related to the alleged involvement of members of the security services in the circumstances surrounding the collision and included an observation that Trevor Rees-Jones, Kieran Wingfield and Reuben Murrell all resigned from the Security Team '*at roughly the same time and in what were particularly suspicious circumstances*' and had sought to denigrate Mohamed Al Fayed.

Operation Paget - Correspondence 648

In a letter to Lord Stevens dated 9 February 2006, Mohamed Al Fayed stated that it was '*fact*' that Trevor Rees-Jones, Kieran Wingfield and Reuben Murrell were turned against him by the security services having initially been supportive of him.

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Trevor REES-JONES stated he had never worked for foreign or United Kingdom security services and had no contacts in this area (Operation Paget Statement 104).

Operation Paget - Correspondence 788

Correspondence dated 25 May 2006 from the solicitor acting on behalf of Trevor Rees-Jones stated he was *'never approached by the security services at any time and decided to leave Mr. Al Fayed's employment of his own volition following legal advice.'*

Kieran WINGFIELD stated to the interviewing officers that he never worked for or had any contact with either the Security Service or Secret Intelligence Service (Operation Paget Other Document 26).

Reuben MURRELL stated that he had had no contact with the security services and had not to his knowledge been put under any pressure by the security services to change his account of events (Operation Paget Statement 211).

Operation Paget Comment

The circumstances of the resignations of the three bodyguards are dealt with above. There is no evidence that those resignations were encouraged or forced by the Security and Intelligence Services.

Investigations at the SIS and Security Service (MI6 and MI5) in respect of the claims made against Trevor Rees-Jones, Kieran Wingfield and Reuben Murrell are examined in Chapter Sixteen of this report. In summary, there is no link between any of the three men and either Service.

There is no other evidence showing that any of the men have been influenced in any way by members of those Services.

The three men deny that any such influence was brought to bear.

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CONCLUSIONS

Part A – Claims outlined in Section (i)

Claims 1 and 2

Claim 1 - ‘My former bodyguards, Trevor Rees-Jones, Kes Wingfield and Ben Murrell. It is a fact that these men were turned against me by the security services. They were worried that Trevor Rees-Jones may begin to tell the truth.’

Claim 2 - ‘The fact is that Trevor Rees-Jones did not lose his memory. He knows exactly what happened between Rue Cambon and the Alma Tunnel. He knows the detail which the security services are so eager to suppress, including why Henri Paul took the route via the Alma Tunnel, the motorcycle which blocked their exit, the flashlight which blinded the driver – the list is endless.’

There is no evidence that Trevor Rees-Jones, Kieran Wingfield or Reuben Murrell were turned against Mohamed Al Fayed by the security services.

Trevor Rees-Jones has never given any indication that he expects to remember more of the events leading up to the crash on 31 August 1997, nor indeed that he remembers those events and has refused to disclose them. In February 1998, he told the editor Piers Morgan that he was ‘*getting more and more flashbacks*’. He gave evidence to Judge Hervé Stéphan in March 1998 in which he described memories of the Place de la Concorde on the route from the Ritz Hotel to the Alma underpass and vague memories of ‘*total confusion*’ after the crash. Operation Paget has found no evidence of Trevor Rees-Jones indicating to any third party that he was able or intended to add further detail to that which he has already provided to the authorities.

He has provided a statement to Operation Paget in which he confirmed this position. Subsequently, his solicitor has confirmed this position in writing following a challenge by Mohamed Al Fayed.

Consequently there was no apparent motive for the security services or indeed the ‘*Establishment*’ to force Trevor Rees-Jones or the other bodyguards to turn against Mohamed Al Fayed. Whether one considers them to have turned against Mohamed Al Fayed is a subjective judgement.

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Claims 3 and 4

Claim 3 - 'Trevor Rees-Jones book, 'The Bodyguard's Story' is clear evidence of how he, Kes Wingfield and Ben Murrell were turned against me. The book, which was not written by him but by the security services, is a tissue of lies and deceit designed to denigrate me and to support the British authorities account that the deaths of my son and Princess Diana were the result of a simple traffic accident.'

Claim 4 - 'The Bodyguard's Story' book was written with the co-operation of such people as Martyn Gregory and Dominic Lawson.

Trevor Rees-Jones wrote 'The Bodyguard's Story' in conjunction with a well-established author, Moira Johnston, with contributions from his mother and stepfather and Kieran Wingfield. He accepted that it was written in a style that would make it more attractive to readers but stands by the content. There was no evidence that the security services were involved in any way in the production of this book, with or without Trevor Rees-Jones' consent or knowledge. There is no evidence that Martyn Gregory or Dominic Lawson were involved in the writing of the book.

John Macnamara, Mohamed Al Fayed's Head of Security in 1997, has provided a statement to Operation Paget in which he listed a number of 'inaccuracies and fabrications' in the book. Whether Trevor Rees-Jones' recollection of events is entirely accurate or not is a matter of judgement. There is nothing in the book that provides evidence of Trevor Rees-Jones being turned against Mohamed Al Fayed or of his being influenced by the SIS.

Claim 5 - 'They were well rewarded financially and additionally Rees-Jones was appointed as Head of United Nations security in East Timor. The only explanation is that it was an inducement to ensure his continued silence.'

All three men work now, or have worked, in the private security or close protection industry. While Operation Paget is not divulging the location of their employment, they are known to have worked in conflict zones where their military skills are in demand. None have jobs that could be considered to be provided as inducement or to be sinecures.

Trevor Rees-Jones did work for the United Nations in East Timor for one year between 2000 and 2001 as a District Security Officer. Security and protection is Trevor Rees-Jones' profession. It could not be described as heading the United Nations' security response in that country. Nor could it be described as such a prestigious job that it could only be regarded as some form of inducement. Trevor Rees-Jones described applying for it through a normal United Nations recruitment process. The position there was on a one-year contract that ended in 2001.

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Trevor Rees-Jones never was or claimed to be 'Head of United Nations Security' in East Timor.

There is no evidence to indicate that any of the bodyguards had received any financial reward for actions relating to these events other than through involvement with the media that is well documented.

Claim 6 - 'Trevor Rees-Jones was not part of it but he had been turned against me. He was in the car, he knows how the car was blocked not to go to the Champs Elysees, motorcycles behind, floodlights blind the driver and blind him at the same time'

'Basically they want to kill him because he's the only person who can say the truth'

'And he told me exactly what happened and he started to give an interview to a very prominent newspaper the Daily Mirror, and the minute the Security Services know that the guy starts talking, they approach the guy behind my back through other people, they turn him against me. And because they know they had to, the guy started talking, they appoint him Deputy Security in Timor Island for the United Nations and pay him a lot of money.'

There was no evidence that the security or intelligence services or any part of the '*Establishment*' made a threat or formulated a plan to harm or kill Trevor Rees-Jones.

There was certainly no convincing evidence that others wanted to kill or harm Trevor Rees-Jones. He described telephone calls to the shop where he was working after the crash, threatening, "*if you don't keep quiet, we'll do you*". He told them to come to the shop and made light of it. He had no idea as to the identity of the caller. These calls didn't bother him at all and he never felt that his life was in danger. He also received '*a couple*' of threatening letters but believed he threw them away and did not know if he passed the details to the police, stating that as far as he was concerned '*they were just idiots*'.

Any motive for harming Trevor Rees-Jones would seem to be based on the possibility of him divulging incriminating details of the crash that he is currently withholding. As previously stated, Trevor Rees-Jones has made it clear that he does not have such detail and has not intimated to anyone that he has.

CHAPTER **FOURTEEN**

'JAMES' ANDANSON –
FRENCH PHOTOJOURNALIST
AND OWNER OF A WHITE FIAT UNO

CHAPTER FOURTEEN

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CHAPTER FOURTEEN

(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of the claims made by Mohamed Al Fayed

Mohamed Al Fayed claimed that James Andanson, a French photographer who had photographed the Princess of Wales and Dodi Al Fayed in the south of France, worked for the 'Security Services' of France or the United Kingdom.

He claimed that it was James Andanson's white Fiat Uno, driven by him, that was involved in the crash with the Mercedes in the Alma underpass.

That in May 2000, James Andanson was allegedly murdered to prevent him telling others what he knew and that his death was never formally investigated.

Shortly after his death the 'Security Services' raided the photographic agency offices to which James Andanson was attached and only his equipment and material was taken. The French police allegedly did not investigate this raid.

Claim

1. James Andanson had two partners who were present on the boat during the summer, [in the South of France in July and August] but also at the Ritz on the night of the accident.

Source - 12 March 1998 and 11 December 1998 Live evidence to Judge Hervé Stéphan by Mohamed Al Fayed

Claims

2. For reasons that have never been explained Judge Stéphan suddenly decided to call a halt to the inquiries to trace the Fiat Uno.

3. It has since transpired that James Andanson, a journalist who was identified at the scene around the time of the crash and left it in the early hours of the morning, and was initially interviewed by the police, was the owner of a white Fiat Uno.

4. Before he was examined on this matter, his body was found in his burnt out car. His death has been attributed to suicide. No formal investigation has taken place.

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5. Forensic tests carried out by the French Authorities identified matching paint and bumper samples between Andanson's Fiat Uno and the traces found on the Mercedes.

6. Soon after his death, his offices at SIPA news agency in Paris were raided by masked gunmen who took away all of his electronic equipment.

Source - 7 February 2003 Submission by Mohamed Al Fayed to Minister for Justice, Scotland for Public Inquiry

Claims

7. James Andanson, a press photographer who worked for the French security services was the owner of the white Fiat Uno believed to have been at the scene of the crash.

8. Despite this possibility being known to those conducting the investigation in France, he was never re-examined in relation to the vehicle.

9. A few weeks after his death an armed raid was carried out on the agency for which Andanson had worked. The only material and records removed were Andanson's.

Source - Undated 'Note of Argument' supporting Petition for Judicial Review - Minister For Justice, Scotland -In name of Mohamed Al Fayed

Claims

10. James Andanson was a paparazzo with very close links to, and obviously working for, MI6.

11. Shortly after his death his offices at SIPA news agency were raided by the Security Services and all of his electronic equipment and photographic images were removed. This raid has never been investigated by the French police.

Source - 5 July 2005 witness statement made by Mohamed Al Fayed

Claim

12. James Andanson, has been murdered, burnt alive in the South of France in a car because they have been worried that he can be bought or he can sell his story and they kill him.

Source - 9 February 2006 TV - Daphne Barak videotape Mr Al Fayed to camera

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(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Introduction

The significance of James ANDANSON

Mohamed Al Fayed, in his claims to support the allegation of conspiracy to murder, places great significance in James Andanson. He claims that the photographer was present in Paris during the evening of Saturday 30 August 1997 driving his white Fiat Uno car and infers that his presence there was part of an orchestrated plan.

Mohamed Al Fayed also claims that James Andanson was working for the Secret Intelligence Service (SIS) in the United Kingdom, or some other 'Security Service'.

In relation to the death of James Andanson in May 2000, Mohamed Al Fayed claims that he was murdered by intelligence or security services or, in more recent claims, that if James Andanson was not murdered, then he must have committed suicide because his conscience was troubled by the part he played in the deaths of the Princess of Wales and Dodi Al Fayed.

James ANDANSON

'James' Andanson was born in 1946 in Clermont-Ferrand, France. Although known as James Andanson, his real name was Jean-Paul Christian Andanson.

[Paget Note: All references to James Andanson, unless otherwise stated, refer to James Andanson senior.]

He was a well-known professional photojournalist. The majority of his photographic work was carried out by appointment with his subject. He lived with his wife and children in Lignières, France, approximately 285km (177 miles) south of Paris. He died in a fire in his own BMW in the south of France on 4 May 2000.

In common with many photographers and paparazzi, James Andanson spent time every summer in the South of France where celebrities were known to frequent for the 'season'. Throughout the summer of 1997 he took numerous photographs of celebrities.

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As well as photographing other celebrities he was also part of the group involved in tracking and photographing the relationship between Dodi Al Fayed and the Princess of Wales. He was present with the group of paparazzi taking photographs of them while in St Tropez in July 1997 and while they cruised aboard the yacht ‘Jonikal’ in August 1997.

James Andanson and the ‘Security Services’

There is no evidence that James Andanson worked for or was connected to any security or intelligence service.

This report examines the following issues in relation to the claims surrounding James Andanson:

1. Photographing the couple in the south of France in summer 1997.
2. His whereabouts on the night of Saturday 30 August 1997.
3. His ownership and use of a white Fiat Uno.
4. The death of James Andanson in May 2000.
5. The raid at SIPA photographic agency in June 2000.

1. Photographing the couple in the South of France in summer 1997

Christophe LAFAILLE

French journalist with many years’ experience, he had known James Andanson since the 1980s. In 1997 he was the Deputy Editor of ‘Paris Match’ magazine.

Interviewed by Operation Paget – Statement 158

In his statement Christophe Lafaille said:

‘During the summer of 1997, as per usual, James Andanson was doing what we call ‘the season’. I don’t know Andanson’s exact arrangements around that time. I know that he was in St Tropez and later in Monaco when Diana, Dodi and Trevor Rees-Jones were there and when the party lost the paparazzi. I know this from the photographers that were there at the time, and from Trevor Rees-Jones’ book.

The ‘season’ is when journalists and photographers spend July and August in the South of France to cover all the celebrities who go there during that time of the year. My current boss, Tony Comiti, was very close to James Andanson. Some years ago he made a film about “the season” where he followed James Andanson and another photographer called Angeli whilst they worked in St Tropez.’

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He continued:

'The 'season' is something that journalists and photographers do every year, staying in the same hotels and renting out bikes (scooters/motorcycles) on which to get around St. Tropez. They spend all summer in the South of France following the numerous famous people who holiday there. The pictures taken are distributed on a daily basis to various magazines or newspapers.

During "the season" the photographers go down to the South of France at their own expense, though the agencies they work for would usually pay fifty percent. The photographers are mainly French and work for French agencies but you do also get some German, Spanish and English photographers.'

James ANDANSON Junior

With his father in the South of France in the summer of 1997 and described the activity and their return home. He was 18 years old at the time.

French Dossier D4585-D4591

French police interviewed James Andanson Junior on 12 February 1998, five and a half months after the crash. His father had been involved in the inquiry because of his ownership of a white Fiat Uno. He stated:

'Among the persons charged, I know Messrs Darmon, Langevin, Martinez and Rat. In fact I met them and rubbed shoulders with them this summer. I saw them in Saint Tropez from 15 July 1997, the date I arrived, until 20 August 1997. The four of them took photos of the couple, Diana and Dodi, from a pontoon, while my father and I were doing the same thing from a boat, the "Yayaoho" .../...

Present on the "Yayaoho" were Mr Pierre Aslan, a photographer from the S.I.P.A. agency, a skipper whose identity I do not remember. I stayed on that boat about a week, from 20 July to 27 July, I think. Subsequently Princess Diana left then returned. At the end of two days, the Princess left by boat for Italy. My father followed her from Monaco in another boat which could navigate at night. My father was accompanied by Mr Jean-Gabriel Barthelemy from the S.I.P.A. agency, Pierre, another photographer from the S.I.P.A. agency whose name ends in 'Field' and who is tall, with short red hair and a very white skin.

There was the captain of the boat, about whom I know nothing. There was also Vincent Lefrele, Jean-Gabriel's assistant. I do not remember the name of the boat. I joined my father and his colleagues on that boat on 22.08.97 in Portofino. I was to assist my father, as I have done for a year, not by taking photos but by helping him to send the photos by a laptop computer linked to a mobile phone. We followed the Princess's boat until 25.08.97, then we returned to Portofino then set off together with the exception of Pierre ('Houndsfield' I think), who left with two photographers who had been taking photos from the land and are from the S.Y.G.M.A. agency. I only know the name of one of them, Cardinale. When we arrived in Nice, where my car was, we set off, my father, Jean-Gabriel and Vincent, as far as Gassin, where we were staying. Two days later we returned to Lignières, my father and I. That must have been on 27-28 August 1997.

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From that day on, my father dropped the couple. He did not know exactly where they were in Paris, but he knew that his colleagues were covering their movements.'

Elisabeth ANDANSON

Married to James Andanson senior. She confirmed that her husband returned to Lignières.

Interviewed by Operation Paget in April 2006 - Statement 214

'I know that my husband and son had returned from Portofino on the Thursday, I was with them and our daughter Kimberley until 24/25 August, when Kimberley went back to school, and I took her back myself. I actually accompanied my husband for the season on the Côte d'Azur every year and I had been with them during the stay of Diana Princess of Wales, whose presence had generated a great deal of interest on the part of the photographers and the paparazzi. I should point out that my husband was not a paparazzo, but a photographer, who did between roughly 150-180 assignments in two months, the majority by appointment.'

Other Information

During the summer of 1997, James Andanson worked for the Sygma agency. He spent time in the South of France covering the 'Jonikal' yacht cruise with other photographers, including Pierre Hounsfield and Stéphane Cardinale.

Pierre Hounsfield and Stéphane Cardinale were present in Paris outside the Ritz Hotel on the night of 30 August 1997. James Andanson, however, had returned to his home during the afternoon of Thursday 28 August 1997, two days before the Princess of Wales and Dodi Al Fayed flew to Paris.

James Andanson's diary, seized during the French inquiry on 13 February 1998, recorded his activity in relation to the Princess of Wales on the 'Jonikal' and his return home to Lignières during the afternoon of 28 August (French Dossier D4551). His wife confirms this in her witness statements. (Statement 214 and 214B)

2. James Andanson's whereabouts on the night of Saturday 30 August 1997

This section details the evidence and information relating to the whereabouts of James Andanson on Saturday 30 August 1997.

The initial contact between the French police and James Andanson was by telephone on 11 February 1998. Lieutenant Eric Gigou of the Brigade Criminelle tried to arrange an appointment to interview him. This was as a result of the police becoming aware of his ownership of a white Fiat Uno. The exchange was somewhat terse. Lieutenant Gigou reported that James Andanson said '*He does not have the time to waste with the police*' and that he '*Refuses to receive policemen in his manor and that he has no time to give.*' During this telephone call Lieutenant Gigou recorded '*...on the day of the accident he was in Saint-Tropez and that he therefore had nothing to do with the case*' (French Dossier D4546-D4547).

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It was the following day, 12 February 1998, that several police officers from the Brigade Criminelle arrived at James Andanson's home and interviewed his wife and son. James Andanson was interviewed the same day. During the course of his interview he apologised for his comments to Lieutenant Gigou the previous day (French Dossier D4548).

James ANDANSON

Photojournalist interviewed by French police on 12 February 1998. He accounted for his whereabouts during the evening and night of 30 August 1997 stating that he was at home with his wife and daughter and went to bed at 10.30pm. He left home at around 3.45am to 4am and drove to Orly airport to catch a flight to Corsica for a pre-arranged photographic assignment.

French Dossier D4548-D4549

In his statement to the police James Andanson provided the following account:

'I am appearing voluntarily following a summons from the gendarmerie at Lignières. I must tell you that I reported on Princess Lady Di's holiday in St Tropez, on behalf of the Sygma agency. On Saturday 30 August 1997 I was at Le Manoir in the company of my wife and my daughter Kimberley.'

[Paget Note: 'Le Manoir' is the name of James Andanson's house. Kimberley Andanson was nine years old at the time.]

'Before leaving at 4 o'clock in the morning, by car, to get to Orly and catch a plane at 7.20am for Corsica (Bonifacio), I went to bed at 10.30 pm. I listened to the News on Europe No. 1, as every day. I took my vehicle at about 3.45 am and took the motorway at Bourges, exit No. 7. There I took my ticket which I paid for at the Survilliers toll gate, with my credit card (Mastercard No. 5131 4848 1717 1300, expiring 06/1999. It came to 102 francs. I took my plane to Bonifacio, where I rented a Hertz vehicle to go to the home of Gilbert Becaud, with whom I had a work appointment at 11.00 am. I woke him up and told him of the death of Diana. That is my timetable for the days in question.'

Elisabeth ANDANSON

She corroborated her husband's account, both in her statement to French police in February 1998 and to Operation Paget in 2006. She stated categorically that he was at home with her during the evening of 30 August 1997. She arrived home from Paris at 9pm and her husband was already at home. They shared a bed through the night into the morning of 31 August 1997 when he left at 4am to take a flight from Orly to Corsica for a photographic assignment with Gilbert Bécaud.

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French Dossier D4597-D4599, 12 February 1998

'As regards my husband Jean Paul, known as James, and more particularly regarding his timetable for the day from 30.08.97 to 31.08.97, I remember perfectly coming back from Paris on 30.08.97 at 9.00 pm at the latest, and finding my husband there. He left during the night, to be very precise, on Sunday 31.08.97 at 4.00 am, when he left in his car to catch a plane at Orly to take him to Corsica. He was to do a report at the home of Gilbert Becaud. I am absolutely positive about the times I have given you.'

Interviewed by Operation Paget – Statement 214, 26 April 2006

'With regard to Saturday 30 / Sunday 31 August 1997, I remember that my husband left our home at around 4am on the Sunday to catch a plane to Corsica, where he was meant to do an assignment on the singer Gilbert Becaud. I am positive about his schedule because I got back home at around 9pm after an appointment in Paris with Monsieur Henrotte. I wanted to see if Monsieur Henrotte could help us with contacts to sponsor my son in his career as a racing driver. I had done the return journey to Paris on my own and the journey is tiring. I know that my husband and son had returned from Portofino on the Thursday, I was with them and our daughter Kimberley until 24/25 August, when Kimberley went back to school, and I took her back myself. I actually accompanied my husband for the season on the Côte d'Azur every year and I had been with them during the stay of Diana Princess of Wales, whose presence had generated a great deal of interest on the part of the photographers and the paparazzi. I should point out that my husband was not a paparazzo, but a photographer, who did between roughly 150-180 assignments in two months, the majority by appointment. I remember going to bed between 1030 and 11pm because I was tired after the journey. I do not remember if James and I went to bed together or if he went to bed before me or I him. However, I can tell you that we slept together. I remember getting up for James' departure at 4am and having said goodbye to him when he left. He left in his penultimate BMW, i.e. the one he had prior to the one in which he burnt himself. I think it was navy blue or black. I am sure that James would not have been able to leave without my knowing that night because we have an electric gate at Le Manoir when entering or leaving by car and what is more I am a very light sleeper and the noise from the gate would have woken me. Furthermore, I remember that James phoned me at around 4.30am to tell me the news of the death of the Princess of Wales and that he woke me up. James said to me: "The Princess is dead" and that it was a journalist whose name I do not remember who had called him to break the news. He told me that he had to call Monsieur Henrotte, the director of the Sygma agency, to inform him straight away of what had happened and that he was going to catch his flight as planned. In addition to my recollection of events that night, there is also the toll ticket and the airline ticket which show that my husband left as I described. I always get up when he leaves early in the morning and that is what I did that night, I am positive. James would often leave early in the morning because of the traffic in Paris and sometimes, as on that night, to catch a plane, and I would always get up to say goodbye to him....

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To return to the subject of my husband's departure on the Sunday morning, I went back to bed after he left, I generally have trouble getting back to sleep after getting up in the night. You ask me if I think that my husband could have been involved in the collision in Paris on 31 August: no, for the reasons I have already given it would not have been possible for him to be there.'

James ANDANSON junior

He introduced some confusion about his father's whereabouts on Saturday 30 August 1997 when he was interviewed by French police on 12 February 1998. He believed his father was in Bordeaux for the grape harvest, as he was every year.

French Dossier D4585-D4591

'Two days later we returned to Lignières, my father and I. That must have been on 27-28 August 1997. From that day on, my father dropped the couple. He did not know exactly where they were in Paris, but he knew that his colleagues were covering their movements.

To answer your question, on the night of 30 to 31 August 1997, I was at the home of a pal, Benoît Bugeaud, who lives in the rue Jean Jaurès in Lignières (Telephone number ...). I left him at about 12.30 am or 1.00 am on 31.08.97 to go home in my mother's BMW.

As for my father, he had to go to Bordeaux for the grape harvest, as he does every year. I think I remember that he telephoned us, my mother and me, at about 4.30 am or 5.00 am on 31.8.97.

He asked us to notify Mr Cardinale that Diana had had an accident and for him to call the chief editor of Sygma to open up the agency.

In answer to question: I do not remember where my father was, but one thing is certain, he was not at home. He cannot have been in the Paris region, otherwise he would have covered the couple's outings.

In answer to question: My father never mentioned to us or showed us any photos of the couple, dating from 30 or 31 August 1997.'

James Andanson junior had been at a friend's house, arriving home in the early hours of Sunday morning. His father and mother at that time, by their accounts, had been in bed for some hours and there was no reason for James Andanson junior to be aware of his father's presence in the house. It should be noted that much of what he said to police supported the statements of his father and mother. He did not believe that his father was in Paris on Saturday 30 August 1997.

He was interviewed about five and a half months after the crash.

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Operation Paget Comment

Research undertaken by Operation Paget indicated that James Andanson junior is mistaken in his recollection about the timing of his father's visit to the grape harvest in 1997.

James Andanson senior regularly visited the Bordeaux grape harvest. It usually occurred in mid to late September. The harvest in 1997 started exceptionally early. His diary (French Dossier D4550) showed him leaving for the town of Libourne near Bordeaux for the grape harvest during the afternoon of Saturday 6 September 1997. This was the weekend following the crash.

Pham Van SUU, known as Pierre SUU

Photographer who knew James Andanson. He was present in Paris throughout Saturday 30 August 1997 and stated that he did not see James Andanson at any time.

Interviewed by Operation Paget - Statement 193, February 2006

Pierre Suu was present in the paparazzi group following the couple on 30 August 1997 but was not arrested at the crash scene as he followed the Mercedes of Philippe Dourneau back to rue Arsène Houssaye, rather than the Mercedes driven by Henri Paul.

He stated that James Andanson was not present in Paris on Saturday 30 August 1997.

'If Andanson had been working in Paris that night I would have known; he is not the kind of person to go unnoticed.../... I do not know where he was on the weekend of the crash.'

Pierre Suu was also shown 29 photographs taken from the Ritz Hotel CCTV tapes (French Dossier D1966-D1995). He identified a number of photographer colleagues but did not recognise James Andanson in any of the photographs.

Other information relating to James Andanson's whereabouts

James Andanson's diary for Saturday 30 August 1997 showed him at home and used the phrase '*Rapport sur le voyage de Lady Di*' [Paget Note: Translated as '*Report on the voyage of Lady Di*'.] Operation Paget understands this expression to mean that he was completing his report on the work undertaken that week involving the '*Jonikal*'. Lunch and dinner are shown at home (French Dossier D4552). Operation Paget holds a copy of the report he completed dated 30 August 1997. (Operation Paget Other Document 520)

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There are toll road receipts for James Andanson's credit card, showing an early morning drive, around 5am, on Saturday 30 August 1997 in the area of his home. The vehicle entered the toll road at Bourges and travelled 26km, leaving at Vierzon Est at 4.55am. The vehicle then appeared to have retraced its route arriving again at Bourges 13 minutes later at 5.08am. This journey is easily covered at a speed of 120km/h. There was no explanation for this trip or how it was connected to the Bécaud assignment – James Andanson claimed this particular expense against that assignment (French Dossier D4573). Elisabeth Andanson had no knowledge of these tollbooth tickets and can shed no light on their relevance.

Documentary evidence

French Dossier D4554-D4573

This supports James Andanson's account of travel from his home in the early hours of Sunday 31 August 1997 to Orly airport in order to fly to Corsica to interview a well-known French musician, Gilbert Bécaud.

- The appointment with Gilbert Bécaud on 31 August 1997 was recorded in James Andanson's diary, seized by police on 12 February 1998
- A motorway toll receipt for a journey beginning at Bourges, close to his home in Lignières. The time of entering the motorway is not shown
- This toll ticket is shown to be paid on James Andanson's credit card, exiting the motorway at Saint-Arnoult-en-Yvelines, towards Paris at 5.48am. Orly airport is 30 miles from the Yvelines tollbooth on the same side of Paris
- A hire car invoice in Corsica showing a collection time of 9.20am at Figari airport on Sunday 31 August 1997, showing James Andanson's name and address
- A hotel payment in Corsica for the night of 31 August 1997 on his credit card
- Airline tickets in James Andanson's name, consistent with him travelling from Orly to Figari airport, Corsica on Sunday 31 August 1997 and returning from Bastia airport, Corsica on Monday 1 September 1997. These were paid on the Andanson family credit card at the time of departure, the outward journey payment timed at 6.23am on Sunday morning

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The meeting with Gilbert BECAUD in Corsica

Gibert Bécaud died in December 2001 at the age of 74. Before his death, the Brigade Criminelle confirmed with him that he did meet James Andanson on 31 August 1997 in Corsica (French Dossier D4602). The entry '*Seen, true*' in the French Dossier has been confirmed by Commandant Jean Claude Mulès as meaning that officers would have corroborated this information, even though details of how they did it were not recorded. (Operation Paget Other Document 422)

On 27 September 2006 Elisabeth Andanson provided seven prints of photographs of Gilbert Bécaud (Operation Paget Exhibit EMA/10 and Statement 214A). She stated that these were given to her by the Sipa Press photographic agency on 23 September 2006. These were apparently the photographs taken by her husband during his assignment with Gilbert Bécaud on 31 August 1997 on behalf of Sipa Press.

The photographs are numbered on the back, but Elisabeth Andanson was unable to evidence their provenance. However, one of the photographs shows Gilbert Bécaud sitting on a sofa in a living room. The television in the room is on and can be seen to be tuned to a live Channel 2 broadcast from the Pitié-Salpêtrière Hospital. The broadcaster at the scene is Bernard Duquesne, who was at the time a leading reporter for France Channel 2. He was surrounded by a crowd of people. It is self-evident that he was reporting on the events of 31 August 1997.

General information

James Andanson was well known by many of the paparazzi present outside the Ritz Hotel on the night of Saturday 30 August 1997. None of these said at the time, or indeed have said ever since, that they saw James Andanson at the hotel or in Paris.

The many paparazzi photographs taken at the time have been examined and he cannot be seen in any photograph. He cannot be seen on any CCTV images covering the Place Vendôme from the Ritz Hotel. There are no recordings showing James Andanson's Fiat Uno.

Alleged positive sightings or knowledge of James Andanson being in Paris on Saturday 30 August 1997

Operation Paget has investigated three claims that could have been considered to support the view that James Andanson was in Paris on Saturday 30 August 1997.

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i) **Christophe LAFAILLE**

Interviewed by Operation Paget - Statement 158

Operation Paget received information from a media source (Operation Paget Other Document 22) that Christophe Lafaille, a French journalist, could provide evidence of James Andanson being in Paris during the evening of 30 August 1997. However, he later confirmed that this was not correct:

'On Saturday 30 August 1997 I was on holiday near Biarritz. It must have been the night of Friday 29 August 1997 when I travelled there. I was therefore neither in nor near Paris on the night Diana, Princess of Wales and Dodi Al Fayed died.'

He continued:

'I didn't meet with, or see Andanson on 30th/31st August 1997; as previously mentioned, I was away on holiday near Biarritz.../... as I have already said, I was on holiday at the time and not in Paris and therefore could not have seen him. I have not heard anyone else say that Andanson was in Paris at that time. I don't think anyone saw Andanson in Paris on the day that Diana and Dodi were killed. I don't think that it is odd for him to have not been in Paris at the time of the crash because he knew other people would have been there following Princess Diana and Dodi Al Fayed. He would also have been aware that the real scoop, the photograph of Diana and Dodi apparently kissing, had already been taken by an Italian photographer called Mario Brenna. Although photographers were still following Diana and her party no picture taken after Brenna's was going to fetch the same amount of money. I think Andanson would have thought it was too much trouble and too much cost for him to get back to Paris just to follow Diana and Dodi.'

Christophe Lafaille did have a routine appointment with James Andanson in Paris on 4 May 2000, the day James Andanson died. James Andanson cancelled that appointment before driving to the South of France.

ii) **Jacques MOREL**

In December 2004, Jacques Morel contacted Operation Paget. He claimed to have been in the Alma underpass at the time of the crash, travelling on the opposite carriageway to the Mercedes. He told officers he thought a man in a car behind him, who he believed was signalling to and directing photographers near the crashed Mercedes, was James Andanson. Asked how he was able to identify James Andanson he replied that having read '*confidential reports*' since the crash, it had to be James Andanson in the tunnel as he was the only person who had the means to mount an operation on such a scale, both financially and technically. He had never seen the man in the car, before or since, and Jacques Morel did not know James Andanson.

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Operation Paget Comment

Jacques Morel has confirmed to Operation Paget that it is an assumption on his part that the man in the car behind him was James Andanson because of his apparent actions. There is no recognition or identification evidence. The car parked behind Jacques Morel's own car would of course be on the wrong carriageway in any event to have any relevance to the white Fiat Uno believed to be involved in the collision with the Mercedes.

iii) Françoise and Joséphine DARD

Françoise Dard is the widow of a well-known French writer, Frédéric Dard, who died in 2000. In a TV documentary *'Diana the Night She Died'* she is heard to say, in French, in relation to James Andanson, *'He told me he was there, he told us he was there. He saw the accident and all that but wasn't caught by the police because he was too clever.'*

Operation Paget contacted Françoise Dard and she confirmed that she had made these comments. She also confirmed that her daughter Joséphine had been present when James Andanson had talked of this.

Françoise Dard

Friend of James Andanson over a period of 30 years.

Interviewed by Operation Paget - Statement 233

She confirmed that James Andanson had been a regular visitor to her home, carrying out photographic assignments two or three times a year. She stated that the conversation with James Andanson relating to his presence at the crash scene had taken place at her home in Christmas 1997 (some four months after the crash). He was undertaking another one of his photographic assignments with the family. He had been talking to her husband Frédéric, while Françoise Dard moved in and out of the room. Recalling the detail given by James Andanson she stated:

'Having been informed of their arrival, James was at the airport where the aircraft arrived in which Dodi Al Fayed and the Princess of Wales had been travelling landed. I do not know how he got that information. Using his motorbike he followed them to a private address in Paris occupied by the couple. Whilst waiting in situ, James followed them to the Ritz. Very cleverly he waited for a convoy to leave the hotel. Having positioned himself at another location, he saw another car with the Princess of Wales and Dodi Al Fayed in it, leave. He followed them by motorbike and witnessed the crash of which he took photographs. This is in no way an interpretation on my part, it is what he told me. Perhaps he was bragging I don't know.'

She went on to say, *'He told us the photos of the crash were located somewhere and that it would cause a real stir when they were published.'*

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His claims apparently came up spontaneously. James Andanson did not provide any lead in to this claim, such as describing events in the South of France or subsequent details of what happened after the crash. She claimed the Dard family did not quiz him to obtain further or more detailed information.

Joséphine Dard

Daughter of Françoise and the late Frédéric Dard.

Interviewed by Operation Paget - Statement 234

She confirmed that she was also present during the exchange but, like her mother, was not present throughout because she was looking after her own daughter. She believed the conversation took place during a photographic shoot at their home in Fribourg in 1997 and that this was the second to last time James Andanson photographed her father, who became very ill from 1998.

Her recollection was that James Andanson wanted to work with her father on a book about the death of the Princess of Wales. He said that he had some pictures of the incident and wanted her father's assistance with producing the text. Although it was not said, Joséphine assumed that James Andanson had taken these pictures himself.

James Andanson disclosed that he had been in Paris from the time the couple arrived at Le Bourget airport. He had apparently followed them throughout the day until the crash occurred in the Alma underpass. Like her mother, she also recalled that James Andanson said that he waited at the Ritz Hotel after the first cars left, as he believed it was a trick. When questioned further, James Andanson apparently chose not to speak any more, preferring to make an appointment for a later date. Joséphine stated that her father never followed up the story. She wondered at the time if what James Andanson had said reflected the truth, feeling what she had been told to be incredible.

Operation Paget Comment

Françoise and Joséphine Dard appear to be truthful witnesses, who would seem to have nothing to gain by fabricating such a conversation. However, their evidence consists of recounting details of a part-heard conversation, which neither person is entirely convinced was true. They were never shown any photographs by James Andanson.

The detail James Andanson provided to the Dards was sparse and only included issues in the public domain. It is highly likely that he would have had access to photographs of the incident due to his connections in the photographic world.

Both are sure that James Andanson said he followed the couple throughout the course of the day, from the airport onwards. This is something that is not corroborated by any evidence. Indeed, there are no sightings or photographs of James Andanson during the course of that day in Paris. From their accounts, James Andanson appeared to be saying that he was following the couple on a motorcycle, like many of the paparazzi. He made no mention of using his Fiat Uno.

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One must also question why James Andanson would give this account to the Dard family if indeed he had been at the Alma underpass as part of a conspiracy to murder the Princess of Wales and/or Dodi Al Fayed. At the time of this conversation, Christmas 1997, he was of no interest to the French inquiry. Nobody had stated they had seen James Andanson in Paris on Saturday 30 August 1997. Why would he place himself at the scene, for no apparent reason, if he had such a secret to cover up?

3. Ownership of a white Fiat Uno

The examination of vehicle debris at the scene in the Alma underpass, together with samples taken from the Mercedes door, side panels and wing mirror indicated the involvement of a white Fiat Uno in the crash. The French inquiry devoted considerable time and resources to try to identify the car involved. Geographical parameters were set to make the task manageable, resulting in checks on 4,668 vehicles registered in the Paris departments of Haute-de-Seine, (92) and Yvelines, (78). These parameters were based on the evidence of two eyewitnesses, Georges and Sabine Dauzonne, driving near the exit of the Alma underpass who saw a Fiat Uno.

Georges DAUZONNE

Eyewitness in the Alma underpass.

French Dossier D2356-D2359

'As I was getting ready to move onto the embankment on the Right Bank, I saw a white, two door Fiat Uno motor vehicle. It was an old model, quite grimy, and had either a Hauts de Seine (92) or an Yvelines (78) registration. I think that this white Fiat Uno had a black rear number plate.

I noticed that the car was zigzagging as it came out of the tunnel, going from the right hand to the left hand lane, so much so that it almost touched my left hand side as we were travelling side by side.

I said to myself that the driver must be drunk and I was afraid that he would hit me, so I sounded my horn. The man, who was adjusting to his rear view mirror as he drove, slowed down enough for me to be able to overtake him. He was driving really slowly, because I approached the embankment at roughly 30 kilometres per hour.'

Georges Dauzonne continued:

'As far as the driver of the vehicle is concerned, it was a male, of European appearance, with white skin, possibly 40 to 50 years of age, with short brown hair, and he may have been tall. A large dog was on the rear seat and, although it was sitting, I could see its head, it must have been an Alsatian or a black Labrador. It was wearing an orange muzzle or "bandana".'

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Sabine DAUZONNE

Eyewitness in the Alma underpass.

French Dossier D2369-D2370

'The Fiat Uno came towards our car because it was going along "crabwise". The driver was looking behind him in his two rear-view mirrors. He didn't see us. The man overtook us, my husband let him pass. The man nearly hit us at the front left, going to the right. My husband tried to overtake him but the man swerved to the left again, as if he was sort of trying to stop us getting past and he nearly hit us again. The Fiat Uno was so close to us in front that I couldn't see the number plate at that point.

The car was a white Fiat Uno, it must have only two doors, a bit "antiquated", not particularly dirty, I didn't notice anything about the headlights and lights, no distinctive features, the number plate was French but I don't remember any of the numbers, it was not registered in 75. I thought that to myself and noticed the car because it's the same one my mother has.'

Sabine Dauzonne continued later in her statement:

'The driver was European-looking, fair-skinned but a bit Mediterranean, I think his eyes must be dark, his hair was dark brown and short, he must be between 35 and 45. I don't know if I could recognise the man if he was shown to me.

In the boot of the car, not on the back seat which it has, there was a fairly big dog with a long nose. It might have been a German shepherd. I remember one colour detail, a muzzle going round its face but not down to its nose or just a bandanna around its neck. Anyway this was brightly coloured, red or orange.'

Elisabeth ANDANSON

Wife of James Andanson.

Interviewed by Operation Paget - Statement 214

When asked about ownership of a large dog, such as an Alsatian or black Labrador, wearing an orange/red bandana or muzzle she stated that the Andanson family had owned a golden Labrador that would have been about two years old at the time of the crash. The dog rarely left Lignières and her husband never took the dog on assignments. It was rare for it to be taken out in any of the cars apart from being taken to the vet. Regarding a bandana, she stated:

'At one point, having seen dogs wearing bandanas in magazines, I bought him a red one. They were in fashion, but it turned out to be impractical because after a short while it got very dirty and I decided to remove it. I do not know when I bought the bandana, but the dog was already an adult.'

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Françoise DARD

Friend of James Andanson over a period of 30 years.

Interviewed by Operation Paget - Statement 233

When asked about James Andanson and the ownership of a dog she stated that James Andanson had visited her on numerous occasions when he was carrying out assignments and she never saw him with a dog.

The French inquiry search for the white Fiat

The task commenced in October 1997 and was concluded in October 1998. Commandant Vianney Dyèvre reported the result of their enquiries to Judge Stéphan. Despite the efforts of the French police, they were unable to identify the vehicle or its driver (French Dossier D6805).

The Fiat Uno is relevant to the crime allegation in so far as Mohamed Al Fayed claims that the Fiat Uno involved in the collision belonged to James Andanson and formed part of an orchestrated plan. This report deals with the information relevant to James Andanson. The vast amount of material held by Operation Paget relating to the other enquiries made by the French police in their effort to identify the vehicle does not form part of this report.

In August 1997, the Andanson family owned three cars: two BMW 320d's and a white Fiat Uno. James Andanson also owned a red/orange BMW R65 motorcycle. (Operation Paget Statement 214)

James Andanson's Fiat Uno - registration number 7704RC18

This car was purchased new in March 1988. In France at that time the Fiat Uno was a very popular and commonly owned car. James Andanson bought the car to use for his work and did so for five years. The car was then used for about one year by his mother-in-law. After this it was returned to their smallholding where it was little used and fell into disrepair.

James ANDANSON

Photojournalist.

French Dossier D4549

In his statement to French police on 12 February 1998 he stated:

'As to the Fiat vehicle you say I owned, I was in fact the owner of a white Fiat UNO model 60 diesel. I had acquired it on a lease from Mr LANGLOIS, the BMW dealer in Chateauroux, his wife being herself the Fiat dealer 400 m from his garage. I bought out the lease, which explains the fact that a year and a half elapsed between the date first registered, on 25.03.1988 and the declared date of acquisition in my name on 13.10.1989. Having restarted my work as a photographer-journalist at the Sygma agency, 74 bis rue Lauriston, Paris 16, I needed a suitable vehicle to take up my work again.'

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I used this car a lot and I did 372,000 km, and stopped using it in 1995, the year after which I stopped paying my insurance. I think I remember that at that time, having made a success of my career, I passed to the BMW stage. I handed my Fiat over to my mother-in-law, who insured it for another year. Afterwards this vehicle remained parked opposite my Charolais shed, and in October 1997, wanting to buy a vehicle for our heir, my son, the Fiat dealers (Mrs Langlois) offered to take our Fiat UNO for 5000 francs, [Paget Note: Approx £500] as it stood. The Fiat Punto at that time was worth 47,000 francs secondhand, we bought it for 42,000 francs. The Fiat UNO thus put "on the scrapheap", [illegible] battery, and no one used it.'

The following evidence confirmed that this Fiat Uno, in August 1997, was in a very dilapidated condition. It was nine-and-a-half years old, was not maintained and the mileage was approximately 372,000km (231,160 miles).

Elisabeth ANDANSON
Wife of James Andanson.

French Dossier D4598

In her statement to French Police on 12 February 1998 she stated:

'Overall, this Fiat served as the main vehicle for the first five years, then it was lent to my mother for a year, and finally it was put away outside. In fact it then remained like that for 3 or 4 years without being insured or maintained.

So this car was not used for several years. Moreover it was quite difficult to get it working again when it was a question of driving it to the garage at Chateauroux.

In fact we decided to sell this Fiat in exchange for a new car for my son James.

The Fiat garage in Chateauroux then took our Fiat Uno 60 D in exchange for a discount of five thousand francs on the purchase of a Fiat Punto.

With our son, I took possession of the Punto on 31.10.97, the date on which I paid the bill, which amounted to 47,000 francs.

To answer your question, I did not deposit the Fiat Uno that same day, but some time afterwards. I do not remember the exact date, but I think it was several weeks afterwards, the end of November or beginning of December.

I had the Fiat Uno driven by a friend whom I followed behind. That way we went to Chateauroux, where I left the car at Mrs Langlois's garage.

As regards the condition of that vehicle, it was reduced to a pile of scrap metal. Nevertheless it drove as far as Chateauroux. The kilometre reading was very high, about 350,000 kilometres. The inside had completely deteriorated, as for the outside, it was in relatively good condition. There was a little rust, but its condition matched its age. Moreover, we had left it for several years outside, neglected and unprotected.

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As regards the presence of traces of impact on the bodywork, I think there was only one scratch on one side.

To answer your question, the Fiat Uno was not being driven in August 1997. It was, as I have already told you, in Lignières, at our place, stored outside and unusable. Moreover, it was not insured. When it consented to start, it was used to transport dustbins as far as the entrance gate, but it did not do us that service very often. In any case, it did not go on the public highway.'

Interviewed by Operation Paget – Statement 214, in April 2006

'The Fiat's registration was 77 04 RC 18, it was my husband's main work car for five years, i.e. between 1988 and 1993, and then in 1994 we gave it to my mother, who kept it for a year, although it is difficult, given the time that has elapsed, to give you the exact dates. The main reason that my mother did not drive the Fiat any more was that it had a major mechanical problem, I do not know what it was exactly. The car was on its last legs. The cost of repairing the car would have exceeded the value of the car and in 1994 it was brought back to our place, where we parked it outside, next to the cow-shed behind the house, slightly hidden. We continued to use the car to transport our rubbish bins to the gate, a distance of 400 metres, and, very occasionally, to transport domestic rubbish to the refuse tip roughly 3km from the house, even though the car was not insured. James junior got his driving licence in June 1997, but at the time he was doing his motor sport at Le Mans and I had to drive back and forth between Lignières and Le Mans, a 4 hour journey each way. That is why in October 1997 we decided to buy him a Fiat Punto from the Fiat garage in Châteauroux, which was doing a special offer whereby they would take any car that was capable of being driven to the garage in part exchange for 5,000 Francs, regardless of condition. We used the Fiat for this offer and, with our son, I took possession of the Fiat Punto on 31 October 1997, but we did not deliver the Fiat Uno to the garage that day. It was only at the end of October or early November following a reminder from Mme Langlois from the garage that I drove our old Fiat Uno to the Fiat garage in Châteauroux, some 40 kilometres from our home. I was very anxious because I was not sure that the car was capable of covering such a distance, it smoked and it was on its last legs. I can tell you categorically that in August 1997, our Fiat Uno did not leave our home in Lignières. My mother had used the car previously during the period I have mentioned for short trips and to travel to our house, a distance of 3km. At the time we got rid of it, the car was a wreck, especially the interior. You draw my attention to my statement to the French police of 12.02.1998 in which I state that I had the Fiat Uno driven by a friend who I followed behind. It was at that time that I delivered the car to Mme Langlois' garage. Today, I cannot remember if it was me or my friend who drove it to the garage, but if what you tell me about my witness statement to the French police in 1998 is correct, I think you can rely on that. As far as I am aware, we never reinsured the car after it was left at Le Manoir, it would not have had a tax disc or have had its technical inspection either.'

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James ANDANSON junior

Son of James and Elisabeth Andanson.

French Dossier D4589

In his statement to French police on 12 February 1998 he stated:

'To answer your question, we were indeed the owners of a white Fiat Uno, the registration of which ended in RC 18. It was a '60 diesel'. We had it from new, about nine years ago.

At the beginning of October 1997, this Fiat was taken in for 5,000 francs by the 'Fiat' dealer garage in Saint-Maur (36), when we bought my Fiat Punto from them. It was destined for the breakers and must have been destroyed since then.

Previously it was my father's car. He did long journeys in it and used it for work, to go to Paris and everywhere. He used it up to the last moment. He even had the engine changed. But about three years ago he stopped using it because the engine was too old. This Fiat was no longer used except for going to the dump, to carry our rubbish. In fact its brakes were locking and it was no longer safe at all.

I am positive, on the weekend of 30 and 31 August 1997 our Fiat Uno was at our home.'

[Paget Note: In October 1997 the car was part-exchanged for a Fiat Punto at a nearby garage in Saint-Maur for 5000 francs (£500).]

Jean-François LANGLOIS

Managing Director of part of the Chateauroux car dealership that part exchanged the Andanson Fiat Uno.

French Dossier D4584

Interviewed in the French Inquiry on 12 February 1998

'As regards the Fiat Uno vehicle registration 7704 RC 18, it is indeed a car which we have had since 04.11.1997. As you can ascertain from the garage's police register, the vehicle was registered under order No. 97112027, on 04.11.97, with the following particulars: "Fiat Uno/25.03.88/ZFA14600004307879/6CV/Andanson J Paul Le Manoir 18 Lignières/7704RC18/200.00/97112027". As regards the sum of 200.00, this is the price we hope to get from the sale of this car. I can say that it was destined for scrap.

The Fiat was taken in from Mr Andanson on 04.11.97, in exchange for which we sold him a Fiat Punto. I can tell you that the order form for this Punto is dated 30.10.97. Mr Andanson in fact took possession of the Punto on 04.11.97. This vehicle came to us in the state in which it is currently on 04.11.97.

I should say that it was however in a condition to drive, since it came this far under its own power. I remember it was Mrs Andanson who drove it as far as here. This car had no particular marks that I could have noticed. It had no noticeable traces of impacts. It was in the condition corresponding to the kilometres it had done, more than 300,000 kilometres.'

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Lieutenant Eric GIGOU

Brigade Criminelle officer who attended the garage in February 1998 and saw the Fiat Uno. He reported on its condition at that time.

French Dossier D4575-D4577

'It is a dilapidated vehicle, "Fiat" make, "Uno 60 D" model, white, registration 7704 RC 18.

The odometer shows 325,811 km; there is no tripmeter.

On the windscreen are

- a technical inspection label number 2893588;*
- a tax disc for the year 95 code H2 No. 93290147;*
- an insurance certificate "Goupama" number 09103 03072311 U valid from 01.01.95 to 31.12.95.*

The left headlight is missing.

The rear seat is folded down and the carpet of the thus enlarged boot is covered in rubbish (straw and other mixed fibres).

All the external bodywork of the vehicle is white, pitted with rust down to the bottom of the body in places.

On the tailgate, paint is flaking off and it would seem that a film of white paint has been put on to hide this ageing.

The front left tyre is practically smooth.

The wheels are pitted with rust in places.

Only some slight dents in the bodywork are visible to the naked eye, particularly on the rear right wing.

The front and rear bumpers, black in colour, are cracked in places.

The rear lights are not the original ones.

On the inside of the tailgate, a silver self-adhesive label says that the colour reference of the vehicle is "Bianco 210/F".'

'I note that on the inside of the tailgate, to the left when opening it, below the glass, a small area of the bodywork is stripped of its paint, apparently having been scratched down to the metal.'

Lieutenant Gigou placed the Fiat Uno under judicial seal and French experts carried out an examination of the vehicle and paintwork.

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The French forensic examination

Experts from the Institute of Criminal Research of the Gendamerie (IRCGN) examined the Fiat Uno belonging to James Andanson to determine if it could have been involved in the crash.

French Dossier D4746-D4773

The experts reported:

‘The search for traces of repairs on the left-hand side and on the tailgate of the vehicle using an « Autoscan » did not lead to the discovery of any trace of mastic or welding.

Visual observation of the interior and the exterior of the rear of the vehicle did not lead to the detection of marks that would have been left by changing the rear left-hand wing.

The rear left-hand light of the vehicle is made by Altissimo. It was manufactured in the month of March 1992.

The identification label for the colour finish is glued in the place provided by the manufacturer and indicates the reference « Bianco 210 ».

Examination of parts of the vehicle’s bodywork show that:

The interior of the rear left-hand wing comprises three coats of distinct colours.

The exterior of the rear left-hand wing comprises four coats of distinct colours.

The tailgate comprises four coats of distinct colours.

The differences observed demonstrate that this vehicle has been re-painted. The state of deterioration of this vehicle’s finish (scratches, traces of wear and stains) shows that it was re-painted before the date of the accident which is the subject of the preliminary investigation underway.’

‘Four samples were taken by the experts.

- *Sample of white paint from the interior of the rear left-hand wing. [Paget Note: The likely point of contact between the two vehicles.]*
- *Sample of white paint and of bodywork from the exterior of the rear left-hand wing.*
- *Sample of white paint and of bodywork from the exterior of the tailgate.*
- *Sample of black polymer from the rear bumper.*

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The samples taken by the experts were compared with the scrapings taken from the Mercedes at the point of impact and the experts concluded;

Examination of the bodywork:

Examination of the vehicle and the rear left-hand light enables it to be ascertained that the rear left-hand side of this vehicle has not been involved in an accident. However, the light is not original.

Examination of the paintwork:

Examination of the paint covering this vehicle leads to the following remarks:

- 1. The Fiat Uno vehicle N° 7704 RC 18 includes an original Bianco 210 paintwork conforming to the identification plate affixed to the vehicle.*
- 2. The results of organic and mineral analyses conducted on the original finish of this vehicle (Bianco 210) are compatible with those obtained from the white marks visible on the Mercedes vehicle N° 688 LTV 75.*
- 3. The observations and the samples taken demonstrate that this vehicle [Paget Note: The Fiat Uno] has been re-painted.*
- 4. The condition of the surface of the current finish shows wear and tear pre-dating the accident subject to the preliminary investigation.*
- 5. Comparative chemical analysis demonstrates that the current finish of the rear left-hand wing is incompatible with the white marks visible on the Mercedes vehicle analysed in the file N° 2647/EX/ECX/354/97.*
- 6. The polymer comprising the bumpers of the Fiat Uno vehicle N° 7704 RC 18 has a composition compatible with the transparent / black marks visible on the Mercedes vehicle analysed in the file N° 2647/EX/ECX/354/97.'*

Operation Paget Comment

James Andanson's Fiat was first registered in 1988. It was white. The colour reference for that shade of white was described by the manufacturer as '*Bianco 210*'.

Enquiries at Fiat United Kingdom disclosed that the composition of the white paint used on Fiat Unos was changed in September 1987. Fiat Unos assembled between 1983 and the end of August 1987 had a white paint described as Bianco Corfu 224.

From September 1987, Bianco 210 replaced Bianco Corfu 224 on the production line, until the end of 1989. Hence, James Andanson's car was painted with Bianco 210.

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In the French inquiry the original analysis of the white paint found on the Mercedes concluded that it was most closely compatible with the paint described as Bianco Corfu 224. Bianco 210 could also be compatible, but not as close. The search undertaken by the French police for white Fiat Unos focused on those Fiat Unos manufactured between 1983 and September 1987. This would have excluded James Andanson's Fiat, registered in 1988, on the grounds of the age of the vehicle.

However, irrespective of the age of the vehicle, his Fiat would not have been included in the search parameters in any event as it was registered in his local area. Lignières is not in or near either of the regions of Paris that formed part of the geographical search area that had been identified as a result of the evidence of Georges and Sabine Dauzonne.

James Andanson came to the attention of the French inquiry in February 1998 following anonymous information that he owned a white Fiat Uno.

However, in the expert's report on James Andanson's Fiat it was stated that the original paint of Andanson's car, Bianco 210, was also compatible with the paint found on the Mercedes. It is unclear from the reports in the French judicial inquiry of the date when they considered the paints described as Bianco Corfu 224 and Bianco 210 to be almost indistinguishable.

The experts stated that the paint sample taken from the Fiat Uno at the likely area of any impact with the Mercedes, (the Uno's rear left wing area) did not correspond to the trace of white paint found on the Mercedes. They concluded that this was because this particular area had another layer of paint added, stating that this was done before the date of the crash. Therefore this Fiat Uno of James Andanson could not have been involved in the collision in August 1997. The Mercedes paint scraping should have corresponded to this re-paint sample and it did not.

To summarise: the French authorities carried out forensic tests on paint and bumper samples from James Andanson's Fiat Uno and the Mercedes S280. Their conclusion was that although the bumper material was compatible, the re-touched paint at the area of probable impact was incompatible. This, together with the lack of accident damage, forensically eliminated the car from their enquiry.

[Paget Note: The polymer from which the bumper is made is extremely common and most bumpers will show a similar composition.]

Further enquiries undertaken by Operation Paget

LGC Forensics (formerly known as Forensic Alliance) reviewed the work undertaken during the French inquiry. This included a review of the assessments made by French experts. Based on that information they have produced their own assessment as to whether James Andanson's Fiat Uno could have been involved in the collision.

The same considerations were given to the only other Fiat Uno that was apparently examined by technical experts during the French judicial inquiry. That Fiat Uno belonged to a French citizen living in Paris. The details of the owner are known to Operation Paget. (Operation Paget Other Document 327 and 432)

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i) In respect of the examination of the Mercedes, LGC Forensics stated:

'I am satisfied that from the information we have the most likely explanation to account for the evidence found from the plastic and paint examination is that the Mercedes was in collision with a white Fiat Uno built between 1983 and 1989 and painted with either Bianco Corfu 224 paint or Bianco 210 paint.'

In summary, Fiat Unos manufactured between 1983 and 1989, not only up to 1987, could be considered to have paint compatible with that found on the scrapings taken from the Mercedes.

ii) In respect of James Andanson's car they stated:

'This Fiat Uno in its original paintwork [Paget Note: Bianco 210] could have transferred paint to the Mercedes. There is also evidence to indicate that the left rear light fitting and the left rear wing had been replaced. It is therefore possible that this vehicle was involved in the incident in the Alma underpass. The assessment of this possibility depends critically on the scientists' assessment of the current state of the vehicle: could the vehicle have been damaged, repaired and aged to the observed extent in a six month period between 31 August and 13 February? I cannot assess this so I cannot come to a conclusion as to the support provided by the paint evidence that the Fiat had been in collision with the Mercedes. It is, however, my opinion that the evidence from the reports does not provide conclusive support for the proposition that the vehicle was not in collision with the Mercedes.'

In summary, James Andanson's Fiat was originally painted with Bianco 210. This was compatible with the scrapings found on the Mercedes. The paint on the rear left wing (probable point of impact) was not compatible. This meant that wing had either been replaced or repainted. The French experts stated that this 'different' paint was applied before 31 August 1997, explained by the wear and condition of the paint. LGC Forensics were unable to support this conclusion, as it relied on the visual inspection of the French experts. They stated that in their opinion the physical evidence did not conclusively show whether James Andanson's Fiat was or was not involved in the collision.

iii) In respect of the second Fiat Uno they stated:

'If the cream paint layer is not an original undercoat, scoring to the surface of the original paint could have been removed and masked by rubbing down and repainting with this new undercoat paint. It is also possible that the rear light was replaced by a second-hand unit. In my opinion the evidence from the paint examination detailed above provides limited support for the proposition that the Fiat had been in collision with the Mercedes. In my opinion the evidence from the reports does not provide conclusive support for the proposition that the vehicle was not in collision with the Mercedes.'

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'I can say that the work on this car shows that the Fiat Uno, in its original paintwork, could have transferred paint to the Mercedes. The scientists have, however, made an assessment that the rear bumper has not been replaced and there is no evidence that the rear left light fitting has been replaced. These are subjective judgements and I cannot assess their certainty on this. It is my opinion that the evidence from the reports does not provide conclusive support for the proposition that the vehicle was not in collision with the Mercedes.'

In summary, the driver of the second Fiat Uno that underwent technical examination (Operation Paget Other Document 212), owned the car in August 1997. Interestingly, in light of George and Sabine Dauzonne having seen a large dog, possibly black and wearing a bandana or muzzle in the rear of the Fiat Uno, that person confirmed that he owned two Rottweilers at the time, both black and tan. He had one, wearing a muzzle, in his Fiat Uno when he was working. He was at work overnight on Saturday 30 August 1997.

He repainted his Fiat Uno red in late August, apparently to improve the standard of security work he was getting. The date of the repaint is disputed. He claimed it was repainted on Saturday 30 August 1997, before the crash. A friend of his believed it was the day after the crash.

The original white paint was Bianco Corfu 224. This ruled the car in as a possibility if the date of the repaint was mistaken. The French experts ruled the car out because they could find no trace of collision damage at the likely point of impact; and the rear light fittings (believed smashed in the collision with the Mercedes) showed a date of manufacture which matched the vehicle.

LGC Forensics however came to the same conclusion as they did with James Andanson's Fiat Uno. They stated that the physical evidence did not show conclusively whether this Fiat was or was not involved in the collision.

iv) In general terms, and in respect of both Fiat Unos, LGC Forensics stated:

'In other words, I would expect that the Fiat Unosare not the only Fiats which on examination would give evidence which would not conclusively exclude them from involvement in the incident with the Mercedes.'

In summary, it was likely that other Fiats of that age in Paris would show paint compatibility with the Mercedes scrapings, some collision damage or repair to the rear left wing and replacements to light fittings. This inconclusive finding should be given the appropriate weight. The Fiat Uno of James Andanson cannot be eliminated from the investigation through forensic evidence, and equally the forensic evidence does not conclude that his Fiat Uno was involved.

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Other factors to consider when assessing whether James Andanson's Fiat Uno was involved in the collision:

- The centre of Paris is approximately 170 miles from the family home. James Andanson at that time was using a BMW 320d as his car of choice
- There was evidence of the poor condition of the Fiat Uno in its appearance, roadworthiness and general mechanics
- James Andanson, Elisabeth Andanson and James Andanson junior were adamant that the Fiat Uno was at their home on Saturday 30 August 1997
- There was no CCTV footage or paparazzi photograph that showed this Fiat Uno in Paris on 30 August 1997

Other relevant questions are:

- If you were part of a sophisticated assassination plot of such high profile, with all the associated risks, would you use your own car, registered in your own name?
- Would you use the same Fiat Uno that had appeared in a publicly broadcast TV documentary showing you at the wheel and discussing your ownership of it? (James Andanson featured in such a documentary in the summer of 1995 - Toni Compti Productions – (Operation Paget Videotape 24))
- Would you use an old, small-engined car of this type for the purpose that has been alleged?
- Would you subsequently part-exchange that car with a local garage and relinquish all control of the vehicle to them?

4. The death of James Andanson in May 2004

James Andanson died in a car fire some time during the evening of 4 May 2000, two years and eight months after the crash in Paris. The scene of the fire was in secluded woodland in the area known as Les Louettes, near the village of La Cavalerie in the commune of Nant in southern France. This is approximately 240 miles south of his home in Lignières.

The Investigating Magistrate in Millau, Madame Nathalie Marty, investigated James Andanson's death at the time. On 30 April 2001 she forwarded the investigation dossier to the Procureur Général [Paget Note: Principal State Prosecutor] in Montpellier, Georges Domergue. He too concluded that James Andanson's death had been suicide.

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Operation Paget Enquiries

In July 2004, Operation Paget officers reviewed the comprehensive French investigation dossier relating to James Andanson's death. They visited the scene with the investigating police officer, Maréchal de Logis Chef Jean-Michel Lauzun, and discussed with him the circumstances of the case. From this work it has been possible to acquire an understanding of the circumstances of the death and the investigation into it. Operation Paget holds a copy of the investigation file. (Operation Paget Other Document 82)

Initial action and scene management

The first telephone call reporting a fire was at 9.45pm, from a mobile telephone. The call reported a 'forest fire' in the area known as Les Louettes in the commune of Nant.

Sergeants Thierry Roig and Emeric Contard, French Infantry Sergeants patrolling the perimeter road of a nearby military base, made this telephone call. Both witnessed hearing an explosion, seeing a fire and then getting a bearing on the fire to inform the emergency services. Neither went to the scene.

The fire service was dispatched at 9.45pm and arrived at the scene shortly afterwards.

The fire officers recorded that they located the blaze and approached with caution when they realised it was not a forest fire but a vehicle alight in the clearing of a forest area within a field normally used for grazing. The vehicle was a black, three-door BMW 3 series compact.

Whilst extinguishing the fire, they became aware of a body in the driver's seat. The head was detached and lay between the front seats.

Arnaud Muret and Eric Decayeux, French gendarmes, attended the scene at 10.30pm having been called at 9.48pm by the fire service control room. The circumstances of the incident dictated that the officers should call for a more senior officer.

Chef Jean-Michel Lauzun attended at 11.05pm. He secured the scene, including the placing of cordons and establishing an access route. He arranged for a search of the local roadsides to be made and for enquiries in local shops and villages in a search for witnesses.

He described the position of the body and cranium, noting that there was a hole in the left temple. These observations, while initially sounding suspicious, were explained by the pathologist Professor Eric Baccino as occurring due to the intense heat from the fire.

A helicopter was used to view and photograph the scene. This revealed that the only tyre tracks heading into the scene were those of the BMW.

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The significance of the location

James Andanson had recently visited this secluded and isolated area and was familiar with it.

In March 2000 he visited José Bové, a well-known French activist, in relation to a photographic assignment. José Bové's home was situated approximately 500 metres further along the road that runs adjacent to the scene. James Andanson's diary showed meetings with José Bové on 7 and 13 of March 2000. His bank account showed a stay at the Hotel Campanile in Millau on the 7 of March 2000.

Autopsy

Professor Eric Baccino, a Forensic Medical Examiner, attended the scene at 5.15pm on 5 May 2000 and recorded a description of the body. As a result of the intense heat there were only burnt remains and multi-fractured bones left. The body had been separated, but in the main was on the driver's side.

Professor Baccino explained that the hole in the left temple area was solely due to the intense heat of the fire. In any event, examination at the scene and the subsequent examination of the car revealed no missiles or projectiles that could have been used to inflict deliberate harm.

The remains of the body were removed for forensic examination. During the removal process the cranium disintegrated due to the intense heat damage. Identification of the body was made through DNA.

Professor Baccino and Doctor Anne Dorandeu carried out an autopsy on 10 May 2000 as part of the judicial investigation. They reported on their anatomic-pathological examination of the bony remains from the temporal-parietal region. On part of the connective tissue membranes that surrounded the brain they found an extra-dural haematoma (bruise) consistent with the escape of a discharge of blood from the dome of the skull under the effect of the temperature whilst there was no sign of sub-dural haemorrhage (bleeding). In effect they stated that the hole in James Andanson's head was caused from the inside by the intense heat, and not from the outside by a blow or foreign object.

Dr Richard Shepherd, adviser on pathology issues to Operation Paget, confirmed that this was a rational explanation for the hole observed in James Andanson's head. (Operation Paget Message 972)

The French pathologists also noted that the:

'Residual muscular masses at the cervical level and the level of the buttocks have a pinkish colouration such as those found during carbon monoxide poisoning, which signifies that the person was alive at the time the fire started; however these findings cannot be confirmed until after the toxicological exam that will try to determine the levels of carbon monoxide and possibly also cyanide created during some fire...'

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The subsequent toxicological tests of 21 June 2000 showed:

‘ A concentration of carbon monoxide of 98% in a dehydrated sample of blood taken from the aortic region. This confirms that Mr Andanson was indeed alive when the fire started.’

The conclusion to the report signed by Dr Dorandeu and Professor Baccino stated:

‘The autopsy examination has found no evidence of violence notwithstanding the traumatic destruction caused by the heat of a fire which significantly destroyed the body.’

Operation Paget Comment

There were no signs of violence or blunt trauma to the body of James Andanson. He was alive when the car was set on fire as indicated by the high CO levels. There was no evidence to suggest the involvement of any other person in his death.

Forensic examination of the BMW

The vehicle registration plates had been destroyed in the fire. The vehicle was identified through a serial number etched onto one of the windows.

The Examining Judge ordered an examination of the burnt-out vehicle to determine the cause of fire.

Stéphane Calderara, Guillaume Cognon and Philippe Malaquin of the Institute of Criminal Research of the National Gendarmerie carried out the examination. They reported: *‘We proceed with testing for the presence of inflammable products using a hydrocarbon detector. This proves positive in the area of the front floor pan...It should be noted that nothing is discovered that would indicate a criminal act.’*

Operation Paget Comment

Accelerant had been used. The seat of the fire was the driver’s foot well. Tests on this area revealed that *‘Super carburant’* petrol [Paget Note: Translates as 4-star petrol] had been used.

There was nothing in the examination of the car that indicated foul play. Accidental or technical cause for the fire was ruled out.

Enquiries made during the French investigation

Elisabeth Andanson stated that she had last seen her husband on 4 May 2000 when he left home in his car at about 11.30am. He had come home at some point in the morning, believed by Elisabeth Andanson to be around 10am or 11am. He told his wife he was just depositing some things in his office and left about an hour later.

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Mathieu Prigent from France Telecom, working at the house that morning, timed the arrival of a BMW motor vehicle at the Andanson family home at between 10.45am and 11am. He did not actually see James Andanson.

James Andanson Junior stated that his father had been in his office and they had spoken about a forthcoming motor race meeting. He saw his father leave home at about 11.30am.

Christophe Lafaille had a lunch appointment with James Andanson at 1.45pm on 4 May 2000. He stated that during that morning he received a telephone call from James Andanson cancelling this lunch appointment. He did not give a reason for the cancellation. When seen by Operation Paget, Christophe Lafaille restated this information. (Operation Paget Statement 158)

Sophie Deniau also had an appointment with James Andanson at 4pm on 4 May 2000, at the Sipa Press agency in Paris. She stated that when he did not turn up for this appointment, she waited an hour and then left.

Myriam Durand, a resident of the area where James Andanson died, saw in Millau, between 3pm and 3.30pm on 4 May, a black BMW car with a registration plate registered in district '18'.

[Paget Note: The region in which a vehicle is registered in France is identified on the vehicle registration mark with a number. An '18' registration vehicle is registered to the Cher region of France in which Andanson's home town of Lignières is situated. A vehicle registered in the Aveyron region where Millau is situated would have a '12' registration.]

James Andanson's bankcard was used to make a purchase of 608FF [Paget Note: Approximately £60] at Géant Service Station in Millau at 3.36pm. There were no precise details of what he purchased, however the French investigation concluded the value of the transaction was more than was necessary to fill the fuel tank of his car.

James Andanson was known to carry fuel containers in his car.

This service station was situated immediately opposite the Hotel Campanile. James Andanson stayed there on the night of the 7 March 2000.

Lucien Royer, another local resident, noticed at 6pm what he described as a dark coloured '18' registered Mercedes or BMW, travelling from the direction of Viala Du Pas De Jaux towards l'Hospitalet and Liquisses. This was very near to, and in the direction of, the scene. He stated that there was only the driver in the vehicle.

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Preparatory steps

James Andanson seemed to have taken a number of preparatory steps. When he left home during the morning of 4 May 2000 he left behind his wallet, Cartier watch, mobile telephone and his attaché case, objects that he would normally keep with him.

At some point during the day James Andanson posted a letter to Sipa Press agency asking for all of his photographic royalties to be put into his wife's name. The letter was stamped at the Lignières Post Office on 4 May 2000 and arrived at the agency the next day.

James Andanson would normally have numerous appointments recorded in his diary for the coming days and weeks. However, Sophie Deniau at 4pm was the last appointment entered in his diary.

Enquiries into his state of mind and possible motive

Long-standing friends and associates were interviewed during the French investigation. Some of these recounted conversations they had had with James Andanson in which he talked of thoughts of committing suicide and described the manner in which he would do so.

French Dossier (M) D77

Operation Paget - Other Document 82

Jean-Gabriel Barthélémy, a photographer who had known him since 1972, stated that when they were in Gstaad, Switzerland together, ten years before he died, James Andanson had told him that if anything happened to his wife he would kill himself by pouring petrol from a canister in his car boot and lighting it with the end of his cigar. He stated that James Andanson often talked about committing suicide and of his worries about the financing of his son's career as a racing driver.

French Dossier (M) D115

Operation Paget - Other Document 82

Franck Doveri, a friend of twelve years, saw James Andanson in Klosters in April 2000. He recounted a conversation that took place amongst a group of photographers whereby one stated that his wife had left him. James Andanson laughed at this man saying that he had the perfect wife, but he later said to Franck Doveri that if his wife ever left him he would lie in bed next to her and put a bullet in his head.

French Dossier (M) D128

Operation Paget - Other Document 82

Sophie Deniau, who used to buy photographs from James Andanson, recalled a conversation with him on 18 April 2000 during which he said that if anything were to happen to a member of his family he would not be able to live with himself and he would commit suicide by sitting in his car with a good cigar and setting fire to himself.

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French Dossier (M) D76

Operation Paget - Other Document 82

Christian Maillard from Sipa Press and a friend of James Andanson since 1988 stated that during a conversation with him, only about ten days before his death, James Andanson had told him that he was thinking of committing suicide by creating an explosion in his motor vehicle. Christian Maillard told him not to say such things to which James Andanson stated that he would be able to do it.

French Dossier (M) D65

Operation Paget - Other Document 82

Gendarme Thierry Cassanes-Gourdon. During the French investigation a tape was recovered from James Andanson's home. This was a recording of a recent interview by him with the Countess de Paris. The transcript was produced by Thierry Cassanes-Gourdon. James Andanson stated that he was unhappy and that he worried about his son's safety and how he would continue to finance his motor racing career.

[Paget Note: In 1999 James Andanson personally sponsored his son to the sum of 750.000 French Francs (approx £75,000).]

Interviewed by Operation Paget - Statement 214

Elisabeth Andanson stated in relation to her husband's death:

'You ask me why I think it was suicide. Frankly and honestly I think he did it for professional and financial reasons. There were the far-reaching changes in the press which worried him a lot and about which he was right to be worried. Our son had become champion of France a year after starting out in motor sport and that involved expenditure. Furthermore, my husband was having trouble adapting to the changes in the press, in which the use of digital technology was one of his concerns. My husband started to age, and he was tired. Even though he expressed his concerns to me fairly often, he never followed my advice.'

Elisabeth Andanson was asked for her view about Mohamed Al Fayed's claim that her husband committed suicide because of his conscience over the deaths of the Princess of Wales, Dodi Al Fayed and Henri Paul. She stated:

'You tell me that it has been suggested that James committed suicide because he had been involved in the accident that cost the lives of Diana Princess of Wales, Dodi Al Fayed and Henri Paul and he felt guilty: that is absurd, and it is people who do not know the facts that must have said that. I had never heard of this.'

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Operation Paget Comment

James Andanson's circumstances seemed very comfortable. He lived in a large house with his wife, son and daughter. The bank accounts checked by police were in credit and it was shown that in 1999 James Andanson earned a generous income. He also received royalties for archived photographs at Sygma Press. In 1999 he tried to get the royalties for these increased, but to no avail. He was also due to sell his deceased mother's apartment.

Since 1992 James Andanson had seen his doctor about a bad back on eighteen occasions, but according to his wife his health was otherwise good.

He did not leave a suicide note nor, as far as is known, inform anyone of the precise reason for wishing to end his life. It is not possible therefore to give any definitive explanation as to why he did so.

No information has come to light, either during the investigation into his death, or since, indicating that James Andanson's death was anything other than suicide.

5. Burglary / Robbery at Sipa Press Agency

At the time of his death on 4 May 2000 James Andanson was working as an independent photographer in collaboration with the Sipa Press agency. He had moved to this agency from Sygma in August/September 1997.

James Andanson shared an office at the premises. The photographers using the offices did not tend to leave equipment at the premises and their computers were not provided by Sipa Press. The only property on the premises that could be connected with James Andanson was archived photographs. He kept his laptop computer with him and did not leave it in the office.

During the night of the 15/16 June 2000 an aggravated burglary/armed robbery took place at the premises of Sipa Press offices, 101 Boulevard Murat, Paris, 75016. Sipa Press occupy part of a large office building in Paris. Three suspects were involved. This was six weeks after the death of James Andanson and two years and ten months after the crash in Paris that killed the Princess of Wales and Dodi Al Fayed.

The incident was reported to police on 16 June 2000 at 4.10am. Police attended six minutes later. An investigation began and continued for over three years under judicial supervision. The investigation was linked to a series of similar violent offences and as a result of the investigation a group of suspects were arrested. These were French nationals and could be described as ordinary criminals with previous convictions.

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Operation Paget Enquiries

Operation Paget - Other Document 274

In June 2005 Operation Paget officers reviewed the French judicial dossiers relating to this matter.

The review included examination of the dossiers of the initial police investigation and the subsequent judicial investigation. The judicial dossier comprised five bundles made up of numerous witness statements, interviews with suspects, reports, details of action taken, judicial instructions and other material.

Summary of the French investigation into the Sipa Press raid

On 16 June 2000 at 12.30am a suspect went to the building of Sipa Press, 101 Boulevard Murat 75016 Paris and said that he was delivering photographs. When the Security Guard, Youssef Belaid, answered the door, the suspect drew a firearm from a holdall and threatened the guard. Both men went up to the second floor. At one point, the Security Guard tried to disarm the suspect and during the struggle was shot in the left foot. The suspect overpowered both the Security Guard and another person on the premises, Marek Kaserzyk, a Polish computer programmer working on Sipa Press's computers at the time.

The two victims were secured, face down on the floor of one of the offices and the suspect telephoned someone and said (in French) "*François you can come up*". Two further hooded suspects came to the office about five minutes later. The first suspect said to another (in French) "*This one plays the hero. If he moves kill him*" and handed over his gun.

The firearm involved was described as a semi-automatic pistol with a chrome barrel.

The suspects demanded and were given alarm codes and door codes. They were then believed to have searched the second and third floors, entering various rooms.

At some point Marek Kaserzyk was asked for the PIN numbers for his Visa and Eurocard. He gave these to the suspects after they had threatened him. Later, he overheard telephone calls. He believed the suspects were using his bankcards at a cash point machine and checking the PIN numbers were correct. [Paget Note: This victim is Polish and does not speak French. The suspects spoke to him in broken English.]

Before leaving the scene, the first suspect looked around for the bullet that had gone through the victim's foot. On finding it, he showed it to him and told him he was lucky not to have been killed. The victim believed that the suspect took this bullet away with him.

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Nikola Arsov, a photographer, attended the Sipa Press building at 12.30am, during the course of the burglary, to deliver some photographs. A male, unknown to him, answered the door. He asked where the Security Guard was and was told he was on the first floor where an alarm had been set off. Nikola Arsov placed some photographs in an envelope, which he then left at reception. It was only the following morning that he realised that he may have seen one of the suspects. He gave a description of the man he saw.

Alain Benainous, another photographer, attended the Sipa Press building at 1am to drop off some photographic film. A man opened the door and told him that the Security Guard was on the first floor. He also told him to drop his envelope off at the reception. Alain Benainous then left and it was only later that he discovered that he had seen a suspect. He also gave a description of the suspect.

Before leaving the building, the suspects tied up the Security Guard and the computer programmer in the toilets using handcuffs and electrical cables. The victims waited for about 20 minutes, during which time they did not hear any noise. They then managed to untie themselves and called for help. The suspects left the scene at around 3.30am.

Initial investigation:

Franck Givernaud Gardien de la Paix [Paget Note: Police Constable] of 16e arrondissement, arrived at 4.16am. The initial call to police was at 4.10am. He detailed the initial allegation made.

Capitaine Annie Sibra and Lieutenant Buckowski, Police Judiciaire, the first investigating officers arrived at the scene at about 5am.

Capitaine Natacha Fouquet, who also attended, provided a statement describing the scene in detail, in line with French investigative procedure.

Mete Zihnioglu, Technical Director of Sipa Press also attended.

The Sipa Press offices covered approximately 3000 square metres of the building. During the incident the suspects appeared to have concentrated their efforts on the Sipa Press offices on the second and third floors. The suspects made an untidy search, cabinets were opened, and damage caused. Doors to some offices appeared to have been forced but none of the filing cabinets appeared to have been searched. The third floor was checked, and although some doors appeared to have been opened, there were no signs that they had been searched or damaged.

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Property stolen

The two victims were initially unable to give exact details of what had been stolen other than approximately three laptops that were missing from one room, as well as a web cam. Two more laptop computers appeared to have been stolen from a separate room.

Marek Kaserzyk stated that along with his bankcards and mobile phone, his Apple laptop computer had been stolen.

Mete Zihniolu estimated that at least five computers, five laptop computers, scanners, screens and other equipment had been stolen, as well as some photographs from a safe in relation to celebrities, although no details were given. The value of the photographic and computer equipment stolen was estimated at FF 540,000. [Paget Note: Approximately £54,000.] No further details were included within the French judicial dossier.

None of the property stolen was shown as belonging to James Andanson.

One of the suspects appeared to have left some of his property at the scene, including a bag containing a CD, two batteries, three screwdrivers, a Minolta camera, a Festina knife and a Remington ammunition box. The police also seized 36 Remington RP 380 auto bullets left at the scene.

Initial identification of possible suspects

It is not proposed to go into the detail of the investigations undertaken, but as a result of these investigations a number of suspects were identified. They were all French nationals.

Three men were arrested in connection with this and other similar offences committed in Paris. They were Brice Postal, Fabrice Sauzay and Farid Ledad. Brice Postal and Fabrice Sauzay were arrested together on 13 July 2000 committing another armed robbery. Brice Postal was in possession of a mobile phone used during the Sipa Press robbery and a black balaclava and a chrome barrelled Berreta 9mm pistol together with Remington RP 380 auto ammunition.

Judicial Investigation

Judge Colette Oper headed the judicial investigation into these linked matters. She instructed the Police Judiciaire to conduct investigations.

The investigation was closed on 1 July 2003 and all relevant documents were returned to the Court.

The French Judiciary has provided records of the case disposal. Although the Sipa Press offence appears to be part of the linked series, the records provided are unclear as to the exact venues of the crimes.

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Two of the suspects named, Brice Postal and Fabrice Sauzay, were convicted of a number of similar offences of aggravated burglary. It is unclear in the case disposal file if the Sipa Press burglary is one of the charges that formed part of the series.

Goskin Sipahioglu and his wife who owned Sipa Press were interviewed by CBS for the programme '*Diana's Secrets*' first broadcast on 21 April 2004. In the interview they stated that they did not believe this aggravated burglary to have been carried out by Intelligence and Security Services, claiming it was amateurish to shoot the Security Guard in the foot; that the suspects did not touch any of James Andanson's work, and did not find his computer; and that they were more likely to be looking for some compromising photographs of a particular French celebrity, although he did not name the person.

Operation Paget - Other Document 259

Operation Paget contacted Goskin Sipahioglu by telephone on 16 January 2006. He stated that he was not prepared to attend the United Kingdom in person. However, he reaffirmed his belief that this burglary was not connected to the deaths of the Princess of Wales, Dodi Al Fayed or James Andanson. Asked about the reference to the celebrity, he stated that at the time of the burglary Sipa Press had been in dispute with a television personality he named as '*Arthur*'. '*Arthur*' had been photographed in the company of a girl and had made threats towards Sipa Press in an attempt to stop the photographs being published.

Operation Paget Comment

There is nothing in the review of the investigation into the Sipa Press burglary to suggest any links with James Andanson or the involvement of the intelligence or security services. James Andanson was not mentioned by either witnesses or police, and his name did not appear anywhere within the dossier.

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CONCLUSIONS

Part A – claims outlined in Section (i)

Claim 1 - James Andanson had two partners who were present on the boat during the summer, [in the South of France in July and August] but also at the Ritz on the night of the accident.

James Andanson was a photojournalist and he did spend time during the summer of 1997 photographing the Princess of Wales. He was with other photographers, including Pierre Hounsfield and Stéphane Cardinale. These two photographers were also present outside the Ritz Hotel on Saturday 30 August 1997 and later at the scene of the crash.

The evidence shows that James Andanson was not in Paris on 30 August 1997 or outside the Ritz Hotel on the night of 30 August 1997.

Claim 2 - For reasons that have never been explained Judge Stéphan suddenly decided to call a halt to the inquiries to trace the Fiat Uno.

The enquiries to trace the Fiat Uno came to an end after more than one year when the police reported their findings to Judge Stéphan. Despite checking 4,668 vehicles they could not positively identify the Fiat Uno involved in the collision.

The search concluded in October 1998. Despite the efforts of the French police they were unable to identify the vehicle or its driver. Commandant Vianney Dyèvre reported the result of their enquiries to Judge Stéphan.

Claims 3, 7 and 8

Claim 3 - It has since transpired that James Andanson, a journalist who was identified at the scene around the time of the crash and left it in the early hours of the morning, and was initially interviewed by the police, was the owner of a white Fiat Uno.

Claim 7 - James Andanson, a press photographer who worked for the French security services was the owner of the white Fiat Uno believed to have been at the scene of the crash.

Claim 8 - Despite this possibility being known to those conducting the investigation in France, he was never re-examined in relation to the vehicle.

James Andanson has never been identified either as being at the scene of the crash or in Paris on the day of the crash. He slept overnight at his home in Lignières, some 170 miles south of Paris, and left at about 4am on Sunday 31 August 1997 to fly to Corsica for a pre-arranged appointment. His wife, Elisabeth Andanson, provided evidence to support this account.

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James Andanson did own a white Fiat Uno at the time of the crash. There is no evidence that this car was in Paris on Saturday 30 August 1997. The weight of evidence supports the fact that it was at James Andanson's home, 170 miles south of Paris.

There is no evidence at all that James Andanson worked for the French security services.

The enquiries conducted at the time satisfied the French investigation that James Andanson and his Fiat Uno were not implicated in this case.

Claims 4 and 12

Claim 4 - Before he was examined on this matter, his body was found in his burnt out car. His death has been attributed to suicide. No formal investigation has taken place.

Claim 12 - James Andanson, has been murdered, burnt alive in the South of France in a car because they have been worried that he can be bought or he can sell his story and they kill him.

In February 1998, French police interviewed James Andanson about his Fiat Uno car and his whereabouts on Saturday 30 August 1997. They also interviewed his wife and son and carried out an examination and forensic tests on his Fiat Uno.

James Andanson died in May 2000, two years and three months after he was interviewed.

The French authorities undertook a full and thorough investigation into his death and concluded that he had committed suicide. Operation Paget officers have conducted a detailed review of the file relating to his death and agree with the findings of the French authorities.

There is no evidence whatsoever that James Andanson was murdered.

Claim 5 - Forensic tests carried out by the French Authorities identified matching paint and bumper samples between Andanson's Fiat Uno and the traces found on the Mercedes.

The French authorities carried out forensic tests on paint and bumper samples taken from his Fiat Uno and compared them to samples taken from the Mercedes involved in the collision. Their conclusion was that, although the bumper material and some of the paint samples were compatible, the paint at the area of probable impact was incompatible and this, together with the lack of accident damage, forensically eliminated the car from their enquiry.

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Claims 6, 9 and 11

Claim 6 - Soon after his death, his offices at SIPA news agency in Paris were raided by masked gunmen who took away all of his electronic equipment.

Claim 9 - A few weeks after his death an armed raid was carried out on the agency for which Andanson had worked. The only material and records removed were Andanson's.

Claim 11 - Shortly after his death his offices at SIPA news agency were raided by the Security Services and all of his electronic equipment and photographic images were removed. This raid has never been investigated by the French police.

Six weeks after his death there was a burglary/robbery at the Sipa Press offices in Paris. Some computers and other equipment were stolen. The claim is that electronic equipment, material and records belonging to James Andanson were taken.

French police attended the crime scene and a lengthy investigation took place into this and similar offences at other premises. Suspects, described as professional criminals were arrested.

Nothing belonging to James Andanson was reported as being stolen. Property belonging to other people at the premises was stolen.

There is no evidence that any Security Service was involved.

Claim 10 - James Andanson was a paparazzo with very close links to, and obviously working for, MI6.

There is no evidence at all that James Andanson worked for or had any links to M16.

Part B - General

Although James Andanson was involved in photographing the Princess of Wales in the South of France during the summer of 1997 and happened to own a white Fiat Uno, there is no substantive evidence to link him with the matters under investigation.

CHAPTER FIFTEEN

**CENTRAL INTELLIGENCE AGENCY/
NATIONAL SECURITY AGENCY, USA**

CHAPTER FIFTEEN

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CHAPTER FIFTEEN

(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of the claims made by Mohamed Al Fayed

It was alleged that the United States intelligence agencies closely monitored and intercepted the calls of the Princess of Wales. The inference is that on hearing of her intended engagement (and presumably pregnancy although this is not mentioned specifically in these claims) this information would have been passed to United Kingdom intelligence agencies, thus providing the motive for murder. Mohamed Al Fayed alleges that the material withheld by the United States following his Freedom of Information Act (FOIA) request is related to these claims and is not, as claimed by the authorities, unrelated material.

Claim

1. I also understand that United States government agencies (namely the National Security Agency and Central Intelligence Agency) possess material relevant to the crash and have admitted to possessing 39 documents consisting of 1054 pages relevant to my enquiries.

Source - 7 February 2003 Submission by Mohamed Al Fayed to Minister for Justice, Scotland, for Public Inquiry, Page 6 (xii) and Page 10 Para 7 (c)

Claim

2. The United States National Security Agency has confirmed that it was carrying out surveillance of the Princess of Wales - probably on behalf of the United Kingdom services - during this period and has an extensive file relating to the crash.

Source - Undated 'Note of Argument' Supporting Petition For Judicial Review - Minister For Justice, Scotland - In name of Mohamed Al Fayed - Page 6 (xii)

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Claim

3. Diana, Princess of Wales was under close surveillance by MI6, CIA and NSA in the United States closely intercepted and monitored her telephone calls. They would have been aware that she intended to announce publicly her engagement to Dodi on Monday 1 September 1997. The CIA and NSA possess 39 documents consisting of 1054 pages which relate in part to transcripts of telephone calls made by Princess Diana whilst she was with my son.

Source – 5 July 2005 Witness Statement Signed by Mohamed Al Fayed. Page 5

Claim

4. The investigating magistrate made only the most perfunctory enquiries of the British Embassy and none of the National Security Agency.

Source - 7 February 2003 Submission by Mohamed Al Fayed to Minister for Justice, Scotland, for Public Inquiry, Page 6 (xii) and Page 10 Para 7 (c)

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(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Introduction

The United States authorities responded on 5 November 1998 to a Freedom of Information Act (FOIA) request of 9 June 1998 from Mohamed Al Fayed. He had asked for *'any and all records (including but not limited to photographs, recordings, email, memos, grapha, film and video) in connection with Lady Diana Frances Spencer.'* The National Security Agency (NSA), through its Deputy Director of Policy, stated then that it had 39 NSA-originated or NSA-controlled documents consisting of 124 pages, relating to the Princess of Wales. These documents were withheld under exemptions in United States law. These exemptions related to national security considerations and the protection of intelligence-gathering methods and sources.

[Paget Note:

- The NSA is, in broad terms, the equivalent of the Government Communications Headquarters (GCHQ) in the United Kingdom
- The Central Intelligence Agency (CIA) is, in broad terms, the equivalent of the Secret Intelligence Service (SIS) / MI6 in the United Kingdom.]

John MACNAMARA

Director of Security at Harrods in 1997. He detailed the chronology of events surrounding the application under the Freedom of Information Act.

Provided Statement to Operation Paget - Statement 5A

In his statement to Operation Paget, John Macnamara provided the following detail:

'Senator George Mitchell was retained to represent Mr Al Fayed's interests in obtaining material in possession of the CIA/NSA and FBI. George Mitchell had served as United States Attorney for Maine, as United States District Court Judge for Maine and as United States Senator for Maine. He was majority leader of the United States Senate. He received several awards for his involvement in the peace talks in Northern Ireland.

On Wednesday 18th August 1999 I attended a meeting at the Pentagon in Washington with Senator George Mitchell [and others named] including Robert Tyrer, Chief of Staff for US Secretary of Defense and his legal advisor.

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After that meeting it was agreed that Robert Tyrer would review the classified information contained in the documents to consider whether there was anything pertinent to the deaths of Princess Diana and Dodi Al Fayed.

We met again at the Pentagon in September 1999 when Robert Tyrer explained that he had reviewed the documents and was satisfied that there was nothing in them which in any way related to the deaths of Princess Diana and Dodi Al Fayed. At that meeting I expressed my concern that Robert Tyrer had only reviewed the documents that had been made available to him by the CIA and NSA. This concern was reiterated in a letter to Robert Tyrer from Senator Mitchell of late September 1999. In that letter he said that “we are particularly concerned that the set of potentially relevant documents provided to you may have been incomplete.” Robert Tyrer responded by way of letter of 13th October 1999 dismissing the suggestion that the material he had received was incomplete.’

Scott W. MULLER

Officer of the General Counsel of the Central Intelligence Agency.

Through the British Embassy in Washington, he provided a written response in November 2003 to the Scottish Courts following Mohamed Al Fayed’s request for a Public Inquiry there.

Operation Paget - Correspondence C759

Scott Muller was not interviewed in the French inquiry or by Operation Paget

On 19 November 2003, the office of the General Counsel of the CIA, following Mohamed Al Fayed’s requests under the FOIA and actions in the Scottish Courts in 2003, wrote to the British Embassy in Washington, stating:

‘In fact, Mr. Fayed requested records on 20 individuals, events or topics, and in response, the CIA released in full, or in part, 81 documents.’

The Director of Central Intelligence personally requested records searches when the allegations were first raised. An independent review of CIA files was conducted by the CIA Inspector General, who stated that the files:

‘...yielded no information shedding any light on the automobile accident or deaths of Lady Diana and Dodi Fayed .../... (MORI DocId 869046).’

The letter to the British Embassy also stated that the CIA Directorate of Operations (DO) had informed the Inspector General that DO records searches did not locate or identify:

‘... any cables containing information about an alleged involvement of the British Royal family, government or intelligence services in the deaths of Princess Diana or Dodi Fayed” or “ that CIA in any way might have been supportive in such a conspiracy. (See MORI DocID 869055, dated 27 April 1998).’

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In addition, the letter noted that the CIA Office of Public Affairs' response to media inquiries had been unequivocal:

'Any allegations of CIA involvement in the death of the Princess were ludicrous and absurd. (See MORI DocID 869029, dated 27 July 1998).'

Louis F. GILES

Director of Policy, Central Security Service, National Security Agency. Louis Giles responded in writing to an official request from Operation Paget.

In 2005, Operation Paget made an official request through the Legal Attaché at the United States Embassy in London (Operation Paget - Correspondence C759A) for officers to see the documentation withheld under the FOIA. Failing that course of action, for the records to be reviewed once again by the Agency in the light of detailed information about the allegation provided by Operation Paget to enable a more informed assessment to be made.

Operation Paget provided the United States Embassy with a summary of the conspiracy allegation being investigated in order for it to be passed to the NSA. This included names known to Operation Paget that may not have been familiar to those unconnected with the inquiry.

The NSA chose to further review their records and provided an official response to Operation Paget on 20 March 2006. (Operation Paget - Correspondence C759B)

The Director of Policy, NSA, Central Security Service, Louis Giles stated:

'I have personally reviewed the 39 NSA-originated and NSA-controlled documents referenced by Ms JoAnn Grube, NSA Deputy Director of Policy, in her 5 November 1998 response to a Freedom of Information Act request referencing Princess Diana. I can state that these documents contain no information shedding any light on the circumstances surrounding the death of Princess Diana and Dodi Fayed in the 1997 Paris car accident. Furthermore I can categorically confirm that NSA did not target Princess Diana nor collect any of her communications. The NSA documents, acquired from intelligence gathering of international communications, contain only short references to Princess Diana in contexts unrelated to the allegations being made by Mr Mohamed Al Fayed.

The documents however must remain classified as their disclosure could reasonably be expected to cause exceptionally grave damage to the national security of the United States by revealing intelligence sources and methods.'

The United States authorities have provided an official response.

Operation Paget was not allowed access to NSA/CIA intelligence files.

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Gerald POSNER

Law school graduate, practising law in New York and founder of his own law firm. He is now an investigative non-fiction writer and author. He gave information provided by his sources allegedly from within the National Security Agency.

Interviewed by Operation Paget - Statement 116

Gerald Posner, who is based in the United States, provided the following information relevant to the NSA in his statement:

'As for Henri Paul's missing three hours I have spoken to a source in the US National Security Agency (name not disclosed) who learned from French colleagues - employed by French security agencies - that Henri Paul had a meeting with a member of the DGSE (Direction Generale de la Securite) that evening he died. Henri Paul was an informer and this was his informant handler with whom he met.

His position at the hotel evidently enabled him to obtain details on high ranking visitors and any liaisons with which they may have been involved. As opposed to high intelligence this was evidently the level and quality of information Henri Paul passed to the French security agencies. He was a paid informant and no more.

There is apparently a file on him in this role with the French authorities confirming he had a standard informant/pay relationship with this agency. I have not seen this file. Although I am certain it was the DGSE with which he had this relationship I was also told from the same source that Henri Paul had relations with the DST (Direction de la Surveillance du Territoire) and the Renseignements Generaux. I understand these were less formal. I know the difference between the three French intelligence agencies I mention in the article and that the DGSE is the equivalent to and perform the same function as the CIA in the USA and MI6 in the United Kingdom.

Although I was not told what this meeting was about that day I was told what it was not about. It had nothing to do with Diana, Princess of Wales. I was told the subject did come up but only in general conversation and that it was pure coincidence that this meeting took place on the same day as the crash occurred. He was paid FF12,560.'

Gerald Posner provided information on other issues:

'Lucia Flecha de Lima was among those I interviewed. Prior to this I was able to listen to a small portion of a conversation that had apparently taken place between her and Diana, Princess of Wales during a phone conversation. That conversation was evidently intercepted electronically by the NSA, having originated from the Brazilian Embassy in Washington. I could only decipher a British woman and a woman with a slight Hispanic accent talking about hairstyles. However when I mentioned the details to Lucia Flecha de Lima she confirmed this conversation had taken place between herself and Diana, Princess of Wales.'

The inference from Gerald Posner's information was that the Embassy, and not the Princess of Wales, was the subject of any telephone interception.

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Operation Paget - Message 746

Lucia Flecha de Lima informed Operation Paget that she did not recall speaking with Gerald Posner. She did agree that she had had many telephone conversations with the Princess of Wales

In these scenarios, according to Gerald Posner's information, the Princess of Wales was:

- a) not the primary subject of a meeting involving Henri Paul, and
- b) not the primary subject of a telephone recording of Lucia Flecha de Lima.

Judge Hervé STEPHAN **Examining Magistrate.**

Operation Paget – Other Document 342 (Pre-Paget)

Judge Stéphan, supported by Judge Devidal, had sole control of the investigation from 2 September 1997, the purpose of which was:

'to define as fully as possible the sequence of events with a view to determining, at its conclusion, the legal ramifications of any possible liability.'

French Dossier D6982

In a note of 22 December 1998, Judge Stéphan recorded that he had received documents from the police liaison officer at the French Embassy in Washington relating to the National Security Agency.

French Dossier D7448-D7449

In an 'Order for Refusal of Request for Investigation' dated 19 February 1999 he wrote:

'Whereas, as regards the services of the United States of America, following the handing over of press articles by the party claiming damages, various public documents have been supplied by the French police liaison officer in Washington and attached to the file, in particular a letter from a representative of the NSA;

Whereas no evidence establishes a link between the documents which are said to be in the possession of that service and the precise events which are the subject of the investigation.'

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French Dossier D7456-D7457

On 2 March 1999, The Public Prosecutor's Office wrote in response to requests from Mohamed Al Fayed:

'As regards the American secret services, and more particularly the National Security Agency, the Examining Magistrates considered that the documents supplied by the French police liaison officer in Washington did not enable any link whatever to be established between the documents which were said to be in the possession of the NSA and the matters which were the subject of the investigation'.

The Security Service (MI5) and protection issues

It is the role of the Security Service to provide intelligence on possible threats to the Royal Family.

Police personal protection officers provide protection for members of the Royal Family when they are travelling in the United Kingdom and overseas.

At the time of the crash, the Princess of Wales no longer had routine personal protection following her request to have this facility withdrawn in 1993. From 1994 she received such protection only when she was travelling with other members of the Royal Family who warranted protection (principally her sons) or when she was travelling to particularly hazardous locations, such as Angola.

Operation Paget Comment

The NSA has significant intelligence-gathering capabilities and collects an enormous amount of information.

The issue for the *'conspiracy allegation'* is whether in late August 1997 the NSA collected information relating to engagement or pregnancy from the Princess of Wales, Dodi Al Fayed, Mohamed Al Fayed or others. Further, whether they passed such information to the security and intelligence services in the United Kingdom.

The NSA had documents relating to the Princess of Wales, as disclosed under FOIA requests brought by Mohamed Al Fayed. The NSA responded in 1999 through Robert Tyrer, Chief of Staff for the US Secretary of Defence and then most recently in 2006 through its Director of Policy, Louis Giles, stating that none of the material held was relevant to the events surrounding the crash in 1997.

Louis Giles further stated, *'I can categorically confirm that NSA did not target Princess Diana nor collect any of her communications'*.

The NSA declined to disclose details of the material as *'their disclosure could reasonably be expected to cause exceptionally grave damage to the national security of the United States by revealing intelligence sources and methods.'*

[Paget Note: This is a common and accepted position amongst intelligence agencies.]

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The NSA, having provided attributed responses, either does not have information relevant to the crash or is concealing it. Without unrestricted access to United States intelligence files and systems it is not possible for Operation Paget to be categorical in its conclusions. The prospect of an intelligence agency allowing foreign law enforcement officers direct and unfettered access to classified documents is very remote. However, in the course of investigations at the SIS and at the Security Service in London, Operation Paget was satisfied that there was no evidence that communications relating to the events in Paris had been received from any American agency. There is no evidence to support the claim of concealment of relevant material.

Gerald Posner's NSA source, if correct, referred to information about the Princess of Wales obtained during a telephone conversation between her and a friend, that conversation having '*originated*' from an embassy.

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(iii)

CONCLUSIONS

Part A – Claims outlined in Section (i)

Claims 1, 2 and 3

Claim 1 - I also understand that United States government agencies (namely the National Security Agency and Central Intelligence Agency) possess material relevant to the crash and have admitted to possessing 39 documents consisting of 1054 pages relevant to my enquiries.

Claim 2 - The United States National Security Agency has confirmed that it was carrying out surveillance of the Princess of Wales — probably on behalf of the United Kingdom services - during this period and has an extensive file relating to the crash.

Claim 3 - Diana, Princess of Wales was under close surveillance by MI6. CIA and NSA in the United States closely intercepted and monitored her telephone calls. They would have been aware that she intended to announce publicly her engagement to Dodi on Monday 1 September 1997. CIA and NSA possess 39 documents consisting of 1054 pages which relate in part to transcripts of telephone calls made by Princess Diana whilst she was with my son.

These conclusions relate to claims 1, 2 and 3.

The NSA declared that it held 39 documents in which reference was made to the Princess of Wales. They disclosed this fact in response to FOIA requests brought by Mohamed Al Fayed in 1998.

The NSA did not state that this material was relevant to the crash (as alleged in the claims above). Indeed they asserted the opposite in their correspondence over the years as follows:-

- In 1999, from Robert Tyrer, Chief of Staff for the United States Secretary of Defense;
- In 2003, from Scott Muller of the General Counsel's Office of the CIA;
- In 2006, from NSA Director of Policy Louis Giles.

Louis Giles stated in his response to the Operation Paget request that none of the material held was relevant to the events surrounding the crash in 1997. He further stated; *'I can categorically confirm that NSA did not target Princess Diana nor collect any of her communication.'*

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The NSA declined to disclose the material as ‘...*disclosure could reasonably be expected to cause exceptionally grave damage to the national security of the United States by revealing intelligence sources and methods.*’

It is common and accepted practice amongst intelligence agencies to protect their intelligence gathering methods. The prospect of an intelligence agency allowing foreign law enforcement officers direct and unfettered access to classified documents is remote.

Other information relating specifically to the NSA is examined under these claims.

Gerald Posner, an American lawyer and author, claimed to have a source within the NSA. This source described an alleged meeting in Paris on Saturday 30 August 1997. The NSA source was apparently told this by a French intermediary source. The meeting allegedly involved French security officials (DGSE) and Henri Paul. According to the sources, the meeting had nothing to do with the Princess of Wales and she was only mentioned in passing.

Gerald Posner stated ‘*Although I was not told what this meeting was about that day I was told what it was not about. It had nothing to do with Diana, Princess of Wales. I was told the subject did come up but only in general conversation and that it was pure coincidence that this meeting took place on the same day as the crash occurred.*’

[Paget Note: The DGSE has denied any knowledge of Henri Paul.]

Gerald Posner told of further information apparently being collected relating to the Princess of Wales during a telephone conversation she had with a friend, Lucia Flecha de Lima. Gerald Posner was played a short extract from what he believed to be a recording of a telephone conversation. He stated that this conversation was ‘*evidently intercepted by the NSA*’,.....‘*having originated from the Brazilian Embassy in Washington*’ which might have been the subject of surveillance or monitoring. At the time of the alleged conversation, the Brazilian Ambassador to Washington was the husband of Lucia Flecha de Lima.

Gerald Posner’s sources did not indicate to him that the Princess of Wales herself was under targeted surveillance by the NSA. The importance of such information, had there been any, would not be lost on the sources and it is reasonable to assume that they would have passed on that information to Gerald Posner had they been in possession of it.

In the claims above it has been alleged that the NSA confirmed that it was carrying out surveillance on the Princess of Wales. The evidence is that they have not confirmed this.

Louis Giles stated in his official response to Operation Paget in 2006:

‘I can categorically confirm that NSA did not target Princess Diana nor collect any of her communication.’

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Gerald Posner's sources have apparently not provided any other evidence to show that the NSA/CIA intercepted the Princess of Wales' telephone calls.

There is no evidence from Operation Paget enquiries at the British Secret Intelligence Service to show that they were conducting surveillance on the Princess of Wales. Claims relating to the SIS are dealt with in Chapter Sixteen.

Claim 4 - The investigating magistrate made only the most perfunctory enquiries of the British Embassy and none of the National Security Agency.

The Examining Magistrate Judge Hervé Stéphan was undertaking an inquiry, the purpose of which was *'to define as fully as possible the sequence of events with a view to determining, at its conclusion, the legal ramifications of any possible liability.'*

He considered that documents supplied by the French police liaison officer in Washington did not enable any link to be established between the documents which were said to be in the possession of the NSA and the matters which were the subject of his investigation.

The enquiries made of the British Embassy in Paris by the Examining Magistrate are recorded in detail in Chapter Eleven. They were numerous and the documentation is included in the French judicial dossier. Whether that could be considered 'perfunctory' as is claimed, is a matter of opinion.

CHAPTER **SIXTEEN**

THE SECRET INTELLIGENCE SERVICE
AND
THE SECURITY SERVICE

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(i)

CLAIMS IN SUPPORT OF CONSPIRACY ALLEGATION

The following claims are direct lifts from source documents or have been made in interviews to camera. The wording may have been abridged to assist the reader in understanding the key points.

Précis of the claims made by Mohamed Al Fayed, Richard Tomlinson (ex-Secret Intelligence Service), David Shayler and Annie Machon (both ex-Security Service)

Claims were made that clearly relate specifically to the Secret Intelligence Service, (SIS) commonly known as MI6. Other claims refer to the 'security services' or 'intelligence services', which are more generic terms. When such a term is used, Operation Paget has taken this to refer to the Secret Intelligence Service unless there is a specific reference or inference to indicate that this includes the Security Service (MI5) or foreign 'intelligence agencies'.

There were many claims that referred to the SIS. Some varied only slightly in detail and emphasis. All are listed in this section in order to provide a full understanding of the extent and chronology of the principal allegation. While this report addresses each claim individually, it is possible to summarise much of what is being said into a general allegation.

In essence Mohamed Al Fayed alleged that the British security services were involved in planning and carrying out a staged car accident to kill the Princess of Wales and Dodi Al Fayed. This was done to prevent a forthcoming announcement of engagement and/or pregnancy. The action was allegedly carried out at the behest of HRH Prince Philip and based on a similar plan devised in 1992 by the SIS, the alleged target being Slobodan Milosevic.

Further, Mohamed Al Fayed claims Henri Paul, the acting Head of Security at the Ritz Hotel in Paris was working for an intelligence/security service and was instrumental in the operation of the plan, unwittingly or otherwise. Similarly, a French paparazzo, Jean-Paul (known as James) Andanson, allegedly worked for an intelligence/security service and was present at the time of the incident. He owned a white Fiat Uno that was used in some way at the Alma underpass to cause the Mercedes carrying the Princess of Wales and Dodi Al Fayed, to crash. James Andanson died in a car fire in May 2000. Mohamed Al Fayed said that the circumstances of this incident indicated he was murdered by the 'security services' or took his own life, driven by guilt over his involvement in the murders in 1997.

It was further alleged that the SIS took steps before and after the crash in the Alma underpass to cover up evidence of the conspiracy and the act of murder itself, with the assistance of overseas agencies where necessary.

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Much of the supporting detail for these claims was provided by Richard Tomlinson, an SIS officer from 1991 to 1995. His specific claims, and those of two former Security Service (MI5) officers, Annie Machon and David Shayler, are included in section (i) alongside those of Mohamed Al Fayed, because of their claims to specific knowledge of the work of their respective services. The claims of Mohamed Al Fayed are listed first. As he relied to a great extent on information provided by Richard Tomlinson for some of his claims many of these claims are similar but differ slightly in detail.

The claims are, where possible, direct lifts from the official source documentation and reflect the actual grammar and words used.

Claims made by Mohamed Al Fayed

Claims

1. Members of the British police / security services were providing protection from a distance for the Princess that evening.
2. Richard Spearman was the number 2 of MI6 and was in Paris specifically to take charge of MI6.
3. Nicholas Langman is a member of MI6 and arrived in Paris one week before the accident and left a week after.

Source - 11 December 1998 Evidence to Judge Hervé Stéphan by Mohamed Al Fayed (French Dossier D6949)

Claims

4. Her Majesty the Queen told Mr Burrell that *'There are powers at work in this country about which we have no knowledge'*. It is probable that this was a reference to the security services.
5. Mr Richard Tomlinson, a former MI6 agent, told the examining magistrate that members of the United Kingdom Secret Intelligence Service were also present in Paris shortly before 31 August 1997.
6. A British photographer who was present at the Ritz Hotel on that date but was unknown to the paparazzi there may have had a connexion with that service.
7. Mr Tomlinson also described a technique devised by the United Kingdom secret services of blinding the driver of a car in a tunnel by setting off a bright flash.

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8. Tomlinson also identified Henri Paul as a paid informant for MI6.
9. The investigating magistrate made only the most perfunctory inquiries of the British Embassy and none of the National Security Agency.

Source - 7 February 2003, submission by Mohamed Al Fayed to the Minister for Justice, Scotland requesting a Public Inquiry; May 2003, petition for Judicial Review - Minister for Justice, Scotland in the name of Mohamed Al Fayed

Claims

10. Eye-witnesses have spoken of seeing a bright white flash in the tunnel before the crash.
11. This technique (blinding by stroboscopic light) was being developed by the secret services in the early 1990s with a view to the assassination of President Slobodan Milosevic of Serbia.
12. This surveillance (by the security services) was carried on both while the Princess and Dodi Al Fayed were in and around St Tropez and when they were in Paris.
13. At least two MI6 officers were present at the British Embassy in Paris, namely Nicholas Langman and Richard Spearman (formerly chief of staff to the Head of MI6). They had arrived there shortly before 31 August 1997 and left not long afterwards.
14. Initial inquiries made of the British Embassy on behalf of Mohamed Al Fayed confirmed that Mr Spearman had been present in Paris at the time of the crash. When enquiries were later made, the British Embassy advised that they had never heard of Mr Spearman.
15. Among the paparazzi outside the Ritz Hotel on 30-31 August 1997 there were two people who acted as paparazzi yet were not known to the regular paparazzi. They were heard to be speaking English. They have not been identified.
16. One told some of the paparazzi that he was a journalist with the *Daily Mirror*, which has stated that it had no journalists present at the time.
17. A former member of MI6 [Richard Tomlinson] has also attested that one of the paparazzi who routinely followed the Princess was engaged in providing surveillance and photography services for MI6.
18. An assertion by the security services that they have no involvement in illegal activities such as assassinations is not credible has recently been confirmed by the report of an inquiry carried out by Sir John Stevens, Commissioner of MPS, into two murders in Northern Ireland in the late 1980s and into allegations of collusion between the security forces and loyalist paramilitaries in Northern Ireland.

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19. Darryn Lyons received photographs (of the crash scene) transmitted by ISDN line to the computer in his office in the course of 31 August 1997. His offices were burgled at around 11 pm on 31 August 1997.

20. Lionel Cherruault's home was burgled during the night of 31 August / 1 September 1997. Electronic equipment, including equipment used to transmit photographs, was stolen. He was informed by the crime investigation officer that it had been 'no ordinary burglary'. The clear implication was that the burglary had been carried out by the security services.

**Source - Undated 'Note of Argument' - Supporting petition for a Judicial Review
- Minister for Justice, Scotland - in the name of Mohamed Al Fayed**

Claims

21. I am in no doubt whatsoever that my son and Princess Diana were murdered by the British Security Services on the orders of HRH Prince Philip, Duke of Edinburgh.

22. Diana, Princess of Wales was under close surveillance by MI6. (CIA and NSA in the United States closely intercepted and monitored her telephone calls. They would have been aware that she intended to announce publicly her engagement to Dodi on Monday 1 September 1997. CIA and NSA possess 39 documents consisting of 1054 pages which relate in part to transcripts of telephone calls made by Princess Diana whilst she was with my son.)

[Paget Note: CIA denotes Central Intelligence Agency. NSA denotes National Security Agency.]

23. A blinding flash of light was seen by witnesses in the tunnel just before the crash which could only have come from such a device.

24. The Security Services ensured that the authorities stated that all CCTV cameras between Place Vendôme and the Alma Tunnel were inoperative on the night of the crash.

25. Dominic Lawson's wife is Rosa Monckton and her brother is a serving senior MI6 agent.

26. Rosa Monckton established a friendship with Princess Diana simply in order to pass information she obtained to MI6.

27. Senior MI6 agents were stationed at the British Embassy in Paris prior to and after the crash. These agents were Richard Spearman and Nicholas Langman. Although not directly involving themselves I am sure that they engineered the plan to assassinate my son and Princess Diana using more junior colleagues that were at the Embassy.

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28. The home and office of Lionel Cherruault and Darryn Lyons, London press agents, were raided by MI6 and as with Andanson, their equipment seized. There was no police investigation into this.

Source - 5 July 2005 witness statement of Mohamed Al Fayed

Claim

29. There is no doubt that Messrs Langman, Spearman and Spedding have all been directly implicated, acting, I am sure, directly to the orders of the Royal Family, the Prime Minister and his senior henchmen.

Source - 15 February 2006 Letter from Mohamed Al Fayed to Lord Stevens, (Copy extract from letter to Intelligence & Security Committee)

Claims made by Richard Tomlinson

Many of Mohamed Al Fayed's claims relating to the SIS are based on the information provided by Richard Tomlinson. He was an SIS officer from September 1991 until April 1995, when he was dismissed by the Service in acrimonious circumstances. He claimed his information regarding the SIS was based principally upon knowledge gained during his employment there. For this criminal investigation and crime report, Richard Tomlinson's allegations have been drawn from:

1. Richard Tomlinson's published account of his work as an SIS officer, *'The Big Breach'*, first published in Russia in 2001.
2. His sworn personal evidence in Paris in 1998 to Judge Hervé Stéphan, the French Examining Magistrate.
3. A sworn affidavit of Richard Tomlinson dated 1999.
4. Two 'interviews to camera' by Richard Tomlinson in 2003 to commercial broadcasters; and one 'interview to camera' to people representing Mr Al Fayed – provided by Mohamed Al Fayed to Operation Paget in 2005.
5. Signed notes provided by Richard Tomlinson in September 2004 at a meeting with Operation Paget officers.

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Claim

30. 'Fish' [Refers to the name of an individual] proposed three alternative plans to assassinate Slobodan Milosevic and had documented these on a two-page minute which included the justification for such action. The third proposal was to arrange a car 'accident' to kill Milosevic, possibly while attending the ICFY peace talks in Geneva. Fish proposed using a bright flashing strobe gun to disorientate Milosevic's chauffeur while the cavalcade passed through a tunnel. The advantages of a tunnel crash was that there would be fewer incidental witnesses and a greater chance that the ensuing accident would be fatal.

Source - 'The Big Breach' written by Richard Tomlinson, first published in Russia in 2001

Claims

31. It was while watching a report on the accident in the UK two months ago that I recalled this scenario. It was because a witness mentioned a very bright flash inside the tunnel that I made the connection between the accident at the Alma Bridge and the scenario that I had seen regarding the Serbian President.

32. In 1992 I was working on an operation to recover high tech weapons from the former Soviet Union. This operation was being conducted in collaboration with a very powerful arms dealer whose exact identity I did not know. When I read the file I discovered that this arms dealer was in very frequent contact with Mr Mohamed Al Fayed. I saw that the MI6 informant supplying this information had a code beginning with a P, followed by several numbers. As this source was mentioned several times I tried to find out who it was. It was a Frenchman who was head of security at the Ritz Hotel.

33. I also saw on the British TV documentary that Henri Paul had a lot of money in his bank account. I am certain that this money originated from MI6.

34. I heard in my department that there was a member of the paparazzi who was an MI6 informant. This paparazzo regularly followed the royal family and was sometimes paid for overseas operations. He had been following Diana on a regular basis for several years.

35. At the time of the accident the number two of the Paris outstation of MI6 had just completed half of his three year posting to Paris, but a few weeks after the accident he was suddenly recalled to England.

36. It is extremely rare for someone to be recalled before the end of their posting as it represents a major investment. The person concerned had for example been on an eight-month French course, as had his wife.

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37. The question raised in the TV report in the UK concerning the fact that the two English bodyguards accompanying the couple on the night of the accident were former members of the SAS. I should point out in this respect that there are very strong links between the SAS and MI6 and an SAS man retains his loyalty to his regiment for the rest of his life.

Source - Sworn statement by Richard Tomlinson to Judge Hervé Stéphan, Examining Magistrate, Paris - 28 August 1998

Claims

38. The MI6 officer paid the informant in cash for his information.

39. I am confident that the relationship between he and MI6 would have continued until his death, because MI6 would never willingly relinquish control over such a well placed informant. I am sure that the personal file of Henri Paul will therefore contain notes of meetings between him and his MI6 controlling officer right up until the point of his death.

40. In Paris at the time of M. Paul's death there were two relatively experienced but undeclared MI6 officers. The first was Nicholas Langman. The second was Richard Spearman. I firmly believe that either one or both of these officers will be well acquainted with M.Paul, and most probably also met M.Paul shortly before his death.

41. Richard Spearman in particular was an extremely well connected and influential officer because he had been prior to his appointment in Paris the personal secretary to the Chief of MI6 David Spedding. I believe that there may well be significance in the fact that Mr Spearman was posted to Paris in the month immediately before the deaths.

42. The plan was fully typed, and attached to a yellow minute board, signifying this was a formal and accountable document. It will therefore still be in existence.

43. NF proposed to arrange the crash in a tunnel, because the proximity of concrete close to the road would ensure that the crash would be sufficiently violent to cause death or serious injury and would also reduce the possibility that there might be independent, casual witnesses.

44. NF suggested that one way to cause the crash might be to disorientate the chauffeur using a strobe flashgun, a device which is occasionally deployed by special forces to, for example, disorientate helicopter pilots or terrorists and about which MI6 officers are briefed during their training.

45. MI6 are frequently and routinely asked by the Royal Household (usually via the Foreign Office) to provide intelligence on potential threats to members of the Royal Family whilst on overseas trips. This service would frequently extend to asking friendly intelligence services (such as the CIA) to place members of the Royal Family under discrete surveillance, ostensibly for their own protection.

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46. One of the ‘paparazzi’ photographers who routinely followed the Princess of Wales was a member of ‘UKN’, a small corps of part-time MI6 agents who provide miscellaneous services to MI6 such as surveillance and photography expertise.

Source - Sworn affidavit of Richard Tomlinson – 1999

Claims

47. Henri Paul who was the second in charge of security was sort of press ganged into being the chauffeur that night at the last minute.

48. He’d been working for MI6 since I’d seen his file for the first time in 1992 and from memory he’d been working for MI6 for a few years prior to that.

Source – Interviews to camera by Richard Tomlinson; ‘Diana, The Night She Died’, 4 June 2003

Claims made by Annie Machon and David Shayler

Annie Machon and David Shayler are declared ex-Security Service (MI5) officers. Following a meeting with Mohamed Al Fayed they offered information to the Operation Paget team subsequent to the publication of their book.

Claims

49. Princess Diana and her former lover James Hewitt both claimed to have been under MI5 surveillance in the years before the crash, I knew that this was not true. This begged the question who exactly was following Diana at this time.

50. Having looked at the available evidence I am personally inclined to think that MI6 paid to have Diana and Dodi involved in an accident.

Source - Events described in their book ‘Spies, Lies and Whistleblowers’

Claims

51. MI6 must therefore have known that Diana was in Paris on that night.

52. Shayler’s assessment (that MI6 were involved) is based on how MI6 worked, how they paid others to carry out their ‘dirty’ work and an operation Shayler was involved in that could match the Modus Operandi.

Source - Meeting - Machon/Shayler with Operation Paget officers, 14 June 2005 (signed notes held by Operation Paget)

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The following claims involve allegations of the security services involvement with Henri Paul, Mohamed Al Fayed's ex-bodyguards, Trevor Rees-Jones, Kieran Wingfield and Reuben Murrell and finally James Andanson. Although recorded here for information they are examined in detail in Chapters: Four, Thirteen and Fourteen. Henri Paul has claims made of specific involvement with both the SIS and French security services –the evidence relating to his alleged security service link is detailed in this Chapter, but also referred to in Chapter Four.

Other Claims in Mohamed Al Fayed's statement, and the undated 'Note of Argument' linking the **security services and Henri Paul** are recorded here and also examined in Chapter Four. They are listed here for completeness:

- i) A former member of MI6 has given sworn evidence that he is aware from MI6 files that MI6 had an informant who was a security officer at the Ritz Hotel and who was of French nationality.
- ii) There is evidence that Henri Paul was in the pay of MI6. The French police did not investigate why Mr Paul was in possession of about £2000 in cash at the time of the crash or why he had more than £100,000 in thirteen separate bank accounts.
- iii) Henri Paul was a paid informant for both MI6 and DGSE. On the night of 30 August 1997 he met with Secret Service agents in Paris and was paid the equivalent of £2000 in French Francs which was found in his pocket at the time of death.
- iv) Henri Paul should never have driven my son and Princess Diana. He was doubtless working on instructions from the security services, having persuaded Dodi to deploy the decoy plan.

Another claim in Mohamed Al Fayed's statement that links the **security services and James Andanson** is recorded here and examined also in Chapter Fourteen. It is listed here for completeness:

- i) James Andanson was a paparazzo with very close links to and obviously working for MI6. I personally believe that it was his Fiat Uno which collided with the Mercedes causing the crash. The French police never questioned him regarding this, albeit paint and bumper samples proved conclusively that it was his car that was in collision with the Mercedes. Andanson was later burnt alive in his BMW car in a remote part of Southern France. The French authorities have classified his death as suicide but if this is in fact the case then it points to it being as a result of what was on his conscience for causing the deaths. Shortly after his death his offices at SIPA news agency were raided by the Security Services and all of his electronic equipment and photographic images were removed. This raid has never been investigated by the French police. James Andanson, has been murdered, burnt alive in the South of France in a car because they have been worried that he can be bought or he can sell his story and they killed him.

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Other claims in Mohamed Al Fayed's statement that link the **security services and the bodyguards** are recorded here and also examined in Chapter Thirteen. They are listed here for completeness:

- i) My former bodyguards, Trevor Rees Jones, Kes Wingfield and Ben Murrell. It is a fact that these men were turned against me by the security services. They were worried that Trevor Rees Jones may begin to tell the truth.
- ii) The fact is that Trevor Rees-Jones did not lose his memory. He knows exactly what happened between Rue Cambon and the Alma Tunnel. He knows the detail which the security services are so eager to suppress, including why Henri Paul took the route via the Alma Tunnel, the motorcycle which blocked their exit, the flashlight which blinded the driver – the list is endless.
- iii) Trevor Rees-Jones book, 'The Bodyguard's Story' is clear evidence of how he, Kes Wingfield and Ben Murrell were turned against me. The book, which was not written by him but by the security services, is a tissue of lies and deceit designed to denigrate me and to support the British authorities account that the deaths of my son and Princess Diana were the result of a simple traffic accident.
- iv) 'The Bodyguard's Story' book was written with the co-operation of such people as Martyn Gregory and Dominic Lawson.
- v) They were well rewarded financially and additionally. Rees-Jones was appointed as Head of United Nations security in East Timor. The only explanation is that it was an inducement to ensure his continued silence.
- vi) Trevor Rees Jones was not part of it but he had been turned against me. He was in the car, he knows how the car was blocked not to go to the Champs Elysees, motorcycles behind, floodlights blind the driver and blind him at he started to give an interview to a very prominent newspaper the Daily the same time" "Basically they want to kill him because he's the only person who can say the truth" "And he told me exactly what happened and Mirror, and the minute the security services know that the guy starts talking, they approach the guy behind my back through other people, they turn him against me. And because they know they had to, the guy started talking, they appoint him Deputy Security in Timor Island for the United Nations and pay him a lot of money."

(ii)

REPORT

Operation Paget has assessed all relevant statements and documents and has included excerpts only where considered necessary. Excerpts from statements or other documents shown in italics are direct lifts and the language and spelling will reflect this.

Background to the Investigative Process

At the opening of the inquests into the deaths of the Princess of Wales and Dodi Al Fayed in January 2004, the Coroner of the Queen's Household and H.M. Coroner for Surrey, Michael Burgess, asked the then Commissioner, Sir John Stevens to investigate the conspiracy allegations surrounding the deaths in order to '*inform the inquest process*'.

The inquiry, known as Operation Paget, consolidated the allegations from a number of documents provided by Mohamed Al Fayed, at the beginning of the investigation. Other information was added as the investigation progressed. It was evident that much of the source information for the claims relating to SIS has in one form or another come from one of their former officers, Richard Tomlinson, now living in France.

In 2004 Operation Paget contacted the SIS, outlining the areas of interest to the inquiry and sought their assistance in answering specific questions. Claims had been made against the SIS, and individuals allegedly within it, but co-operation would be voluntary. The MPS had no grounds to coerce or force the SIS or individuals working for the organisation to provide information.

The SIS had a meeting with the Operation Paget team, led by the then Commissioner of the Metropolitan Police Service, Sir John Stevens (now Lord Stevens.) At this meeting in 2004 the SIS offered full co-operation to Lord Stevens and two senior members of the team. They agreed to identify those individuals referred to in Richard Tomlinson's claims only by code, pseudonym or description. Details of all SIS officers that had worked in Paris at the relevant time were also provided. All, still serving or retired, were subsequently made available for interview. The SIS also agreed to provide access to SIS databases, together with any supporting documentation, for independent search by Operation Paget officers having the necessary security clearance.

The detail of who was interviewed, how the enquiries were undertaken, the security protocols put in place and the extent of searching SIS databases is held securely by Operation Paget. The results of those enquiries, suitably de-personalised where necessary for security reasons, form the basis of this Chapter.

The nominated Operation Paget officers interviewed SIS personnel or examined databases and documentation for a total of 18 working days over a period of two months.

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The arrangements and protocols were also used at the Security Service (MI5). They offered the same assistance to Operation Paget even though there were no specific allegations or claims made against them. The Operation Paget officers undertook those enquiries in six working days over a period of six months.

In order to better understand the nature of the allegation against the 'security services' the claims have been grouped together in defined subject areas. The enquiries and findings of Operation Paget are then described in relation to each area in turn.

SUBJECT AREAS

1. The '*Milosevic Plot*'
2. SIS officers stationed in Paris in 1997
3. Henri Paul
4. 'James' Andanson
5. Darryn Lyons / Lionel Cherruault photographic agency / photographers based in London in 1997
6. National Security Agency / Central Intelligence Agency, United States of America – (Summary of claims only)
7. Miscellaneous issues:
 - a. British/SIS photographers/paparazzi outside the Ritz Hotel
 - b. Surveillance/protection of the Princess of Wales
 - c. SIS links to, and influence with, the '*Establishment*'
 - d. Capability and unlawful actions of the security services

1. The '*Milosevic Plot*'

Summary of Claims

Richard Tomlinson claimed that in 1992, while working at the Secret Intelligence Service, he saw an official '*minute*' or '*memorandum*' prepared by a colleague in the Balkans Section, where both worked at that time. It contained a proposal to assassinate the then Serbian President, Slobodan Milosevic and apparently contained a reasoned justification for such action at that time. Within this '*minute*' or '*memorandum*' there were apparently three proposed scenarios providing detailed options of how such an operation could be carried out.

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One of these scenarios involved organising a car accident in a tunnel using a bright flashing strobe gun to disorientate the chauffeur, hence a likelihood of less witnesses, and the proximity to concrete would ensure a violent crash. The other two options apparently proposed more direct and obvious action. Richard Tomlinson suggested the venue proposed for this ‘*accident*’ was Switzerland, during Slobodan Milosevic’s attendance at peace talks there.

The relevance of the ‘*Milosevic Plot*’ to the conspiracy allegation in this case was the claim that the detail of the alleged operational plan in 1992 mirrored what happened in the Alma underpass. This would demonstrate previous use of the ‘*staged accident*’ concept by the SIS and was a fundamental point in the assertion that the SIS had an involvement in this case.

Operation Paget has examined whether the ‘*Milosevic Plot*’ described by Richard Tomlinson existed and if it did, whether it reflected the circumstances of the crash in Paris.

Enquiries

In examining the ‘*Milosevic Plot*’ claim, Operation Paget has undertaken enquiries in relation to the evidence provided by:

- a) Richard Tomlinson and
- b) SIS officers working with Richard Tomlinson in the early nineties

a) Richard Tomlinson’s accounts of the ‘*Milosevic Plot*’

To understand the veracity or otherwise of Richard Tomlinson’s claim that the ‘*Milosevic Plot*’ mirrored almost exactly the actual events that took place in Paris in 1997, one must examine in detail the chronology and content of his claims.

1991 until 1995 Richard Tomlinson worked for the Secret Intelligence Service. He was dismissed from the Service in 1995 in acrimonious circumstances.

1996 Civil Proceedings taken against Richard Tomlinson. As a result of the civil proceedings being taken against him relating to the writing of a book about his time as an SIS officer, a court order was served. This resulted in the recovery of three floppy disks, each of which included a version of ‘Chapter 8’ of a draft manuscript (provisionally titled ‘*I Spy*’). A hard copy version was also seized.

These were written before the crash in Paris on 31 August 1997.

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The following passage in that manuscript was particularly relevant to Operation Paget:

‘ “Here, take a butcher’s at this.” He threw over to me a two-page minute entitled ‘a proposal to assassinate Serbian President Slobodan Milosevic’. The yellow minute card was attached to the back, showing that it was a formal document rather than just a draft, and it was to be sent to String Vest, then C/CEE (East European Controller) and finally H/SECT, the assistant to the Chief himself.

The first page was a justification for assassinating Milosevic, citing evidence for his destabilizing plans for a Nazi-like Greater Serbia encompassing Serbia, Montenegro, most of Bosnia and the Serb populated parts of Croatia, his illegal covert support for Radovan Karadzic, President of the self-styled Serbian Republic in Bosnia, and his genocidal plans against the Albanian population of Kosevo.

The second page was a brief outline of his assassination plan. He proposed to use RWW in a drive-past ambush during one of Milosevic’s visits to Geneva for the ICFY peace talks. The attack would be carefully staged to suggest that it had been carried out by elements of the Bosnian emigree population in Switzerland.

I was astonished at the audacity and ruthlessness of his plan but he was very serious about his career and he would not have sent such a suggestion up to such senior officers frivolously. I passed it back. You’re bloody crazy. This will never get accepted. He looked at me disparagingly, as if I was an innocent learning for the first time about the facts of life. I never saw the minute again, or heard anything more about the plan. If it was discussed in detail by senior officers, I would not have expected to hear any more.

An indoctrination list would have been formed probably consisting only of the Chief, C/CEE, P4 and MODA/SO, the liaison officer with RWW in Hereford.’

[Paget Note: RWW was at the time an operational unit accountable to the Ministry of Defence. ICFY was the International Conference on the Former Yugoslavia.]

October 1997 After the crash, Richard Tomlinson was arrested in relation to Official Secrets Act offences.

The Metropolitan Police Service (MPS) seized a disk from the home address of Richard Tomlinson. (Operation Paget Exhibit JB/3, disk 13) This too contained a version of Chapter 8 of his manuscript:

‘He threw over to me a two page minute entitled ‘a proposal to assassinate Serbian President Slobodan Milosevic’. The yellow minute card was attached to the back, showing that it was a formal document rather than just a draft, and it was to be sent to String Vest, then C/CEE (East European Controller) and finally H/SECT, the assistant to the Chief himself.

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The second page was a brief outline of his assassination plan. He proposed to use RWW in a drive-past ambush during one of Milosevic's visits to Geneva for the ICFY (International Conference on the Former Yugoslavia) peace talks. The attack would be carefully staged to suggest that it had been carried out by elements of the Bosnian emigree population in Switzerland.'

Richard Tomlinson repeated his view that the proposal would never be accepted in the SIS and again added the following detail:

'An indoctrination list would have been formed probably consisting only of the Chief, C/CEE, P4 and MODA/SO, (an SAS Major, seconded to SIS as a liaison officer with RWW in Hereford).'

There was no reference in either version of the manuscript to other possible scenarios, and no reference to: road traffic accidents; tunnels; absence of witnesses; proximity to concrete or bright flashes.

December 1997 until May 1998 Richard Tomlinson was in prison for offences relating to the Official Secrets Act.

28 August 1998 Richard Tomlinson appeared before Judge Hervé Stéphan.

One year after the crash, Richard Tomlinson appeared in Paris before the Examining Magistrate, Judge Hervé Stéphan. After leaving prison in May 1998 he met Mohamed Al Fayed. Mohamed Al Fayed advised him to get in touch with the Judge in France.

In his sworn evidence given on 28 August 1998 in relation to the assassination plan, Richard Tomlinson now stated:

'Between June and September 1992, when I was working in MI6, I saw an official Top Secret departmental document containing a plan to assassinate the Serbian President Milosovic. I should add that I have all the necessary details and all the names of the persons concerned to prove that what I am saying is true. However, giving the names is against English law and I do not want to do this.

This report comprised two and a half pages on three quarters of a page and there was first of all a political justification of Mr Milosevic's assassination. (sic)

There were then three scenarios for his assassination.

The first scenario consisted of getting Serb opponents to kill Milosevic.

The second consisted of sending an SAS team into Serbia to carry out the assassination.

It is the third scenario however which is the most interesting from the standpoint of the matter that you are investigating.

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This plan consisted of causing a road traffic accident during a trip by Mr Milosevic to Switzerland for the peace talks on the former Yugoslavia. The scenario was very brief, but it involved causing an accident with a serious risk of the Serb President being killed with as few witnesses as possible, in a tunnel for example. The possibility of using a very powerful flash, capable of blinding the driver of the vehicle, was mentioned.'

'I should point out that this was the first time in MI6 that I had seen an assassination plot for a political figure and I was more surprised by this fact in itself than by the manner in which the assassination was to take place.'

'It was while watching a report on the accident in the UK two months ago that I recalled this scenario. It was because a witness mentioned a very bright flash inside the tunnel that I made the connection between the accident at the Alma Bridge and the scenario that I had seen regarding the Serbian President.'

1999 Richard Tomlinson, in a sworn affidavit, further stated:

'Later in 1992 as the civil war in the former Yugoslavia became increasingly topical, I started to work primarily on operations in Serbia. During this time I became acquainted with NF, the MI6 officer who at that time was in charge of planning Balkan operations. During one meeting with NF he casually showed to me a 3-page document that on closer inspection turned out to be an outline plan to assassinate the Serbian leader Slobodan Milosevic. The plan was fully typed, and attached to a yellow minute board, signifying this was a formal and accountable document. It will therefore still be in existence.

NF had annotated that the document be circulated to the following senior MI6 officers; MK, then Head of Balkan operations JR, then the security officer for Balkan operations, the SAS liaison officer to MI6 (designation MODA/SO but I have forgotten his name), the Head of the Eastern European Controllerate (then RF) and finally AP the personal secretary to the then chief of MI6, Colin McColl.

This plan contained a political justification for the assassination of Milosevic, followed by three outline proposals on how to achieve this objective. I firmly believe that the third of these scenarios contained information that could be useful in establishing the causes of death of Henri Paul, the Princess of Wales and Dodi Al Fayed.'

'This third scenario suggested that Milosevic could be assassinated by causing his personal limousine to crash. NF proposed to arrange the crash in a tunnel, because the proximity of concrete close to the road would ensure that the crash would be sufficiently violent to cause death or serious injury and would also reduce the possibility that there might be independent, casual witnesses. NF suggested that one way to cause the crash might be to disorientate the chauffeur using a strobe flash gun, a device which is occasionally deployed by special forces to, for example, disorientate helicopter pilots or terrorists and about which MI6 officers are briefed during their training. In short, this scenario bore remarkable similarities to the circumstances and witness accounts of the crash that killed the Princess of Wales, Dodi Al Fayed and Henri Paul.'

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[Paget Note: Richard Tomlinson provided what he believed to be the full names of SIS officers in this document – they have been abbreviated here by Operation Paget.]

2001 Publication, in Russia initially, of his book *'The Big Breach'*.

This was Richard Tomlinson's account of his work in the SIS (the manuscript working title had been *'I Spy'*). In this published account Richard Tomlinson wrote on page 141:

'Shortly after returning from my Belgrade trip the targeting officer for P4 section and assistant to String Vest called me into his office. "How'd you like to work on my plan to assassinate Slobodan Milosevic then?" he asked casually, as if seeking my views on the weekend cricket scores.

I did not take his proposal too seriously but a few days later, in his office again to sort out expenses from the Belgrade trip, he casually threw over a couple of sheets of A4. "Here take a butcher's at this". It was a two-page minute entitled 'A proposal to assassinate Serbian President Slobodan Milosevic'. A yellow minute card was attached to the back, showing that it was a formal document rather than a draft, and the right margin showed a distribution list of String Vest, C/CEE, MODA/SO (an SAS Major seconded to MI6 as a liaison officer with the increment) and H/SECT, the assistant to the chief himself.

I checked the date on the top left hand corner, established that it was not 1st April, then sat down at the visitor's chair beside his cluttered desk to read it. 'Fish's first page was a justification for the assassination, citing Milosevic's destabilising plans for a Greater Serbia, his illegal covert support for Radovan Karadzic and his genocidal plans for the Albanian population of Kososvo. The second page outlined the execution of the assassination.

'Fish' proposed three alternative plans for the attempt and gave advantages for each. His first proposal was to use the increment to train and equip a dissident Serbian paramilitary faction to assassinate Milosevic in Serbia. Fish argued that the advantage of this plan was its deniability, the disadvantage that it would be difficult to control. His second plan was to use an increment team to infiltrate Serbia and kill Milosevic with a bomb or sniper ambush. He argued that this plan would have a high chance of success but would not be deniable if it went wrong.

The third proposal was to arrange a car accident to kill Milosevic, possibly while attending the ICFY (International Conference on the Former Yugoslavia) peace talks in Geneva. Fish proposed using a bright flashing strobe gun to disorientate Milosevic's chauffeur while the cavalcade passed through a tunnel. The advantage of a tunnel crash was that there would be fewer incidental witnesses and a greater chance that the ensuing accident would be fatal.

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“You’re off your trolley” I muttered and passed it back to him. The audacity and ruthlessness of the plan was astonishing. ‘Fish’ was serious about his career in MI6 and he would not send a suggestion like this up to senior officers out of frivolity. “This will never get accepted” I added

“What do you know?” Fish retorted looking at me disparagingly as if I was an innocent schoolboy learning for the first time the facts of life.

I never heard anything more about the plan but then I would not have expected to. An indoctrination list would have been formed probably consisting only of the Chief, C/CEE, P4 and MODA/SO. Even Fish himself would probably have been excluded from detailed planning at an early stage.’

16 September 2004 Richard Tomlinson met with Operation Paget officers in France.

Operation Paget holds the signed notes of this meeting.

[Paget Note: As Official Secrets Act information was discussed, the French authorities allowed signed notes to be taken, as opposed to a formal ‘procès-verbal’ that is taken by French Judicial Police.]

Richard Tomlinson stated that while working for the SIS he was shown the one and a half page minute, plus a yellow minute board and distribution list. One distribution tag was completed. The report contained three operational options and the political justification for the assassination proposal. The distribution list included H/SECT – this apparently indicated the plan was being seriously considered. MODA/SO was included because they carry out the feasibility study and look at options. Richard Tomlinson confirmed this was the only time in the SIS that he saw a report discussing an assassination plot.

He also stated that during his initial SIS training he was shown some equipment by military personnel that produced a bright flash – apparently used, inter alia, to disorientate helicopter pilots.

Key points of Richard Tomlinson’s evidence

It was clear from Richard Tomlinson’s manuscripts that **before** the crash in August 1997 he had written about a proposal within the Secret Intelligence Service to assassinate Slobodan Milosevic, but was clearly referring to **only one operational option**, a drive-by ambush in Switzerland.

There was **no** reference to: a road traffic accident; a tunnel; the proximity of concrete; a bright white flash; any attempt to blind a chauffeur/driver; or the likely absence of any witnesses.

After he left prison in May 1998 and, by his own account, after watching a television programme about the crash that referred to a bright, white flash, Richard Tomlinson claimed to then recall the detail of the other options. His accounts from August 1998 onwards then contain very specific details about the operational options.

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It is also worthy of note that in the two earliest documented versions he described the distribution list on the minute he saw:

'it was to be sent to String Vest, then C/CEE (East European Controller) and finally H/SECT.'

In his book of 2001 (and in the meeting in 2004), he referred to a distribution list of:

'String Vest, C/CEE, H/SECT and MODA/SO.'

He had now added MODA/SO, *'the SAS Major seconded to MI6 as a liaison officer with the increment'*.

This addition is regarded as significant as it would give an informed reader the impression that this was a much more serious proposal at a more advanced stage of consideration.

Follow-up enquiries by Operation Paget

2 May 2005

A further meeting between Richard Tomlinson and Operation Paget officers in France.

Following investigations and interviews at the SIS and the recovery of the 1996 and 1997 manuscripts referred to earlier, Operation Paget officers re-visited Richard Tomlinson. He was asked to explain the difference in his accounts of the *'Milosevic Plot'*, from before and after the crash in Paris, particularly with reference to:

- The three tactical options rather than one
- The added detail of a car crash
- The use of a tunnel to minimise the likelihood of incidental witnesses
- The proximity to concrete
- A bright flashing strobe gun to disorientate a driver/chauffeur

The notes of that meeting, signed by Richard Tomlinson, stated that in the early 1990s he saw a minute proposing to assassinate President Milosevic – a page and a half of minutes with an objective to assassinate, followed by a political justification with three briefly described methods to achieve the objective. H/SECT on the distribution list meant that the author was investing a lot of credibility in the plan. It was significant that MODA/SO was on the distribution list because he would be responsible for developing the practical means to carry out the objective.

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His recollection of the three options is that one would have been a professional assassination by British Special Forces, the second would involve MI6 forming and funding an opposition group in the Federal Republic of Yugoslavia to carry out the operation, and the third was a staged accident.

He stated that this document would not be the place where details of any accident would have been given. There was no detail on the proposal that he saw.

Richard Tomlinson continued to state that the SIS do have the capacity to stage accidents, whether by helicopter, aeroplane or car and that a strobe light was shown to him by military officers during his initial SIS training.

About the changes in his account before and after the crash, he explained that due to the passage of time and *'my deeply felt anger towards MI6 it may be that I wrongly linked this capability to the Milosevic minute. When I came out of prison I was strongly embittered towards MI6 and certainly wanted to cause them embarrassment and difficulty and this may have contributed to my mixing of my knowledge of techniques with my eventual account.'*

b) The Secret Intelligence Service

Operation Paget officers interviewed the SIS staff who worked with Richard Tomlinson in the Balkans Section at that time and who would have had knowledge of the matters referred to by him. This included retired SIS officers who made themselves available for interview. Operation Paget holds their signed witness statements.

Summary of the interviews of SIS officers - Balkan Section 1992/1993

In March or April 1993, a middle-ranking officer working in the Balkans Section of the SIS produced a written memorandum suggesting that, in view of the worsening ethnic violence in the Balkans, and in order to prevent further acts of genocide and destabilisation, consideration should be given to drawing up a contingency plan to kill a named extremist leader who was reported to have been involved in acts of genocide, should that person become significantly more powerful. The person referred to, whose name is known to Operation Paget, was not Slobodan Milosevic.

The memorandum did not contain detailed means of carrying out the proposal, nor any of the alleged similarities to the crash in Paris in 1997. The officer's line managers, who regarded the suggestion as totally unacceptable, as the Service would not countenance assassination in any circumstances, immediately rejected the memorandum. The line managers ordered the memorandum and any copies of it to be destroyed. This was done before the memorandum was registered or placed on record.

Richard Tomlinson was shown this memorandum by the officer before it was destroyed. It no longer exists and no copies were kept.

The SIS officer who wrote the memorandum has provided a full written statement to Operation Paget. The Crown Prosecution Service has advised that 'no further action' should be taken.

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Other SIS officers who were working in, or had responsibility for, the Balkans Section in 1992/1993 have provided signed statements. Those that saw and recall the document provide evidence that supports the account of the author in terms of content and reaction within the line of command.

[Paget Note: The SIS officer who wrote the memorandum had previously confirmed in his signed statement to Operation Paget that there were limited operational details in it as he did not have the skills or background to propose detailed tactical options. There was no reference to a car accident of any sort. He also stated that any plan could not in any event relate to action in Switzerland as the actual subject of his proposal (known to Operation Paget) would not have been a participant at the 'International Conference on the Former Yugoslavia' talks that were held there.]

Operation Paget Comment

The SIS officer accepted that he wrote a proposal of assassination for consideration should a particular extremist leader, named in the proposal, come to power and be in a position to engage in genocidal activities. It was an idea that was proposed for discussion by his line managers, not an operational plan. There was no reference to a car accident. The officer did not have the skills or knowledge to suggest detailed operational options.

The officer was middle ranking and in a clearly structured line of command.

This memorandum was shown to Richard Tomlinson, although the SIS officer stated this was actually in 1993 (he referenced this to other known events). Richard Tomlinson stated that this occurred in 1992.

It is the content of the memorandum that is in dispute.

Pre-1998: Richard Tomlinson's recollection of the memorandum was of an assassination plan that had only one operational option – a drive-past ambush while Slobodan Milosevic was visiting Switzerland for peace talks. He documented this in the manuscripts for his book.

Post-1998: Richard Tomlinson's recollection now had three operational options, including one, a car accident that very specifically mirrored the key elements of the crash in the Alma underpass. These key elements were by then in the public domain.

He also now included 'MODA/SO' in the '*distribution*' list, rather than the '*indoctrination*' list as he had described prior to 1998. Although an argument that is technical in nature, this alteration would have indicated to an informed reader that there was more of an operational element to the proposal.

There was no reason why Richard Tomlinson should not have included the detail of these three operational options in his draft manuscripts of '*I Spy*' if they were true and he had such clear memories of detail.

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He has always claimed that the memorandum was about Slobodan Milosevic. This was disputed in statements taken from the SIS officers working in that section. The author of the memorandum was very clear and explained in his statement why, in 1993, he could not have produced a justification for Slobodan Milosevic being the subject of the proposal.

It was clear that there was acrimony between Richard Tomlinson and the SIS stemming from his departure in 1995. His explanation to Operation Paget officers in 2005 of the variation in accounts clearly reflected his desire to cause the SIS difficulty and by his own account is an explanation for *'my mixing of my knowledge of techniques with my eventual account'*.

[Paget Note: Operation Paget consider Richard Tomlinson's accounts of the detail of the 'Milosevic Plot', and more pertinently its link to the events in the Alma underpass, to be unreliable and lack support. He has, for whatever reason, embellished those accounts subsequent to the crash.]

Richard Tomlinson maintained that he was shown a bright flashing strobe light by the military during his SIS training in the early 1990s. The SIS has stated that the use of strobe lights or anything similar has never formed part of their training. Strobe lights themselves are of course commonly available.

However, the primary basis for the *'bright white flash'* in the Alma underpass stems from a French eyewitness, François Levistre, who claimed to have seen a bright light at the point of impact of the crash. This was in the rear view mirror of his car while he was driving through the underpass ahead of the Mercedes.

There were inconsistencies in François Levistre's account that were in clear conflict with that of his fellow car occupant, his wife. The French authorities have discounted his version of events. (The evidence of François Levistre is covered in detail in Chapter Seven).

Technical work undertaken by the Operation Paget Senior Collision Investigator and by the United Kingdom Transport Research Laboratory (TRL) (also explained in detail in Chapter Seven), concluded that even if there had been a bright white flash inside the underpass it would have had no effect on the cause of the crash.

Other eyewitness accounts referred to *'flashes'* away from the tunnel that could be attributed to a number of everyday sources. Hence, the recollection of Richard Tomlinson, following his viewing of a television programme, could in itself be based on a false premise.

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2. SIS officers stationed in Paris, August 1997

Summary of Claims

Richard Tomlinson claimed that two members of the British Embassy staff in Paris at the time of the crash were SIS officers. He named these in his 1999 affidavit as Richard Spearman and Nicholas Langman. He claimed that the circumstances of their alleged presence in Paris on the weekend of Saturday 30 August 1997 was suspicious and one or both most probably met Henri Paul shortly before his death.

Mohamed Al Fayed, in the main, relies on the information of Richard Tomlinson to support the detail of some of his claims. His references to particular individuals and events came after he met Richard Tomlinson, who had been released from prison in May 1998. Mohamed Al Fayed does develop in his statement to Operation Paget (Statement 163) dated 5 July 2005 his view that if Richard Spearman and Nicholas Langman were not directly involved, they may have engineered the plan to kill the Princess of Wales and Dodi Al Fayed using more junior colleagues.

Richard Tomlinson, in his affidavit, gave his understanding that Richard Spearman was an extremely well-connected and influential officer, because before his appointment in Paris he had been personal secretary to the then Chief of MI6, David Spedding. He stated *'there may well be significance in the fact that Mr Spearman was posted to Paris in the month immediately before the deaths'*.

Richard Tomlinson, in his evidence to Judge Stéphan (French Dossier D5158-D5162), claimed that Nicholas Langman had completed half of his three year posting in Paris and was suddenly recalled to England a few weeks after the accident. Richard Tomlinson stated that it was extremely rare for someone to be recalled before the end of their posting as there was a major investment involved; for example they would have undergone an eight-month French course. Although Richard Tomlinson did not name Nicholas Langman in this particular evidence it was clear he was referring to him and not Richard Spearman, as he was very specific about his claim of Richard Spearman's posting dates as described above.

Of both, Richard Tomlinson stated in his 1999 affidavit that *'I firmly believe that either one or both of these officers will be well acquainted with M. Paul, and most probably also met M. Paul shortly before his death.'*

Enquiries

a) Interviews with SIS staff based in Paris in August 1997

Mohamed Al Fayed's allegation included the claim that Richard Spearman and Nicholas Langman, as alleged SIS staff based in Paris, may not have involved themselves directly but they engineered the plan to assassinate his son and the Princess of Wales using *'more junior colleagues'* at the Embassy.

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In 1997 the SIS did have a station in Paris. The Ambassador at the time, Sir Michael Jay, described the station's work in his statement to Operation Paget as, *'engaged for example in liaison work with the French authorities in relation to such matters as counter-terrorism and in tackling organised/international crime.'*

Operation Paget officers have interviewed all SIS staff in post in Paris in August 1997, including those who have subsequently retired from the SIS. All have provided signed statements. These have been cross-checked for accuracy and completeness.

A summary of the evidence of the SIS officers stationed in Paris at the relevant time is that:

- no SIS officer was aware that the Princess of Wales or Dodi Al Fayed were in Paris that night until after the crash
- many officers were on leave - in August most things close down in Paris
- no SIS officer had knowingly met or communicated with Henri Paul
- no SIS officer had the use of a white Fiat Uno

b) The Diplomatic list and postings to Paris

In support of his claim relating to Richard Spearman, Richard Tomlinson wrote to Judge Hervé Stéphan on 19 November 1998 (French Dossier D6951-D6953) stating that:

'The 1998 British 'Diplomatic Service List' shows that Richard David Spearman was posted to the British Embassy in Paris, just before the incident at the Pont d'Alma, as the number two MI6 officer in France.'

'I do not believe it a coincidence that Mr Spearman should arrive in Paris only a few weeks before the incident at the Pont d'Alma.'

I enclose photocopies of the relevant pages of the 1998 'Diplomatic List.'

The British Diplomatic Service List 1998 referred to by Richard Tomlinson showed:

First Secretary (Political): Mr R D Spearman, not as Richard Tomlinson claimed 'the number two MI6 officer in France'. This is an interpretation Richard Tomlinson has put on the list.

The British Diplomatic Service List 1998 also showed:

First Secretary (Economic): Mr N J A Langman

When looking at the claims of who was posted to Paris and when, one must be careful to distinguish between *'date of posting'* and *'arrival in post'*.

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Foreign & Commonwealth Office (FCO) overseas postings are routinely decided months in advance so that the necessary administrative tasks, and if appropriate, language training, can be completed. '*Arrival in post*' will, for sound operational reasons, generally be after these tasks are complete.

Operation Paget has checked the details of '*posting dates*' and '*arrival in post*' for both men at the British Embassy in Paris, viewing written communications between France and the United Kingdom. These were chronological and sequential. This indicated that they were contemporaneously recorded, without insertions or omissions.

Richard Spearman applied for, and was successful in obtaining a post in Paris in Autumn 1996. From May 1997 he received pre-posting training, including language training, as is common practice (and incidentally as described by Richard Tomlinson). He moved to Paris on Tuesday 26 August 1997 to begin a four-year posting, following a holiday abroad.

The British Diplomatic Service List produced in January 1997, which is a publicly available document, showed Nicholas Langman at the British Embassy, Paris as First Secretary, (Economic) since October 1994. He left, as scheduled, after four years to return to London in August 1998.

The posting decisions clearly occurred before Dodi Al Fayed joined the Princess of Wales and Mohamed Al Fayed on the holiday in St Tropez in July 1997.

Richard Spearman's eventual arrival in Paris following his pre-posting training (26 August 1997) occurred before it was generally known that Dodi Al Fayed and the Princess of Wales would be in Paris on the weekend of 30 August 1997. The only people apparently aware of the visit before this time were members of Mohamed Al Fayed's organisation.

Richard Spearman and Nicholas Langman have provided signed statements to Operation Paget. Corroborating statements have been obtained. Official communications and other supporting documents seen by Operation Paget support those statements.

c) Evidence of meetings with Henri Paul

Richard Spearman was in Paris on the weekend of 30/31 August 1997. That date coincidentally was his birthday (as confirmed in the British Diplomatic Service List) and he was out that evening for a meal with his wife at a named restaurant. Their children were left at home with a babysitter (named).

Nicholas Langman was on leave on the weekend of 30/31 August 1997, staying with relatives in England. Statements corroborating his account have been obtained.

The crucial time in relation to any meeting with Henri Paul would be on the night of 30 August 1997. Both Richard Spearman and Nicholas Langman said in their statements that they had never knowingly met or communicated with Henri Paul at any time, socially or professionally, including that night.

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As will be detailed in the section on Henri Paul there was no evidence to show that the SIS had knowledge of or worked with him. The only records in the SIS system that referred to him were created after the crash and in themselves indicate that Henri Paul was not known to the Service before his death.

d) Second meeting of Richard Tomlinson and Operation Paget officers – 2 May 2005

Following the enquiries undertaken above, Richard Tomlinson was re-visited by Operation Paget officers to seek clarification on his claims to the French inquiry relating to Richard Spearman and Nicholas Langman.

The notes of that meeting, signed by Richard Tomlinson, record that he does not know where Nicholas Langman was that weekend and that he never did know. He accepted that the posting dates (provided by the Operation Paget officers) are consistent with normal policy.

He does not know where Richard Spearman was that weekend and never did and has never stated that he did know.

He accepts the facts (again given by Operation Paget) on pre-posting preparation and that the posting of Richard Spearman was normal posting procedure.

He confirms his understanding that Richard Spearman had worked as an assistant to David Spedding.

He stated that he only ever thought that their movements may have appeared '*curious*'.

Having been presented with the facts, he now accepts that those suspicions would appear to be unfounded.

Operation Paget Comment

Nicholas Langman and Richard Spearman were first mentioned in relation to the events in Paris by Richard Tomlinson, in his accounts from August 1998 onwards, a year after the crash.

The fact that both men were posted to the British Embassy in Paris is a matter of public record, as shown in the British Diplomatic Service List. Indeed Richard Tomlinson sent Judge Hervé Stéphan a copy of the 1998 list highlighting Richard Spearman's name.

Richard Tomlinson was mistaken about the facts relating to the postings of both men although he stated to Operation Paget that he had never presented information relating to the two men as known facts but merely suspicions, and these have been taken out of context. When presented with the facts in the 2005 meeting with Operation Paget he accepted that '*these suspicions would appear to be unfounded*'.

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All of the evidence available supports the information of Nicholas Langman and Richard Spearman that their postings to the British Embassy were entirely in keeping with normal procedures and had no connection with the events of 30 and 31 August 1997.

There was no merit in Richard Tomlinson's statement that there was '*significance*' in Richard Spearman's posting.

The statement that Nicholas Langman had completed half of his three year posting and was '*suddenly*' recalled to England a few weeks after the crash is factually incorrect.

The crucial time in relation to any meeting with Henri Paul was the night of 30 August 1997. Both Richard Spearman and Nicholas Langman, in statements to Operation Paget, stated that they had never knowingly met or communicated with Henri Paul at any time, socially or professionally, including that Saturday night.

Richard Tomlinson in fact had only ever said '*I firmly believe that either one or both of these officers will be well acquainted with M. Paul, and most probably also met M. Paul shortly before his death.*' (1999 sworn affidavit)

There was no evidence that either Nicholas Langman or Richard Spearman met Henri Paul shortly before his death. The evidence showed this claim to be unfounded.

There was no evidence to support the claim that Richard Spearman or Nicholas Langman were in any way linked to the crash in the Alma underpass.

There was no evidence that any SIS staff met Henri Paul shortly before his death - the evidence showed this claim to be unfounded.

There was no evidence to support the claim that members of SIS staff in Paris were involved in any plan to cause the deaths of the Princess of Wales and Dodi Al Fayed.

All of the evidence gathered by Operation Paget showed such claims to be unfounded.

Many of Mohamed Al Fayed's claims relied on Richard Tomlinson's information and views of the SIS.

3. Henri Paul

Summary of Claims

The information supporting the claim that Henri Paul was working for the SIS in some capacity came from Richard Tomlinson. Mohamed Al Fayed's claims appear to rely on Richard Tomlinson's information.

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Richard Tomlinson stated he saw documentation while working in the SIS that originated from an operation to recover high-tech weapons from the former Soviet Union. He claimed that this documentation confirmed that:

- Henri Paul was an MI6 informant
- Henri Paul was paid in cash by MI6

Richard Tomlinson has also added in a television interview the comment that:

- Paul was allegedly '*press-ganged*' into being the chauffeur for the final drive

Mohamed Al Fayed stated in his statement to Operation Paget that:

- Henri Paul was a paid informant for both MI6 and the Direction Générale de la Sécurité de l'Extérieure (DGSE)
- Henri Paul met with Secret Service agents on the Saturday night, being paid the equivalent of £2000 in French Francs
- Henri Paul then persuaded Dodi Al Fayed to deploy the decoy plan with the third vehicle

[Paget Note: DGSE is a French intelligence agency.]

Enquiries

a) Search of Secret Intelligence Service databases

Operation Paget officers have searched the databases at SIS Headquarters in London, having first acquired a good understanding of the databases and associated operating systems. Full access was enabled. Details of all current and historical databases were provided, including how the systems had developed and changed over time. As a part of this process Operation Paget officers interviewed an SIS IT system controller, focusing on the internal audit set-up of the systems and different databases. The Operation Paget officers are confident about the integrity of the results achieved from their interrogation of the databases.

The searches showed no trace on any intelligence or informant database of Henri Paul, or any codename or description fitting or apparently referring to Henri Paul or someone in his position at the Ritz Hotel before the crash in August 1997. Records were checked back to 1990.

All telegram communications between the SIS station in Paris and London Headquarters, ingoing and outgoing, were searched between the dates of 14 July 1997 (the arrival of Dodi Al Fayed to join his father on the holiday with the Princess of Wales in St Tropez) and 14 September 1997 (to examine telegram traffic subsequent to the crash).

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Telegram numbers are generated automatically and sequentially and telegram numbers for the London/Paris communications were complete. There was no reference to Henri Paul, or anything relating to the crash in Paris in any of these communications.

[Paget Note: These are different from Foreign & Commonwealth Office telecommunications between London and the British Embassy in Paris relating to diplomatic matters in the days following the crash.]

Reference to Henri Paul was further searched for in telegram communications outside this critical period. One reference was found, dated 18 November 1997, some two and a half months after the crash. The telegram was from Paris Station to London Headquarters. It contained a reference to *'the Ritz Hotel still crawling with members of the Brigade Criminelle [sic] of the Police Judiciaire investigating the Princess of Wales' death'* and added a comment, quote: *'presumably as Head of Security there Henri Paul had been a contact of DST and they would have such a capacity again.'*

The full contemporaneous record of this telegram made it apparent to Operation Paget that SIS Station, Paris did not know Henri Paul before the crash and did not expect London Headquarters to know him. The lack of certainty in referring to Henri Paul and any link with Direction de la Surveillance du Territoire (DST) also indicated that the author, who was an SIS officer [details known to Operation Paget] had no knowledge of a link between the two.

[Paget Note: DST deal with issues of espionage, terrorism, the protection of the French economy, serious and organised crime and the non-proliferation of nuclear biological and chemical weapons.]

b) Operation Battle

Richard Tomlinson, both in his evidence to Judge Stéphan and in his sworn affidavit, claimed that his knowledge of Henri Paul working for the SIS stemmed from Henri Paul's involvement in an operation, circa 1992, to recover high-tech weapons from the former Soviet Union. Richard Tomlinson's knowledge allegedly came from reading the operational file in London, rather than first hand knowledge of being involved in the operation.

Richard Tomlinson claimed that according to the operational file, meetings took place in the Ritz Hotel, Paris on more than one occasion. The source for some of the information was apparently an informant in the Ritz Hotel, identified by a code number. Richard Tomlinson claimed the informant was paid in cash by MI6 as his number cropped up several times and he seemed to have extremely good access within the Ritz Hotel, Richard Tomlinson ordered the personal file of this informant from SIS registry. Other than possible curiosity, there seemed to be no obvious reason for Richard Tomlinson to have done this in 1992.

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Richard Tomlinson, in remembering the content of this Personal File in subsequent years, claimed it contained references to a person he believed to be 'Henri Paul' i.e. no name was included in the file but a description. The informant was allegedly a Frenchman who was head of security at the Ritz Hotel and had a code name beginning with 'P'.

In information given to Operation Paget at the meeting in September 2004, Richard Tomlinson expanded this description - the last name of the informant was an English sounding name that could be used as a first name, and the informant had an interest in flying. Richard Tomlinson did readily state that these recollections could have been influenced by facts he had found out subsequently.

Operation Paget officers searched the SIS database of operations and identified the operation Richard Tomlinson referred to as Operation *Battle*. This was not the correct name of the operation, but it will be referred to as Operation *Battle* in this report. Operation Paget is aware of the true name of the operation. Comparing Richard Tomlinson's description of the operation to remove weaponry from the Soviet Union with the detail seen by Operation Paget, he agreed in his meeting with Operation Paget officers that they were clearly the same operation.

Operation Paget officers were given independent access to the files and examined every page. All entries were dated, referred to contemporaneous activity and were numbered consecutively and completely, from October 1984 to August 1994. There was no reference to Henri Paul in these files.

Further, within these operational files there were only two entries relating to the Ritz Hotel, Paris (there were two queries about a telephone number at the hotel). There were no meetings at the Ritz Hotel or at any other Paris hotel. There was no involvement of the venue in any other way. The operational activity in *Battle* took place in countries other than France. There was no mention of any staff or contacts at the Ritz Hotel. There was nothing in the file that could be linked to Henri Paul and no 'P' number regularly occurring that could relate to him. There was no reference to an MI6 officer paying cash to an informant at the Ritz Hotel, and no related 'Personal File' that contained such information.

Access to files was strictly controlled within the SIS. In 1992 there was a system for requisitioning files. Those 'sections' without the appropriate access authority would need to requisition a file from the Authorising Officer or Personal Assistant, giving their reasons for doing so. There is no file requisition on *Battle* for Richard Tomlinson. However, in 1992 the section he belonged to had authorised access to the file and therefore a requisition would not have been necessary. Other members of his section were closely involved with the operation and were mentioned frequently in correspondence throughout the volumes.

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May 2005 - Second meeting between Richard Tomlinson and Operation Paget Officers

The result of the enquiries into the Soviet Union operation were given to Richard Tomlinson. He accepted from the detail provided that this was the relevant operation and that he may have been mistaken on the point about Henri Paul.

He still believed, because of Henri Paul's profile, that an intelligence service would have recruited him. He did not definitely exclude Henri Paul from working in some way for SIS, or another intelligence service, because he recalled mention of the Ritz Hotel and a French person working there in some dossier, but he cannot be more specific than that.

The notes of this meeting, signed by Richard Tomlinson, record that *'having had a great deal of clarification put to me tonight, from my time in MI6 I still feel that the circumstantial evidence around Henri Paul very strongly suggests that he had links to the intelligence services of some nationality although I am unable to say for sure which one'*.

Looking again at Richard Tomlinson's claims, in the light of his comment to Operation Paget that he did not present information as known facts but merely suspicions, one can see support for this view in the wording of the following French documents.

In his evidence to Judge Stéphan, Richard Tomlinson said:

'I cannot say for sure that it was Henri Paul but I am positive that it was a Frenchman working in the security department of the Ritz Hotel.'

'I am certain that this money originated from MI6. This is speculation on my part, but if he was an MI6 informant, it would be quite normal for him to receive money.'

And in his 1999 sworn affidavit:

'I cannot claim that I remember from reading this file that the name of the person was Henri Paul, but I have no doubt with the benefit of hindsight that this was he.'

c) Henri Paul's financial situation

An analysis of Henri Paul's known financial position has been compiled by an Accredited Financial Investigator of the United Kingdom Assets Recovery Agency. This is included in Chapter Four. In summary this stated that:

The MPS Financial Investigator who looked at the accounts pointed out that from his experience of investigating the proceeds of crime, when an individual is attempting to conceal clandestine or illicit income, it is usual to see a significant amount of traffic on the accounts. Cash deposits are normally transferred out of or between accounts immediately after they are credited until they have been sufficiently layered to disguise their origin.

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This layering process was not evident within Henri Paul's accounts. He died with approximately £170,000 in his accounts.

Henri Paul had deposited around £43,000, in cash/cheques/unknown method into his accounts in the last eight months of this life. Although these amounts were inconsistent with his salary, they were not so large that they were conclusive of Henri Paul's involvement in illicit or clandestine activity.

In France, if a bank considers a financial transaction to be unusual, they can contact TRACKFIN, an inter-Ministerial Department. They will assess if the circumstances require further examination. They can contact a judge, who in turn can instruct the police service to make enquiries. In 1997 TRACKFIN was a very new service. Even today the Financial Section of the Brigade Criminelle considers banks to be reluctant to engage with this service. There was no evidence that any of Henri Paul's transactions attracted such an inquiry.

This, however, did not take into account Henri Paul's sale and purchase of shares or other investments, as only the final share balance for 31 August 1997 was known.

It is impossible at this stage to explain all of the movements of cash and finance into and between Henri Paul's accounts. There could be a number of reasons why someone in Henri Paul's position would need or receive quantities of cash. His closest friend Claude Garrec stated that large sums of cash were commonplace for Henri Paul because of the services he provided to wealthy clients of the Ritz Hotel, and his parents talked of him receiving £500 tips from wealthy clients.

Claims that Henri Paul received cash payments from intelligence or security services could not be proved or disproved from this evidence. His cash flow could not be accounted for solely from known income sources. Without specific information, different inferences and interpretations of his finances could be made.

Claude Garrec **Henri Paul's closest friend.**

Interviewed by Operation Paget - Statement 235

Claude Garrec had been a friend of Henri Paul since 1974. In his statement he said:

'As regards Henri Paul's finances, the Ritz hotel paid him a salary, but I also think that he was receiving tips from clients. Henri PAUL once told me that some of the VIPs or members of Royal families staying at the Ritz would leave him very large tips. FF1000 [Paget Note: Equivalent to approx £100] or FF10000 [Paget Note: Equivalent to approx £1,000], the sums were limitless, depending on what help or services Henri Paul organised. The VIPs were obsessive about their security and Henri Paul would help. I believe this explains the sums of money that Henri Paul had at the time of his death.'

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'On one occasion, Henri Paul told me that there was an American family who would always want to be picked up from the airport when they visited Paris and stayed at the Ritz; but they only wanted to be picked up by Henri Paul. Henri Paul told me that they left a large tip, but he didn't say how much. Generally, when I went out with Henri Paul, he always paid in cash.'

'It has been suggested in the Press, that Henri Paul had twenty accounts. This is not true. In France, when you open an account at a Bank, the Bank creates sub-accounts, which are linked to the first, for savings, or your house, or simply to keep track of your funds. Given this, and my experience working in financial matters, I can tell you that a large number of accounts are not something that is unusual.'

'You have asked me whether I know where Henri Paul found money to invest in shares. I believe that he would invest the large tips from the hotel into buying and selling shares, but he never discussed his shares or his accounts, and it is not something that I would discuss. I have no knowledge of an inheritance or previous properties that he may have financially benefited from.'

[Paget Note: It was recorded in the French dossier that Henri Paul had in his possession FF 12,565 in cash (approx general conversion rate of FF 10 = £1, equivalent to £1256). It is not known where this money came from or the purpose for which Henri Paul had it.]

Claude Garrec, specifically in relation to the cash on Henri Paul's person, stated:

'At the time of Henri Paul's death, it has been publicised that he had a large amount of money in his pocket. I signed for this money, which was in an envelope when the Police restored it. It was certainly not a wedge of money, and I can say that I had seen him with larger sums on previous occasions. He told me that needed to have cash at his disposal to assist Ritz clients and VIPs, as he was often required to pay up front for services or purchases that they had asked him to make. Henri Paul told me that rich people never had money on them. He would be reimbursed by the Ritz, which would bill the client.'

Henri Paul had recounted to me that he had accompanied Ritz clients from the Emirates to the Galleries Lafayette [Paris Department Store], and pay for items for them up front; he said that these people were the type to buy a whole rail of clothes. As for his tips, Henri Paul was a modest man, who wasn't into expensive clothes or cars, and who's only extravagance was flying. He wouldn't have been able to spend all his tip money, so he must have placed them into his accounts undeclared. Also, despite his closeness to Franz Klein, it is probable that he would not have told anyone at work about his tips.'

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Both Mohamed Al Fayed and Richard Tomlinson claimed that Henri Paul was paid by the SIS. As detailed in the enquiries at the SIS, there was no evidence to support this claim. Richard Tomlinson himself accepted, in his evidence to Judge Stéphan, that his contention that the money in Henri Paul's bank account originated from MI6 was only 'speculation' on his part. Richard Tomlinson further stated in that evidence, following his assertion that the SIS do pay informants:

'I do not recall the sums received by the Frenchman at the Ritz Hotel, I do not think that he received a lot of money as he did not take many risks.'

d) Henri Paul and the French intelligence/security services

Mohamed Al Fayed also claimed Henri Paul was in the pay of DGSE (in general terms equivalent to the SIS in the United Kingdom) and DST (in general terms equivalent to the Security Service). Gerald Posner provided information on this issue to Operation Paget.

Gerald Posner

Writer/broadcaster and investigative journalist.

Interviewed by Operation Paget - Statement 116

'As for Henri Paul's missing three hours I have spoken to a source in the US National Security Agency (name not disclosed) who learned from French colleagues - employed by French security agencies - that Henri Paul had a meeting with a member of the DGSE (Direction Generale de la Securite) that evening he died. Henri Paul was an informer and this was his informant handler with whom he met.

His position at the hotel evidently enabled him to obtain details on high ranking visitors and any liaisons with which they may have been involved. As opposed to high intelligence this was evidently the level and quality of information Henri Paul passed to the French security agencies. He was a paid informant and no more.

There is apparently a file on him in this role with the French authorities confirming he had a standard informant/pay relationship with this agency. I have not seen this file. Although I am certain it was the DGSE with which he had this relationship I was also told from the same source that Henri Paul had relations with the DST and the Renseignements Generaux. The DGSE is the equivalent to and perform the same function as the CIA in the USA and MI6 in the United Kingdom.

Although I was not told what this meeting was about that day I was told what it was not about.

It had nothing to do with Diana, Princess of Wales. I was told the subject did come up but only in general conversation and that it was pure coincidence that this meeting took place on the same day as the crash occurred.

He was paid FF12,560.'

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Gerald Posner's information was based upon 'sources' providing him with information and was therefore not his personal knowledge. Other than Gerald Posner's information from an NSA source, there was no other support for the suggestion that Henri Paul was working for DGSE. Even in Gerald Posner's account, the source is specific that any meeting on Saturday evening was not about the Princess of Wales and she was only discussed incidentally.

DGSE denied knowledge of Henri Paul.

Direction de la Surveillance du Territoire (DST)

Two documents in the French judicial dossier of Judge Hervé Stéphan showed a link between Henri Paul and the DST.

- i) Statement of Lieutenant Isabelle DEFFEZ, 3 September 1997

French Dossier D990-D1006

'Copy of telephone book comprising 16 pages, in which numerous names and telephone numbers appear, discovered at the Ritz and belonging to Henri Paul.'

Included in the list:

DST Mr Berthier ** ** *5 82, DST Nicolai ** ** *2 15

- ii) Statement of Lieutenant Marc MONOT, 3 September 1997

French Dossier D975-D985

'Follow-up search conducted on 03/09/1997 at the home of Mr Henri Paul at 33 Rue des Petits Champs in Paris 1.'

Append to the present copy of the diary 95TDF consisting of ten computer listing sheets handed to us by Mr Jean Paul which were taken from Mr Henri Paul's personal computer.'

Included in the list:

'DST Nicolai * ** *2 15'

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Official enquiries were made of the DST by Operation Paget with the following response:

Operation Paget - Correspondence 875

Ministry of the Interior note - 23 June 2005

'Henri Paul, born 3rd July 1956 in Lorient (56), is known to our Department, as a former Head of Security at the Ritz Hotel, 15 Place Vendome, Paris (1e). As such Henri Paul has been in touch with members of the DST specifically tasked with enquiries in hotel circles.'

Operation Paget - Correspondence 905

Ministry of the Interior note - 7 August 2006

Specifically regarding knowledge of his whereabouts on the Saturday evening this note confirmed that the DST had no information of the whereabouts of Henri Paul following his exit from the Ritz Hotel and his return at 10.10pm.

Operation Paget - Message 331

Direction Générale de la Sécurité Extérieure (DGSE)

The DGSE responded verbally through official French channels that Henri Paul was not known to them.

[Paget Note: Operation Paget has no evidence to show where Henri Paul was in the three hours, from approximately 7pm – 10pm on Saturday 30 August 1997, before he returned to the Ritz Hotel. A work colleague, Claude Roulet, stated he spoke to Henri Paul for a moment or two outside a bar/restaurant close to his home during this time. The account however is disputed by bar staff.]

Claude GARREC

Close friend of Henri Paul.

Interviewed by Operation Paget - Statement 235

He explained the nature of Henri Paul's relationship with the French security services:

'If a foreign diplomat came to stay at the Ritz, it was Henri Paul's responsibility to liaise with that country's Security Services and Protection Officers from these countries, in order to ensure that the correct arrangements were being made at the hotel. In consequence, he also liaised with the French Security Services to make sure the arrangements were correct and within the parameters of the Law, i.e. in respect of the foreign Security Services carrying firearms in the hotel, etc...

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I have handed you a copy of a letter sent to Mr Franz Klein, the Ritz Managing Director in June 1987 by United States Special Agent Todd M Keil thanking Henri PAUL for his assistance during the stay of Ambassador Ronald Lauder. I exhibit this as CG/2.

If Henri Paul had secret rapports with Security Services, I did not know about them; and I can't see Henri Paul leading a double life or being a spy. His contact with the Security Services was purely in relation to his work at the hotel. He also liased with the local Police, in respect of security barriers outside the hotel for VIPs and clearing clients' parking tickets, and even the more specialised VIP Police for the visits of Madonna or Elton John.

Another anecdote Henri Paul mentioned was that by telling the Security Services about the visit of certain persons, if the guest was having difficulty in obtaining a landing permission for a particular airport, the Security Services could facilitate their arrival. Even if the French government didn't particularly want the client in France, for a political reason, by being informed and facilitating their arrival, they would know where this person would be staying. Henri Paul was confidential about his work and didn't mentioned any names.

On another occasion, Henri Paul had cause to deal with coordinating the response to the death of one of the United States Ambassador's in the hotel pool. It was all in the line of his work at the hotel'.

'My belief is that Henri PAUL was never paid by the Security Services, it was simply part of his role as Ritz security.'

Richard TOMLINSON
Former SIS officer.

French Dossier D5160

In evidence before Judge Stéphan in August 1998 he stated:

'I should point out that it is very common for national security services to try and recruit members of security staff in the big hotels as they are very well placed to pick up information.....I should explain that only MI6, Mossad and the CIA pay their informants, unlike other countries, including France, who would never pay such sums to their informants. The French intelligence services can pay foreign informants, but not French nationals, and not that much money'.

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Operation Paget Comment

A search of all relevant SIS records requested by Operation Paget, together with personal interviews with SIS staff, revealed no links to Henri Paul. Any references to Henri Paul were post-August 1997 in routine passing of information about the crash, or more specifically the telegram quoted (18 November 1997) that reinforced that SIS Paris did not know of Henri Paul.

There was no evidence to show that Henri Paul was working for the SIS.

There was no evidence to show that Henri Paul received money from the SIS.

There was no evidence to show the SIS were with Henri Paul on Saturday 30 August 1997 or knew of his whereabouts.

The operation in the Soviet Union referred to by Richard Tomlinson did not refer to Henri Paul. [Paget Note: It is difficult to understand why Richard Tomlinson called specifically for this informant's file from that operation; and then an unlikely coincidence that this would turn out, apparently, to be the driver of the Mercedes involved in the crash in 1997.]

Richard Tomlinson accepted that he may be mistaken that Henri Paul featured in this operation but stated that he had seen reference to a French person at the Ritz as an informant on some dossier, and he would expect someone of Henri Paul's profile to be working for some intelligence service.

DST - Henri Paul did assist DST with enquiries in hotel circles and this has been declared through the French Ministry of Interior.

The DST, in a response through the Ministry of the Interior, stated that they had no knowledge of the whereabouts of Henri Paul on Saturday evening, 30 August 1997.

Other than Gerald Posner's information, said to have been from an NSA source, there is no other support for the claim that Henri Paul was working for DGSE. Even in Gerald Posner's account, if his source is correct, a meeting on the Saturday evening was not about the Princess of Wales, (nor by definition Dodi Al Fayed) and she was only discussed incidentally.

Gerald Posner's source stated that Henri Paul was paid FF 12,560 that night by the DGSE. Richard Tomlinson, former SIS officer, told Judge Stéphan, when talking of the money in Henri Paul's bank accounts, that French intelligence services '*never pay such sums to their informants. The French Intelligence Services can pay foreign informants, but not French nationals, and not that much money*'.

DGSE deny knowledge of Henri Paul.

Henri Paul's friend, Claude Garrec, stated that his contact with the security services was purely in relation to his work at the hotel. He described Henri Paul using the security services in a mutually beneficial way to assist Ritz Hotel guests, but not working for them.

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Chapter Four looks in detail at all the aspects of the evidence relating to Henri Paul. From this, of particular relevance to Chapter Sixteen, is the evidence relating to the decision-making involved in the final drive that led to the Alma underpass.

In summary, Chapter Four concludes that Henri Paul did not know he was going to be recalled to the Ritz Hotel on Saturday evening after leaving the hotel around 7pm. He believed that the Princess of Wales and Dodi Al Fayed would not be returning to the hotel after they themselves also left the hotel around 7pm.

Dodi Al Fayed, at around 9.40 pm, while being driven to a Paris restaurant, Chez Benoît, changed the dinner venue to the Ritz Hotel. Their unexpected arrival at the Ritz Hotel led night duty security to inform Henri Paul by telephone. Conscientiously, he returned to the Ritz Hotel to help out in these changed circumstances just after 10pm. He had been off duty since 7pm.

At the hotel Dodi Al Fayed passed a message to Henri Paul through the Ritz Hotel night manager. Henri Paul was told that Dodi Al Fayed and the Princess of Wales would be leaving later, in a different car, from the rue Cambon exit.

The evidence showed that Henri Paul did not persuade Dodi Al Fayed to use the decoy plan.

4. James Andanson

James Andanson was a French photojournalist. He died in May 2000. A number of claims have been made about him and these are dealt with in detail in Chapter Fourteen. The enquiries detailed in this section were confined to the claim that he was connected to the SIS.

Summary of Claims

Mohamed Al Fayed summed up all of the claims relating to James Andanson in the relevant section of his statement (Operation Paget Statement 163), dated July 2005:

‘James Andanson was a paparazzi with very close links to and obviously working for MI6. I personally believe that it was his Fiat Uno which collided with the Mercedes causing the crash. The French police never questioned him regarding this, albeit paint and bumper samples proved conclusively that it was his car that was in collision with the Mercedes. Andanson was later burnt alive in his BMW car in a remote part of Southern France. The French authorities have classified his death as suicide but if this is in fact the case then it points to it being as a result of what was on his conscience for causing the deaths of my son Dodi and Princess Diana. Shortly after his death his offices at SIPA news agency were raided by the Security Services and all of his electronic equipment and photographic images were removed. This raid has never been investigated by the French police.’

And in an interview to camera in February 2006:

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'James Andanson has been murdered, burnt alive in the South of France in a car because they have been worried that he can be bought or he can sell his story and they killed him.'

Richard Tomlinson did not refer specifically to James Andanson. He spoke in more general terms that related to paparazzi working for intelligence services. In his evidence to Judge Hervé Stéphan in August 1998 he stated:

'It simply concerns something I heard in my department that there was a member of the paparazzi who was an MI6 informant. This paparazzo regularly followed the royal family and was sometimes paid for overseas operations. He had been following Diana on a regular basis for several years. Contrary to what is written in the note given to you by my lawyer I cannot state that this photographer was in Paris on the night of the accident of 31 August 1997 and obviously by extension whether he was following the car.'

Enquiries undertaken

Enquiries at the Secret Intelligence Service

There was no trace of James Andanson in any of the Intelligence/Operation databases searched at SIS Headquarters and no reference to James Andanson in any telegram traffic between London and Paris in the critical period searched of 14 July 1997 to 14 September 1997.

Additionally:

Forensic enquiries re the white Fiat Uno

A review has been undertaken of the French investigation enquiries regarding technical analysis of paint samples recovered from the Mercedes. On forensic scientific evidence alone, the Fiat Uno belonging to James Andanson could not be positively ruled in or out as being the Fiat Uno that collided with the Mercedes.

James Andanson's alibi

Chapter Fourteen details statements and documentation provided to Operation Paget by James Andanson's family in support of those already in the French inquiry. There was also a review of the documentary evidence relating to the whereabouts of James Andanson on the night of 30 August 1997 and the early hours of 31 August 1997.

Death of James Andanson

Operation Paget officers undertook a review of the circumstances of the death of James Andanson in May 2000. This is detailed in Chapter Fourteen.

Raid on Sipa Press offices in Paris, June 2000

Operation Paget officers undertook a review of the circumstances of the raid. This is detailed in Chapter Fourteen.

Operation Paget Comment

There was no evidence to support the allegation that James Andanson worked for, or was known to the SIS.

Additionally:

- James Andanson's Fiat could not be discounted on forensic scientific grounds alone as the vehicle that collided with the Mercedes in the Alma underpass
- Other evidence from witnesses indicated that it was not James Andanson's Fiat that was involved in the collision and that James Andanson himself was at home in Ligni res, 173 miles South of Paris, at the time of the crash
- The French investigation into James Andanson's death was extremely thorough and their conclusion of suicide was considered by Operation Paget to be entirely reasonable and, on the evidence, correct
- A full investigation into the Sipa Press raid was carried out by French police and led to arrests of known criminals. There is no record of any property belonging to James Andanson being stolen. Thus, property stolen did not belong solely to James Andanson, and neither did it include all of his equipment. There was no evidence that any of those arrested had any link to any security services or that the armed burglary was anything other than straightforward criminality

5. Darryn Lyons/Lionel Cherruault

Darryn Lyons is the owner of 'Big Pictures', a photographic agency based in London with links to photographers in France. They were sent photographs of the crash scene by these contacts in the early hours of Sunday 31 August 1997. When he realised that the Princess of Wales had died following the crash, he declined to publish them.

Lionel Cherruault is a French photographer based in London. He had taken many photographs of the Princess of Wales on previous occasions but was at home in London on the weekend of the crash.

Mohamed Al Fayed claimed that both people had break-ins that were carried out by or on behalf of the 'security services'.

Darryn Lyons and Lionel Cherruault both expressed concerns at the time, or shortly afterwards, that there was something unusual about their respective incidents and a concern that intelligence/security services could have been involved.

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Summary of Claims

Mohamed Al Fayed, in a legal submission to the Ministry of Justice, Scotland in 2003 stated:

‘Darryn Lyons received photographs (of the crash scene) transmitted by ISDN line to the computer in his office in the course of 31 August 1997. His offices were burgled at around 11 pm on 31 August 1997. Lionel Cherruault’s home was burgled during the night of 31 August / 1 September 1997.

Electronic equipment, including equipment used to transmit photographs, was stolen. The crime investigation officer informed him that it had been “no ordinary burglary”. The clear implication was that the burglary had been carried out by the security services.’

And in his statement in 2005 (Operation Paget Statement 163) added:

‘The home and office of Lionel Cherruault and Darryn Lyons, London press agents, were raided by MI6 and as with Andanson, their equipment seized. There was no police investigation into this.’

Enquiries

a) Burglary at the home of Lionel Cherruault

CRIS Report 1973745/97E (Police Crime Report)
Operation Paget - Other Document 89

At 3.15am on Monday 1 September 1997, police from Kilburn Police Station attended the home address of Lionel Cherruault in Willesden, London, NW6, to investigate an allegation of burglary.

His wife, Christine Cherruault, alleged that while asleep with her husband, between 11pm on 31 August 1997 and 3.15am on 1 September 1997, someone entered her home by an unknown method and stole various items of property. The burglar had also stolen her Mitsubishi Cruiser (people carrier) that had apparently been used to take the stolen property away from the venue. Listed within the stolen property was computer equipment, credit cards, cheque books, fifty pounds cash and four hundred French Francs.

Lionel Cherruault explained he was a press photographer specialising in the Royal Family (particularly the Princess of Wales). The stolen computer hard drives contained many of his photographs.

There was an entry on the initial crime report to the effect that building work was being carried out on the house at the time.

A cheque stolen from the burglary was presented in December 1997 to the Midland Bank in Stowmarket, Suffolk for the sum of £920, made payable to K. Fitzgerald. Additionally, one of the credit cards was used to make a telephone call to Ireland.

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Scene visits

Operation Paget - Other Document 89

Detective Sergeant Freeman, the investigating officer, visited the scene and wrote in the crime report:

'The VIW [victim or witness] has for the last sixteen years, been almost exclusively photographing the Royal Family and has in recent years concentrated his efforts on the Princess of Wales. The computer equipment contained a huge library of Royal photographs and appears to have been the main target for the perpetrators.'

'It appears too much of a coincidence that the burglary took place when it did to not be connected with her death. The property stolen indicates that the thief would have prior knowledge of the house or the VIW's business in that an older Apple computer was left at the scene whereas the standard computer burglar tends to take all computers which are present.'

A crime prevention officer subsequently attended on a follow-up visit.

Suspect

The stolen Mitsubishi Cruiser was found at 8.30pm on 2 September 1997, parked and secured near to the Stonebridge Park estate in North West London, a few miles from the scene of the burglary. A 'DNA' profile was later obtained from a cigarette butt found in the recovered vehicle. This matched a 42 year old man, a known criminal.

He was arrested on suspicion of being involved in the burglary and the theft of the vehicle. He denied involvement in both crimes and explained that he may have accepted a lift in the vehicle not knowing it was stolen at the time.

An advice file was submitted to the Crown Prosecution Service (CPS) for directions as to whether to prosecute him. The CPS recommended that there should be no further action taken against him.

An intelligence profile of this man showed that he:

- Had lived in London NW6 with his mother, 300 yards from the home of Lionel Cherruault
- Was a known drug addict
- Was suspected of being a crack cocaine dealer
- Had numerous convictions for theft and kindred offences
- Was living in 1997 in NW10 with a known burglar who had convictions for aggravated burglary. This address was 400 yards from the location where Christine Cherruault's Mitsubishi cruiser was abandoned
- Had strong links with the Irish community

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Lionel CHERRUAULT **Photographer.**

Interviewed by Operation Paget - Statement 95

On 7 September 2004 Operation Paget officers interviewed Lionel Cherruault. He described the circumstances of the burglary:

'It was established that the rooms on the first and ground floor had been entered and searched. In the room that we were temporarily using as our living room on the first floor we found the contents of my wife's purse and handbag neatly laid out on the floor. This included her credit cards. Computers had been neatly unplugged. My BMW car had been accessed and searched using keys taken from the house. It was apparent that who ever had searched the car was not aware of the security system that cut out the engine if the key is not inserted into the ignition within a set time. I believe that the burglar initially intended to take my BMW car but was foiled by its security system. Instead they loaded our property into my wife's Mitsubishi cruiser / space wagon and took it instead.'

In relation to his work as a photographer and his knowledge of photographs taken at the crash scene he stated:

'I was working as a freelance photographer specialising in the Royal Family and especially Diana Princess of Wales. I worked very closely with the SIPA press agency in Paris, who acted as my agent. Most of the photographs that I had taken of any value were scanned into my computer and then transferred by ISDN line to SIPA. I used one of the ground floor rooms as an office. This office contained expensive computer equipment and included scanners.'

At around 1a.m on 31 August 1997, [2am in France] I was awoken by a phone call from the owner of the SIPA agency who informed me that a car crash had occurred in a tunnel in Paris. Dodi Fayed had died and Diana had been injured. I considered travelling to Paris in order to get photographs of the crash and the events taking place in relation to the hospital treatment of Diana but decided against it.

A short while later I received a call from a colleague Mark Saunders, a British photographer that I knew who happened to be in Florida. He talked about the crash and told me that a contact of his was offering pictures of the crash. He asked if I was interested in getting copies. I told him that I was and agreed that he would get back to me in three or four hours. He did not tell me who his contact was. I did not hear from him again.

My wife and I stayed up and watched the news of the crash in Paris for a couple of hours before going back to bed. At around 4 am I received another call from SIPA. They told me that Diana had died. I did not receive any photos.'

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In relation to the visit of the investigating officer he stated:

'Later that same morning two detectives came to the house and had a good look around. One of them said, "This is a really odd burglary in light of what has happened with Diana.'

In relation to the visit of the crime prevention officer he stated:

'He said "I am assuming you are not recording this conversation. I have examined your report. I have to tell you that you were not burgled but targeted". I said, "By that do you mean the grey men". He replied "MI5 Flying Squad or hired local hoodlums". He also said "Not to worry your lives were not in any danger". These comments really upset my wife who broke down in tears.'

Lionel Cherruault was also shown two extracts from Operation Paget Exhibit KCR/9, pages taken from a book titled *'Death of a Princess'* by Thomas Sancton and Scott MacLeod. The book quotes:

'Next day, a police detective appeared at the apartment. I must tell you something," he said, clutching a sheaf of papers in his hand. "I've just read this report. I have to confirm to you that you were not burgled." "You mean they were grey men?" said Cherruault, using a euphemism for intelligence agents. "Call them what you like," replied the detective. "You were not burgled".'

'Cherruault reckons that his status as a London-based French photographer led the 'grey men' to assume he was the conduit for accident photos.'

Lionel Cherruault commented:

'I confirm that these are my quotes. I was not happy about some of the events that took place. Furthermore I was surprised that no fingerprints at all had been found in the space wagon as it was the car used for the school runs.'

Christine Cherruault was interviewed by Operation Paget officers in 2004 (Operation Paget Message 191). She confirmed that one of the officers who visited the house following the burglary had made comments about them having been targeted and she had got upset when the officer commented on their safety. She declined to make a written statement but did answer questions, giving the following information:

- That there was scaffolding on one side of the house which reached from the ground to the roof at the time of the burglary
- The family au pair had left and returned to France earlier that day, 31 August 1997. Christine Cherruault believes that the au pair had left her bedroom window open, which was adjacent to the scaffolding
- She has since suffered an attempted burglary and theft from her rear garden
- Apparently the rear garden is insecure and she is aware that people have often used her garden as a cut-through

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Police officers' accounts of the conversations at the home of Lionel and Christine Cherruault

Detective Sergeant Richard FREEMAN

Based at Harlesden Police Station at the time.

In the CRIS report he recorded that it appeared too much of a coincidence that the burglary took place when it did for it not be connected with the death of the Princess of Wales. Furthermore the property stolen indicated that the 'thief' had prior knowledge of the house or Lionel Cherruault's business.

In February 2001 DS Freeman provided a report explaining his comments on the CRIS report (Operation Paget Other Document 89). In this report he stated:

'I consider that, on reflection, the comment was appropriate, given the facts as I saw them at the time the entry was made.'

The CRIS report did not mention that he suspected the involvement of 'British security services'. He did not identify who the suspect(s) was but used the description 'thief'.

Police Constable William KEMP

Crime Prevention Officer.

Interviewed by Operation Paget - Statement 106

Crime Prevention Officer William Kemp, interviewed by Operation Paget. In relation to his visit to the scene he has made a written statement:

'On completion of the survey we went back into the room he was using as his office. Inside there was another conversation between us. I said something like "under the circumstances this is not a usual burglary". By this I meant that I was unhappy with the fact that it seemed to be too much of a coincidence that Diana had died in a car crash 24 hours before the burglary of a royal photographer. Mr Cherruault told me that he believed that he had been targeted.'

PC Kemp was shown the following extract from the statement of Lionel Cherruault:

'I don't remember the date but we did have a visit from a Crime Prevention Officer within a few days of the burglary. I cannot remember his name but he did give me his business card. He said, "I am assuming you are not recording this conversation. I have examined your report. I have to tell you that you were not burgled but targeted". I said, "By that do mean the grey men". He replied "MI5, Flying Squad or hired local hoodlums". He also said "Not to worry your lives were not in any danger". These comments really upset my wife who broke down in tears.'

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In response to this PC Kemp stated:

'This account from memory is not an accurate reflection of what was actually said between us. I was not aware of Mrs Cherruault being upset. I did not mention 'MI5', 'Flying Squad' or 'local hoodlums' and it was Mr Cherruault who talked of being targeted. I believe I may have mentioned the possibility that he could have been targeted but did not suggest by whom. I believe that his house was targeted by people who knew that he had expensive computer equipment, as was the trend at the time.'

PC Kemp was also shown copies of pages 174 & 175 from a book titled 'Death of a Princess' by Thomas Sancton and Scott MacLeod. Page 174 contained the following extract:

'Next day, a police detective appeared at the apartment "I must tell you something," he said clutching a sheaf of papers in his hand. "I've just read this report. I have to confirm that you were not burgled." "You mean they were grey men?" said Cherruault, using a euphemism for intelligence agents. "Call them what you like," replied the detective. "You were not burgled." '

PC Kemp stated in response to it:

'This account is closer to the conversation that I can remember. However I did not say that he had not been burgled because he clearly had been. Somebody had clearly entered the house as a trespasser and stolen property from within.'

Operation Paget Comment

Lionel Cherruault was the victim of a burglary at his home in North West London. The burglary occurred in the early hours of Monday 2 September 1997. Credit cards, cheque books, computer equipment and cash, French and British, were taken. Among the property stolen was Lionel Cherruault's collection of Royal photographs held on the hard disk, including images he had collected of the Princess of Wales.

Both Lionel and Christine Cherruault were upset by some of the conversations they had with police attending the scene during the investigation.

The investigating officer's comments on the crime report showed he believed that it was too much of a coincidence that the burglary took place when it did for it not to be connected with the death of the Princess of Wales. He did not indicate how he thought they might be connected. In 2001 he confirmed that he believed the comments were appropriate at the time.

The crime prevention officer, attending the scene subsequently, appears to have given Lionel and Christine Cherruault the impression that they were somehow targeted. He explained that this was probably a reference to the general targeting of high value computer equipment. Christine Cherruault was certainly upset by an indication that the safety of her family was at risk.

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She told Operation Paget that she believed her au pair had left a window open on the evening of the burglary. This was next to scaffolding that was in place at the house at that time.

A local criminal was arrested after a DNA match was found on a cigarette butt in the stolen car, but there was insufficient evidence to charge. The suspect had links to two addresses: one 300 yards from the Cherruaults' home and the other 400 yards from the site of the abandoned stolen car.

A credit card stolen in the burglary was used to make a telephone call to Ireland. A cheque stolen in the burglary was presented in December 1997 to a bank in Suffolk for £920.

Lionel Cherruault's photographs of the Princess of Wales were not from that weekend. He, along with countless others, took photographs of the return of the Princess of Wales' body to RAF Northolt on Sunday 1 September 1997.

He had a telephone conversation in the early hours of the Sunday morning with a colleague in America who said that a colleague of his was offering photographs of the crash. Lionel Cherruault said he was interested but heard no more. Lionel Cherruault has never had possession of any photographs relating to the crash in Paris.

Although Lionel Cherruault was burgled on the Sunday night 31 August 1997, there is no evidence that any activity was undertaken by any security/intelligence agency and no motive for them doing so.

b) Alleged burglary at 'Big Pictures Photographic Agency'

On Monday 1 September 1997, police received a call to 'Big Pictures Photographic Agency', based in Clerkenwell Road, London EC1. Staff working at the premises had received threatening telephone calls. A scheduled appointment was made for police to attend and report the allegation the following day. (Police despatch system (CAD) incident number 9385 on 1 September 1997)

Police Constable Joseph KENNILS Patrol officer based at Islington Police Station.

Interviewed by Operation Paget - Statement 6

He went to the premises of 'Big Pictures' on 2 September 1997 to investigate reported allegations of threats to kill. The threatening telephone calls were received by members of the staff from angry members of the public, because apparently, 'Big Pictures' had been named in television news items as a company trying to sell photographs of the victims in the crashed Mercedes.

While reporting the allegation of threats to kill, staff at 'Big Pictures' told PC Kennils that they were still in possession of these photographs.

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Seizure of photographs from 'Big Pictures'

PC Kennils revisited the premises of 'Big Pictures' later that same day, Tuesday 2 September 1997, and took possession of the photographs showing the couple in the wrecked Mercedes, together with the computer hard disc drives. These are exhibited within Operation Paget.

Emergency calls from 'Big Pictures'

Operation Paget - Other Document 6

1. CAD number 126 of 5 September 1997

At 12.12am on Friday 5 September 1997 police received a '999' emergency call to the premises of 'Big Pictures' from Darryn Lyons. The police control room operator recorded the following remarks:

'LOCN IS PRESS AGANCY. [sic] THEY HAVE HAD THREATS MADE SINCE DEATH OF PRINCESS DIANA. ALL POWER HAS BEEN LOST IN LOCN AND PHONES DEAD. REST OF RD IS OK. INFT FEARS IMMENENT [sic] ATTACK.'

2. CAD number 150 of 5 September 1997

At 12.15am a second emergency call was received from Darryn Lyons, a few minutes after the first call. The reason for the call is recorded as being:

'INFT BLVS HE HAS A SUSP. PACKAGE AT LOC.... IT IS MAKING A TICK TOCKING NOISE . INFT THINKS IT IS A BOMB.'

The last two entries on CAD 126 were shown as follows:

'THERE HAS BEEN SOME SORT OF A POWER CUT. STAFF WILL REMAIN ON SCENE THROUGH THE NIGHT. ADVISED RE CALLING 999 IF ANYTHING FURTHER SHOULD OCCUR. TICK TOCKING WAS CONNECTED WITH THE POWER CUT. STAFF ON SCENE WILL BE CONTACTING LEB re FURTHER ENQS. NOTHING UNTOWARD. THE TICKING SOUND WAS CLOCKS TICKING IN THE NEWSROOM.'

There was no mention on the CAD records of crime allegations being made or recorded.

Darryn LYONS

Owner of 'Big Pictures' Photographic Agency.

Interviewed by Operation Paget - Statement 85

He explained how he received digital copies of photographs taken of the Princess of Wales and Dodi Al Fayed in the wrecked Mercedes. He intended to sell them but once he learned of the deaths of the couple he chose not to do so and never did. Furthermore, a few days later following death threats, he called police to his premises and handed them the photographs.

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His statement contained the following extracts:

'As a result of the threats received my staff and I became quite nervous. In the days following the crash we heard strange clicking noises when we used the office phones. I did not know what was causing these noises but the thought crossed my mind that our phones could be bugged. I must add at this stage that I have no experience of knowing whether or not my phones were being bugged.'

In the days following the crash I remember an incident where my staff and I left the office late one evening at around 10.30pm. We went to a local Indian restaurant called the Taj Mahal. When we returned to the office after midnight it was in darkness. I thought this was strange as the lights were still on in the offices of our immediate neighbours. I entered and heard a ticking noise and believe I saw a shadow of a person at the back of the office. I immediately called the police.'

'Officer manager Mr Greg Allen was responsible for dealing with the electricity and phone companies. From memory nothing was found. Mr Allen did speak to the company and said that it was impossible for it to happen as we were on a grid system.'

'The police arrived and searched the building with torches. Nothing was found, there was no sign of forced entry and nothing had been taken. I have no explanation as to why the lights were switched off or how the lighting was eventually restored.'

Darren Lyons was shown Operation Paget Exhibit KCR/11 - two police computer generated incident call outs logs (CAD reports 126 and 150). They showed that police were called to 'Big Pictures' in the early hours of the 5 September 1997. In response to this he stated:

'As I have previously said I cannot remember the exact day or date but do not contest the authenticity of the police computer records. There has only been the one incident where I called police suspecting that we had intruders and a possible suspect package.'

I accept that police seized the hard drive containing the photos received from Laurent Sola several days before the incident when the office lights were switched off.'

Sequence of Events at Big Pictures

Sunday 31 August 1997 – 'Big Pictures' received digital copies of crash scene images from France in the early hours of the morning via an ISDN telephone line.

Monday 1 September 1997 - Television news reported that 'Big Pictures' had photographs taken at the crash scene, which they were trying to sell.

Monday 1 September 1997 - 'Big Pictures' called police to report 'death threat' telephone calls.

Tuesday 2 September 1997 - 'Big Pictures' handed over copies of the images to Police Constable Kennils from Islington Police Station.

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Friday 5 September 1997 - Police records showed police attending 'Big Pictures' in the early morning regarding an imminent attack on the premises and that Darryn Lyons believed there was a suspect package at the premises.

As can be seen from the above schedule the incident to which police were called to 'Big Pictures' in relation to strange occurrences at the premises was in fact three days after the photographs were handed over to police.

Operation Paget Comment

'Big Pictures' did receive digital photographs showing the scene of the crash in the hours immediately afterwards and before the announcement of the deaths. Agreement for sale of these photographs, provided by Laurent Sola the owner of LS Diffusion Press Agency in Paris, was arranged in a very short space of time but was cancelled prior to distribution when the true extent of the tragedy became apparent.

Staff at 'Big Pictures' received threatening phone calls after the media apparently announced on Monday 1 September 1997 that they were trying to sell photographs of the crash scene. Police were called and on Tuesday 2 September 1997 'Big Pictures' voluntarily handed over to uniform officers the photographs they had obtained from Laurent Sola.

Late on the night of Thursday 4 September 1997 and/or the early hours of Friday morning, staff returning to 'Big Pictures' after a meal at a local restaurant noticed that their section of the shared building was in darkness. The lights were still on in the offices of their immediate neighbours. Staff heard a ticking noise and the owner believed he saw a shadow of a person at the back of the office. Police arrived and searched the building with torches. Nothing was found, there was no sign of forced entry and nothing had been taken.

Darryn Lyons, the owner, still did not understand this occurrence at his office. However he is in agreement with Operation Paget that it did occur on the night of Thursday 4 September 1997, two days after he handed his photographs to police. Darryn Lyons is adamant that he has never stated that the incident took place on the night of Sunday 31 August 1997.

No property was stolen from 'Big Pictures'. The photographs that were sent to them on Sunday 31 August 1997 were from a very well-known French photographic agency. Other photographs were being offered for sale by other agencies. 'Big Pictures' handed theirs to police two days before this apparent incident on the night of Thursday 4 September 1997.

Although the '*office was in darkness*' on Thursday night has never been explained there is no evidence that any activity was undertaken by any security/intelligence agency and, just as importantly, no possible motive for them doing so.

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c) Photographs offered to other photographic agencies

Alpha Photographic Press Agency

French Dossier D6118

Operation Paget has identified from information within the French judicial dossier that at thirty-three minutes past midnight on 31 August 1997, one of the paparazzi, Alan Guizard, working for Angeli Photographic Press Agency in Paris, telephoned Raymond Blumire. Raymond Blumire was the owner of Alpha Photographic Press Agency Ltd of Gee Street, London. Alpha Photographic Press Agency had a deal with the Angeli Photographic Agency to sell each other's photographs.

Raymond BLUMIRE

Owner of the Alpha Photographic Press Agency.

Interviewed by Operation Paget - Statement 100

In his statement to Operation Paget, Raymond Blumire confirmed that he received a call from Alan Guizard in the early hours of the morning of 31 August 1997, telling him that the Princess of Wales had been involved in a car crash. He was not offered any photographs at that time. His agency had already received photographs of the couple taken on Saturday 30 August 1997 as they arrived at Le Bourget airport.

He was in bed when he received the call and opened up his own agency later that morning with a view to selling photographs taken of the couple, not necessarily from the crash scene. He only received photographs taken at rue Arsène Houssaye, at the Ritz Hotel and of the Mercedes post-crash.

Raymond Blumire had no suspicious occurrences at his agency following the deaths of the Princess of Wales and Dodi Al Fayed.

[Paget Note: The Angeli Photographic Agency in Paris were offering photographs of the crash scene for sale. Other photographic agencies - 'Laurent Sola Presse Diffusion' and 'Sipa Press' - offered photographs taken at the crash scene. These were offered to clients including those in the USA where interest was intense.]

Operation Paget Comment

There is no evidence to indicate that the SIS was involved in the burglary at the home of Lionel Cherruault. There was no motive for such action. Lionel Cherruault was not in Paris at the time of the crash and had no photographs from the scene. He took photographs of the return of the Princess of Wales' body to RAF Northolt on Sunday 31 August 1997, like hundreds of others. The evidence indicated that the burglary was what might be described as common criminality.

There is no evidence to indicate that the SIS was involved in the incident at the offices of Darryn Lyons. There was no property taken in this incident, which amounted essentially to a problem with electricity supply at the offices of a photographic agency late on Thursday 4 September 1997.

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The photographic agency had received photographs on 31 August 1997 of the crash scene from their affiliates in France. The agency had voluntarily handed these photographs to local uniformed police on Tuesday 2 September 1997. The evidence indicated that the incident on Thursday 4 September 1997, although still unexplained, had nothing to do with the events of the crash in the Alma underpass on 31 August 1997.

In light of the distribution and availability of photographs of the crash scene it is difficult to see any possible motive for any security/intelligence service to burgle the home of a French photographer resident in London or enter a photographic agency in London five days after the crash.

6. National Security Agency/Central Intelligence Agency, United States of America

The NSA/CIA claims have been dealt with in Chapter Fifteen but are mentioned here in summary because of an alleged or inferred link between them and the SIS.

Summary of Claims

Mohamed Al Fayed makes the following claims:

- The investigating magistrate made only the most perfunctory inquiries of the British Embassy and none of the National Security Agency
- Diana, Princess of Wales was under close surveillance by MI6. (CIA and NSA in the United States closely intercepted and monitored her telephone calls. They would have been aware that she intended to announce publicly her engagement to Dodi on Monday 1 September 1997. CIA and NSA possess 39 documents consisting of 1054 pages which relate in part to transcripts of telephone calls made by Princess Diana whilst she was with my son.)
- The United States National Security Agency has confirmed that it was carrying out surveillance of the Princess of Wales - probably on behalf of the United Kingdom services - during this period and has an extensive file relating to the crash
- MI6 are frequently and routinely asked by the Royal Household (usually via the Foreign Office) to provide intelligence on potential threats to members of the Royal Family whilst on overseas trips. This service would frequently extend to asking friendly intelligence services (such as the CIA) to place members of the Royal Family under discrete surveillance, ostensibly for their own protection

CHAPTER SIXTEEN

7. Miscellaneous issues

Summary of claims

These claims do not fit precisely into previous categories in the SIS section but they do directly or indirectly allege the involvement of SIS in the events of August 1997. Within this section the miscellaneous claims are grouped into the following subject areas:

- a) British photographers/SIS photographers or paparazzi outside the Ritz Hotel.
- b) Surveillance/protection of the Princess of Wales.
- c) SIS links to, and influence with, the '*Establishment*'.
- d) Capability and unlawful actions of the security services.

a) British photographers/SIS photographers or paparazzi outside the Ritz Hotel

Claims

- 6. A British photographer who was present at the Ritz Hotel on that date but was unknown to the paparazzi there may have had a connexion with that service.
- 15. Among the paparazzi outside the Ritz Hotel on 30 - 31 August 1997 there were two people who acted as paparazzi yet were not known to the regular paparazzi. They were heard speaking English. They have not been identified.
- 16. One told some of the paparazzi that he was a journalist with the *Daily Mirror*, which has stated that it had no journalists present at the time.
- 17. A former member of MI6 has also attested that one of the paparazzi who routinely followed the Princess was engaged in providing surveillance and photography services for MI6.
- 34. I heard in my department that there was a member of the paparazzi who was an MI6 informant. This paparazzo regularly followed the royal family and was sometimes paid for overseas operations. He had been following Diana on a regular basis for several years.
- 46. One of the 'paparazzi' photographers who routinely followed the Princess of Wales was a member of 'UKN', a small corps of part-time MI6 agents who provide miscellaneous services to MI6 such as surveillance and photography expertise.

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b) Surveillance/Protection of the Princess of Wales

Claims

1. Members of the British police / security services were providing protection from a distance for the Princess that evening.
12. This surveillance (by the security services) was carried on both while the Princess and the petitioner's son were in and around St Tropez and when they were in Paris.
22. Diana, Princess of Wales was under close surveillance by MI6.
52. Princess Diana and her former lover James Hewitt both claimed to have been under MI5 surveillance in the years before the crash, I knew that this was not true. This begged the question who exactly was following Diana at this time.
54. MI6 must therefore have known that Diana was in Paris on that night.

c) SIS links to and influence with the '*Establishment*'

Claims

21. I am in no doubt whatsoever that my son and Princess Diana were murdered by the British Security Services on the orders of HRH Prince Philip, Duke of Edinburgh.
24. The Security Services ensured that the authorities stated that all CCTV cameras between Place Vendôme and the Alma Tunnel were inoperative on the night of the crash.
25. Dominic Lawson's wife is Rosa Monckton and her brother is a serving senior MI6 agent.
26. Rosa Monckton established a friendship with Princess Diana simply in order to pass information she obtained to MI6.
37. The question raised in the TV report in the UK concerning the fact that the two English bodyguards accompanying the couple on the night of the accident were former members of the SAS. I should point out in this respect that there are very strong links between the SAS and MI6 and an SAS man retains his loyalty to his regiment for the rest of his life.

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d) Capability and unlawful actions of the 'security services'

Claims

4. Her Majesty told Mr. Burrell that *'There are powers at work in this country about which we have no knowledge'*. It is probable that this was a reference to the security services.
18. An assertion by the security services that they have no involvement in illegal activities such as assassinations is not credible has recently been confirmed by the report of an inquiry carried out by Sir John Stevens, Commissioner of MPS, into two murders in Northern Ireland in the late 1980s and into allegations of collusion between the security forces and loyalist paramilitaries in Northern Ireland.
53. Having looked at the available evidence I am personally inclined to think that MI6 paid to have Diana and Dodi involved in an accident.
55. Shayler's assessment (that MI6 were involved) is based on how MI6 worked, how they paid others to carry out their 'dirty' work and an operation Shayler was involved in that could match the Modus Operandi.

Enquiries

a) British photographers/SIS photographers or paparazzi outside the Ritz Hotel

The claims in essence stated that one or two photographers/paparazzi in front of the Ritz Hotel on the Saturday evening of 30 August 1997 were not from the 'Paris' pack of paparazzi that were familiar to each other. There was an indication by some of the paparazzi there, refuted by the newspaper, that one may have worked for the 'Daily Mirror'.

Richard Tomlinson talked of 'paparazzi' carrying out 'miscellaneous services' for MI6.

There was a large crowd outside the Ritz Hotel, Paris on the night of 30 August 1997 because of the presence of the Princess of Wales. Video footage and still photographs show at times a great many people by the front entrance. This included paparazzi photographers who subsequently went on to follow the couple when they left the hotel after midnight. There were also a lot of bystanders who conceivably were interested tourists or Parisian locals. There is no way of knowing who all of these people were, then or now.

However, specific references to an unknown English journalist have been made by French paparazzi interviewed in the course of the French inquiry. Some of them were shown a photograph of the man and asked for comment.

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French Paparazzi – comments on an unknown photographer outside the hotel

Serge BENHAMOU

Paparazzo.

French Dossier D1721

He described an English journalist outside the Ritz Hotel, who spoke French, working for an English newspaper. In interview with Judge Stéphan, shown a CCTV still photograph he stated:

'I think that the individual in front of Cardinale (another paparazzo) wearing a strange jacket was the English photographer. I had never seen him before. He did not follow. He was only outside the Ritz.'

David ODEKERKEN

Paparazzo.

French Dossier D1637

In interview with Judge Stéphan he was shown a photograph He stated there was a photographer in the first row, to the right of Laslo Veres (another paparazzo):

'I gathered he was English. I was surprised an English photographer should have been there already when it was only that afternoon that anyone knew the couple were in Paris.'

In the Record of Confrontation [Paget Note: French legal process] of 5 June 1998 David Odekerken states in reply to a question *"I heard that on that evening he was apparently working for The Mirror"*.

Michel DUFOUR

Paparazzo.

French Dossier D2636-D2638

'The person dressed in a predominantly red jacket, carrying a camera, placed in front of Mr Cardinale and beside Mr Veres, and who appears in photo 6, is not known to me. He could be a professional photographer, but I am not sure of that. It is possible that it is an English photographer, since logically some could have been present.'

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Laurent SOLA

Owner of 'Laurent Sola Diffusion'.

French Dossier D4995

'After looking at them (the photographs from CCTV outside the Ritz) carefully, I cannot tell you anything about the young man with the short hair, goatee beard and checked shirt who appears in them. I am certain I have never seen the man.'

'You tell me that you have information that he might be an English photographer sent by a newspaper in England. I wouldn't think so because I should know him if that was the case.'

[Paget Note: From the accounts of these paparazzi one can deduce that all of these comments described the same man, dressed in a red checked shirt and with a goatee beard. The photographs of the man are in the French Dossier D1979-D1981.]

'Daily Mirror' photographers

On 10 March 1998, MPS officers at the request of Judge Stéphan visited the offices of the 'Daily Mirror' in London. The assistant picture editor was shown the photograph of the man with the goatee beard. He stated that the man did not work for the 'Daily Mirror'. Information had also been received that a named senior photographer of the Mirror Group may have been the unidentified male. An interview with that person on the same day confirmed that he was not the unknown photographer.

Identification of the unknown photographer

Operation Paget - Statement 86F

Operation Paget has now identified the unknown photographer. He was a freelance photographer, Colm Pierce. In 1997 he did not work directly for the 'Daily Mirror' but they did use his work on an ad hoc basis. He is a resident of Paris. Operation Paget officers spoke to him by telephone in December 2005. He confirmed that he had been present outside the Ritz Hotel on the evening of Saturday 30 August 1997 but had not been involved in following the Princess of Wales and Dodi Al Fayed when they left the Ritz. He has declined to be further interviewed by Operation Paget.

Operation Paget - Correspondence 900

The 'Daily Mirror' legal adviser was contacted and given this name. He confirmed that the newspaper knew him as a Paris-based freelance photographer but he was not one of their 'staff' photographers. He had no information as to whether this photographer had been specifically tasked in relation to the visit of the Princess of Wales to Paris in 1997.

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Operation Paget - Message 515

Operation Paget also interviewed in 2005 a ‘*Sunday Times*’ journalist who was working on a story of the crash. He was shown the photographs of the ‘unknown’ photographer. He confirmed the identity. He stated that he had met him within hours of the crash at the Alma underpass and been told by him that he had been outside the Ritz Hotel but had not been involved in the immediate chase because he had no transport.

Operation Paget - Message 519

Again in 2005, Operation Paget interviewed another freelance photographer. He too, on looking at the CCTV photographs of the ‘unknown’ photographer confirmed the identity.

A number of articles were published in the press after the crash that referred to Colm Pierce being present, some linking him in the text to the ‘*Daily Mirror*’ newspaper. In 2004 he was shown as a member of the French branch of the National Union of Journalists.

All searches at the SIS on the name of this photographer have been negative.

There was no obvious reference to a second photographer speaking English in front of the Ritz Hotel. Bearing in mind that August is a holiday period it was very likely that other English speakers would have been in the crowd watching the hotel in anticipation of a sighting of the Princess of Wales.

French Dossier D5159

The claim that linked the SIS to the use of paparazzi was made by Richard Tomlinson. However, he made it clear that this was a general claim in terms of surveillance rather than a specific reference to the night of Saturday 30 August 1997 and that he himself did not have any direct knowledge. In his evidence to Judge Stéphan in August 1998 he stated

*‘As for the third matter, this is not as clear cut as the two that I have just outlined. It simply concerns **something I heard in my department**, that there was a member of the paparazzi who was an MI6 informant. I do not know the nationality or the sex of this photographer. I rather think that it was a man because, as women are rarely used, this would have stuck in my mind. This paparazzo regularly followed the royal family and was sometimes paid for overseas operations. He had been following Diana on a regular basis for several years. Contrary to what is written in the note given to you by my lawyer, **I cannot state that this photographer was in Paris on the night of the accident of 31 August 1997 and obviously by extension whether he was following the car.** I think that my lawyer may have misunderstood what I said to her on this point.’*

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And in his Sworn Affidavit of 1999 he stated:

'I also learnt while in MI6 that one of the 'paparazzi' photographers who routinely followed the Princess of Wales was a member of 'UKN', a small corps of part-time MI6 agents who provide miscellaneous services to MI6 such as surveillance and photography expertise. I do not know the identity of this photographer, or whether he was one of the photographers present at the time of the fatal incident. However, I am confident that examination of UKN records would yield the identity of this photographer.'

Records at the SIS have been searched by Operation Paget officers. There was no reference at all to any operation/assignment/intelligence-gathering at the Ritz Hotel, and consequently there was no reference to a paparazzo outside the hotel in the Place Vendôme or elsewhere operating on behalf of the SIS.

As stated earlier, there was no reference to the identified English speaking paparazzo.

b) Surveillance/Protection of the Princess of Wales

Overt surveillance and protection

Evidence provided by the former Head of Specialist Operations at New Scotland Yard responsible for Royalty Protection, Sir David Veness, showed that personal protection was withdrawn from the Princess of Wales in 1994 at her request. Statements of her friends and confidantes supported this view of her wishes at that time.

Sir David VENESS

Former Assistant Commissioner, Metropolitan Police Service.

Operation Paget - Statement 227

Assistant Commissioner David Veness explained the police view of the withdrawal of personal protection:

'By reference to the relevant papers [Particularly correspondence SO2/07/2825 and copy file, and SO2/97/2810] I am able to say that changes to the protection status of the Princess of Wales commenced in December 1993 and were gradually implemented from that date and through 1994. These changes came about at the Princess' insistence following a meeting on 13th December 1993 when she first raised the issue. I was not present at that meeting. The MPS strongly resisted any changes as the view of the MPS was that this was unwise. The Princess of Wales was given, by the MPS, unequivocal advice against seeking any changes to her security measures, in person and through her own advisers. She was however adamant and insisted that her wishes prevail.'

This evidence was supported by enquiries undertaken at the Security Service (MI5). The Service has a primary responsibility for assessment of threats to the Royal Family. Within its records Operation Paget saw contemporaneous references to meetings involving the Security Service, the FCO and the MPS to discuss the implications of the Princess of Wales' request.

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The outcome was an agreement whereby the Princess of Wales would, from 1994, no longer receive personal protection unless she was on an official function or a visit where such protection was assessed as being necessary (for example, visits to Angola), or she was accompanied by members of the Royal Family who received protection in their own right, most obviously her sons.

Also within these records at the Security Service there were documents showing, in chronological running order, the threat assessments carried out by the Security Service in 1997 for members of the Royal Family and other VIPs. There were references within those documents to visits by the Princess of Wales when her plans were declared. There was no threat assessment for any of the three private cruises in July and August 1997 with Dodi Al Fayed and then Rosa Monckton, nor for the Princess of Wales' weekend in Paris with Dodi Al Fayed in late July or the weekend of 30 August 1997.

Foreign & Commonwealth Office documents

Operation Paget - Meetings/Briefings F390/001/03 and Other Document 386

Documents examined by Operation Paget at the FCO confirmed this understanding and agreement. The Cabinet Office Group responsible for overseas security met on 2 September 1997 and the minutes recorded:

'The group had not been informed of the Princess of Wales' visit to France. The visit had been private and the Princess of Wales had not been accompanied by a member of the Royal Family for whom protection was provided. In accordance with the May 1994 guidelines, even had the Group been aware of the visit, it would not have recommended that the Princess of Wales be accompanied by a Personal Protection Officer.'

In early July 1997 on the private holiday at Mohamed Al Fayed's villa in St Tropez MPS Personal Protection Officers did attend because of the presence of the Royal Princes. The visit was preceded by a documented reconnaissance trip. Subsequent private holidays of the Princess of Wales leading up to 30 August 1997, with Dodi Al Fayed and then Rosa Monckton, had no Personal Protection Officers provided by the authorities and no such reconnaissance visits.

Vianney DYEURE **Commissaire de Police.**

Operation Paget - Other Document 41 (Pre-Paget)

He stated that during the French inquiry enquiries were made of the 'Etat Major' of the Diplomatic/VIP Protection Squad in Paris who categorically denied that his team were made aware of the visit of the Princess of Wales before the crash.

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Philippe MASSONI

Préfet de Police in Paris in 1997.

Interviewed by Operation Paget - Statement 241

The Head of Police in Paris at the time, Philippe Massoni stated:

‘Reply to question: “I did not know prior to the accident that the Princess of Wales was in France, and she was in fact on a private visit. Like countless other foreign VIPs, she had come to France on holiday without seeking the assistance of the authorities in respect of her protection”.

Reply to question: “If the Princess of Wales had announced her trip to France, discussions would have taken place with her representative as to any security measures that she might have wanted put in place. I should point out however that the French authorities do not impose security measures on a visitor contrary to his or her wishes.” ’

Chef DELEBECQUE

Maréchal de Logis at airport Gendarmerie, Le Bourget airport.

French Dossier D2539

He stated that the flight into Le Bourget airport was unannounced and the status of the occupants was given to the Gendarmerie only five minutes before their Gulfstream jet landed.

Pascal WINIESKI

Police Officer at Le Bourget Immigration Control.

French Dossier D2540-2544

He stated that when he came on duty at 1pm he checked the two notification systems that would have given warning of a VIP or State arrival and there was no such notification for 30 August 1997. A ‘gendarme’ informed him a few minutes before touchdown that the Princess of Wales would be arriving.

Staff at the British Embassy, Paris were not informed of the visit of the Princess of Wales.

They all stated that they personally had no prior knowledge of the Princess of Wales’ visit and also believed that the British Embassy had no prior knowledge.

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French Dossier D6985 and D7023

Paul Johnston also referred to two letters he wrote in an official capacity to the Examining Magistrate, Hervé Stéphan, on 16 December 1998 and 12 January 1999 in which he confirmed that the British Embassy had no prior knowledge of the Princess of Wales' visit to Paris. He also confirmed to the Examining Magistrate the fact that the Princess of Wales did not have personal protection unless she specifically asked for it

Paul HANDLEY-GREAVES

Head of Personal Security for Mohamed Al Fayed in 1997.

Interviewed by Operation Paget - Statement 170

He stated '*we never notified officials/authorities in countries we visited*'.

He personally had no knowledge of the itinerary or arrangements in Paris that weekend.

- Trevor Rees-Jones
- Kieran Wingfield
- Deborah Gribble
- Myriah Daniels
- René Delorm

All travelled with Dodi Al Fayed and the Princess of Wales on the flight from Sardinia but were only made aware of the visit to Paris on Friday 29 August 1997 or Saturday 30 August 1997.

The paparazzi were clearly aware of the arrival of the Princess of Wales before the aeroplane touched down as they were in position to take photographs. The three main photographic agencies state, in general terms, that they were informed between 12.30pm and 1.30pm on Saturday lunchtime. Their information came from photographic colleagues in Italy or the control tower at Olbia airport, Sardinia, the point of departure.

Covert surveillance and protection

Operation Paget - Statements 190 and 191

The MPS Personal Protection Officers assigned to the St Tropez holiday, Kevin Sullivan and Christopher Tarr stated that although they were under the scrutiny of the press they were not aware of being under surveillance and no suspicious activity was brought to their attention.

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Operation Paget has tried to assess media reporting to see if there was specific and possibly credible information available. In June and July 2005, articles appeared in a newspaper under the name of Lee Sansum. He was part of Mohamed Al Fayed's personal protection team in St Tropez during the holiday. The article claimed that the Princess of Wales had been under MI6 surveillance during this visit.

Lee SANSUM

Member of Mohamed Al Fayed's security team in St Tropez.

Interviewed by Operation Paget - Statement 168

Operation Paget officers interviewed Lee Sansum because of these specific claims. He was one of the protection staff working with the MPS Personal Protection Officers referred to above. He believed the Al Fayed family was the subject of surveillance generally. Specifically in relation to St Tropez he described an incident where he and a colleague blocked two men on motorcycles who were following the Princess of Wales and the Al Fayed family. He believed they were serving or former military personnel due to their dress, demeanour and behaviour but did not know who they were.

He stated that it was obvious they were under surveillance throughout the visit but he could not say by whom.

Lee Sansum also clarified that two other references in the newspaper articles, relating to MI6 and the military, were not correct in fact or inference.

David SHAYLER and Annie MACHON

Declared ex-Security Service (MI5) officers.

In effect they expressed the view that the Security Service would not have been involved in surveillance of the Princess of Wales. In their meeting with Operation Paget officers on 14 June 2005, Annie Machon stated she had worked in MI5 surveillance. Referring specifically to surveillance of the Princess of Wales and James Hewitt, reported in the media, she said that MI5 were taking over primacy of IRA issues and it *'would have been almost impossible'* to get a team to carry out surveillance. For example, *'It was just not feasible that a surveillance team would be deployed on Diana or Hewitt.'*

Annie Machon and David Shayler both believe they would have heard something if this was the case. This would have applied equally to technical surveillance.

David Shayler stated that MI6 have surveillance and agent handling teams but he did not know if the Princess of Wales was being followed.

He also confirmed that the Security Service did keep information on the Royal Family but only to the extent of informing the threat assessment. Annie Machon stated her view that because the Security Service was responsible for these threat assessments the SIS must therefore have known that the Princess of Wales was in Paris on that night. However this comment must be put into the context of the post-1994 agreement whereby the Princess of Wales no longer received individual personal protection.

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The ‘*Jonikal*’ cruises with Dodi Al Fayed and the visits to Paris were clearly private issues.

Annie Machon and David Shayler readily accepted that they had no first hand knowledge of any of the victims of the crash or any surrounding events but were making themselves available to Operation Paget because of their knowledge of how the Security Service worked and their understanding of the links to the SIS.

Previous visit to Paris by the Princess of Wales and Dodi Al Fayed

On the weekend of 26 July 1997 the Princess of Wales and Dodi Al Fayed spent time in Paris together. Operation Paget has found no documentation or reference showing official knowledge, informal or otherwise, that ‘authorities’ in France or the United Kingdom were aware of this visit.

Enquiries at the SIS

The enquiries undertaken by Operation Paget officers at the SIS revealed no evidence of any surveillance activity on the Princess of Wales, nor any surveillance activity based in St Tropez or Paris, or on any person associated with these claims.

c) SIS links to, and influence with, the ‘*Establishment*’

Secret Intelligence Service (MI6) and the Security Service (MI5). During their enquiries at the SIS and Security Service, Operation Paget has found no evidence to link HRH Prince Philip in any way with either organisation other than in relation to the Security Service’s responsibility for assessment of threats to members of the Royal Family.

Mohamed Al Fayed has recorded in his statement that the allegedly racist and hostile attitude of HRH Prince Philip led the Prince to take action against the Princess of Wales and Dodi Al Fayed.

No evidence has been produced to show that HRH Prince Philip was linked to the crash in Paris. Operation Paget has found no evidence to link him to the crash in Paris.

CCTV cameras on the Mercedes’ route to the Alma underpass is dealt with in Chapter Five. There was no evidence from enquiries undertaken by Operation Paget at the Security Service or the SIS to show that either organisation coerced, or attempted to coerce, any French authority, or anyone in power in France, to provide false information concerning the inoperability of cameras on the night in question.

It is difficult to assess which authorities in particular would have had to be approached in such a situation – municipal, Government, security etc. There was no reference in the French judicial dossier, or in any documentation in the possession of Operation Paget, that indicated such an approach had been made. Likewise, no individual within the knowledge of Operation Paget has indicated that they were approached or were aware of such an approach being made.

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The Honourable Rosa Monckton spent a few days on a private cruising holiday with the Princess of Wales in August 1997. Rosa Monckton began her friendship with the Princess of Wales around 1989. Lucia Flecha de Lima, a friend of the Princess of Wales, stated that she introduced the two women [Paget Note: Lucia Flecha de Lima believed this was in 1991]. Both stated it was at the time of the Princess of Wales' marriage break-up. Lucia Flecha de Lima's husband was the Brazilian Ambassador in England at the time and she met the Princess of Wales during an official trip to Brazil.

After the trip, Lucia Flecha de Lima believed the Princess of Wales needed someone to help her, someone she could talk to, as she was very unhappy and was having troubles in her marriage. Lucia Flecha de Lima felt that although she could offer friendship and strong emotional support herself, she did not understand the English system and so she approached Rosa Monckton because of her background and because she would be discreet and not run to the press.

Rosa Monckton was introduced as a confidante who understood the monarchy and aristocracy more than Lucia Flecha de Lima and could help the Princess of Wales through this time in her life. Rosa Monckton stated that the claim that she was 'recruited' by MI6 to befriend the Princess of Wales was totally wrong.

She is married to Dominic Lawson. The only reference to Rosa Monckton's brother allegedly being linked to the SIS came from articles in the media and postings on websites.

Special Air Service. This claim relating to the Special Air Service (SAS) was made by Richard Tomlinson. The SAS is a regiment that is accountable to the Ministry of Defence. The Secret Intelligence Service is accountable to the FCO.

Both are charged in different ways with protecting the interests of the country and its people. Richard Tomlinson stated there were strong links between the two. It seems obvious that both organisations should have the ability to work together operationally.

Neither Trevor Rees-Jones nor Kieran Wingfield served in the SAS. In their statements to Operation Paget they provided details of their background; Trevor Rees-Jones joined the Parachute Regiment and left the Army in 1992, Kieran Wingfield joined the Royal Marines and left directly into the employment of Mohamed Al Fayed.

The opinion of Richard Tomlinson that an SAS man retains his loyalty to the regiment is one that some might agree with, but it is not relevant to this crime allegation.

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d) Capability and unlawful actions of the ‘security services’

Trevor Rees-Jones, Kieran Wingfield and Reuben Murrell.

Interviewed by Operation Paget - Statements 104, 20A and 211 respectively

All three men have provided statements to Operation Paget. All stated they have never worked for or been influenced by the ‘Security or Intelligence Services’. Checks at the Security Service and the SIS by Operation Paget officers showed no reference to any of them.

There was no other evidence to link any of the three men to any intelligence or security service. Richard Tomlinson, in his evidence to Judge Hervé Stéphan in August 1998, stated, *‘During the course of my work I have never seen the names of the two bodyguards as members of a security/intelligence service’* (French Dossier D5159).

It should be remembered that Richard Tomlinson left the SIS in 1995.

United Nations in East Timor

Operation Paget - Correspondence 522 and 788

Trevor Rees-Jones did work for the United Nations in East Timor. He began in mid 2000. He applied directly to the United Nations Department of Peacekeeping Operations. His job title was ‘District Security Officer’ in the Cova Lima (Suai) District in East Timor and he reported directly to the Chief Security Officer. District Security Officer was roughly equivalent to Sergeant in policing terms and was P2 or P3 on United Nations pay-scales. This was a job for which Trevor Rees-Jones was qualified.

It could not be described as heading the United Nations security response in that country. Nor could it be described as such a prestigious job that it could only be regarded as some form of inducement. The position there was on a one-year contract that ended in 2001.

Trevor Rees-Jones never was or claimed to be ‘Head of UN Security’.

Recollection of the crash

Operation Paget - Correspondence 788

Trevor Rees-Jones has confirmed again, through his solicitor in May 2006, that he has no recollection of the crash other than that which he has already given to the authorities.

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In March 1998 he did tell Judge Stéphan of two new possible memories. One related to words he might have heard the Princess of Wales say immediately after the collision. The other was a memory of a motorcycle next to the Mercedes in Place de la Concorde and a recollection of flashes as the Mercedes pulled away. He was not sure if these were false memories or a true recollection.

There was no evidence to indicate that Trevor Rees-Jones has had any other recollection of details from the night. Operation Paget has found no reference to Trevor Rees-Jones providing accounts that expand on the events of that weekend to any other parties.

Paul BURRELL

Butler to the Princess of Wales.

Interviewed by Operation Paget - Statement 24

He confirmed to Operation Paget his account of the conversation he claimed to have had with H.M. The Queen in 1997, when she apparently said there were '*powers we know nothing about*'. This comment has been in the public domain for some time, having been made public by Paul Burrell at the time of his trial in 2002. He did not ask the Queen what she meant by the alleged remark as, in his opinion, that would not have been proper. Buckingham Palace, then and since, has chosen to make no comment on Paul Burrell's account of the conversation.

The Stevens Report (Northern Ireland) stated:

Stevens Enquiry 3: Conclusion 9(7)

'I conclude that there was collusion in both murders and the circumstances surrounding them. Collusion is evidenced in many ways. This ranges from the wilful failure to keep records, the absence of accountability, the withholding of intelligence and evidence through to the extreme of agents being involved in murder.'

Conclusion 9(8) goes on to state:

'The failure to keep records or the existence of contradictory accounts can often be perceived as evidence of concealment or malpractice. It limits the opportunity to rebut serious allegations. The absence of accountability allows the act or omissions of individuals to go undetected. The withholding of information impedes the prevention of crime and the arrest of suspects. The unlawful involvement of agents in murder implies that the security forces sanction killings.'

It is important to note in this context that the term '*agents*' is used to refer to informants or sources and not '*agents*' as it is sometimes colloquially understood, '*MI6 spies*'. Thus the reference to '*agents being involved in murder*' is a reference to actions of informants rather than the authorities. Collusion is a matter of degree and difficult to define in a legal sense.

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Judge Peter Cory, a retired Canadian judge, was asked by the British government to assess whether collusion was evident in Northern Ireland. He took a reasonably broad definition that included *'ignoring or turning a blind eye to the wrongful acts of servants or agents or supplying information to assist them in their wrongful acts or encouraging them to commit wrongful acts.'*

There are a number of Public Inquiries taking place in Northern Ireland at present. They are looking at the issue of collusion between the authorities and the perpetrators of serious crimes. They have access to all relevant material. It would be inappropriate in this report to speculate on the possible conclusion of those independent inquiries. It is clear however that they are examining collusion within the wide parameters described by Judge Cory, from collusion by omission (turning a blind eye) to, for example, actively supplying intelligence on potential targets.

These Inquiries relate specifically to activity in Northern Ireland. While it is accepted that any 'similar fact evidence' could be relevant to the incident in the Alma underpass, there is no apparent crossover between the alleged institutional activities of the security forces in Northern Ireland and the events in Paris.

Operation Paget will continue to assess the evidence produced in the Public Inquiries in Northern Ireland to see if it impacts on the issues under investigation here.

David SHAYLER

Former Security Service officer.

His assessment that the SIS was involved in the crash in the Alma underpass was based largely on his knowledge of a plot involving a bomb or grenade being placed under a car in a cavalcade in Libya in order to kill Colonel Gadaffi - i.e. it involved attacking a car in a foreign country using what he described as '*surrogates*' (cut-outs) to do the killing.

By David Shayler's account this was an overt attack involving no apparent attempt at disguise. He stated that an SIS officer briefed him on this and he saw corroboration of the plot in GCHQ material in terms of timings, intent etc. He claimed that the attack took place on the wrong car and that innocent people were killed.

There was an independent investigation by the MPS into the '*Gadaffi allegation*'. Operation Paget enquiries have shown there is no evidence to support his assessment that there is any link to this investigation.

Annie Machon and David Shayler both stated that they did not have any direct evidence relating to the crash in Paris. They have formed views from open source reporting, by reference to Richard Tomlinson's claims, and their own knowledge of the Security Service.

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Richard TOMLINSON **Former SIS officer.**

French Dossier D5158-D5162

In evidence to Judge Stéphan in August 1998, stated, *'I have never heard any mention, either during or subsequent to my service, of any plan to assassinate a member of the Al Fayed family, Princess Diana, or anyone else for that matter, other than President Milosevic'.*

Operation Paget Comment

1. British photographers/SIS photographers or paparazzi outside the Ritz Hotel

Operation Paget has identified the 'unknown photographer' outside the Ritz Hotel as Colm Pierce. He was a France-based freelance photographer who worked on an ad hoc basis for the *'Daily Mirror'* newspaper. There was no trace of him on SIS databases and no known link between him and any security/intelligence service.

He did not follow the Princess of Wales and Dodi Al Fayed away from the hotel. He is still a professional photographer, living and working in Paris.

The claim made by Richard Tomlinson was general in content and, in fact, hearsay. He had no personal knowledge of the use of photographers by the SIS and admitted himself that he did not know if such a photographer was outside the Ritz Hotel or not.

There was no evidence to show that a photographer working for or under the direction of the SIS was positioned outside the Ritz Hotel on Saturday 30 August 1997.

2. Surveillance/Protection of the Princess of Wales

There was no evidence that the Princess of Wales was under overt or covert surveillance, technical or otherwise, by the authorities. Her personal protection had been withdrawn in 1994 at her request, unless she was undertaking official duties, visiting a particularly hazardous location or in the company of others who attracted personal protection in their own right.

The *'Jonikal'* cruises and weekends in Paris with Dodi Al Fayed were private matters. Mohamed Al Fayed's security team provided the necessary protection for his son and the Princess of Wales on these occasions.

For her private cruise with Rosa Monckton in mid-August 1997 there was no personal protection for the Princess of Wales.

There was no evidence that the SIS were involved in surveillance of the Princess of Wales.

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There was no evidence that anyone within the British authorities was aware that the Princess of Wales was on a private stay in Paris on the night of Saturday 30 August 1997.

3. SIS links to and influence with the ‘Establishment’

There was no evidence of any link between HRH Prince Philip and the SIS and no evidence that they acted under his orders.

There was no evidence that the SIS were involved in the writing of Trevor Rees-Jones’ book *‘The Bodyguard’s Story’*.

There was no evidence that the SIS interfered with any CCTV cameras in Paris, used an internal intelligence agency to do so or ensured that the French authorities gave out misinformation about the operability of such cameras.

Rosa Monckton began her friendship with the Princess of Wales around 1990, having been introduced by a friend of the Princess of Wales, Lucia Flecha de Lima. There was no evidence to show that Rosa Monckton passed any information about the Princess of Wales to the SIS during their seven year friendship. Rosa Monckton herself categorically denied such claims.

Richard Tomlinson’s statement about links between the SIS and the SAS was not relevant to this investigation. Neither bodyguard had been a member of the SAS.

4. Capability and unlawful actions of the ‘security services’

There was no evidence that Trevor Rees-Jones, Kieran Wingfield or Reuben Murrell worked for or were influenced by the SIS.

Trevor Rees-Jones continues to make it clear that he has not regained memories of the incidents of that night. There is no evidence to the contrary. In March 1998 Trevor Rees-Jones told Judge Stéphan of two new recollections relating to possible words of the Princess of Wales after the collision and memories in Place de la Concorde. This followed an interview with Piers Morgan of the *‘Daily Mirror’* in England.

Trevor Rees-Jones did work for the United Nations in East Timor in a role that was commensurate with his background and experience.

The Stevens Report (Northern Ireland) commented on collusion in Northern Ireland in general terms. There was no evidence linking the allegations in Northern Ireland to the events in Paris. Operation Paget will continue to assess any relevant evidence produced at the Public Inquiries examining collusion issues, to see if it impacts upon the issues under investigation here.

David Shayler and Annie Machon’s opinion that the SIS may have paid to have the Princess of Wales and Dodi Al Fayed killed was based on open source information, their understanding of Richard Tomlinson’s claims, and the information about an alleged plot to kill Colonel Gadaffi.

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They had no first hand knowledge of the events in Paris, as they openly admitted. There was an independent investigation by the MPS into the '*Gadaffi allegation*'. Operation Paget is satisfied that there is no link or relevance with that matter and this investigation.

Richard Tomlinson himself stated that he was only ever aware of the '*Milosevic Plot*':

'I have never heard any mention, either during or subsequent to my service, of any plan to assassinate a member of the Al Fayed family, Princess Diana, or anyone else for that matter, other than President Milosevic.'

Operation Paget's views on the reliability of Richard Tomlinson's evidence regarding the '*Milosevic Plot*' have been detailed in (1) of this Section.

(iii)

CONCLUSIONS

Claims outlined in Section (i)

Claims made by Mohamed Al Fayed

Claims 1 and 12

Claim 1 - Members of the British police / security services were providing protection from a distance for the Princess that evening.

Personal protection for the Princess of Wales in relation to her private life was withdrawn, at her request, in 1994. Personal protection was only provided for the Princess of Wales if she was acting on official business, visiting a potentially hazardous location that raised concerns for her safety, e.g. Angola, or she was accompanied by members of the Royal Family who attracted personal protection in their own right, principally her sons.

There was no evidence that the British police or the 'security services' were providing protection for the Princess of Wales from a distance.

Claim 12 - This surveillance (by the security services) was carried on both while the Princess and the petitioner's son were in and around St Tropez and when they were in Paris.

There is no evidence that the Security Service or the SIS were undertaking any such surveillance of the Princess of Wales and Dodi Al Fayed.

Claims 2, 3, 13, 14, 27 and 29

Claim 2 - Richard Spearman was the number 2 of MI6 and was in Paris specifically to take charge of MI6.

Richard Spearman was posted to the British Embassy in Paris at the time of the crash (as confirmed in the British Diplomatic Service List) having arrived in Paris on Tuesday 26 August 1997 to begin a four-year posting. He had applied for the post in Paris in Autumn 1996. From May 1997 he received pre-posting training, including language training, as is common practice. His move and arrival in Paris had been planned for many months, well before Dodi Al Fayed joined the Princess of Wales on the holiday in the south of France in mid-July 1997.

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Claim 3 - Nicholas Langman is a member of MI6 and arrived in Paris one week before the accident and left a week after.

Nicholas Langman had been posted to the British Embassy, Paris since October 1994, leaving as scheduled after four years, to return to London in August 1998 (as confirmed in the British Diplomatic Service List). He neither arrived in Paris one week before the crash nor left one week after the crash. Both statements are incorrect.

Claim 13 - At least two MI6 officers were present at the British Embassy in Paris, namely Nicholas Langman and Richard Spearman (formerly chief of staff to the Head of MI6). They had arrived there shortly before 31 August 1997 and left not long afterwards.

The fact that both men worked at the British Embassy in Paris is a matter of public record, as shown in the British Diplomatic Service List. Indeed Richard Tomlinson sent Judge Hervé Stéphan a copy of the 1998 list highlighting Richard Spearman's name.

All of the evidence available supported the information of Nicholas Langman and Richard Spearman that their postings to the British Embassy were entirely in keeping with normal procedures and bore no relation to the events of 30 and 31 August 1997.

Richard Spearman applied for a post in Paris in Autumn 1996. From May 1997 he received pre-posting training including language training, as is common practice. He moved to Paris on Tuesday 26 August 1997 to begin a four-year posting, following a holiday abroad. He stayed for his full posting at the Embassy in accordance with the usual FCO procedures.

The description in the claim of Richard Spearman as a Chief of Staff was incorrect.

The British Diplomatic Service List produced in January 1997, which is a publicly available document, showed Nicholas Langman at the British Embassy, Paris as First Secretary (Economic) since October 1994. He left as scheduled after four years to return to London in August 1998. He did not arrive just before 31 August 1997 or leave just afterwards.

Richard Tomlinson himself was mistaken about the facts relating to the postings of both men, although he stated that he had never presented information relating to the two men as known facts but merely suspicions and these have been taken out of context. When presented with the facts in the 2005 meeting with Operation Paget he stated that *'these suspicions would appear to be unfounded.'*

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Claim 14 - Initial inquiries made of the British Embassy on behalf of the petitioner confirmed that Mr Spearman had been present in Paris at the time of the crash. When enquiries were later made, the British Embassy advised that they had never heard of Mr Spearman.

It was not possible to verify who at the British Embassy may have 'advised' an enquirer that they had never heard of Richard Spearman. If this call had been made very soon after the crash, Richard Spearman would only have been in Paris for a few days and would not have been known to most of the Embassy staff.

The circumstances and context of this enquiry are not stated in the claim.

In any event, Richard Spearman's posting to the British Embassy in Paris is a matter of public record that has never been denied by him or any authority.

Claim 27 - Senior MI6 agents were stationed at the British Embassy in Paris prior to and after the crash. These agents were Richard Spearman and Nicholas Langman. Although not directly involving themselves I am sure that they engineered the plan to assassinate my son and Princess Diana using more junior colleagues that were at the Embassy.

Details of the evidence relating to claims about Richard Spearman and Nicholas Langman are dealt with under claims 2 & 3.

Operation Paget has interviewed all SIS staff in post in Paris in August 1997.

Many were on leave in August 1997 because in August most things close down in Paris and most of the Government departments take their annual leave.

No SIS officer had knowingly met or communicated with Henri Paul.

No SIS officer had the use of a white Fiat Uno.

There is no evidence that any SIS officer of any designation was involved in the events surrounding the crash in the Alma underpass.

Claim 29 - There is no doubt that Messrs Langman, Spearman and Spedding have all been directly implicated, acting, I am sure, directly to the orders of the Royal Family, the Prime Minister and his senior henchmen.

There is no evidence at all to support this allegation.

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Claim 4 - Her Majesty the Queen told Mr Burrell that *'There are powers at work in this country about which we have no knowledge'*. It is probable that this was a reference to the security services.

Paul Burrell confirmed to Operation Paget his account of the conversation he claimed to have had with H.M. The Queen in 1997, when she apparently said there were *'powers we know nothing about'*. This comment has been in the public domain for some time, having been made public by Paul Burrell at the time of his trial in 2002. He did not ask the Queen what she meant by the alleged remark as, in his opinion, that would have been improper. Buckingham Palace, then and since, has chosen to make no comment on Paul Burrell's account of the conversation (Operation Paget Statement 24).

Claim 5 - Richard Tomlinson, a former MI6 agent, told the examining magistrate that members of the United Kingdom Secret Intelligence Service were also present in Paris shortly before 31 August 1997.

This was a comment by Richard Tomlinson that was factually correct but added no weight to the conspiracy allegation.

The Foreign and Commonwealth Office and the SIS have stated that SIS officers were stationed in Paris in August 1997. Their role included, for example, liaison work with the French authorities in relation to such matters as counter-terrorism and tackling organised/international crime. They were not aware that the Princess of Wales or Dodi Al Fayed were in Paris that night.

Claims 6, 15, 16 and 17

Claim 6 - A British photographer who was present at the Ritz Hotel on that date but was unknown to the paparazzi there may have had a connexion with that service.

Other paparazzi at the scene believed one English-speaking photographer was outside the Ritz Hotel. He has been identified by Operation Paget as Colm Pierce. He was a freelance photographer who, at the time, had links with the *'Daily Mirror'* newspaper in London, although not as one of their 'staff' photographers.

He can be clearly seen in front of the Ritz Hotel with other paparazzi/photographers. He still lives and works in Paris.

Colm Pierce has no connection with the SIS and there was no evidence that he was engaged in any suspicious activity that night.

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Claim 15 - Among the paparazzi outside the Ritz Hotel on 30 - 31 August 1997 there were two people who acted as paparazzi yet were not known to the regular paparazzi. They were heard to be speaking English. They have not been identified.

The evidence available related to only one British photographer outside the Ritz Hotel; he has been identified by Operation Paget as Colm Pierce.

It is very likely that other English speakers would have been in the crowd watching the hotel in anticipation of a sighting of the Princess of Wales.

Claim 16 - One told some of the paparazzi that he was a journalist with the *Daily Mirror*, which has stated that it had no journalists present at the time.

The evidence available identified only one British photographer outside the Ritz hotel; he has been identified as Colm Pierce. The legal adviser of the '*Daily Mirror*' has stated that while they knew of the photographer he was not one of their 'staff photographers'. Colm Pierce was mentioned in various newspaper articles at the time as being linked to the '*Daily Mirror*'.

Claim 17 - A former member of MI6 has also attested that one of the paparazzi who routinely followed the Princess was engaged in providing surveillance and photography services for MI6.

The source of this information is Richard Tomlinson. His recollection stemmed from something he '*heard in his department*' while working at the SIS.

In essence he heard that there was a member of the paparazzi who was an MI6 informant. He was not told the nationality or the gender of this photographer but was informed that the paparazzo regularly followed the Royal Family and was sometimes paid for overseas operations. The paparazzo had apparently been following the Princess of Wales on a regular basis for several years.

Richard Tomlinson, in his evidence to the French inquiry, stated:

'I cannot state that this photographer was in Paris on the night of the accident of 31 August 1997 and obviously by extension whether he was following the car.'

Records at the SIS have been searched by Operation Paget officers. There was no reference in any way to any operation/assignment/intelligence-gathering at the Ritz Hotel. Consequently there was no reference to a paparazzo outside the hotel in the Place Vendôme, or elsewhere, operating on behalf of the SIS.

There is no evidence to support this claim.

Claims 7, 10, 11 and 23

Claim 7 - Richard Tomlinson also described a technique devised by the United Kingdom secret services of blinding the driver of a car in a tunnel by setting off a bright flash.

Richard Tomlinson has admitted that he was mistaken, because of the passage of time and his deeply felt anger towards SIS, when he connected the technique of using a bright flash with the specific scenario of blinding a driver in a tunnel.

He did maintain that such lights do exist and military officers demonstrated such a device to him during his initial SIS training.

He had no information of any SIS officer using such a device, or others using it on behalf of the SIS.

The SIS has stated that the use of such devices is not part of their training.

Claim 10 - Eyewitnesses have spoken of seeing a bright white flash in the tunnel before the crash.

Claim 23 - A blinding flash of light was seen by witnesses in the tunnel just before the crash which could only have come from such a device.

Whether a '*bright white flash*' occurred in the tunnel is the subject of comment in Chapter Seven of this report. Eyewitnesses speak of lights in different contexts. The most publicised account is that of François Levistre, who stated that he saw a '*large or big white flash*' as a motorcycle passed the Mercedes in the underpass.

Operation Paget Collision Investigators conclude in Chapter Seven that the physical evidence of the collision reconstruction shows that the loss of control by Henri Paul began a considerable distance before the car entered the underpass. Any activity within the underpass did not cause this collision.

Claim 11 - This technique (blinding by stroboscopic light) was being developed by the secret services in the early 1990s with a view to the assassination of President Slobodan Milosevic of Serbia.

Richard Tomlinson has changed his account and no longer links his understanding of the specific details he saw of the '*Milosevic Plot*' to the use of a stroboscopic light to blind a driver. There is no evidence to support this claim and all the available evidence showed that there was no link at all between the '*Milosvic Plot*' and a blinding light. There is no evidence that the 'security services' were developing such a technique with a view to assassination.

Claim 8 – Richard Tomlinson also identified Henri Paul as a paid informant for MI6.

All of the evidence available shows that Henri Paul was not an informant for MI6 or working for them in any way.

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Claim 9 - The investigating magistrate made only the most perfunctory inquiries of the British Embassy and none of the National Security Agency.

The Examining Magistrate, Judge Hervé Stéphan, undertook an inquiry, the purpose of which was to *'define as fully as possible the sequence of events with a view to determining, at its conclusion, the legal ramifications of any possible liability'*.

He considered that documents supplied by the French police liaison officer in Washington did not enable any link whatever to be established between the documents which were said to be in the possession of the NSA and the matters which were the subject of his investigation.

Whether or not Judge Hervé Stéphan's enquiries were perfunctory or not is a subjective comment.

Claim 18 - An assertion by the security services that they have no involvement in illegal activities such as assassinations is not credible has recently been confirmed by the report of an inquiry carried out by Sir John Stevens, Commissioner of MPS, into two murders in Northern Ireland in the late 1980s and into allegations of collusion between the security forces and loyalist paramilitaries in Northern Ireland.

It is important to note in the Stevens (Northern Ireland) Report that the term *'agents'* is used to refer to informants or sources and not *'agents'* as it is sometimes colloquially understood to be, *'MI6 spies'*. Thus the reference to *'agents being involved in murder'* was a reference to actions of informants rather than the authorities.

Collusion is a matter of degree and difficult to define in a legal sense. Judge Peter Cory, a retired Canadian judge, was asked by the British Government to assess whether collusion was evident in Northern Ireland. He took a reasonably broad definition that included *'ignoring or turning a blind eye to the wrongful acts of servants or agents or supplying information to assist them in their wrongful acts or encouraging them to commit wrongful acts.'*

There are a number of Public Inquiries taking place in Northern Ireland at present. They are looking at the issue of collusion between the authorities and the alleged perpetrators of serious crimes. They have access to all relevant material. It would be inappropriate in this report to speculate on the possible conclusions of those independent inquiries. However, it is clear that they are examining collusion within the wide parameters described by Judge Cory, from collusion by omission (turning a blind eye) to, for example, actively supplying intelligence on potential targets.

These Inquiries relate specifically to activity in Northern Ireland. There was no evidence linking the allegations in Northern Ireland to the events in Paris. Operation Paget will however continue to assess any relevant evidence produced at the Public Inquiries examining collusion issues.

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Claims 19, 20 and 28

Claim 19 - Darryn Lyons received photographs (of the crash scene) transmitted by ISDN line to the computer in his office in the course of 31 August 1997. His offices were burgled at around 11 pm on 31 August 1997.

Darryn Lyons' offices were not burgled around 11pm on the 31 August 1997.

On Thursday 4 September 1997 he did return late at night to his office to find it in darkness. Police attended the scene – no property had been taken and no forced entry was identified. The cause of the power loss could not be found.

Darryn Lyons had received photographs of the crash scene on Sunday 31 August 1997. He decided not to use them when he became aware of the deaths of those in the car. Other agencies around the world had also apparently been offered photographs.

Darryn Lyons had voluntarily handed his photographs and computer discs to police on Tuesday 2 September 1997, two days before the power loss incident.

Claim 20 - Lionel Cherruault's home was burgled during the night of 31 August/1 September 1997. Electronic equipment, including equipment used to transmit photographs, was stolen. He was informed by the crime investigation officer that it had been 'no ordinary burglary'. The clear implication was that the burglary had been carried out by the security services.

Lionel Cherruault, a French photographer based in London, had his home burgled on the night of Sunday 1 September 1997. Computer equipment was stolen along with cash, cheque-books, credit cards and the family car. Police investigated the crime.

One of the stolen credit cards was used to make a telephone call to Ireland and a cheque was cashed in Suffolk. A local criminal was arrested after a DNA match was found inside the stolen car. There was insufficient evidence to link him directly to the burglary and he was not charged with an offence.

Police officers attending the scene at the time did indicate that they thought it suspicious that a photographer specialising in photographs of the Royal Family and the Princess of Wales was burgled the night following her death in Paris. The only rationale for this suspicion appeared to be the closeness in time of the two events. The investigating officer maintained that this view was valid.

Lionel Cherruault believed it was inferred by the police that he was targeted by '*grey men*', implying the involvement of some sort of intelligence agency.

Lionel Cherruault had not been in Paris on that weekend and did not have any photographs relating to the incident.

He, along with countless others, had taken photographs of the return of the Princess of Wales' body to RAF Northolt on Sunday 31 August 1997.

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He did have photographs of the Princess of Wales and the Royal Family stored on the stolen computer hard disk, but these were his collection, not photographs relating to the incident.

There was no evidence to substantiate any claim that the SIS were involved in this burglary.

There is no indication of any possible motive for such action by the SIS.

Claim 28 - The home and office of Lionel Cherruault and Darryn Lyons, London press agents, were raided by MI6 and as with Andanson, their equipment seized. There was no police investigation into this.

This claim is incorrect.

Lionel Cherruault's circumstances are described in claim 20 above.

No equipment or any other property was taken from the premises connected to Darryn Lyons. The incident related to an apparent power loss.

There was no evidence that the SIS had any involvement in either incident and no motive, in either case, to explain why they would take such action.

Police investigated both incidents at the time and full contemporaneous police records are available for both incidents.

Any alleged link to the case of James Andanson, the French photographer, is spurious. The matter was investigated fully by French police and there is no evidence that any of his equipment was seized.

The evidence relating to James Andanson is detailed in Chapter Fourteen.

Claim 21 - I am in no doubt whatsoever that my son and Princess Diana were murdered by the British Security Services on the orders of HRH Prince Philip, Duke of Edinburgh.

There is no evidence to support this claim.

Claim 22 - Diana, Princess of Wales was under close surveillance by MI6. (CIA and NSA in the United States closely intercepted and monitored her telephone calls. They would have been aware that she intended to announce publicly her engagement to Dodi on Monday 1 September 1997. CIA and NSA possess 39 documents consisting of 1054 pages which relate in part to transcripts of telephone calls made by Princess Diana whilst she was with my son.)

This claim relating to the NSA and CIA has been dealt with in Chapter Fifteen.

There is no evidence from the Operation Paget enquiries at the SIS that they were conducting surveillance on the Princess of Wales.

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Chapter One details the evidence relating to knowledge of engagement. In summary, Operation Paget has taken statements from many close friends of the Princess of Wales with whom she had telephone conversations in the days preceding the crash and on the day itself. This evidence shows that the Princess of Wales was not intending to get engaged and gave no indication at all that she was pregnant. Therefore, if any intelligence or security agency had been listening to the conversations of the Princess of Wales with her close friends, they would have heard no mention of engagement or pregnancy.

Claim 24 - The Security Services ensured that the authorities stated that all CCTV cameras between Place Vendôme and the Alma Tunnel were inoperative on the night of the crash.

Chapter Five of this report deals with CCTV traffic cameras.

On Tuesday 2 September 1997, the day he took over the investigation, Judge Hervé Stéphan instructed the Brigade Criminelle to secure any CCTV images of the route taken by the Mercedes.

The Brigade Criminelle identified a number of cameras along the route that were principally used for security on building entrances. None of the cameras had any recordings showing vehicles on the route from the Ritz Hotel to the Alma underpass.

There is no evidence to support the claim that the ‘security services’ procured the French authorities into stating that the cameras were inoperative on the night. The French authorities have never said this.

The Brigade Criminelle detailed the location and capabilities of the cameras and explained why none were of evidential use to Judge Stéphan’s inquiry.

Claim 25 - Dominic Lawson’s wife is Rosa Monckton and her brother is a serving senior MI6 agent.

This is linked to the claim in Chapter Thirteen that Dominic Lawson assisted Trevor Rees-Jones in writing his book *‘The Bodyguard’s Story’*. There is no evidence that Dominic Lawson was involved in the writing of that book. Trevor Rees-Jones has denied this claim.

There is no evidence that Dominic Lawson was involved in any action linked to any of these claims.

The only reference to Rosa Monckton’s brother allegedly being linked to the SIS comes from articles in the media and postings on web sites.

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Claim 26 - Rosa Monckton established a friendship with Princess Diana simply in order to pass information she obtained to MI6.

This is speculation and it is denied by Rosa Monckton. She began her friendship with the Princess of Wales around 1989/1990, introduced by a mutual friend, Lucia Flecha de Lima. She believed Rosa Monckton could help the Princess of Wales during the troubled times of her marriage break-up.

There is no evidence to support this claim.

Claims made by Richard Tomlinson

Claims 30, 31, 42, 43 and 44

Claim 30 - ‘Fish’ proposed three alternative plans to assassinate Slobodan Milosevic and had documented these on a two-page minute which included the justification for such action. The third proposal was to arrange a car ‘accident’ to kill Milosevic, possibly while attending the ICFY peace talks in Geneva. Fish proposed using a bright flashing strobe gun to disorientate Milosevic’s chauffeur while the cavalcade passed through a tunnel. The advantages of a tunnel crash was that there would be fewer incidental witnesses and a greater chance that the ensuing accident would be fatal.

The SIS officer ‘Fish’ accepted that he wrote a proposal of assassination for consideration should a particular extremist leader, named in the proposal, come to power and be in a position to engage in genocidal activities. [Paget Note: The name is known to Operation Paget – it was not Slobodan Milosevic.]

It was an idea that was proposed for discussion by his line managers, not an operational plan. There was no reference to a car accident. The officer did not have the necessary skills or knowledge to suggest detailed operational options in the proposal.

This memorandum was shown to Richard Tomlinson, although the SIS author stated this was actually in 1993 (he referenced this to other known events). Richard Tomlinson believed the year to be 1922.

It is the content of the memorandum that is in dispute.

Pre – 1998: Richard Tomlinson’s recollection of the memorandum at this time was of an assassination plan that had only one operational option – a drive-past ambush while Slobodan Milosevic was visiting Switzerland for peace talks. He documented this recollection in the manuscripts of his book, provisionally titled ‘*I Spy*’, and written before the crash.

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Post – 1998: Richard Tomlinson’s recollection was now of three operational options, including one, a car accident, that very specifically mirrored the key elements of the crash in the Alma underpass i.e. a car accident in a limousine, in a tunnel to ensure few witnesses, using a very powerful or strobe light to disorientate the driver, with a proximity to concrete to ensure the crash was violent. He documented this version in his book ‘*The Big Breach*’, published after the crash.

There was no reason why Richard Tomlinson should not have included the detail of these three operational options in his draft manuscripts of ‘*I Spy*’, if they were true and he had such clear memories of detail.

Richard Tomlinson gave evidence to the French Examining Magistrate in August 1998, presenting this new recollection of events. He also signed an affidavit that essentially repeated the same account.

Richard Tomlinson has always claimed the memorandum was about Slobodan Milosevic. This is disputed in statements taken from the SIS officers working in that section. The author of the memorandum is very clear and explained in his statement why, in 1993, he could not have produced a justification for Slobodan Milosevic being the subject of the proposal.

It is clear that there is acrimony between Richard Tomlinson and the SIS stemming from his departure in 1995. His explanation to Operation Paget officers in 2005 of the variation in accounts clearly reflected his desire to cause the SIS difficulty and by his own account is an explanation for ‘*my mixing of my knowledge of techniques with my eventual account.*’

Operation Paget considers Richard Tomlinson’s accounts of the detail of the ‘*Milosevic Plot*’ and more pertinently its link to the events in the Alma underpass to be unreliable. He has, for whatever reason, embellished those accounts subsequent to the crash.

Claim 31 - It was while watching a report on the accident in the UK two months ago that I recalled this scenario. It was because a witness mentioned a very bright flash inside the tunnel that I made the connection between the accident at the Alma Bridge and the scenario that I had seen regarding the Serbian President.

No similar scenario existed to enable Richard Tomlinson to make such a connection. He now accepts this position.

Claim 42 - The plan [the ‘Milosevic plot’] was fully typed, and attached to a yellow minute board, signifying this was a formal and accountable document. It will therefore still be in existence.

There was evidence to the contrary in that the document, the ‘*Milosevic Plot*’ was not formally recorded and was shredded at the time.

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Claim 43 - NF proposed to arrange the crash in a tunnel, because the proximity of concrete close to the road would ensure that the crash would be sufficiently violent to cause death or serious injury and would also reduce the possibility that there might be independent, casual witnesses.

All the evidence available showed that there was no such detail in the proposal.

Richard Tomlinson, while maintaining the position that he saw a proposal to assassinate Slobodan Milosevic, now accepts that the detail of that proposal was not as outlined in his claim. He has added this detail himself after the crash.

[Paget Note: This embellishment has led to much of the speculation linking the SIS to the events in the Alma underpass.]

Claim 44 - NF suggested that one way to cause the crash might be to disorientate the chauffeur using a strobe flashgun, a device which is occasionally deployed by special forces to, for example, disorientate helicopter pilots or terrorists and about which MI6 officers are briefed during their training.

All the evidence shows that there was no such suggestion. Richard Tomlinson now accepts that NF did not suggest this detail. He does maintain that he was shown a strobe flashgun by military officers during his SIS training.

Claims 32, 47 and 48

Claim 32 - In 1992 I was working on an operation to recover high tech weapons from the former Soviet Union. This operation was being conducted in collaboration with a very powerful arms dealer whose exact identity I did not know. When I read the file I discovered that this arms dealer was in very frequent contact with Mr Mohamed Al Fayed. I saw that the MI6 informant supplying this information had a code beginning with a P, followed by several numbers. As this source was mentioned several times I tried to find out who it was. It was a Frenchman who was head of security at the Ritz Hotel.

The operation referred to by Richard Tomlinson has been identified and examined in detail by Operation Paget. There was no French source and no source connected to the Ritz Hotel, Paris. The activity in this operation happened in countries other than France.

There is no evidence to support this claim.

Richard Tomlinson, having had the result of these enquiries put to him, stated that from his time in MI6 he still believed that the circumstances of Henri Paul's employment meant that he would have had links to the intelligence services of some nationality. He was unable to be more specific.

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Claim 47 - Henri Paul who was the second in charge of security was sort of press ganged into being the chauffeur that night at the last minute.

The evidence relating to Henri Paul is discussed in detail in Chapter Four.

There was no evidence that the SIS were involved in ‘press-ganging’ him into being the chauffeur of the Mercedes.

Claim 48 - He’d been working for MI6 since ...well I’d seen his file for the first time in 1992 and from memory he’d been working for MI6 for a few years prior to that.

All the evidence available showed that Henri Paul did not work for and has never had a file at MI6.

Claims 33, 38 and 39

Claim 33 - I also saw on the British TV documentary that Henri Paul had a lot of money in his bank account. I am certain that this money originated from MI6.

Richard Tomlinson did not claim that he had any personal or direct knowledge that money in Henri Paul’s account was from MI6.

Richard Tomlinson had never actually stated in his evidence to the authorities that he knew Henri Paul worked for MI6, but he had put forward information that allowed such a link to be made.

In his evidence to Judge Stéphan, Richard Tomlinson said:

‘I cannot say for sure that it was Henri Paul but I am positive that it was a Frenchman working in the security department of the Ritz Hotel.’

‘I am certain that this money originated from MI6. This is speculation on my part, but if he was an MI6 informant, it would be quite normal for him to receive money.’

And in his 1999 sworn affidavit:

‘I cannot claim that I remember from reading this file that the name of the person was Henri Paul, but I have no doubt with the benefit of hindsight that this was he.’

There is no evidence to support this claim, which is based on speculation.

The evidence showed that Henri Paul was not at any time an informant of, or paid money by, MI6.

Claim 38 - The MI6 officer paid the informant in cash for his information.

This is pure speculation. Richard Tomlinson has no first hand knowledge to support this claim and there is no evidence to support it.

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Claim 39 - I am confident that the relationship between he and MI6 would have continued until his death, because MI6 would never willingly relinquish control over such a well placed informant. I am sure that the personal file of Henri Paul will therefore contain notes of meetings between him and his MI6 controlling officer right up until the point of his death.

All the evidence showed that Henri Paul was not an informant for MI6. Therefore conjecture about MI6 controlling Henri Paul up to the time of his death is not relevant.

Claims 34 and 46

Claim 34 - I heard in my department that there was a member of the paparazzi who was an MI6 informant. This paparazzo regularly followed the Royal Family and was sometimes paid for overseas operations. He had been following Diana on a regular basis for several years.

This claim is hearsay evidence.

There is no evidence from searches made at the SIS to support this claim.

Claim 46 - One of the ‘paparazzi’ photographers who routinely followed the Princess of Wales was a member of ‘UKN’, a small corps of part-time MI6 agents who provide miscellaneous services to MI6 such as surveillance and photography expertise.

There is no evidence from searches made at the SIS to support this claim.

Claims 35 and 36

Claim 35 - At the time of the accident the number two of the Paris outstation of MI6 had just completed half of his three year posting to Paris, but a few weeks after the accident he was suddenly recalled to England.

Richard Tomlinson is believed to be referring to either Richard Spearman or Nicholas Langman, the British Embassy staff he has named in other documents.

He is wrong about the facts relating to the postings of both men.

There is no evidence to support this claim.

Claim 36 - It is extremely rare for someone to be recalled before the end of their posting as it represents a major investment. The person concerned had for example been on an eight-month French course, as had his wife.

All of the evidence available supported Nicholas Langman and Richard Spearman’s statements that their postings to the British Embassy were entirely in keeping with normal procedures. Neither person was recalled before the end of their posting.

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Claim 37 - The question raised in the TV report in the UK concerning the fact that the two English bodyguards accompanying the couple on the night of the accident were former members of the SAS. I should point out in this respect that there are very strong links between the SAS and MI6 and an SAS man retains his loyalty to his regiment for the rest of his life.

Neither Trevor Rees-Jones nor Kieran Wingfield served in the SAS. Trevor Rees-Jones joined the Parachute Regiment and left the Army in 1992, Kieran Wingfield joined the Royal Marines and left directly into the employment of Mohamed Al Fayed.

It is only Richard Tomlinson's opinion that an SAS man retains his loyalty to the regiment. It is not relevant to this crime investigation.

Claim 40 - In Paris at the time of M. Paul's death there were two relatively experienced but undeclared MI6 officers. The first was Nicholas Langman. The second was Richard Spearman. I firmly believe that either one or both of these officers will be well acquainted with M.Paul, and most probably also met M.Paul shortly before his death.

The claim that they met him shortly before his death was pure speculation and the evidence is to the contrary in that the two men were elsewhere at the relevant time.

This is only speculation by Richard Tomlinson, as shown by his reference to '*probably also met M. Paul shortly before his death*'. He has no first hand knowledge.

Both men have provided statements to Operation Paget detailing where they were on Saturday 30 August 1997. They did not meet Henri Paul.

There is no evidence that either of the men named knew of or met Henri Paul.

Claim 41 - Richard Spearman in particular was an extremely well connected and influential officer because he had been prior to his appointment in Paris the personal secretary to the Chief of MI6 David Spedding. I believe that there may well be significance in the fact that Mr Spearman was posted to Paris in the month immediately before the deaths.

Richard Spearman had been posted to the British Embassy in Paris almost a year earlier. After a course of language training and other routine preparation for working in France, he arrived in Paris in the days before the collision. There is no significance in this routine posting arranged in 1996.

CHAPTER SIXTEEN

Claim 45 - MI6 are frequently and routinely asked by the Royal Household (usually via the Foreign Office) to provide intelligence on potential threats to members of the Royal Family whilst on overseas trips. This service would frequently extend to asking friendly intelligence services (such as the CIA) to place members of the Royal Family under discrete surveillance, ostensibly for their own protection.

Assessment and management of threats to the Royal Family is a function of the Security Service. Threat assessments are undertaken for all senior members of the Royal Family and some junior members if they are on official visits or to areas that cause particular concern.

The Princess of Wales had her personal protection officers withdrawn in 1994 at her request. Protection was only routinely provided when she was travelling with her sons, who warranted personal protection in their own right, or if she was travelling to a particularly hazardous location.

There was no personal protection provided by the authorities for the Princess of Wales on her private holiday cruise with Dodi Al Fayed, or on the stopover in Paris. This was in accordance with the guidelines adopted by the British authorities since 1994.

The head of the Diplomatic/VIP Protection Unit in Paris, and the Prefecture of Police in Paris, confirmed they had no knowledge of her visit.

Operation Paget made enquiries at both the SIS and the Security Service. There was no evidence that either agency undertook surveillance of the Princess of Wales, nor that they asked any other agency to conduct such activity.

The position of the NSA/CIA is outlined in Chapter Fifteen.

Claims made by Annie Machon and David Shayler

Claim 49 - Princess Diana and her former lover James Hewitt both claimed to have been under MI5 surveillance in the years before the crash, I knew that this was not true. This begged the question who exactly was following Diana at this time.

Annie Machon and David Shayler stated that to their knowledge from working for the Security Service, the Princess of Wales was not under surveillance.

It is a only matter of speculation on the part of David Shayler and Annie Machon that the Princess of Wales was under surveillance.

Claim 50 - Having looked at the available evidence I am personally inclined to think that MI6 paid to have Diana and Dodi involved in an accident.

This is speculation based on open source information.

CHAPTER SIXTEEN

Claim 51 - MI6 must therefore have known that Diana was in Paris on that night.

All the evidence available shows that MI6 did not know that the Princess of Wales was in Paris that night.

Claim 52 - Shayler's assessment (that MI6 were involved) is based on how MI6 worked, how they paid others to carry out their 'dirty' work and an operation Shayler was involved in that could match the Modus Operandi.

The operation to which he referred was an alleged plan to assassinate Colonel Gadaffi by blowing up his car. There was an independent investigation by the MPS into the '*Gadaffi allegation*'. Operation Paget is satisfied that there is no link or relevance between that matter and this investigation.