

via email

02 November 2023

Ref: Fair Notice Review Process – Nicola Bulley Investigation Review

Dear Mr Faulding,

Thank you so much for your involvement in the College of Policing Review of the investigation into the disappearance and finding of Nicola Bulley. Your contribution to the review has been very useful.

You were alerted to the potential for there to criticism of you in the Review Report in our letter to you on 23 October 2023. As part of that letter you were served with a copy of a non-disclosure agreement. You are receiving this letter on the understanding that you have signed the non-disclosure agreement. You have agreed not disclose the contents of this letter until the Review Report is published in mid-November.

Criticisms

As mentioned in the letter alerting you to this process, there are two possible types of criticism. Firstly, when the Review Team considers that actions that taken by people connected to the investigation were ill-judged.

The second type of criticism is where, in describing events, people other than the Review Team might infer that someone is being criticised. We consider that it is possible that in describing, factually, some events in which you were involved, others might infer this as criticism of you.

In the Report, we will describe your interactions with the media. Some of the statements you made were at odds with the Coroner's verdict. The Review Team evidence suggests that some of your statements were inaccurate and contributed to a lack of confidence in the investigation. This lack of confidence was manifested in mainstream news media but also in social media posts.

This led to unhelpful and uncoordinated intrusion by members of the public into the investigation and the lives of people who live in and around the place of Nicola's disappearance.

The Review Team does not directly criticise your actions but others may infer criticism.

Sonar Images

The Review Team would also like to take this opportunity to update you on the actions taken since you provided the sonar images and how the Team proposes to address the matter in the Report.

The Team is very grateful to you for providing all of the sonar images and for not publicising their existence. Discussion of this matter could have caused Nicola's family and friends further distress.

The Review Team checked with the Search Team at Lancashire Constabulary. They acknowledged that they had received this information from you and undertook a search in the area of the sonar images. They found nothing there. The Review Team also sought advice from government and academic experts. Their views are articulated in different ways and the conclusion of all those views is that the images you provided are of low certainty to be a human body.

In the Review Report we describe information that you provided the Review Team and the actions taken. The Report is unlikely to include any of the images.

The Review Team has met with Nicola's family and has shown them the images. We felt it important to do so to give them the information about the search for Nicola and what we have done to check that the action that was taken was appropriate. As you might imagine, the family were quite upset and we ask that the images are not released to the public. We cannot stop you from disclosing the images but would ask that you respect the feelings of Nicola's family.

Response

This letter is intended to alert you to criticism of you that may be inferred as a result of the publication of the Review Report. You are able to respond to this letter pointing to any inaccuracies that you feel are reflected above. The address for a response is included below. The Review Team may or may not amend the Report in the light of any responses received in relation to the Fair Notice Review Process.

Once again, the Review Team thanks you for your contribution to the Review and hopes that you are satisfied that your contribution in the Report is a fair representation of your actions.

Please email responses back to:

[REDACTED]
[REDACTED]

Yours sincerely



Dr Iain Raphael
Nicola Bulley Review Lead
College of Policing