

LETTER SENT VIA EMAIL ONLY

Mr John Finnie MSP
Convener
Justice Sub-Committee on Policing
The Scottish Parliament
Edinburgh
EH99 1SP

16 December 2019

Our ref: CO/307/2019

Dear Mr Finnie

**METROPOLITAN POLICE SERVICE'S PEER REVIEW OF POLICE
SCOTLAND'S INVESTIGATION INTO THE FORMER SCOTTISH CRIME AND
DRUG ENFORCEMENT AGENCY**

Thank you for your correspondence of 6 December 2019 in relation to the Scottish Police Authority's (SPA) recent consideration of information presented to it by the Chief Constable on to the independent peer review undertaken by the Metropolitan Police Service (MPS) into Police Scotland Anti-Corruption Unit's investigation of legacy issues in the SCDEA Special Operations Unit (SOU).

I welcome this early opportunity to engage with the Sub-Committee having taken up interim leadership of the Authority earlier this month, and I would like to address one general point of principle before dealing with the specific issue raised by your correspondence.

I am conscious that a number of exchanges with the Authority over the past year have referred to respective roles and responsibilities, and the propriety and proportionality of lines of questioning from Parliamentary bodies.

I and the other Members of the Authority believe this is a time to draw a line under that. I have no intention of advising or challenging Parliamentarians on what they should or should not devote interest to, though I am happy to engage further with Committee members and clerks in considering future work programmes.

Turning to the range of action undertaken to look into the SCDEA matters, and addressing your specific questions, I can confirm to you that the Authority is not in a position to have concluded its considerations.

The Chief Constable in his verbal reporting acknowledged the brevity of the written report and provided considerably more information and important context to both the Board and to the public record. He is now acting on the Authority's request for a further report which better captures the issues considered and the conclusions

reached. He is also revising a paper setting out the range of oversight bodies that, across the UK, play a pivotal role in providing checks and balances over covert policing activities.

We expect both these reports requested at the Aberdeen Board meeting to be submitted by Police Scotland before the end of this week, and they will subsequently be published by the SPA on its website.

Your letter highlighted the issue of the availability, to the SPA and potentially for the public record, of the full MPS report. While the SPA has no doubts about the veracity of the executive summary previously provided to it, we have not at this point seen the full report. I have discussed this with the Chief Constable and he has agreed to allow me to consider the report in full. Due to the sensitive nature of the material in the report related to covert policing and the personal information it also contains my access to the report will be controlled.

As you note, the Authority had also engaged proactively with HMICS in regard to this matter in advance of the Aberdeen Board meeting, and has sought an update from the Chief Inspector on any further relevant matters she might raise for the Authority's attention from her strategic review of undercover policing. Ms Imery has subsequently confirmed to the SPA's Interim Chief Executive that she will do so and advise further by the end of January. I welcome her advice and expertise in support of the Authority in this regard.

In conclusion, our primary interest is to ensure that the mistakes and poor behaviour of the past do not have a corrosive effect on public confidence today on covert policing activities. These activities are by their nature intrusive but also vital in terms of tackling the threats, risk and harms from serious criminality. In that context I would wish to advise you that, with the further reports and advice requested still in progress, the SPA consideration of this issue remains active and ongoing.

Once the Authority members have been able to consider the further material from the Chief Constable and HM Chief Inspector, Members will consider in the New Year what further scrutiny we undertake, including consideration from whom they would wish to have further input.

The Authority and I welcome your continued focus on public interest issues around policing and we would appreciate an opportunity in the coming weeks and months to engage further with you in what I believe is the common purpose of improving policing through scrutiny.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Crichton', written in a cursive style.

David Crichton
Vice Chair