

SENT BY E-MAIL ONLY

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

10 January 2020

Dear Mr Finnie

Metropolitan Police Service's (MPS) review of the former Scottish Crime and Drug Enforcement Agency

Thank you for your letter of 19 December.

You will recall that a report on the SCDEA legacy matters was submitted by the Chief Constable to the Authority's Board Meeting in Aberdeen on 27 November 2019. A redacted version of the Executive Summary of the MPS Peer Review was also submitted. A number of questions were raised by Authority Members and following the meeting it was agreed that I as Vice Chair would review confidentially the full and unredacted version of the full MPS report.

I can confirm that on 9 January, myself and my Authority colleague Tom Halpin reviewed the MPS report, along with a full copy of the Police Scotland Anti-Corruption Unit's investigation of February 2019. Additional associated material was also provided to us. Mr Halpin and I have had a further conversation with the Chief Constable and ACC Alan Spiers today, 10 January.

Having reviewed the documents in full and spoken to the Chief Constable, Mr. Halpin and I are satisfied that the MPS Peer Review provides assurance that the governance and controls now in place for the management of undercover operations are robust and consistent with best practice in other forces. We are confident that the controls in place and the leadership overseeing their application make it unlikely that the unacceptable behaviours evident in 2011 could be repeated.

We remain dissatisfied, as the Chief Constable has himself publicly expressed, with the lack of sufficient controls within the former SCDEA and the specific

incident of documents being incinerated. The events of 2011 predated the establishment of Police Scotland and the Scottish Police Authority and whilst I believe the principal responsibility for both bodies now is to ensure that the circumstances under which those events took place could not be repeated, I will reinforce publicly at the Authority's Board Meeting on 17 January that the controls and behaviours evident at that time were unacceptable and lessons have to be drawn from that.

In terms of any further outstanding issues, the Authority has already requested HMICS to advise on whether the conclusions and recommendations made in their 2016 review of undercover policing remain valid. That work is under way and I await its conclusion. I can also advise that the Crown Office and Procurator Fiscal Service (COPFS) has now been provided with the same information in full that Mr Halpin and I reviewed yesterday.

I hope that addresses the concerns you have raised and I am of course happy to discuss this further with you at any time.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Crichton', with a large, sweeping flourish extending to the left.

David Crichton
Vice Chair
Scottish Police Authority