

Sir Richard Henriques

7th May 2021

Cressida Dick
Commissioner of Police of the Metropolis
New Scotland Yard
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Dear Sir Richard,

MPS response to Operation Midland recommendations

I hope that you are well and navigating these challenging times safely.

You will be aware that in a letter on 16th March, the Home Secretary asked that I write to you to respond to four of the questions raised in your letter of 11th February. The Home Secretary's letter also asked that I provide you with an update on the progress the Metropolitan Police Service (MPS) has made in implementing the recommendations from your review, as well as those made by the Independent Office for Police Conduct (IOPC) and those from Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) in the inspection commissioned by the Home Secretary in October 2019.

I hope this letter is a helpful supplement to the engagement we have had over the past years, including our meeting together in October 2019 with Deputy Assistant Commissioner Matt Twist and our phone call in March last year, along with your helpful contact with other Met colleagues. I hope you will be reassured to know that since we spoke last year I and the Deputy Commissioner have continued to keep the Home Secretary updated on how the MPS – via 'Operation Larimar' – has followed up the recommendations you identified in your review of the MPS' handling of non-recent sexual offence investigations alleged against persons of public prominence, including Operation Midland.

In October 2019 we published online at www.met.police.uk/henriques an outline of how we were responding then to each of your recommendations; since then we have made even more progress so this is a good moment to provide you with a consolidated update.

Before doing so, I would like to emphasise again as I did in my letter to you of October 2019 that I remain very grateful to you for all the work you did for your report. I continue to share your determination that the Met learns from these lessons, and that is why we have worked very hard to implement your recommendations as they relate to the MPS.

I would also emphasise that I have acknowledged on a number of occasions the terrible impact on those who were falsely accused by Carl Beech, and apologised to those affected for the mistakes made under Operation Midland. These errors, and the harm they caused, continue to be a matter of deep regret for the Met and for me personally. As you know, I also met Lord Bramall and Lady Brittan and apologised in person to them.

Operation Midland has been extensively scrutinised and the Met has worked with determination through Operation Larimar to respond positively to the recommendations we have been given. As a result, we have implemented significant changes to policy, processes and practice to ensure that we are doing all we can to minimise the risk of any such future case happening.

In line with that approach and with my personal oversight, since October 2019 Deputy Assistant Commissioner Twist, whom you will remember from our meeting, led Op Larimar, a team of police officers and staff to review the extent the recommendations had been implemented, identify where further work was required, and deliver the improvements needed to build confidence in the Met.

Op Larimar's objectives were to:

- Ensure accepted recommendations of your 2016 report were implemented, and there was clear evidence of this implementation in Met policy and operational practice.
- Respond to and implement recommendations made by the IOPC in the Operation Kentia report.
- Positively and proactively facilitate the HMICFRS inspection into the Met, which focused on the areas you covered and those in Operation Kentia, and sought to inspect:
 - i. Warrants, and all processes / policy / implementation relating to them (including applications);
 - ii. Quality of investigations (related to high profile / sexual offences);
 - iii. Supervision of investigations; and
 - iv. Press and public announcements.

The Op Larimar team has worked extremely hard over the past year and a half to make a range of real and meaningful improvements.

You will find attached at Annex A a detailed summary of the Met's response to the HMICFRS recommendations following their inspection into how we followed up your review, along with our responses to the IOPC's recommendations.

In addition, you will hopefully appreciate the table attached at Annex B that outlines specifically our implementation of your recommendations, along with those by the IOPC and HMICFRS.

I would highlight here the following key themes from the Op Larimar work and the action we have taken in each area.

Belief & False Allegations

The Met has worked with the College of Policing, Home Office and National Police Chiefs Council (NPCC) to produce a clear national position on belief such that all officers can understand it. That position is:

'We will believe a victim such that we record the crime allegation. From that point we will investigate impartially, and with an open mind to establish the facts.'

We have updated our policies and training, briefed senior leaders and investigators and also made it clear that there are, sadly, occasions where false allegations are made.

Search Warrants

We have fundamentally improved our procedures and supervision linked to search warrants. We recognise the importance of public and judicial confidence in how the Met uses these powers and have made significant changes. We have worked with Her Majesty's Courts and Tribunal Service (HMCTS) and fully implemented recommendations from the IOPC to improve this area significantly. This has included the following activity:

- We have given training to over 1,400 Inspectors in their role as authorising officers for search warrants, reinforcing the importance of disclosure and accurate information.
- We have trained over 24,400 officers in how to apply for search warrants, reinforcing the importance of getting the process right.
- We have emphasised through training the necessity of good communications with occupiers and empathy with their situation.
- We have a new centralised computer based search warrant record system, implemented in February 2020, and since then have recorded over 7,000 search warrants applications. This ensures there is scrutiny and management information on all search warrants activity.
- We have improved our recording documentation for officers undertaking search warrants to remind them of key recommendations, points of law, and also to have more regard for the significant intrusion inherent in the search process

Learning & Development

We have undertaken an extensive programme of updating our training materials to include all of the lessons learnt through the review and inspection processes, and to secure this knowledge for the future. The key areas we have focussed on are:

- Recruit training;
- Promotion training (in particular for inspectors who will need to authorise search warrant applications);
- Senior Investigating Officer (SIO) training and the National Senior Investigating Officers Development Programme; and
- Updated all key courses to include the relevant recommendations and changes made to numerous policies through this process.

Suspect Management and Care

- We have adopted recommendations and changed policy to improve how we communicate with suspects, ensuring there are 28 day updates in all cases (not just for those on bail or Released Under Investigation), setting expected finish dates for investigations, and ensuring that where a 'No Further Action' (NFA) decision is made this is communicated correctly to suspects.

Improved Investigations

- We have made significant changes to our General investigations policy, and published a detailed toolkit including a 42-point plan to guide officers as to how they can best deal with non-recent allegations involving child sexual abuse. We have improved awareness of external reviews, either from our own Serious Crime Review Group (SCRG), or externally via Operation Hydrant that supports non-recent sexual offence investigations nationally.

Media

- We have fully adopted the College of Policing Media Authorised Professional Practice (APP), and ensured that there have been specific updates for all in our Department of Media and Communications to prevent someone being inadvertently identified pre-charge, and also to ensure our statements are consistent where No Further Action is taken in cases that are in the public domain.

From your letter of 11th February, the first three questions on which the Home Secretary has asked me to respond to you are as follows:

Q1: Who caused or permitted promotions [of those involved Operation Midland] to take place before the [IOPC] investigation was completed?

Q2: Was the promotion board informed that the investigation was not complete when the officers were promoted?

Q3: Were either of the candidates supported by references from those with knowledge of Operation Midland?

I will respond to these three questions together.

- The MPS referred the alleged conduct of five officers, including DAC Rodhouse, to the IOPC in November 2016. In March 2017 the IOPC concluded that there was no indication of misconduct in relation to DAC Rodhouse and a Detective Superintendent.
- DAC Rodhouse moved to the National Crime Agency (NCA) over a year later in June 2018, following an appointment process that was overseen by Civil Service Commissioners in line with standard practice for such appointments. DAC Rodhouse ceased to be a police officer and became a civil servant at the NCA.
- There was no investigation into DAC Rodhouse when he transferred to the NCA, and the MPS confirmed with the NCA that there were no outstanding conduct matters from Operation Midland.
- The senior investigating officer in Operation Midland was promoted in a promotion process conducted under a Standard Operating Procedure (SOP). Entry onto the 2016 Superintendents promotion process was determined by an assessment of an applicant's performance by their line manager. This recommendation then went through a moderation process to ensure consistency across the MPS. Officers rated in the highest three (of nine) performance gradings were invited to apply to a promotion assessment centre. Those attending the assessment centre were required to complete an interview with senior officers, undertake two interactive role play exercises and take a managerial aptitude test. Those deemed successful were entered onto a promotion readiness list, and subsequently posted on promotion to Superintendent or Detective Superintendent.
- The senior investigating officer was successful in the promotion process in August 2016, prior to the publication of your report, but not promoted until July 2017 (several months after the IOPC assessed the potential allegations as misconduct only). The existence of an ongoing investigation at the level of misconduct (notably not at gross misconduct or a criminal investigation) does not, on its own, preclude an officer from seeking promotion. In this instance, the IOPC investigation concluded that the officer had no case to answer.
- The three remaining officers were the subject of an independent IOPC investigation assessed at the level of misconduct in March 2017. On the conclusion of the IOPC's independent investigation, the IOPC subsequently determined that there was no case to answer for misconduct.

From your letter of 11th February, the fourth question on which the Home Secretary has asked me to respond is as follows:

Q10: How can the exoneration of all officers responsible for the application for and obtaining of the search warrants be reconciled with the payment of very significant sums of compensation to those wronged by the issue of those warrants?

- A number of individuals connected to Operation Midland brought civil claims for damages. You will appreciate that the legal tests applied in relation to the application of civil law are very different from those applicable to the statutory police officer misconduct regime.

I would like to conclude this letter by emphasising again how much the Met has taken on board the recommendations from your review. The improvements highlighted in this letter illustrate some very significant changes that have been made thanks to the hard work and dedication of the Op Larimar team and the commitment of the Met to improve. I am pleased that the team have completed their work to improve the Met's investigative skills and build confidence in how the Met operates. This work and the changes that have been implemented are now embedded in the organisation, as validated independently by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS). The Met is committed to ensuring that we do all we can to minimise the risk of anything like this happening again. Our Head of Profession for Investigations is now working with the Met's Continuous Policing Improvement Command to ensure the lessons continue to be reflected in policy and in practice by our officers in their important work to keep us all safe.

Finally, we would of course welcome the opportunity to invite you to New Scotland Yard for a session with the Op Larimar team and other relevant colleagues to go through the significant progress and improvements we have made following your recommendations to the Met.

Yours sincerely
Cressida Dick

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Commissioner