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Letter from Mick Creedon, Chief Constable, Derbyshire Police, to the Chair of the Committee, 2 July 2013

OPERATION HERNE

Thank you for your letter dated 24th June 2013 concerning Operation Herne and for the chance to discuss this briefly with you the other evening. In seeking to answer each of your questions I am conscious that you have requested my attendance before your committee on Tuesday, 16th July 2013 and subject to my annual leave commitments being varied I will be able to come on that date.

As I discussed with you, I was due to finish for leave on Friday, 12th July but hopefully I can rearrange things and we will be in touch with your office as soon as possible to confirm this.

In answer to the specific questions you raise, please find the following detail:

1. I have put a request in for additional resources to Deputy Commissioner Craig Mackey and also to Stephen Rimmer at the Home Office. The Metropolitan Police are providing an additional detective sergeant and six detective constables and this is specifically to staff the HOLMES incident room. You are aware of the size of the incident room and the amount of documentation that needs dealing with formally. I have met with the Commissioner and he has assured me of his support should I require additional staff. In addition, I have put a specific request to the Home Office for four members of staff from outside the Metropolitan Police Service, to carry out the first strand of the investigation. This strand is around the whole historical context of the SDS and undercover policing. Stephen Rimmer has already indicated his support from the Home Office and I am speaking to him in the next few days to confirm this.

2. As yet, we don't know how many additional documents there will be in Operation Herne as a result of these most recent disclosures. I have met with the Guardian journalists to seek their support and depending on the information forthcoming from them and anywhere else from within the Metropolitan Police Service, this will indicate the extent of any additional enquiries. Please be assured that I have the absolute support of the Commissioner and Deputy Commissioner in accessing all necessary parts of the Metropolitan Police Service intelligence systems. The number of documents that I have to recover and examine is pure speculation at present.

3. Operation Herne has already been in close co-operation with Mark Ellison QC to ensure that the two strands of activity are complementary. Documentation has already been shared. I have spoken to Mark Ellison and met with him and I am more than confident that we can work together effectively in this area. My terms of reference are quite distinct to the enquiry that he is leading on behalf of the Home Secretary although there are obvious overlaps in terms of the covert activity which is now alleged to have taken place. We will meet regularly and ensure that all information is shared and we are able to report jointly where appropriate.

4. When I was interviewed by the Guardian journalist on Wednesday, 19th June 2013, the allegations made by Peter Francis in relation to the Lawrence family were put to me. This was the first I had heard of these. I have tasked the Operation Herne incident room staff to research all the documentation held to find out what prior knowledge there may or may not have been about these allegations.

5. As you are aware, with the introduction of the RIPA legislation in 2000, any undercover deployments of this nature would be authorised at assistant chief constable level. The authority levels required by the legislation is actually at superintendent level but the Association of Chief Police Officers has agreed that given the sensitive nature of the tactic such operations should be authorised and overseen at the more senior level. Prior to RIPA legislation there was no formal

legislative framework for undercover deployments and they were subject to long standing Home Office guidance. I believe the Home Office guidance was circular 97 of 1969 amended by circular 35 of 1986. I am currently researching what the appropriate authority levels were for undercover deployments within this guidance and I believe this was also at superintendent level and assistant chief constable level. Part of my work as outlined in strand one is to describe the pre-RIPA environment of covert and undercover policing in which the SDS operated.

6. You have asked at what level this particular deployment was sanctioned. This is part of the investigation that I am now carrying out and clearly it would be improper to comment at this time.

7. In relation to the issue of use of dead children's identities, you refer to the fact that I intend to publish a report into this issue to the Commissioner's Office before the summer recess.

The issue of informing families will be addressed in this report.

Mick Creedon, Chief Constable, Derbyshire Police

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