

Sandra Pope BA (Hons) MA
Head of Legal Services

HHJ Teague QC
Chairman to the Anthony Grainger Inquiry

Our ref: SP-019214

Your ref:

Tel No: 077758 22588

When calling or telephoning
please ask for Sandra Pope

Date: 15 March 2017

Dear Sir

Re: Disclosure exercise by GMP

Further to our previous letter of even date we now set out details of the on-going process of disclosure.

Documents

As you aware, the previous combined reactive and proactive approach has still not captured the disclosure of all relevant documentation/information. That being so, we have drafted a disclosure questionnaire which will be completed and signed off by all GMP witnesses and other individuals who have been identified as, potentially, holding relevant material. The preamble to the questionnaire explains in some detail the obligation on individuals and GMP alike to provide disclosure and to assist the Inquiry. Each individual will receive a copy of the Inquiry's Terms of Reference so that they can use this as a framework for relevance. We have cited detailed examples of the type of documents that may be relevant including emails and GMP/national policies. Given the number of individuals affected, we have prioritised those who have yet to give evidence, with those who have already given evidence/other information holders coming thereafter. The request makes clear that the questionnaire must be returned within 3 days of receipt. A new email box has been created in order to collate and process the replies.

In terms of policies and procedures, we are concentrating on those that were in force during the relevant period i.e. 1.10.11 to 31.3.12. As you know from our previous letter, we are in the process of obtaining access to the electronic folder which contains firearms policies and procedures. Until 08.03.17, we were unaware of its existence.

Securing Emails

At the relevant time GMP used an email system called Lotus Notes. GMP migrated to Microsoft Outlook on a phased basis from October 2011. On that basis, some officers may have two different email accounts one of which they are unlikely to have accessed for some time.

Email accounts had not previously been checked by the IPCC or the Operation Idris Team save for some specific requests being made by CTI by way of Rule 9 (Cousen/Hurst/Fernandes/Talbot/Clarke/Mills). In these cases the officers checked their own email accounts and disclosed what they believed to be relevant.

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We are aware that the IPCC have sought access to email accounts in other cases but we are not aware that they have done so in this case.

The process of accessing the emails is far from straightforward. We have drawn up a list of names of officers and staff and their collar/pin numbers. Two individuals have been appointed from within GMP IT to secure the relevant email accounts. These individuals have an enhanced vetting status due to the need to release to them the names of officers with pseudonyms. They have also signed a confidentiality agreement.

Once secured, the material is protected. However, GMP cannot view the email accounts without the officer's informed consent or without a Lawful Business Monitoring (LBM) authority from the Head of Professional Standards Branch. Request for consent for emails to be accessed for the period 1.10.11 – 31.3.12 has been prioritised and is being sought in the same way as the disclosure questionnaires. If consent is refused, a LBM authority will be considered on the basis that the necessary and proportionate criteria may be met. Consent has been obtained from all of those whom it has currently been requested; there have been no refusals.

Investigating Emails

A further 12 individuals, predominantly investigators, have been seconded to the Operation Idris Team in order to review the email accounts (6 from the Anti-Corruption Unit, 2 from the Hi-Tech Crime Unit, 1 from Professional Standards Branch, 1 from the IT Unit (computer engineer), 1 from Legal (administrative) and DCI Davies (managing the task). All are currently working 12 hour, 7 days a week, shifts to complete the work as soon as is practicable. This started on Sunday 12.3.17 with the reading of CTI's opening in order to familiarise themselves with the facts of the matter under review. They each have a document which sets out their responsibilities and what is expected from them. They have also been required to sign a confidentiality agreement.

It is not possible to check emails using key words. The investigators are therefore reading each individual email and attachment. If they believe the email or attachment to be relevant they will capture them electronically and save them using one-note software. They will also schedule them with a brief note as to why they believe them to be potentially relevant. At the conclusion of the investigation into each account they will complete a short document which sets out if there was anything of significance, for example, if there were no emails at all for the relevant period or significant gaps.

Reviewing Emails

The one-note files are then referred to the substantive Operation Idris Team. They will then be reviewed for relevancy. Material deemed potentially relevant will be provided to the Inquiry in an open and a redacted version. The officers will be informed of this. Material deemed not relevant will be made available to the Inquiry team for viewing, if required.

Please note that we have not contacted the closed witnesses at all as they are all currently with the NCA. We will discuss this discrete issue with CTI.

We will ensure that the process is finished and disclosure is made, before each witness gives oral evidence. Our aim is to be in a position to release any material for Week 10 witnesses by Friday 17 March 2017. Thereafter we are sincerely hoping that the process will speed up.

If we can be of any further assistance please let me know.

Yours faithfully

Sandra Pope
Head of Legal Services

Legal Services Section, Greater Manchester Police
Openshaw Complex, Lawton Street, Openshaw, Manchester, M11 2NS
Fax: 0161-856-2718