



## To Whom it May Concern

I am a barrister (1993) and King's Counsel (2013), specialising, amongst other areas, in criminal law and police misconduct. Over my 30-year career I have been instructed in many of the most high-profile cases, in the arena of police law and police misconduct, including the Hillsborough Inquests and related criminal prosecutions; the Independent Inquiry into Child Sexual Abuse; and, countless criminal trials and misconduct hearings on behalf of serving and former police officers, up to and including the rank of Chief Constable.

In early 2019; I was instructed to advise and act for a client in relation to various matters, including complaints about the conduct of several Merseyside Police ("MP") officers. Those complaints led to a series of misconduct investigations and judicial review claims, arising principally from my client's dissatisfaction with the handling of his complaints by MP's Professional Standards Department ("MP PSD") and the Independent Office of Police Conduct ("IOPC"), exercising its appeal and review powers, derived from the Police Reform Act and the various applicable Complaints and Misconduct Regulations.

I have been asked to confirm the following factual and legal matters on the status of misconduct investigations related to certain officers of Merseyside Police, which are correct to the best of my knowledge at the time of writing (27th March 2024).

1. Various MP officers, including DCI Rooney, have been the subject of complaints from my client, alleging serious corruption, as defined by the IOPC statutory guidance in force at the time (para 8.13), since as early as April 2019:  
  

“8.13 *The term serious corruption refers to conduct that includes:*

  - *any attempt to pervert the course of justice or other conduct likely seriously to harm the administration of justice, in particular the criminal justice system;*
  - *abuse of authority...*
  - *attempts or conspiracies to do any of the above.*”
2. In the course of the various investigations, arising from the complaints, the officers concerned, including DCI Rooney, have either not been asked for a formal response to the allegations at all or have been asked and have provided little more than a bare denial, with no substantive detail. In my experience of police misconduct investigations, such an approach is highly unusual and, for my part, is a source of concern.
3. There have been two successful appeals to the IOPC against decisions made by MP PSD investigators, which decisions in effect vindicated DCI Rooney and others. On each occasion, the IOPC found that the MP PSD investigation

was inadequate and directed that further investigations were required, including in respect of DCI Rooney.

4. It is my understanding, based on review of the correspondence and investigation reports, that MP PSD's complaints investigations have been active since at least 2019 and, to the best of my knowledge, remain active to the present date.

I trust that the above is of assistance on these points.

Chris Daw KC  
Barrister

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27th March 2023