



Association Against Abuse of Police  
Powers and Privileges  
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FAO: Crown Prosecution Service  
Greater Manchester CPS  
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## Procedural impropriety of Operation Aloft

Dear Sirs and Madams,

### Introduction

1. This is an official addressing of the CPS on matters related to Operation Aloft. It deals with material procedural impropriety of handling of Operation Aloft by the Merseyside Police, for whom this investigation has become an inevitable and apparent landmark case. So it is for AAAPPP, in its target of addressing the Merseyside Police's work as the one subject to systemic cover-up of internal issues of a culture of dishonesty known to AAAPPP.
2. It is a concern of AAAPPP that Operation Aloft is a potential by-product of a wider issue of corruption within the Merseyside Police aimed to shift the attention of the public from the internal issues of the Merseyside Police's systemic failures to the agenda of its usefulness and importance for the public, achieved through a (disproportionately) aggressive, reckless and *sensational* pursuing of the criminal case calculated to attract significant public attention. Such a concern stems from the three main reasons:
  - I. Operation Aloft was started within Merseyside Police's Economic Crime Team ("MPECT") right after the wide allegations of deep dishonesty within all of its layers were raised in the spring and summer 2018;
  - II. Operation Aloft was led and its key roles were performed by the very same MPECT officers that were at the epicentre of the allegations of serious corruption and who are under an active investigation for it since 2019 up to now (January 2024) with two appeals against the Merseyside Police's attempts to vindicate them having been upheld by the IOPC (the police corruption watchdog);
  - III. The Merseyside Police's three most senior ranks ("MPSR") at the material times – Assistant Chief Constable Ian Critchley, Deputy Chief Constable Serena Kennedy and Chief Constable Andrew Cooke (as they were then, having since then all been promoted, the latter now 'overseeing' the integrity of all police forces in the UK) knew full well the issue of the concerned MPECT officers – DCI Rooney and DI Georgeson

– being investigated for serious corruption for years in a row. Having themselves been alleged to have covered these two officers up in the unrelated complaint's proceedings, MPSR have done nothing to preserve the integrity of Operation Aloft. Instead, they have allowed it to be performed and led by those within MPECT who were themselves under an active investigation for serious corruption and systemic dishonesty with evidence. These two officers have refused to provide any meaningful response to the serious allegations of dishonesty with evidence (including in court applications) made against them and pretended to have retired and left the police force as a measure of avoiding the need to provide the response, whilst continuing to serve with the Merseyside Police as members of staff on the same key roles.

## **Background**

### What is AAAPPP

3. AAAPPP – Association Against Abuse of Police Powers and Privileges – is the only UK non-governmental organisation that fights the corruption within police. It operates since February 2020 and has since then assisted hundreds of individuals affected by potential abuse of police powers and privileges.
4. AAAPPP has been informed about the report on Operation Aloft prepared by the Merseyside Police and submitted to the CPS, finding information about it in UK media outlets. AAAPPP believes that the matters highlighted by it within the current addressing represent a very significant value for any decision the CPS needs to make.

### Serious procedural impropriety

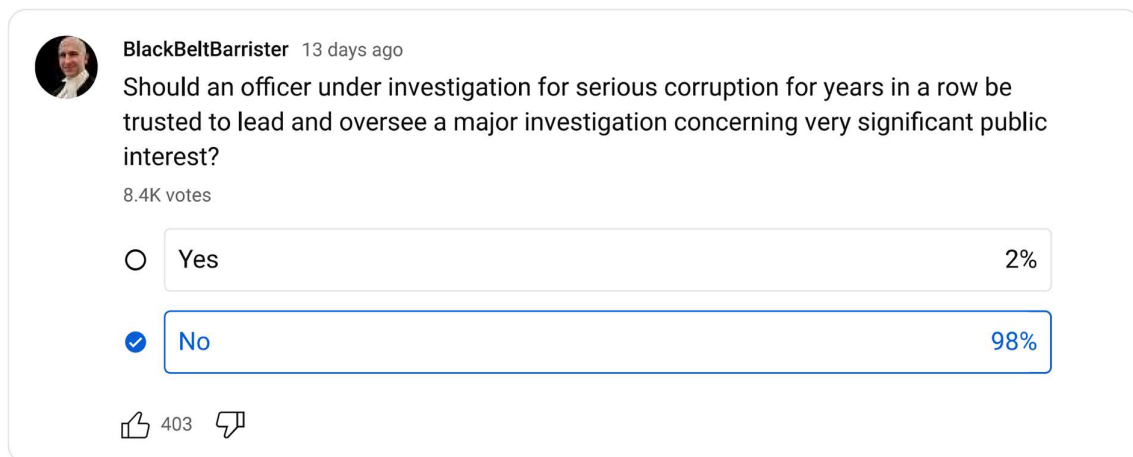
5. The matter of this addressing the CPS is that Operation Aloft has been performed with the procedural impropriety which is fatal for its considerations: the key officers of Operation Aloft are themselves, and were so at any material time, alleged to have acted with serial dishonesty in handling evidence, both documentary and witnessing, and investigated for that since 2019. It begs the question how anything submitted within the report of Operation Aloft by MPECT can be trusted in the situation were the very same MPECT officers have been alleged in an unrelated and wholly independent case to exercise a culture of serial and hypocritical, deeply criminal in its nature, dishonesty when handling evidence and presenting it to the courts. AAAPPP finds no answer to this question: the inescapable reality the CPS is invited to observe is that a criminal investigation in whose integrity there is a reasonable doubt, cannot be efficient and, hence, cannot result in a meaningful charging decision, by definition.
6. Hence, the only question on table is whether there is a reasonable concern of DCI Rooney's integrity. This addressing is aimed to explain the CPS that (i) there is and was at any material times, and (ii) this situation is non-rectifiable

by any means except the whole set of investigative steps performed under his supervision being redone by another police force.

7. DCI Rooney and DI Georgeson were not the only officers of MPECT whose conduct was addressed by the complaints alleging serious corruption and dishonesty. Another, third, officer of MPECT is believed to be the main source and instigator of MPECT's misconduct in the unrelated complaints case, in which both DCI Rooney and DI Georgeson acted as enablers of that corruption. The name of that third officer is not provided here but will be done so at the appropriate time. From how aggressively – and pursuing ulterior tactical goals (including by the cost of making tectonic waves in the political landscape) – Operation Aloft was run, it is clear to AAAPPP that this third officer was also part of it and was the one impacting the decisions made within Operation Aloft. For the purposes of the current representations that matters not.

#### Public survey on approach of Merseyside Police to Operation Aloft

8. Before turning to evidence of there being a reasonable concern of DCI Rooney's integrity at any material time of Operation Aloft, as also now and, it is suggested to be inevitable, at any time later, AAAPPP invites the CPS to familiarize with what would have been otherwise abundantly clear for any reasonable observer: a public survey among thousands of UK respondents has shown that 98% of them believe that an investigation concerning very significant public interest – such as Operation Aloft certainly is – could never be led by an officer under active investigation for serious corruption. Something that is obvious for 98% of the UK population was not obvious for the Merseyside Police, including its Chief Constable at the time Andrew Cooke who has been trusted, as a result of Operation Aloft, to exercise the role of Chief Inspector of HMICFRS and be responsible for the integrity of all police forces within the UK.
9. The CPS is invited to give value to the results of the attached poll and what meaning it bears for any charging decision it is now tasked to make (whether positive or negative). The results of the poll are self-speaking and are provided herein in a separate file, the screenshot from it being presented below:



## **Matter of procedural impropriety**

### **Pre-assumption on report file of Merseyside Police**

10. Whilst making this addressing, AAAPPP is unaware neither of the contents nor the specifics of the report submitted by the Merseyside Police for Operation Aloft to the CPS. Because there is a binary question as to whether a positive charging decision can be made on the basis of that report in relation to a single person under investigation (and, it is noted, there is up to a dozen of them), AAAPPP has proceeded in this addressing on the basis of the assumption that, where the integrity of the information from the Merseyside Police's report would have been not in question, there is sufficient evidential basis to make a charging decision in relation to at least one of the suspects. Applying such an assumption allows to demonstrate the strength of the AAAPPP's representations as, even in that case, nothing changes: the evidence on which such a decision is invited to be made, is tainted by the aforementioned approach of the Merseyside Police, including its senior ranks, to choose the key officers of Operation Aloft to be the ones who themselves can be reasonably concerned to be potentially dishonest. That '*potence*' is fatal for a criminal investigation because it allows no reasonable doubt for the integrity of evidence-gathering function. It is, again, all the more so when it is recalled that DCI Rooney and DI Georgeson were only two of the eight MPECT officers alleged to have been engaged in a culture of dishonesty in handling and processing evidence and are investigated for it.

### **Report of AAAPPP on Operation Aloft**

11. In March 2023, AAAPPP published a report concerning the same procedural failure of Operation Aloft. It is available at the link <https://www.aaapp.org.uk/operation-aloft/>
12. It is understood by AAAPPP that, rather than react on it and address the significant failures of Operation Aloft highlighted by it, the Merseyside Police have proceeded with finalising it in full ignorance of AAAPPP's findings. That ignorance, as has been explained above, was fatal for Operation Aloft.

### **Involvement of Aloft's lead in manipulation with evidence**

13. DCI Rooney is one of the key officers in an unrelated case which has led to the allegations of wide serious corruption within MPECT. He has been alleged – and was under active investigation for the same since 2019 – to facilitate hypocritical and deep misrepresentations to the court of the evidence available to MPECT in that unrelated investigation. The complaints addressing this conduct of DCI Rooney and DI Georgeson together with the six other officers of MPECT (of which two have resigned after the complaints were made) are provided herein together with the Merseyside Police's latest investigation report on these allegations and the latest appeal to the IOPC against that report's

attempt to vindicate DCI Rooney. The IOPC's upholding that appeal is also provided to the CPS herein.

14. The CPS is invited to observe the material for the current addressing facts, which are that:

- a. since as early as 2018 (the official complaint having been made in 2019) DCI Rooney was alleged to have participated in a serious and outrageous misleading of the court by accepting the known to him deep misrepresentations / manipulations with the evidence;
- b. since 2019 he had a number of opportunities to respond on the merit of those allegations, i.e., why the hypocritically misleading the court (as was accepted by the Merseyside Police itself) evidence was presented to the court with his approval;
- c. rather than responding to the allegations on their merits DCI Rooney provided bare denial of those in response to two disciplinary investigations of his conduct and was portrayed by the Merseyside Police as having been retired (suggesting his unavailability for further questioning) whilst, in reality, continuing serving within MPECT in the same role (including Operation Aloft) as a member of staff.

15. This approach creates an additional layer of problem: whilst it would have been otherwise impossible for him to remove the reasonable concern of his integrity after having approved and overseen a number of deeply and widely dishonest court applications, it raises a further concern that he even did not try, instead opting out to make a bare denial of the allegation being correct and then pretending to have retired.

16. That additional layer cements the otherwise already insurmountable burden upon DCI Rooney to clear the reasonable and significant concern / doubt of his integrity. Why would it represent such a difficulty four years in a row for an honest officer to explain his approval of outrageously misleading evidence being serially put before the courts? As the CPS is invited to recognise, this question's formulation leaves no ability for DCI Rooney or anyone to answer it in any meaningful way: that question becomes a rhetorical one, yet significant for the purposes of assessing the credibility of any evidence collected under DCI Rooney's lead within Operation Aloft.

#### Artificial delay of the latest investigation of DCI Rooney's conduct

17. In the complaint process addressing DCI Rooney's potential dishonesty in the unrelated case, the investigation was claimed by the Merseyside Police to have been almost finalized since February 2023. Yet, ten months later, it remains in the same unfinished status. That raises a concern that, having observed the aforementioned AAAPPP's report on Operation Aloft in March 2023, and having

previously accepted DCI Rooney's bare refusals to deal with the merits of the allegations of dishonesty as a sufficient way of addressing those, the Merseyside Police have tactically delayed the third investigation report of wide internal serious corruption allegations against MPECT, so as to avoid the need to demonstrate once again the lack of any meaningful engagement by DCI Rooney with the serious allegations of dishonesty made against him – for the third time in a row.

18. To put it simple, it is a concern of AAAPPP, that having embarked itself as an advocate of MPECT and repeatedly (yet, unsuccessfully, due to the IOPC overturning its decisions) vindicated MPECT on the allegations of a culture of routine dishonesty when handling evidence, the Merseyside Police artificially delays the latest, third investigation report of DCI Rooney's conduct for ten months so as to artificially arrange its timing to be after the CPS's decision on the result of DCI Rooney's work, i.e., Operation Aloft.
19. Such a synchronized orchestra of a police force in the clearly unrelated processes – Operation Aloft and consideration of complaints of dishonesty by its lead in an unrelated complaint's case - might be understandable, given the significance of Operation Aloft for the force's highest ranks. They have built a successful career path through handling Operation Aloft and their lead – Chief Constable Cooke – has been promoted to the leading nationwide role, now being able to march the Merseyside Police's questioned by the current letter standards of integrity across the whole country. However, the only way how this correlation could be understandable is where the highest officers of the Merseyside Police would be engaged in manual managing of the cover-up of the clearly inappropriate access of DCI Rooney to the controlling of Operation Aloft and the continued ignorance to his inability to clear the reasonable concern of his integrity. The fact that this state of things is in direct contradiction with what the public expects can be seen from the results of the aforementioned survey. 98% of its respondents have disagreed with the approach continuously chosen by the Merseyside Police's senior ranks, which fact now poses a reasonable question of their own integrity, including the one of Mr Andrew Cooke, in his leading nationwide role of overseeing the integrity of UK policing.
20. By way of example, and dramatically for Mr Cooke, another survey conducted by AAAPPP shows that 95% of UK respondents believe it to be misconduct if a senior officer fails to recuse the officer from a sensitive role when presented with evidence raising a reasonable concern of the integrity of the latter. That survey's result is also provided to the CPS herein. It follows, the Merseyside Police's highest ranks have deliberately and / or recklessly allowed the public interest to be ignored and contravened in their handling Operation Aloft, falling by that into misconduct by themselves, which misconduct is obvious for 95% of the population.

## **Matters of publicity**

21. By making this letter public, AAAPPP respectfully invites those within the UK system responsible for Mr Cooke's work as Chief Inspector for all police forces within the UK to question him as to why he allowed Operation Aloft to proceed in a way condemned by 98% of random respondents and why he failed to make a recusal decision where 95% of respondents consider such a failure to represent misconduct.
22. The current representations of AAAPPP aim to rectify the informational gap in the public's knowledge of the Merseyside Police's and Mr Cooke's quality of work in a landmark investigation codenamed Operation Aloft and put things right. As Operation Aloft eventually led to the subsequent sensational involvement of the UK government into the Liverpool Council's operations (as a logical and direct result of DCI's Rooney decision to make a public arrest of the acting mayor) it may be a matter of the UK government's interest as well, in terms how its involvement is triggered by a decision of the provincial police officer, DCI Rooney, to arrest the acting mayor of a major city made whilst himself being under investigation for serious corruption.
23. The other two highest ranks – then-ACC Ian Critchley and then-DCC Kennedy – were also aware of the same state of things but have done nothing either. The former has already retired from the Merseyside Police (or is portrayed to have done so, as was falsely portrayed by the Merseyside Police for DCI Rooney and DI Georgeson in the unrelated complaint's proceedings) and Mrs Kennedy is the current Chief Constable of the Merseyside Police who watched over Operation Aloft after Mr Cooke's promotion to his current nationwide role. She has done nothing to recuse DCI Rooney from Operation Aloft since 12 April 2021 when she became the new head of the force, despite him being under allegations of serious corruption and an investigation for the same since then up until August 2023 when Operation Aloft's report was submitted to the CPS.

## **Conclusion**

24. It turns that, having gained the public attention and cheer by its sensationalist choice to make a public arrest of the acting mayor of a major city in December 2020, now, three years later, the Merseyside Police may be at the point of another scandalous revelation: how its senior ranks enabling something that is unacceptable for 98% of the UK population have built their path to the top of the UK system of policing, enjoy the benefits acquired through handling Operation Aloft. One of those three officers – Chief Constable Serena Kennedy – might have used her powers by delaying the result of the investigation of DCI Rooney to make sure that Operation Aloft's failures do not become even more apparent due to a premature revelation that the lead of Operation Aloft was unable, for the third time in a row, to bring a meaningful (let alone, clearing all

reasonable concerns) defence on the allegations of dishonesty after that issue has been highlighted by AAAPPP's report on 27 March 2023.

25. In the light of all the above the CPS is invited to conclude that it is against the public interest to ignore the outrageous impropriety in handling Operation Aloft by the Merseyside Police, obvious for 98% of members of the UK public. It cannot be right that a group of officers of MPECT whose own integrity became a subject of a reasonable and very significant question, erect and perform aggressively an investigation of significant public importance as a means of enhancing their careers and shifting the agenda from the concerns over their conduct to the significance of the matters they handle.
26. More overarchingly, it cannot be right that any person's prosecution is considered on the basis of the evidence, the credibility of which is in a reasonable question given the concerns of integrity repeatedly put to MPECT, and DCI Rooney in particular, in the unrelated proceedings but failed to be cleared despite numerous good opportunities to do so. The CPS has no procedural power to consider evidence of the questioned credibility, in the first instance. The apparent safeguard of the public interest would be to involve another police force where and if there would be such a need, in what AAAPPP has no interest and remit due to its focus of the current representations being on the issues of the potential systemic corruption prevalent within the Merseyside Police.
27. AAAPPP makes no reservations as to the guilt or innocence of any subjects of Operation Aloft and has no relation to any of those. Instead, as is explained above, the current representations are made on the basis of the assumption that the investigation report prepared by the Merseyside Police contains evidence which would be sufficient for a positive charging decision in relation to at least one subject. It is the matter of the current representations that before considering such evidence the CPS is required to look into its need to accept it as the one of undoubted integrity in the first instance. AAAPPP does not preclude the CPS from making any decision but invites it to make an informed decision, in the light of the current letter.
28. AAAPPP has made this letter public on its website, making it available to wide audiences as a measure of affording the public of knowing the circumstances, in which a decision is required to be made by the CPS.

**Association Against Abuse of Police Powers and Privileges**

**15 January 2024**