

Association Against Abuse of
Police Powers & Privileges
Date: 8 October 2024

Yvette Cooper, Secretary of State
Home Office, 2 Marsham St,
London SW1P 4DF

Public inquiry invitation

Dear Mrs Yvette Cooper,

1. This is an official letter inviting you to initiate the statutory procedure of a public inquiry into the alleged procedural failures of Operation Aloft, a criminal investigation which has led to the arrest in December 2020 of then-acting mayor of Liverpool and then-leader of the Labour Party in North-West Joe Anderson.
2. This invitation is made by AAAPPP, the only non-governmental organisation established to fight police corruption in the UK. AAAPPP stands for Association Against Abuse of Police Powers and Privileges and, having been established in February 2020, has assisted hundreds of individuals since then. Operation Aloft is the most important and central case AAAPPP currently focuses on.

Background

AAAPPP's report on Operation Aloft

3. On 27 March 2023, AAAPPP published a report on Operation Aloft, the full copy of which is attached and a citation of which is provided below as a shorter background of the current request:

"Summary of review of Operation Aloft

*Operation Aloft was started by Merseyside Police in 2019 and led to the first-ever **publicly made arrest of an acting mayor**¹ of a major city on 4 December 2020. The decision to make this arrest in a publicly demonstrated way was a conscious step of Merseyside Police as they could make the arrest without publicity, as has been done by another police force with another mayor previously. Merseyside Police were aware of that example and the option to make the arrest without invoking the publicity of it but rejected this option. The arrest of Joe Anderson and the way of making it were initiated and decided by Detective Chief Inspector 1271 David Rooney ("DCI Rooney") of Merseyside Police on or around 20 November 2020. As a result of DCI Rooney's discretion,*

¹ See the copy of article "Mayor of Liverpool Joe Anderson arrested on suspicion of bribery and witness intimidation, Sky News understands" on the first bundle's pages 2-4.

the publicly made arrest of Mr Anderson – Labour Party’s leader in North-West – terminated his political career and caused a major political crisis in Liverpool, triggering intervention by the central government, which continues until today, more than two years later.

AAAPPP’s review of the information received from different sources has demonstrated two significant failures of Merseyside Police to ensure the integrity and efficacy of Operation Aloft, which has interfered with the political landscape of the UK and caused a major scandal with the first-ever publicly made arrest of the acting mayor of a major city in the UK.

The first failure was that a regional political leader was arrested on the allegations of what inevitably was the political activity, masked for the purposes of the arrest as intimidation. The second – and overarching – failure was that Operation Aloft was handled from onset by the individuals of Merseyside Police’s Crime Economic Team who themselves were under active investigation for serious corruption in an unrelated to Operation Aloft case. Among other officers of the same department, the head of Operation Aloft – DCI Rooney – is under investigation between 17 April 2019 and the day of publishing this report (27 March 2023), i.e., almost 4 years. On 20 October 2020 – one month before the decision to arrest Liverpool’s mayor Joe Anderson, made by DCI Rooney on or around 20 November 2020 – the Independent Office for Police Conduct (IOPC) overturned the decision of Merseyside Police to vindicate DCI Rooney on allegations of serious corruption and ordered a new investigation of his conduct in an unrelated case. The allegations against DCI Rooney that were falling within the determination of serious corruption under the IOPC Guidance 2015, included perverting the course of justice, misconduct in public office and criminal offence of corrupt exercise of police powers under section 26 of Criminal Justice and Courts Act 2015. It follows, the arrest of the mayor of a major UK city was initiated by the police officer under active investigation for allegations of serious corruption (including dishonesty in operational decision making and perverting the course of justice by authorizing to submit to the courts false evidence). It also follows that the political landscape of the UK was interfered by someone whose own integrity was a subject of scrutiny as per the decision of the IOPC made one month before the arrest decision was made by him.

The purpose of the current report is to highlight the fact that a major politician was arrested in a public way (and consciously so, despite there being an alternative option of avoiding the publicity) on the allegations of his political activity having amounted to intimidation by discretion of the police officer, whose integrity was in a reasonable question as a result of the IOPC’s direction to re-investigate the complaints against him one

month before the arrest decision was made. The allegations of a political activity having amounted to witness intimidation were made by Mr Anderson's political rival Tony Reeves, who was the triumphant of the fall of Liverpool's mayor but 19 months after the event himself got to resign from Liverpool City Council after his own work became a subject of the ongoing scrutiny by the central government.

The review of AAAPPP also aims to invite Merseyside Police to answer important questions about its handling of the issue of integrity of policing in the light of the revealed and published within the current review facts and its Service Confidence Policy. The current summary will be updated at the end of it upon receipt by AAAPPP of Merseyside Police's comments (if any) on the conclusions of this anti-corruption report. Irrelevantly from these responses and in the face of the already available evidence, the conclusion of AAAPPP is that Merseyside Police must be recused from handling Operation Aloft, allowing another police force, who would not be prejudiced by its failures and lack of integrity, to deal with it and preserve the public interest. Merseyside Police's failures have led to a major political crisis in North-West and it cannot be trusted anymore to handle the investigation of such importance as the failures are representing the ongoing risk to the efficacy of the investigation and its subsequent integrity / impartiality."

4. The report then goes on to demonstrate, with evidence, that, first, DCI Rooney was the head of Operation Aloft² and, second, that, at any material time (i.e. during his handling and leading Operation Aloft), he was himself under investigation for serious corruption of manipulating / dishonesty with evidence.
5. The first evidence is provided as a summary legal note³ by one of the leading police corruption experts in the UK, Mr Chris Daw KC, which states:

"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 2023).

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:*

² And AAAPPP possesses letter of Merseyside Police, available upon request, which has stated in relation to the arrest of Joe Anderson: "As you are aware as a matter of law the decision to arrest was made by the arresting officer. He was briefed by the Senior Investigating Officer, who made the operational decision to request that your client be arrested."

³ See the copy on the first bundle's pages 5-6.

“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

Millennium Chambers - London

Lincoln House Chambers - Manchester

27th March 2023

„

6. The report also provided evidence showing that DCI Rooney was the lead of Operation Aloft:

From: Rooney Dave <David.Rooney@merseyside.police.uk> **On Behalf Of** Op Aloft
Sent: 24 May 2021 11:45
To: [REDACTED]
Subject: Contact - Merseyside Police - [OFFICIAL]

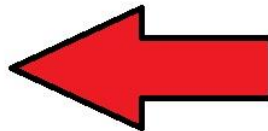
Dear [REDACTED]

Thank you for making contact, my apologies for missing your calls. Since Friday, I have been advised that Liverpool City Council have written to you, in respect of Mr Anderson's comments recently.

I don't need to comment further. Thank you once again.

Kind regards

David Rooney
Head of Operation Aloft
INV Command



7. The report of AAAPP lists the following failures of Operation Aloft:

- i. At any material time it was run by an officer who himself was, in parallel with leading it, under investigation for the matters of enabling manipulation with evidence and / or misrepresenting it to the courts;
- ii. The arrest decision in relation to Joe Anderson, which has triggered waves in the political landscape of the country, was made personally by that officer;
- iii. That arresting decision was made on the basis of allegations of political activity amounting to witness intimidation (the 'witness' being a political enemy of Joe Anderson);

8. On top of the clear impropriety of the above, the report has highlighted that there is a reasonable concern that the aggressive action to perform a public arrest of an acting mayor of the major city had been the result of DCI Rooney's concerns about his own safety and image in the face of the indefensible allegations made against him in an unrelated case, responding to which he had repeatedly refused (which refusal is confirmed by the legal note cited above).
9. In the light of these failures, the public report of AAAPPP further listed seven questions inviting Merseyside Police to respond:

“Public questions to Merseyside Police

The following questions have been drafted by AAAPPP for Merseyside Police to assist the public in better understanding of how Operation Aloft was handled:

1. *Was DCI Rooney at all material times between the summer of 2019 and the current moment the head of Operation Aloft?*
 2. *Was DCI Rooney at all material times between the summer of 2019 and the current moment the subject of an active investigation of allegations of serious corruption?*
 3. *Was DCI Rooney under active investigation for allegations of serious corruption as of the moment of his making the decision to arrest the acting mayor of Liverpool at the end of November 2020?*
 4. *Were a number of other MPECT officers participating in Operation Aloft, including but not limited by DI Georgeson under active investigation of allegations of serious corruption whilst performing Operation Aloft between the summer of 2019 and the current moment?*
 5. *Does timing of Operation Aloft coincide with the timing of those officers being under investigation for allegations of serious corruption, the latter having been started shortly before the start of Operation Aloft in the summer of 2019?*
 6. *Is it correct that DCI Rooney's only response to the allegations of serious corruption was bare denial of those?*
 7. *Is it correct that the two attempts of Merseyside Police's Professional Standard Department to vindicate various officers of Merseyside Police's Economic Crime Team were overturned by the IOPC on 20 October 2020 and 7 July 2021?”*
10. The seventh question appears to refer to the factual matter, but has been asked for the reason that there are apparent disagreements between AAAPPP and Merseyside Police as to how the IOPC's continuous support of the complaints in an unrelated to Operation Aloft should be interpreted. Indeed, the IOPC's

work in that unrelated case was less effective than it could be, probably for the reason that, at any material time, it was led by Mr Michael Lockwood, charged recently for a criminal offence of historical rape.

11. That recognised by the government's latest report⁴ lack of efficacy is a good reason for the public inquiry to look into evidence of misconduct in an unrelated case by DCI Rooney so as form own assessment as to whether could he, with such evidence of his conduct / dishonesty available, be trusted to lead Operation Aloft and allowed to exercise his discretion to arrest an acting mayor of Liverpool and, moreover, to do so in a public way. It is the submission of AAAPPP that, having looked into the evidence of conduct of MPECT and DCI Rooney available from the unrelated to Operation Aloft case, the public inquiry will be extremely concerned as to how could it happen that a political leader has been arrested by the exercise of discretion by those who ought to be kept miles away from any decision making process requiring utmost integrity.

Reaction of Merseyside Police

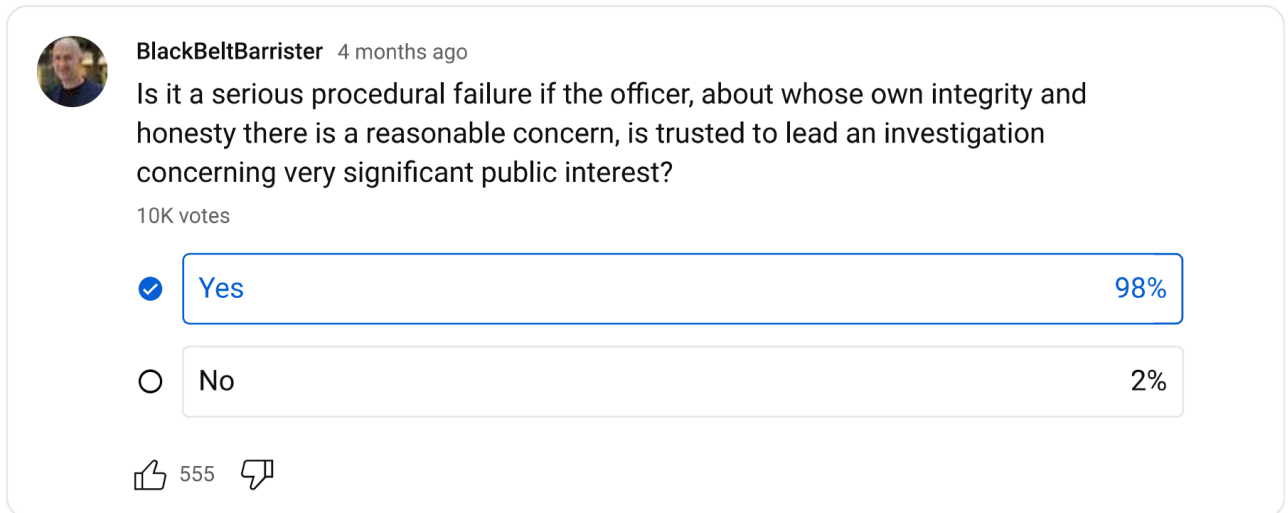
12. Rather than responding and / or addressing the issue of the failed integrity of policing in such a critical for the public matter, as highlighted by AAAPPP's report, Merseyside Police simply proceeded with producing a report based on the evidence collected under direction and control of DCI Rooney, and submit it to the CPS for a charging decision, in June 2023, i.e. three months later⁵.
13. Whether that report had been signed and approved specifically by DCI Rooney is unknown to AAAPPP but that is largely immaterial for the reason that any evidence collected in that report had been collected under his direct involvement, which discredits it to the level requiring, at best, re-making most of the work within Operation Aloft by another police force. It is, however, understood by AAAPPP that, in the known to it practice of Merseyside Police, not only had it failed to react to AAAPPP's report in any way and, instead, submitted evidence file to the CPS for a charging decision but it made that in the most outrageous way, allowing it to be signed by DCI Rooney, despite the findings and highlights of AAAPPP. That is immaterial for the substantial issue of failing the integrity of Operation Aloft as a whole, but represents an easy-to-discover and self-speaking *cherry on the top*, which is invited to be looked at by the proposed by AAAPPP public inquiry in the first instance.

AAAPPP's reaction to Merseyside Police's continued failures

⁴ <https://www.gov.uk/government/publications/review-of-the-independent-office-for-police-conduct/independent-review-of-the-independent-office-for-police-conduct-iopc-summary-of-terms-of-reference>

⁵ See the copy of article "Operation Aloft: Evidence file sent to Crown Prosecution Service" on the first bundle's pages 7-8.

14. Having seen the aforementioned failure, AAAPPP, by its public letter⁶ of 15 January 2024, addressed the CPS on the aforementioned issues. In that addressing, AAAPPP also highlighted that the online public survey⁷ performed by it among more than 10,000 respondents, of whom more than 50% were from the UK, had shown that 98% had condemned the way how Operation Aloft was handled:



The screenshot shows a YouTube comment from user 'BlackBeltBarrister' posted 4 months ago. The comment asks: 'Is it a serious procedural failure if the officer, about whose own integrity and honesty there is a reasonable concern, is trusted to lead an investigation concerning very significant public interest?'. Below the question is a poll with two options: 'Yes' (98%) and 'No' (2%). The 'Yes' option is selected. At the bottom of the comment, there are 555 likes and a reply icon.

Response	Percentage
Yes	98%
No	2%


15. The screenshot above mentions “4 months ago” because the public survey was performed in September 2023 and its results were referred to by AAAPPP’s public letter to the CPS in January 2024. The same specification will relate to the next screenshots below as they are taken from the snapshots of the surveys at the moment of making each snapshot. Each screenshots mentions the number of respondents at the time of each survey, in each case running to thousands of respondents depending on the interest attracted by the question and the time during which each survey remained at the top of the Youtube channel in which it was published.

16. Another public survey⁸ of AAAPPP, performed on 23 December 2023 on the same issue but with a different formulation has shown the same results:

⁶ See attached copy of the published on AAAPPP’s website letter. The address of the publication is <https://www.aaapp.org.uk/operation-aloft-scandal/>

⁷ See the public survey of 20 September 2023 on first bundle’s pages 9-28.



⁸ See the public survey of 23 December 2023 on first bundle’s pages 39-53.

 **BlackBeltBarrister** 13 days ago


Should an officer under investigation for serious corruption for years in a row be trusted to lead and oversee a major investigation concerning very significant public interest?

8.4K votes

<input type="radio"/> Yes	2%
<input checked="" type="radio"/> No	98%

 403 



17. A further survey⁹ of AAAPPP had shown that 95% of thousands of UK respondents believe that it amounted to misconduct for Merseyside Police's highest ranks, inevitably closely overseeing Operation Aloft, an investigation against the acting mayor of Liverpool, to allow it to be run by an officer under active investigation for serious corruption himself:

 **BlackBeltBarrister** 2 weeks ago

Is it misconduct for a senior police officer to fail to recuse/suspend the subordinate from a sensitive role when presented with evidence raising a reasonable concern of dishonesty?

3.6K votes


<input checked="" type="radio"/> Yes	95%
<input type="radio"/> No	5%

 196 

18. In response to that addressing, the Chief Deputy Prosecutor of the CPS shared her scepticism as to importance of AAAPPP's addressing for its purposes. To overcome that scepticism, AAAPPP produced another online public survey¹⁰ highlighting the importance of its intervention as per 87% of respondents:

⁹ See the public survey of 19 December 2023 on first bundle's pages 29-38.



¹⁰ See the public survey of 23 January 2024 on first and second's bundle's pages 92-100.

 **BlackBeltBarrister** 7 days ago


Is it appropriate for a witness to come forward and approach the CPS when it makes a charging decision to provide critical information for that decision?

2.2K votes

<input checked="" type="radio"/> Yes	87%
<input type="radio"/> No	13%

 122 



19. Further, by another public survey¹¹ AAAPPP demonstrated to the CPS the lack of possibility for it to make a charging decision on evidence collected with serious procedural failures, as agreed by 95% of respondents:

 **BlackBeltBarrister** 7 days ago

Is it appropriate for the CPS to make a charging decision on the basis of information collected by the officers, whose honesty is in a reasonable doubt, instead of asking to rectify that issue?

5.9K votes


<input type="radio"/> Yes	5%
<input checked="" type="radio"/> No	95%

 249 

20. In addition, AAAPPP requested the CPS to inform the government of the issues highlighted by it. AAAPPP explained that where the government's intervention had been triggered by the exercise of discretion to arrest the leader of Labour Party in North-West by a police officer who himself was under investigation for manipulating evidence and misleading the courts, it was required for the government to be informed of the true circumstances of its involvement. Such a need has been agreed by 99% of respondents in another online public survey¹² of AAAPPP:

¹¹ See the public survey of 23 January 2024 on the first bundle's pages 71-91.



¹² See the public survey of 25 January 2024 on the second bundle's pages 117-134.

 **BlackBeltBarrister** 5 days ago

If the government's significant step was potentially caused by a corrupt police approach (unknown at the time), should it be made aware of that situation?

6.6K votes

<input checked="" type="radio"/> Yes	99%
<input type="radio"/> No	1%

 334 

21. It is clear from the aforementioned surveys that the efforts of AAAPPP on Operation Aloft were made in the directions having overwhelming public support. Whilst these surveys have been anonymized, they were fairly reflecting the issues on table: the integrity of Operation Aloft and the consequences of the failure to preserve it in the situation where the matters went much farther than merely a banal criminal investigation, leading to the statutory intervention of the government in the scandalous developments.

Complaint against chief officers behind Operation Aloft

22. The Deputy Chief Prosecutor's latest response to AAAPPP¹³ invited it to make a complaint to the IOPC if there were concerns about Merseyside Police. AAAPPP has followed that invitation and made a complaint¹⁴ against the ex-Chief Constable of Merseyside Police (now Chief Inspector of HMICFRS, a nationwide role) Andrew Cooke and his successor in the role of Chief Constable of Merseyside Police Serena Kennedy (under whose leadership half of Operation Aloft had place). That complaint, of 22 January 2024, addressed their wilful and informed decision to allow Operation Aloft to be run by an officer who himself was under active investigation for serious corruption.

Failure of Police And Crime Commissioner for Merseyside Emily Spurrell

23. The complaint was referred by the IOPC to Police and Crime Commissioner for Merseyside Emily Spurrell. PCC Spurrell, an elected public servant from the Labour Party, has decided to refuse the recording of the complaint in a demonstrably unlawful way, explained in the attached judicial review application¹⁵ against her decision submitted by AAAPPP recently. Anyone possessing basic competence and reading it would have no doubt that PCC Spurrell has betrayed the public interest and blatantly brushed the clear failure

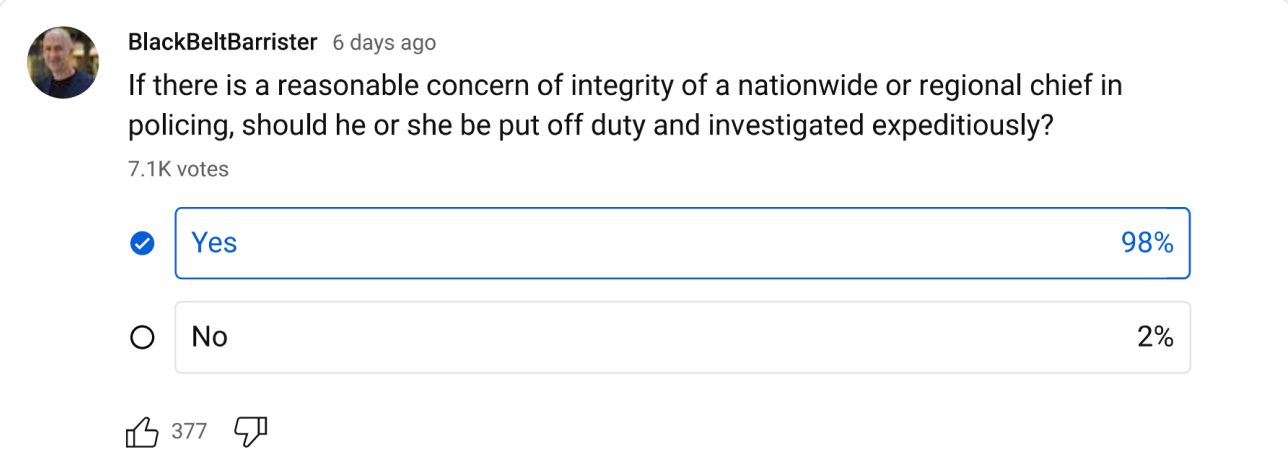
¹³ See the first bundle's page 62, "First Response of CPS on Operation Aloft dated 17.01.2024" and page 135, "Second Response of CPS on Operation Aloft dated 08.02.2024"

¹⁴ See the first bundle's pages 63-70, 22.01.2024, "Complaint against 3 senior ranks of Merseyside Police"

¹⁵ See the second bundle's pages 164-181.

of two Chief Constables of Merseyside Police under the carpet through erecting indefensible procedural argument as to why the complaint should not be recorded. That argument contradicts the police complaint regulations in two obvious aspects, and obviously so, of what PCC Spurrell has been informed but ignored. The JR application is ongoing and is a subject of delays that are being addressed by AAAPPP in due manner.

24. The failure of PCC Spurrell is material in two aspects. First, the integrity of the two chief police servants was put in question, as is believed by 95% of respondents in one of the surveys above: they have considered it to be misconduct to allow a critical criminal investigation to be run by an officer under active investigation for corruption. As will be clear from the presented below further survey¹⁶ of AAAPPP, where that integrity was in question, the public interest warranted their immediate suspension and expedite investigation:



A screenshot of a survey question posted by 'BlackBeltBarrister' 6 days ago. The question asks: 'If there is a reasonable concern of integrity of a nationwide or regional chief in policing, should he or she be put off duty and investigated expeditiously?'. The survey shows 7.1K votes. The results are: 'Yes' (98%) and 'No' (2%). There are 377 likes and a comment icon visible at the bottom of the post.

Response	Percentage
Yes	98%
No	2%

25. Despite that being obvious for 98% of the respondents, PCC Spurrell of Merseyside, an elected politician from the Labour Party, has decided that there is no need to look into the failure to preserve the integrity of Operation Aloft condemned by 98% of the public (as has been shown by one of the surveys elaborated above) and used for that a procedural excuse that the complaint about that has been made by AAAPPP, who has no direct relation to Operation Aloft. This known to her to be unlawful argument, used to protect the failed chief officers, contradicts to the police complaints regulations allowing witnesses to make a complaint and, even if the complaining person is not a witness, requiring the complaint to be recorded as long as the complainant insists on recording it (which AAAPPP has clearly done).


26. Why an elected politician has chosen to go against the will of 98% of her voters, remains a mystery but it can be partially resolved by the fact that Mrs Spurrell's response is a copy and paste of Merseyside Police's own response to the branch of the same complaint made against ex-Deputy Chief Constable Ian

¹⁶ See the public survey of 24 January 2024 on the second bundle's pages 101-116.

Critchley of Merseyside Police (that complaint was considered by Merseyside Police itself because his rank is below Chief Constable). It appears that, despite her oversight function, having her office located in the headquarters' building of Merseyside Police and her largely depending on its support in her daily operations, PCC Spurrell has felt herself being so much an appendix of the police force that she has forgotten her oversight duty owed to the public. It follows that, instead, she has exercised the role of an enabler of the apparent failure of the public interest. Her serious failure to record and act upon the complaint is inexplicable by anything else, except gross incompetence, and is suggested by AAAPPP to be a sufficient basis for the termination of the political career of Mrs Spurrell. By the current letter to the Labour Party's officials AAAPPP invites the invocation of it.

27. From that peculiarity of Mrs Spurrell's failure as an elected politician comes the second important aspect of it, which is that Operation Aloft's scandalous and sensational approach has triggered the involvement of the central government in running Liverpool's City Council since December 2020. In the circumstances of the local politician – Mrs Spurrell – so obviously failing her police's oversight function owed to the public, it is fair for the public interest and, indeed, required that the central government of the UK enquires about the circumstances which have caused its own earlier involvement in a historical way.
28. This is all the more important in the light of the aforementioned public surveys, in which 98% agree that the way how Operation Aloft has been handled is a failure and 99% agree that the central government needs to be informed of it: obviously that expected informing pre-assumes the need of a proper attention from the central government. That need becomes all the more obvious if one looks into the result of another online anonymized public survey¹⁷ of AAAPPP, in which 99% believe that, instead of being trusted to lead a critical criminal investigation, such as Operation Aloft clearly is, DCI Rooney ought to go through misconduct proceedings, as opposed to repeated enabling of his access to police powers for years in a row by Merseyside Police's ex-Chief Constable Andrew Cooke and Chief Constable Serena Kennedy, which has led to his ability to arrest the acting mayor of a major city in a sensation-seeking way (see the next page):



¹⁷ See the public survey of 22 March 2024 on the second bundle's pages 141-160.

 **BlackBeltBarrister** 11 days ago

A high-ranked police officer approves a wholly misleading court application and then refuses to give any comment on such conduct. Should he go through misconduct proceedings?

12K votes

<input checked="" type="radio"/> Yes	99%
<input type="radio"/> No	1%

 645 

29. Something that is clear and obvious for 98-99% of respondents, is exactly the opposite to what Merseyside Police has been doing all the time in Operation Aloft, an investigation led by it in a scandalous way, in which it has mised the central government and the public by portraying it as an investigation of integrity in the situation where it was clearly not.

30. In the circumstances, the involvement of the central government appears to be warranted by the wide public interest demonstrated through the eight public surveys provided above.

Recently circulated concerns over Operation Aloft's delays

31. In April 2024, BBC published an article¹⁸ citing the concerns about the *in-limbo* effect Operation Aloft has caused on the lives of those affected by it for several years. The article cites the words of Lord Heseltine:

"On Monday, former deputy prime minister Lord Heseltine highlighted the length of the investigation to government minister Lord Andrew Sharpe, asking: "Does he think that's justice?"

Lord Sharpe responded saying he could not comment as the investigation was a police matter.

Lord Heseltine told BBC Radio Merseyside: "I don't accept that; destroying a man's reputation and income, without somebody saying 'look, you've got to make your minds up'."

32. This exchange appears to be uninformed of the aforementioned background causing the delays of the CPS in making the charging decision: it (absolutely correctly) does not make a decision because, according to 95% of respondents, it simply cannot do so on the basis of evidence whose credibility is put into

¹⁸ See the BBC article titled "Ex-mayor 'like a recluse' since police probe" on the second bundle's pages 161-163.

reasonable doubt by the inescapable and unresolvable questions over the integrity of DCI Rooney under whose direction and control that evidence has been collected. It appears, whilst recognizing the inappropriateness of the situation, the politicians are unaware of important circumstances. It is time to be aware and start asking questions.

33. Curiously, the same article also mentions the words of Merseyside Police which state that “[t] his complex investigation is still ongoing and officers are working as expeditiously as possible for all concerned”. It can be either a direct misleading (as the evidence file has been submitted in June 2023) or the result of the CPS’s non-acceptance of the evidence prepared under the direction and control of DCI Rooney and / or its request for further enquiries.
34. It is understood by AAAPPP that DCI Rooney has left Merseyside Police at some point in time between the submission of the evidence file of Operation Aloft in June 2023 and now. The cited words of Merseyside Police can be misleading, given that the police force is run by Chief Constable Kennedy, who has mixed herself up in enabling the access of DCI Rooney’s to running Operation Aloft. But if they are not, that means the ongoing *additional* investigation is an attempt of the force to imitate the rectification of its previous failure: assuming that DCI Rooney is not a part of Merseyside Police anymore, so is he for the re-instigated and troubled Operation Aloft. That attempt to give Operation Aloft a façade of legitimacy is bound to fail for the reason that, from the moment of the repeated and conscious enabling of his previous access to running Operation Aloft, Chief Constable Kennedy has committed misconduct recognised by 95% of thousands of random respondents.
35. Whilst that public survey of AAAPPP has not elaborated whether that misconduct amounts to gross misconduct, it is the submission of AAAPPP that, to allow a criminal investigation to be led by an officer who is under active investigation for allegations of altering / manipulating the evidence, is invariable gross misconduct. It is all the more so when that criminal investigation is the one into the political leader of the region and the acting mayor of the city and it leads to an arrest of that mayor by virtue of discretion of the investigated officer and on the basis of the allegations of the political activity having amounted to witness intimidation.
36. This allegation is indefensible for Chief Constable Kennedy and she is an enabler of corruption of DCI Rooney and Operation Aloft. Her attempts to reverse-rectify that by doing the new investigation are poisoned by the fact that any such new investigation will, first, include evidence collected by DCI Rooney and, second, for any new evidence, it will contain acts and omissions made by the investigation under *her* direction and control – the control of the person who herself must be dismissed for gross misconduct, in accordance with the complaint made by AAAPPP against her on 22 January 2024.

37. A burglar, caught red-handed and putting stolen things back into the house, does not rectify his wrong, just like a police chief who has failed to preserve the integrity of policing in a very critical way tries to undertake the steps that are late for many years and only when her being *red-handed* is highlighted. When the integrity is gone, it is gone.
38. In these circumstances, any portrayed re-investigations, continuations of Operation Aloft by Merseyside Police cannot amount to anything except abuse of police powers – a new episode of Chief Constable Serena Kennedy's misconduct, which deepens, rather than rectifies her previous failures: knowing that she has committed misconduct (as per 95% of respondents in a survey) she continues to exercise police powers against the victims of her previous failure. It does not make it any better; it only makes it *worse*.

Invitations of AAAPPP to Home Office

Invitation on dismissal of Chief Inspector of HMICFRS Andrew Cooke

39. AAAPPP invites to recognise the incompatibility of the questions of integrity arising from the aforementioned failures of Chief Inspector of HMICFRS Andrew Cooke in handling Operation Aloft during his tenure of Chief Constable of Merseyside Police up until 12 April 2021. Those are stemming, among others, from his overseeing Operation Aloft since summer 2019 and allowing DCI Rooney to make the arrest decision in relation to the acting mayor of Liverpool on or around 20 November 2020. This was done one month after – and despite – the IOPC's having upheld, on 20 October 2020, the appeal against Merseyside Police's attempt to vindicate DCI Rooney on the allegations of operational dishonesty and manipulation with evidence. That enabling of DCI Rooney's conduct was a matter of Mr Cooke's very well-informed decision because Mr Cooke himself was a subject of complaints in that parallel unrelated case for enabling DCI Rooney's manipulation with evidence.
40. An official response of Mr Cooke on these allegations is dated 6 October 2020, and he was addressed again on the same allegations on 29 October 2020 and 19 November 2020. Having, despite all that, enabled the access of DCI Rooney to police powers where a reasonable concern was raised as to the honesty of the latter in that parallel case, Mr Cooke has done the same for Operation Aloft. That has been, inevitably, a matter of a conscious decision: one cannot be under the complaint for enabling DCI Rooney's corruption and, at the same time, be unaware of DCI Rooney being alleged to be involved in that corruption.
41. Mr Cooke has been vindicated on these parallel complaints by the PCC office (whose appendix / cover-up role in Merseyside is explained above) after stating that he was not involved in decision making in the events of the parallel complaints (whereas he was required to, as these addressed the failures of his immediate subordinates – one and two ranks lower). However, he cannot, in a

similar way, disclaim his involvement in overseeing Operation Aloft, which was the most critical investigation of his career and, inevitably, would have been closely monitored by him, whilst knowing DCI Rooney was under active investigation for serious corruption.

42. Building analogy with the boy who guarded sheep in the night, Mr Cooke cannot say every time he was unaware of anything, let alone when overseeing such a critical investigation: at some point in time he would have become acutely aware of the concerns of the integrity within Economic Crime unit and of DCI Rooney in particular, and that point in time was, at the least, when he was addressed on DCI Rooney's (and of the wider Economic Crime team) corruption in the parallel case, at least three times in October-November 2020, making him well-informed of the issues, at the least, by then.
43. In any case, it is for the Home Office to question the person occupying the very important nationwide role in the situation where his integrity is in a clear question for the reasons elaborated above: as the public survey's results show, 98% believe that a person occupying a leading nationwide role must be put off duty immediately and questioned on the issues of the integrity that are before him. It is against the public interest to give him more time to preserve access to the role requiring him to oversee the police integrity nationwide and avoid questioning on those important matters.
44. One should draw here a clear distinction between the complaint against him to the PCC office and the current invitation: the latter is made on the basis of the incompatibility of the concerns of Mr Cooke's integrity with his current role of a public servant overseeing the integrity of all police forces: the public now knows how he has overseen Operation Aloft and there is no need to let the same to be repeated on a nationwide scale.
45. Indeed, it can be reasonably said that Mr Cooke's occupying the role of the Chief Inspector of HMICFRS has been acquired by him *thanks* to Operation Aloft. However, when advertising to the government his handling of Operation Aloft, he must have failed to explain the true way how it was handled by him. That misleading of the public has allowed him to benefit by deeply betraying the public interest. It is now the time to pay for that as, irrelevantly from whether a complaint against him would be upheld to the level of civil balance of probability, his now well-questioned integrity is incompatible with the exercise of the role which requires an undoubted integrity: there are doubts; they are serious and they are unresolvable. The pendulum of justice has returned and rings the bell.

Invitation to bring up the question of Emily Spurrell's eligibility to be a member of the Labour Party

46. PCC for Merseyside Mrs Emily Spurrell has hypocritically and blatantly betrayed the public interest matters elaborated by the surveys above whilst

perfectly knowing their contents and the results of those, as provided by AAAPPP. Knowing that up to 99% of the public demand a proper enquiry into the matters brought up to her, as has been shown by the anonymized survey of AAAPPP, instead of following that demand, she has done exactly the opposite.

47. A politician who has no care over what the public wants is a *sham* politician. As a matter of plain logic *sham* politician cannot be endorsed by the Labour Party.

Invitation on a public inquiry

48. The statutory step of a public inquiry is the most suitable and appropriate way of the government's looking into the circumstances of Operation Aloft explained above. That is so for a number of reasons, which are:

- i. As has been explained above, there were clear and, on the face of it, indefensible failures of handling Operation Aloft. As has been explained by AAAPPP's report on it, it is not required to wait for DCI Rooney's guilt to be established; it is sufficient to show that during his handling of Operation Aloft and, including but not limited by, his exercise of discretion to arrest Joe Anderson, his integrity was – as it is now, albeit this is less relevant – in a clear question.
- ii. As has been, again, explained above, the local politically elected safeguard of Merseyside Police's failures – PCC Emily Spurrell – has demonstrably proved to act as nothing more than its *appendix* and cover-up instrument, performing that function in a blatant way of bare denial of the plain requirements of police complaints regulations;
- iii. The aforementioned failures of handling Operation Aloft have triggered the previous involvement of the central government and it can only be fair that it now enquires whether it has been previously fooled and whether its involvement has been triggered by corrupt approach enabled by those running Merseyside Police and having benefitted from their handling of Operation Aloft;
- iv. The CPS has now been put in a deadlock position in that it cannot go ahead with a charging decision because the investigation is clearly poisoned. The possible (but not confidently known to AAAPPP to exist) attempts of Merseyside Police to rectify these failures by any *re-investigation* are similarly poisoned by the control of those attempts by Chief Constable Kennedy, who has deeply mixed herself up in the concerned conduct. Just like Mr Cooke, she was a subject of cover-up allegations in the parallel and unrelated case and was acutely aware of the concerns of DCI Rooney's integrity, yet has allowed him to continue handling Operation Aloft until its end.

- v. It is a matter of plain procedure that public inquiries do not contradict or obstruct any criminal investigations and / or trials. To the opposite effect, given the nature of the proposed public inquiry, it can only benefit those as it is aimed to establish the failure of the integrity of the investigation and the seriousness of those. It is not for the trial (which is required to proceed on the assumption of unquestioned integrity of police) or, indeed, now the compromised itself police force, or the sham-functioning PCC office, to perform the inquiry into the very important questions that have gone much farther than the issue of the alleged corruption within Liverpool City Council. Any trial and the function of CPS will only benefit from establishing the issues inquired into by such a statutory process.
- vi. The enquiries invited to be made are extremely economic and amount to nothing more than requesting further and limited evidence documents from AAAPPP and those whose conduct its report concerns (DCI Rooney, Chief Inspector Andrew Cooke, Chief Constable Serena Kennedy). Indeed, if DCI Rooney has refused to provide a single response to the investigation of his conduct throughout more than five years since the first complaint against him was made in an unrelated case two months before Operation Aloft's start, it can only be right that he is asked to provide evidence and respond to the inquiry. Maybe he has a perfect explanation and defence to the concerns of his integrity, which he kept in secrecy for all these years? If so then the whole issue would fall apart. That would be so simple and great opportunity to preserve all the work done throughout five years of Operation Aloft's existence. The public demands that, after five years of silence and / or bare denial of the allegations of dishonesty against him being correct, DCI Rooney finally gives the response on *why* has he approved a wholly misleading court application in an unrelated case. But if there is no such response, how can any evidence collected under his direction and control trusted and any result of Operation Aloft withstand the scrutiny of integrity before even the CPS, let alone trial, is required to look into it on the assumption of its utmost integrity? This is a simple, economic and straightforward line of inquiry.

49. Beside that line of enquiry the public inquiry is invited to be made into the same questions that were asked by AAAPPP's report of 27 March 2023 (as cited in para 9 above) but refused to be responded by Merseyside Police for 18 months. The only question offered by AAAPPP to be replaced is the seventh one, being proposed to be as follows:

"7. Does the evidence of DCI Rooney's (and of the wider team of Economic Crime unit) dishonesty provided in the parallel and

unrelated to Operation Aloft case raise a reasonable concern of his and their honesty and integrity when dealing with evidence they have now collected for Operation Aloft?"

Conclusion

50. The public surveys performed by AAAPPP show that there is a strong public interest in looking into the matters highlighted by it. Whether the Home Office will follow the suit of Mrs Spurrell in brushing the issue under the carpet is a matter for the Secretary of State but AAAPPP respectfully assures that it will not let the matter go unnoticed and will go until the very end of the limits of this well-established axis of corruption within the UK police system. Anyone and anything covering it up falls precisely within the remit AAAPPP, which pursues by its actions the interests and wishes of the public. Those interests are so obviously betrayed, as follows from AAAPPP's public surveys.
51. The issue of tolerance to police corruption in matters that are perceived to be non-important and harmless at the onset, will always turn into tolerance to corruption in bigger matters, gradually escalating to the state where the whole country's system becomes involved, as long as each new instance chooses to brush the issue under the carpet. Operation Aloft is an example of that: enabling and cover-up of DCI Rooney's questioned integrity has led to a political scandal and poisoning a critical criminal investigation. Those who have allowed that corruption to happen, have now progressed within the system and one of them – Mr Andrew Cooke – has occupied a nationwide role.
52. AAAPPP does not act on behalf of any person subject of Operation Aloft and pre-assumes that one or more persons investigated very well *can* be guilty in whatever crimes suspected. However, that only makes the situation worse because justice cannot be done by the exercise of police powers poisoned by the reasonable concern of the integrity. A criminal guilt can only be proved when there is no doubt. But how can there be no doubt if the evidence is collected by those who are under wide allegations of altering / manipulating evidence before and have repeatedly failed to defend those allegations?
53. It follows, a very critical for the public interest investigation has been failed by Merseyside Police wholesale and it is a direct consequence of the tolerance of corruption by its ex-Chief Constable Cooke and its Chief Constable Serena Kennedy.
54. In all the circumstances listed above there is the strong public interest in inquiring into the procedural failures of handling Operation Aloft and that interest is only supported by the fact that the proposed inquiry can be done in an economic and straightforward way.