

Message

**From:** Mick F Matthews [GRO]  
**Sent:** 23/06/2010 07:43:00  
**To:** Robert Daily [GRO]  
**Subject:** Fw: Legal Rights Scotland

Robert

Could You give me a ring

**Regards**

**Mick F MATTHEWS**

Investigation Procedures and Standards Manager

**Royal Mail Letters Security**

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**Email:** [GRO] RMLS, 6a Eccleston St, London, SW1W 9LT

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----- Forwarded by Mick F Matthews/e/POSTOFFICE on 23/06/2010 08:42 -----

**Mick F Matthews** To: Scott Forsyth/e/POSTOFFICE@POSTOFFICE  
23/06/2010 08:23 cc: Garth McCarron/e/POSTOFFICE@POSTOFFICE,  
Rashid Sarwar/e/POSTOFFICE@POSTOFFICE, Robert  
Daily/e/POSTOFFICE@POSTOFFICE  
Subject: Re: Legal Rights Scotland

Scott

The issue started after John Friel brought the following article to my attention

[attachment "Times Newspaper.doc" deleted by Robert Daily/e/POSTOFFICE]

The rest of the story is detailed in yesterdays email timed at 15.46.

The suggested changes are in the "Draft" documents below

[attachment "7.4 Interviewing Suspects V2 Jun 10.doc" deleted by Robert Daily/e/POSTOFFICE] [attachment "GS002(S) Agreement to continue without Legal Advice V1 Jun 2010.doc" deleted by Robert Daily/e/POSTOFFICE] [attachment "Appendix 2 to P&S 7.4 Interviewing Suspects onTape QRG Scotland V1 Jun 10.doc" deleted by Robert Daily/e/POSTOFFICE]



**Regards**

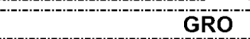

**Mick F MATTHEWS**

Investigation Procedures and Standards Manager



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
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 Rashid Sarwar

**Rashid Sarwar**

23/06/2010 08:08

To: Mick F Matthews/e/POSTOFFICE@POSTOFFICE  
cc: Scott Forsyth/e/POSTOFFICE@POSTOFFICE

Subject: Re: Legal Rights Scotland 

Mick,

I think it would be helpful if you were able to prepare a note outlining what we are doing and why we are doing it and covering off the input you have taken from various parties including ACPO(S), COPFS, Scottish Agents etc. I appreciate it would create a bit of extra work for you but it will aid understanding and Scott (and others) can use it as a reference when briefing his team about the changes. Additionally, it might be helpful if you could update the interview aide memoire so investigators have a guide. What do you think?

Happy to discuss.

thanks

Rashid

**Rashid Sarwar**


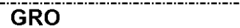
Head of Criminal Investigations (North)

**Criminal Investigations Team**

**Royal Mail Letters Security**

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** **

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 Mick F Matthews

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**Mick F Matthews** To: Scott Forsyth/e/POSTOFFICE@POSTOFFICE  
cc: Rashid Sarwar/e/POSTOFFICE@POSTOFFICE, Garth  
McCarron/e/POSTOFFICE@POSTOFFICE  
23/06/2010  
07:31 Subject: Re: Legal Rights Scotland 

Scott

Thanks for your feedback.

I can appreciate a degree of frustration when you have been following a system for years that seemed to work and now obstacles are put in your way. The thing is we want to make sure that all our convictions are safe and that any lines of challenge are minimised.

The two changes that are suggested have worked in England, Wales & Northern Ireland for many years. All investigators in the other jurisdictions tell suspects that they are not under arrest and are free to leave. Very few do.

If they do you will have to consider the best way of securing any available evidence and if an arrest is appropriate as the offence is serious and an arrest is necessary.

Further comments below in blue

**Regards**

**Mick F MATTHEWS**

Investigation Procedures and Standards Manager

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 Scott Forsyth

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**Scott Forsyth** To: Mick F Matthews/e/POSTOFFICE  
cc: Rashid Sarwar/e/POSTOFFICE@POSTOFFICE  
22/06/2010 Subject: Re: Legal Rights Scotland   
22:07

Mick,

You asked for feedback and I've summarised some initial thoughts

In addition to being informed of their right to legal advice, whenever a suspect, who is not under arrest, is cautioned, they should be **informed that they are not under arrest and that they are free to leave.** See Above

We don't arrest, therefore we have to inform everyone we interview that they are free to leave? but we'd prefer if they could stay to be interviewed under caution??? if we are to bring that in I'd prefer some guidance on the legalities rather than a simple change in policy. I am amending the Procedures and Standards to give further guidance and I should have them with you today.

Offering legal advice, not sure how we access the web site during an interview, do we all get phones with Internet access? I am not sure this point is serious but if it is the GS001(S) can be completed prior to the interview starting, or the interview can be suspended whilst you obtain legal advice, or you could even go to the interview with a pre-prepared list from the internet.

Are we (Royal Mail) going it alone on the changes or are other non Police reporting agencies doing likewise. Scotland is fairly unique and changes to legal issues like this are usually doomed to fail! aren't we in danger of bolting the stable before the horse has even considered its next move? Lets be progressive and show them the way.

Come 20th October if the decision fails do we revert back to the current position? if so what's the point changing? It would be an easy to go back to the current system. The point in changing is that for the next 4 months we ensure that suspects human rights are maintained.

Not sure where this is going, yet again "Best Practice" over legal necessity. Best practice in my view should always be encouraged.

Scott Forsyth  
Investigation Team Manager  
Scotland  
Royal Mail Letters  
Edinburgh Mail Centre, 11 Cultins Road, EDINBURGH, EH11 4YY

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External Email: **GRO**  
 Mick F Matthews

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**Mick F**

**Matthews** To: Garth McCarron/e/POSTOFFICE@POSTOFFICE  
cc: Rashid Sarwar/e/POSTOFFICE@POSTOFFICE, Scott  
22/06/2010 Forsyth/e/POSTOFFICE@POSTOFFICE, Robert  
17:15 Daily/e/POSTOFFICE@POSTOFFICE, Stephen L  
Johnson/e/POSTOFFICE@POSTOFFICE, John  
Friel/e/POSTOFFICE@POSTOFFICE, Alison  
Angus/e/POSTOFFICE@Exchange, Nigel  
Best/e/POSTOFFICE@Exchang  
Subject: Legal Rights Scotland

Garth

This is what I recommend goes out re Legal Advice Scotland.

**INVESTIGATION CIRCULAR 7 - 2010, INFORMING SUSPECT(S) OF THEIR LEGAL RIGHTS IN SCOTLAND, MANDATORY READING ALL RM GROUP SECURITY INVESTIGATIONS**


**Regards**

**Mick F MATTHEWS**

Investigation Procedures and Standards Manager

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