



Lord Armstrong of Iminster
House of Lords
London
SW1A 0PW

10 October 2018

Dear Lord Armstrong,

Thank you for your letters of 12 September and 1 October to me and Baroness Williams, and for taking the time to come to see me on 10 September with Lord Hunt, Lord MacGregor and Mr McManus. I valued the opportunity to hear your thoughts on Operation Conifer and the impact of its conclusions on the reputation of Sir Edward Heath. I particularly appreciate the careful consideration you have given to this matter which is reflected in the fresh proposal you have shared and for which I am grateful.

Let me begin by saying that I very much recognise that the inconclusive nature of the investigation's findings are unsatisfactory for everyone. However, you will appreciate that I need to think carefully about the proper role of Government in this sensitive matter.

I shall deal first with Operation Conifer more generally, before turning to your specific suggestion. I note that concerns have been expressed about some aspects of the investigation but I also note that it has been subject to considerable external scrutiny already: from its own Independent Scrutiny Panel which checked and tested the decision-making and approach in the investigation; from two reviews by Operation Hydrant in September 2016 and May 2017 which concluded that that the investigation was proportionate, legitimate and in accordance with national guidance; and from a review in January 2017 by HM Inspectorate of Constabulary (as it then was) of whether the resources assigned to the investigation by the Home Office were being deployed in accordance with value for money principles. The Independent Office for Police Conduct has also considered specific allegations related to the former Chief Constable. I do not think that there are grounds to justify review or intervention by Government.

The Police and Crime Commissioner (PCC) has suggested that there might be a role for Government given that the investigation was following national guidance. That guidance is, however, a matter for the police and the College of Policing has already been reviewing a number of issues related to such investigations.

As I think you would agree, the real issue here is not so much Operation Conifer itself, but the inconclusive nature of its findings and what you describe as "the cloud of suspicion that ...continues to hang over Sir Edward Heath's memory and reputation". The problem that

the police encountered was their inability to interview Sir Edward himself in order to secure his account of events. I have every sympathy, but that problem will of course remain and it is not clear to what extent a further review of the existing evidence by a judge or retired prosecutor would resolve this. It remains my view that the handling of this is properly a matter for the local PCC and that it would not be appropriate for me to seek to persuade him how he should go about it.

I am sorry to give you what I know will be a disappointing reply, but would like to assure you that I have reached my decision only after careful consideration of the issues. I remain grateful to you for the thoughtful and constructive approach that you and your colleagues have taken.

A handwritten signature in black ink, appearing to read 'S. Javid', with a small comma at the end.

Rt Hon Sajid Javid MP