

01 November, 2012

Chief Superintendent Ewan M Stewart
Professional Standards Department
Grampian Police
Bucksburn Police Station
Inverurie Road
Aberdeen
AB21 9AS

Dear Chief Superintendent Stewart

We are writing to you to ask you to please stop the misleading, self-serving and irresponsible letters we understand you are sending to members of the public who complain about Grampian Police behaviour as shown in our film *You've Been Trumped*. The letter we have seen is deeply insulting to us, but more important, it is further evidence that the police is trying to cover-up the truth.

Let us remind you of what we are talking about – the unprecedented, forcible arrest of two journalists, who were enquiring into a story of significant public interest: the cutting off of water to local residents, including an 85-year-old woman, by the Trump Organisation.

We will address the litany of outrageous statements you make in your letter later on. But first, let us start with what we agree on.

As you acknowledge in your letter, the events leading up to, and surrounding our arrest, are depicted fairly and accurately in *You've Been Trumped*: **"I am content that the manner in which these films have been edited does not materially alter the record of events"** is how you put it. You then write that:

"...there are some indications that the detention was carried out in a lawful and procedurally correct manner. Having reviewed all the available evidence, I can, however, understand why a member of the public could have perceived the Police actions within the documentary as being rash and confrontational and this has caused some concern."

You have, in your roundabout way, identified the central issues:

- 1) You view our arrest as an incident so trivial that all it requires is that you provide “managerial advice” to the officers involved.
- 2) The general public – with the same evidence in front of them - views the incident, and other examples of police behaviour, with horror.
- 3) The gap between how the public expects their police force to behave, and your own view, is so gigantic, that it obviously threatens public confidence in the police.
- 4) It is equally obvious that the matter can only be investigated by someone, or some body, that is not under the control of the very police force that continues to cover-up its own behaviour and continues to cast the blame, instead, on the victims and the messengers.

Now let us turn to the specific assertions you make in your letter:

“Neither Anthony Baxter nor any representative of Montrose Films were willing to meet with any representative of Grampian Police and they have declined to provide a copy of the film, make complaint about Police actions or assist with the investigation...It is disappointing that in order to establish what happened and make an assessment of Police actions during our response to this incident, we were unable to consider the views of the two most important witnesses, or view the unedited footage recorded.”

This outrageous attempt to blame the messenger simply beggars belief. Can we remind you of the following:

- Grampian Police made absolutely no effort to investigate our improper arrest in any manner whatsoever for more than 10 months, during which time the arrest was reported around the world, and was the subject of a scathing complaint by the National Union of Journalists.
- Anthony Baxter gave a full account of what happened on the Menie Estate to the arresting officers, evidence which you had full access to.
- Shocking clips of the arrest were readily available on YouTube and watched more than 100,000 times.
- The arrest was shown on a national news programme (Channel 4 News and on BBC Reporting Scotland News).

- The officer conducting your “investigation” didn't even bother to view the film when it played, at least 10 times, just a few blocks from your office in June 2011 amidst a blaze of national publicity.
- This same individual told us in writing that his job was to “manage complaints” against the force; his “findings” were as we expected, a laughable exercise in public relations.
- You are expecting us to hand over footage to a police force that put us both in a jail cell for no reason, impounded our footage for six days, and then lied about us to the media (see below)?

“Grampian Police have approached policing issues relative to the development in an impartial manner and in line with our Force values of transparency, accountability, impartiality, responsibility and integrity.”

The rest of your letter makes a mockery of this statement, as do the varied experiences of local residents who bear the brunt of intimidation and police bias. But may we also remind you that your police force lied to the media after the ludicrous criminal charges laid against us by your officers, had been thrown out by the Crown Office. At that time the Grampian Police press office told the media that “the allegations [against us] were corroborated by independent witnesses.” Given the publicity surrounding the case, and the fact that the language was written down in background notes, it is inconceivable that these words were not chosen carefully. Your own “investigator” concluded that this was indeed a falsehood, yet Grampian Police has still not retracted the statement despite our request. Is that your idea of responsibility and integrity?

“The Officers were presented with a difficult, unusual and challenging situation.”

Anyone who has viewed the film knows this is preposterous. We were simply conducting an interview with local resident Susan Munro at her own home when we were interrupted and arrested by police. All that had happened was that the police had received an unfounded complaint from a person working for the Trump Organisation, who was apparently nervous that the journalists, acting in an entirely professional manner (according to the NUJ) had uncovered evidence that the Trump Organisation had cut off water supplies to local residents and was making little effort to reinstate it. That may create a tight spot for the Trump Organisation. But how on earth is that a difficult or challenging situation for Grampian Police?

“It is unfortunate that the film did not include a statement from Grampian Police regarding the policing strategy employed and our emphasis upon impartiality.”

We are stupefied by the hypocrisy of this statement. As you are fully aware, we made a detailed request in writing for Grampian Police to answer charges made in the film, and received a one line response from your former head of communications Raymond Hainey, that “we’ll be unable to oblige.” To mislead the public into thinking you were open to cooperating with the filmmakers is reprehensible.

Your letter vindicates our belief all along that you and your colleagues are only interested in “managing” complaints, and not interested in the truth.

Grampian Police's refusal to admit any significant wrongdoing, and to continue to insist that there were grounds for our arrest, has encouraged the Trump Organisation to continue to wage an ugly public relations campaign. The Organisation has falsely accused us of hiding in bushes, lying in front of bulldozers, and of filming secret documents. If you were really impartial, and concerned about the impact of police actions on individuals, and on the free expression of ideas in Scotland, you would be setting the record straight, rather than looking for ways of justifying police actions that are blatantly indefensible.

Your letter only lends credence to the growing public perception that Grampian Police, the Scottish Government, and the Trump Organisation did indeed work closely together to the detriment of local residents, our natural environment, and the public's right to know. And are now doing their best to hide or obscure or ignore the truth.

Yours sincerely



Richard Phinney
Producer
Anthony Baxter
Director, You've Been Trumped (Montrose Pictures Ltd)