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Date: 30/06/2021

Our Ref: 2021BSU1075

Mr Tom Minogue
94 Victoria Terrace
Dunfermline
Fife
KY120LU



P Division
Dalgety Bay Police Station
Regent's Way
Dalgety Bay
KY119UY

Non Police Emergency = 101

Dear Mr Minogue

Broomhall House, Limekilns

I have been asked to carry out enquiry in relation to your emails dated 28th May, 22nd June and 29th June 2021 and to respond accordingly. I understand from your emails that you hoped to correspond or meet personally with Chief Constable Mr Livingstone, however I am sure that you appreciate in an organisation as large as the Police Service of Scotland, it is necessary for tasks to be delegated to appropriate representatives. You also seek an assurance that I am not a freemason. I can assure you that I am in no way associated to freemasonry, nor do I know a great deal about the subject. I consider myself to be impartial and objective, and I have no conflicts of interest in relation to your concerns.

In considering your questions I referred to previous correspondence with former Chief Constables of Metropolitan Police and Fife Constabulary. Your latest correspondence with police in relation to these matters appears to have been during 2009 and 2010, at which time you received written responses from representatives of Metropolitan Police and Fife Constabulary. At this time clear guidance was provided as to why neither force regarded the retention of artefacts at either Broomhall House, Limekilns or the British Museum as being criminal matters.

The essential elements of the crime of reset have not changed in the intervening period. Therefore to determine whether any action can be taken now that was not taken by my predecessors, I considered the new evidence that you provided. This new evidence consisted of a BBC News article related to the looting and burning of Yuanmingyuan. At no point during this article does the current Lord Elgin concede that any articles in his possession were previously obtained by dishonest means. This therefore does not materially change the information that you previously highlighted to police.

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I appreciate your stance that there has perhaps been a societal shift in terms of public feeling regarding such artefacts and the ways in which they were historically obtained. This indeed appears to be evidenced by the examples you have provided in relation to recent rulings and repatriation of artefacts. Nevertheless, this does not change the assessment made by the previous Chief Constables' offices (in consultation with the Area Procurator Fiscal) that there is no crime to investigate under Scottish Law. As such the Police Service of Scotland will not be undertaking any further investigation into the matter.

I would direct you to previous advice provided in a letter from Fife Constabulary on 20th August 2010, and invite you to direct any future correspondence in relation to this matter to The Right Hon. Angus Robertson MSP, Cabinet Secretary for the Constitution, External Affairs and Culture.

Yours sincerely

Inspector Tony Rogers
Community Police Inspector
Dalgety Bay Police Station

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