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David Linden MSP
Convener
Criminal Justice Committee
The Scottish Parliament
Edinburgh
EH99 1SP

19 November 2026

Dear Convener

POST-IMPLEMENTATION ASSURANCE REVIEW OF POLICE CONDUCT AND VETTING REFORMS

I am writing further to my appearance before the Criminal Justice Committee on 18 November, during its consideration of the motions to annul the Police Service of Scotland (Conduct) Amendment Regulations 2026 and the Police Service of Scotland (Senior Officers) (Conduct) Amendment Regulations 2026.

During that session, I committed to discussing with HM Inspectorate of Constabulary in Scotland (HMICS) the commissioning of an independent assurance review within this parliamentary session.

I have now written to HMICS to take that commitment forward, and I enclose a copy of that correspondence and the response received.

My intention is to use the formal power of direction available to Scottish Ministers under section 74(1) of the Police and Fire Reform (Scotland) Act 2012 to commission this work. Section 74(1) provides that Scottish Ministers may direct HM Inspectors of Constabulary to make inquiries about any matter relating to the Scottish Police Authority or the Police Service.

In doing so, I want to give the Committee and the relevant stakeholders a clear signal of my commitment to ensuring that these reforms are independently assessed once there has been sufficient time to judge their operation and effectiveness.
Given PIRC's enhanced role in relation to senior officer misconduct cases, I also intend that HMICS and PIRC should work together in considering how the review can appropriately encompass the operation of the senior officer provisions.

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This will allow the review to provide meaningful assurance across the wider package of conduct and vetting reforms, while respecting the respective statutory roles and independence of both organisations.

I hope this provides the Committee with the assurance it sought during the evidence session and demonstrates that I am taking practical steps to give effect to the commitment I made before the Committee.

NEIL GRAY

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Mr Craig Naylor
HM Inspectorate of Constabulary in Scotland

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18 November 2026

Dear Craig,

POST-IMPLEMENTATION ASSURANCE REVIEW OF POLICE CONDUCT AND VETTING REFORMS

As you will be aware, the Police Service of Scotland (Conduct) Amendment Regulations 2026 and the Police Service of Scotland (Senior Officers) (Conduct) Amendment Regulations 2026 were subject to motions to annul. I appeared before the Criminal Justice Committee today alongside the Chief Constable and Assistant Chief Constable Lynn Ratcliff to give evidence on the reforms.

The motion was not supported by a majority, and the Committee will therefore not recommend annulment to the Parliament.

During the evidence session, the Committee sought assurance that there would be a post-implementation review to assess the operation and effectiveness of the reforms introduced through those instruments. Members also expressed an interest in the review encompassing the Police Service of Scotland (Vetting) Regulations 2026, which introduced the new statutory vetting framework earlier this year.

I agreed that independent assurance would be valuable and made a commitment to discuss with you the possibility of HMICS undertaking an assurance review during this parliamentary session. Such a review would provide an important opportunity to assess whether the reforms are operating as intended, identify any emerging issues and support continued improvement across the conduct and vetting systems.

I would therefore be grateful if you could confirm whether HMICS would be willing, in principle, to undertake such a review. I would also welcome your professional assessment of the appropriate point at which to begin that work, allowing sufficient time for the new arrangements to become established and for a meaningful body of evidence to emerge, while ensuring that independent assurance is provided within a useful timeframe.

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Given the enhanced role of the Police Investigations and Review Commissioner in senior officer misconduct cases, I would also expect HMICS and PIRC to work together in determining how the review could properly encompass the operation of the senior officer provisions. My officials can work with both organisations to consider the appropriate basis and arrangements for that element of the review, including whether any formal steps may be required to support its delivery. The precise scope and methodology would, of course, be for the independent scrutiny bodies to develop, in consultation with relevant partners.

I intend to share a copy of this letter, and your response, with the Criminal Justice Committee.

I look forward to hearing from you.

NEIL GRAY

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Mr Craig Naylor
HM Chief Inspector of Constabulary

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Cabinet Secretary for Justice
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19 November 2026

Dear Cabinet Secretary

Assurance of (1) *Police Service of Scotland (Conduct) Amendment Regulations 2026*; (2) *Police Service of Scotland (Senior Officers) (Conduct) Amendment Regulations 2026*; and (3) *Police Service of Scotland (Vetting) Regulations 2026*

I refer to your letter of 18 November 2026 and yesterday's evidence session of the Criminal Justice Committee. The implementation of the new regulations and their impact is a matter on which I am content to provide assurance at an appropriate point, once their impact can be meaningfully assessed. It is my understanding that the conduct regulations will be enacted this month and take effect in 2027 and it will take some time to for there to be a body of evidence that can be scrutinised.

In the interim period we will work with Police Scotland to understand the training, awareness and upskilling of officers and staff across Police Scotland, the Scottish Police Authority and the Police Investigations & Review Commissioner. In due course we will consider in detail the use of the new regulations, the assessment of gross misconduct, the process of investigation, the impact on victims, complainers and subject officers as well as the outcomes being delivered by both sets of regulations. In terms of timing this will be dependent on the number of times the new regulations are used and the time taken to complete cases. In terms of the fast-track process, I would expect to be able to look at this more quickly and to understand the views of those who have been party to the process.

In relation to the vetting regulations, I am also able to commit to undertake assurance work on the new vetting regulations and the activity that is now taking place. It would be my intent to

commence this early in financial year 2027/28 which allows for a full year of vetting decisions and activity under the new regulations.

Yours sincerely

Craig Naylor
HM Chief Inspector of Constabulary