POLICE SCOTLAND
Keeping people safe
POILEAS ALBA

David Linden MSP
Convener
Criminal Justice Committee

By Email

Chief Constable

13 November 2026

Dear Convenor,

Instruments relating to Police Conduct Regulations

Thank you for inviting me to provide evidence to the Committee as part of its consideration of proposed police conduct regulations on Wednesday, 18 November.

Ahead of the session, I want to share my perspective on the proposed regulations and their potential impact on policing and public confidence in policing.

Policing in Scotland is highly trusted, and I want to maintain and build trust and confidence.

When officers commit crimes or serious breaches of our standards and values, it damages trust and hurts the vast majority of officers who serve with professionalism and courage.

There is a violence against women and girls emergency, with over 200 gender-based crimes reported on average each day across Scotland.

The impact of those crimes is devastating for victims, some of whom are police officers and staff. Understanding and improving the experiences of victims and survivors goes to the heart of the purpose and mission of Police Scotland.

Some of those crimes are committed by police officers and I am clear we will root out perpetrators.

Private Office: Police Scotland Headquarters, Tulliallan Castle, Kincardine, FK10 4BE
Email: CC.Office@scotland.police.uk

However, there are cases of proven criminality where the existing process has taken too long because of sub-optimal regulations. This can leave individuals who ultimately have no place in policing within the organisation for longer than they should be.

Right now, 11 officers convicted of offences, including eight convicted of violence against women and girls offences, remain employed with Police Scotland. In some cases, officers remain with Police Scotland for over a year after conviction.

There are other cases where there is incontrovertible evidence against officers which cannot be fast-tracked for dismissal under current arrangements.

This is intolerable to me, as Chief Constable, and would rightly be intolerable to the public.

Criminal proceedings and sluggish conduct arrangements which leave officers suspended, at times for years, have a welfare impact, a cost to the public purse, and reduce policing's overall deployable resource. We assess the annual cost of the 80 officers currently suspended to be approximately £4.5m.

The proposed regulations under the Committee's consideration modernise the police conduct regime, to accelerate hearings for the most serious cases and enhance transparency of outcomes.

I strongly support the focus on treating witnesses and complainers in a trauma-informed way.

The Scottish Government has concluded Superintending ranks should continue to chair conduct hearings for more junior officers, with consideration of fairness, proportionality, and privacy, while also enhancing transparency of outcomes.

As Chief Constable, I demand high standards in Police Scotland.

Chief Superintendents are key leaders in setting the tone and enforcing standards in our Service. They lead large numbers, at times thousands, of officers and staff across critical and complex police operations and investigations and delivery and accountability with local councils.

As part of their role, they have extensive experience and training and have been selected and promoted because they can assimilate information to make good decisions based on frameworks, procedures, advice, and judgement.

As national service, we have a broad cohort which can remove any perception of proximity bias.

Experienced legal Counsel provide additional high-quality training for those chairing conduct hearings.

Chairs benefit from an assessor also from the Superintending ranks and have access to a legal adviser throughout the process, which complies with all natural justice requirements and aligns with regimes in operation across the UK.

I demand high standards at Police Scotland. At the same time, appropriate safeguards are in place including a route of appeal for gross misconduct cases.

Private Office: Police Scotland Headquarters, Tulliallan Castle, Kincardine, FK10 4BE
Email: CC.Office@scotland.police.uk

Since 2024, of 132 proceedings there have been nine cases where an appeal tribunal has reached a different determination. In many cases, the determination upheld that the officer had grossly misconducted themselves, but that the sanction should be reduced, for example from dismissal to a final written warning.

Much has been said around differentiated regulations. I recognise there are differences, including legitimate additional focus on a small number of senior officers who have important positions of public visibility and accountability.

His Majesty's Chief Inspector of Constabulary in Scotland Craig Naylor has been clear an increased role of the Police Investigations and Review Commissioner in relation to senior officers is a significant and positive step which addresses any perceived proximity bias. The proposed senior officer regulations also provide for greater public transparency, not only for outcomes but for hearings.

As Chief Constable, my test is whether the proposed regulations can enhance public trust and confidence in policing and deliver swifter outcomes which treat witnesses in a trauma-informed manner, while maintaining fairness and appropriate safeguards.

On that basis, I welcome the proposed conduct regulations.

I look forward to meeting with the Committee to assist with your considerations.

Yours sincerely

Jo Farrell KPM
Chief Constable

Private Office: Police Scotland Headquarters, Tulliallan Castle, Kincardine, FK10 4BE
Email: CC.Office@scotland.police.uk