Justice Committee

Letter from Police Scotland to the Convener

I refer to your letter of 31 October 2013 on the above subject which was sent for the attention of DCC Shearer and provide the following by way of response.

My understanding is that you are aware that DCC Shearer assumed responsibility for investigating the complaints raised by the Justice for Megrahi Committee whilst he was the Chief Constable of the legacy Dumfries and Galloway Constabulary.

On 1 April 2013, as a result of changes following the introduction of Police Scotland, Mr Shearer assumed the rank of Deputy Chief Constable and continued with his investigation of the complaint. As the newly appointed DCC Designate for Police Scotland, however, I assumed ultimate responsibility for complaints about the police and as such, was provided with regular updates in respect of the progress of the investigation by DCC Shearer.

On 4 October 2013, Mr Shearer retired from the Police Service. Prior to his retirement, however, he provided me with a detailed briefing in respect of the status of his investigation and the impediment to him completing certain aspects of that investigation due to an identified conflict with the parallel criminal investigation. This information was confirmed by him to the Justice Committee in the letter dated 24 September 2013, referenced within your own letter.

I note your interpretation of the information that the deferment of the outstanding matters would only be for “a matter of weeks” would translate to being no more than a month and whilst I accept that expectations may have been raised by that non-specific timeframe, I have to advise you that the Senior Investigating Officer has confirmed to me that the conflict between the two investigations still exists and whilst no definite date can be provided when that situation will change, it is assessed as still being in weeks rather than months. The only undertaking that I can provide at this time therefore is to update you accordingly as and when that conflict has been resolved.

Whilst I acknowledge the frustration that this situation will undoubtedly bring, I trust that you appreciate that until such times as the conflict has been resolved, it would be inappropriate for the investigation into the Justice for Megrahi concerns to recommence.

Neil Richardson
Deputy Chief Constable
4 November 2013