

31<sup>st</sup> August 2015

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**LOCKERBIE AIR DISASTER – PE 1370 – JUSTICE FOR MEGRAHI (JFM)**

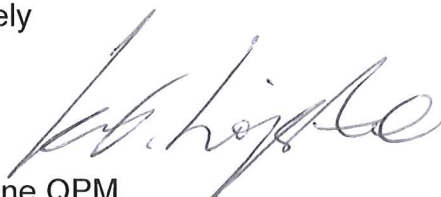
I refer to my previous correspondence on Police Scotland's response to the criminal allegations presented by Justice for Megrahi, and the assurance provided by the Chief Constable Sir Stephen House to provide the Justice Committee with updates on progress.

On 28<sup>th</sup> April 2015 I hosted a meeting at Tulliallan, between Police Scotland and the JFM Liaison Group. A summary of the meeting is enclosed for your information.

I wish to take this opportunity to provide my continued assurance that the police investigation into the allegations presented by JFM is progressing with due diligence and is both thorough and robust. The enquiry is fully independent and impartial and the engagement between Police Scotland and JFM remains positive and constructive. The liaison meetings are held on a bi-monthly basis and continue to provide a valuable mechanism for regular engagement.

I trust that you find this update to be useful and informative. Please do not hesitate to contact me should you require any further information or clarification.

Yours sincerely



Iain Livingstone QPM  
Deputy Chief Constable

## MEETING RECORD (Précis)

### Police Scotland and Justice for Megrahi (JfM)

Tulliallan: Tuesday 28<sup>th</sup> April 2015

#### Present:

**Justice for Megrahi (JfM):** Iain McKie; James Robertson.

**Police Scotland:** Deputy Chief Constable Iain Livingstone; Detective Superintendent Stuart Johnstone; Detective Chief Inspector Scott Cunningham.

**Apologies:** Len Murray

#### ..... Agenda

This is the seventh meeting held to facilitate liaison between Police Scotland and JfM in respect of the ongoing investigation by Police Scotland into JfM's complaint of 9 criminal allegations made in September 2012. This was particularly timely following the last meeting of the Justice Committee on 21st April 2015 where JfM proposed consideration of the principle of appointing an "independent prosecutor" to consider the forthcoming Police Scotland report.

DCC Livingstone introduced the meeting and welcomed those present whilst noting the apology sent by Len Murray.

All agreed that the regular liaison meetings were invaluable and vital to maintain the trust between both parties and withstand any scrutiny, but also to discuss progress and other matters raised particularly as the investigation moves forward.

Both parties acknowledged the recent meeting and discussions by the Justice Committee on 21st April 2015 and the media reporting of the public response from the Crown Office that the Lord Advocate "*will play no role in prosecutions linked to the Lockerbie bombing if a fresh police investigation unearths evidence of criminality by Crown Office staff*".

*(N.B. This was clarified further in a letter dated 8<sup>th</sup> May 2015 from the Lord Advocate to the Justice Committee Convener where he confirmed in relation to an independent prosecutor considering the forthcoming Police Scotland report, that arrangements were in place for an independent Crown Counsel who has not been involved in the Lockerbie case to deal with this matter if and when the need arises.)*

JfM re-stated their previous position that they were opposed to any involvement by the Lord Advocate or Crown Office and favoured the recent suggestion by Professor Robert Black that an "independent prosecutor" be appointed.

DCC Livingstone stressed that the appointment of an independent QC by Police Scotland was intended to enhance the professional integrity of the investigation.

DSU Johnstone stated that the overall scope of the enquiry had developed considerably and it was important that timescales should not be allowed to interfere with the thoroughness of the enquiry.

JfM expressed its satisfaction at receiving general updates on the progress of the enquiry and totally accepted that its detailed findings must remain totally confidential. They continued to have complete confidence in the police investigation.

DCC Livingstone confirmed that there had been no contact between the police and the Crown Office since 10th March 2014 and reiterated Chief Constable Sir Stephen House's commitment to this enquiry into JfM's legitimate allegations and the importance of public confidence in that enquiry.

The future "Appeal Court" hearing set by Lady Dorrian in relation to the SCCRC's referral for a decision on whether the victims' families have a "legitimate" interest was discussed. Although they have no direct involvement, JfM believes that the relatives have a 'legitimate interest' and hope that their application will be accepted by the High Court.

DSU Johnstone confirmed a new Interview Advisor had joined the team and after reviewing the work completed on allegation 1, she had moved onto assessing the report for allegation 8. She is now embedded to support the entire investigation.

JfM asked for an update in relation to all 9 allegations which was provided by DSU Johnstone.

## **Conclusion**

It was agreed that a confidential record of discussions be maintained and circulated to both parties. An agreed brief précis will be drafted by Police Scotland for agreement by JfM prior to Police Scotland passing this to the Justice Committee and JfM to their members.

Finally, Police Scotland assess that enquiries will continue until late summer 2015 when a further review will take place.