

11 March 2016

Christine Grahame MSP
Convenor, Justice Committee
Justice Committee Clerks
Room T2.60
The Scottish Parliament
Edinburgh
EH99 1SP



Deputy Chief Constable
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Dear Ms Grahame,

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

I refer to your letter of 3rd March 2016 seeking further information about Police Scotland's investigation into the allegations of criminality raised by the Justice for Megrahi (JFM) group.

Operation Sandwood was initiated in February 2014 to ensure an appropriate investigative response to the allegations of criminality presented by JFM. A full and robust investigation of the allegations has been undertaken, within a major investigation framework, resourced by a dedicated team of experienced investigators under the direction of a senior investigating officer.

I have retained executive oversight of the investigation throughout, maintaining ongoing engagement with JFM through regular liaison meetings. As you are aware, I have also provided regular updates to the Justice Committee on the content of these meetings.

The subject matter and issues raised by JFM in the nine allegations made are diverse in nature, resulting in a particularly protracted enquiry. It has required a detailed and methodical approach, to ensure the necessary rigour is applied to investigate the matters of complexity and sensitivity raised. As a result of the scale and complexity of the task, the investigation has taken longer than initially assessed. However, JFM members have been provided with regular updates on the progress of the enquiry during the liaison meetings and to my knowledge they recognise and accept the difficult challenges faced by the investigative team.

I can nevertheless confirm that the investigation has entered its final phase and we will be in a position to draw together the evidence and findings from the extensive enquires conducted. A detailed police report will be submitted by the senior investigating officer to me within the next two months.

Thereafter, to ensure the critical requirement of demonstrating independence from the Crown, the report and its findings will be scrutinised and assessed by the independent Queen's Counsel appointed by Police Scotland to provide independent direction and advice. The Q.C. appointed is an extremely experienced advocate and one who does not hold a commission from the Lord Advocate as one of his deputes. I cannot provide a definitive timescale to complete this process.

Police Scotland has taken robust steps to ensure the allegations made by JFM have been subject to thorough and rigorous investigation and have also recognised the critical need to demonstrate independence from the Crown Office through the appointment of an independent Q.C. We have also provided regular updates to both JFM and the Justice Committee to provide reassurance that the matters raised are being thoroughly and professionally investigated.

Please do not hesitate to contact me should you require any further information or clarification.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Iain Livingstone', written in a cursive style.

Iain Livingstone QPM
Deputy Chief Constable
Crime & Operational Support