

## MEETING RECORD

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

Tulliallan: Monday 7<sup>th</sup> July 2014

#### Present:

**Justice for Megrahi (JFM):** Iain McKie; Len Murray.

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

**Apologies:** James Robertson

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This is second 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.

DCC Livingstone introduced the meeting and reiterated the importance of this forum. It was appropriate and necessary for Police Scotland and JFM to have full and frank discussion on related matters and also to provide an update in relation to the 9 criminal allegations. He highlighted this was a unique arrangement which was uncharted and untested.

DCC Livingstone confirmed that steady progress was being made into investigating the 9 allegations, with independent legal advice and scrutiny in place to fully support Police Scotland in terms of the complexities of the matters under investigation, and to ensure absolute transparency.

He also confirmed that this and further updates to JFM would be as informative as possible, but highlighted it was not appropriate to provide partial updates, to avoid reporting back on an incomplete basis, particularly where emerging findings have not first been subject to legal scrutiny and consideration. Ultimately, once all the investigations are completed in relation to all of the allegations then the conclusion and findings will be provided to JFM.

DCC Livingstone confirmed Police Scotland had made a visible and active commitment to resource this as a major investigation, and one that was now well under way with a group of specially trained and experienced resources working to the MIRSAP principles with HOLMES capacity.

D/Supt Johnstone provided reassurance that the work completed by Mr Patrick Shearer would be a useful foundation to proceed and emphasised the investigative strategy and processes would withstand robust and intense scrutiny.

DCC Livingstone confirmed that appropriate security measures were in place by way of a confidentiality agreement with resources and alarmed and monitored premises.

JFM were extremely satisfied that they felt they were now being listened to and that progress was being made by Police Scotland, particularly as there was a clear structure, process and plan in place. JFM reiterated that they had trust in the Police to fully investigate the complaints.

D/Supt Johnstone provided a comprehensive update on each strand of the investigation so far, and focussed on the processes and procedures adopted. Significant progress has been made with the enquiry moving apace through detailed research and analysis, with the 9 criminal allegations had been separated into 5 categories as part of the overarching investigative strategy.

D/Supt Johnstone explained that the process adopted ensured a full and forensic examination of all relevant material was being undertaken and considered in respect of relevant legislation and guidance, and also in the context of evidence presented by experts and in academic reports. This approach is essential to satisfy the necessary level of scrutiny required in terms of the specific elements of this allegation.

Some categories will take considerable time due to a number of documents being in paper format and not on any electronic database.

A senior analyst has been appointed to critically analyse and examine all relevant material in what can only be described as a particularly complex area of work. JFM acknowledged the scale of the complexities of the different aspects of the enquiry, and reinforced their commitment to cooperate fully and share, where appropriate, experience and knowledge. This offer is welcomed by Police Scotland.

Brief discussion followed between both parties in acknowledgement of the recent submission of a fresh appeal to the SCCRC.

JFM re-iterated their continuing lack of trust in the Crown Office. DCC Livingstone confirmed the Crown Office had primacy over the live investigation to provide the appropriate direction as deemed necessary. However, it was highlighted that although the findings of the JFM investigation would be initially reported to the DCC Crime, with further independent legal scrutiny, ultimately these could be reported to Crown Office.

It was stressed by Police Scotland that there was complete transparency and independence in respect of the investigative work being progressed, which was fully acknowledged and complimented by JFM.

JFM confirmed the three aforementioned meeting representatives present at the meeting on 2<sup>nd</sup> April 2014 will provide the role of 'JFM Liaison Group' charged with responsibility for maintaining close police links and liaison.

Agreed by Police Scotland and JFM that they would mutually brief each other where they identified any speculative information or circulations elsewhere in respect of the investigation or the ongoing liaison between JFM and the police.

DCC Livingstone commented on the latest update provided to the Justice Committee by both parties, and the decision which confirmed the petition remained live and that the Justice Committee would maintain a watching brief.

In conclusion, JFM Liaison Group stated they were totally satisfied with the updates on progress so far, and agreed with the process to hold further meetings every 2 – 3 months, or as appropriate, and that a record of discussions is maintained and circulated to the relevant parties.

Both parties agreed that the discussions had been open, frank and extremely useful, and gave a commitment to build on this positive relationship.