



The Scottish Parliament  
Pàrlamaid na h-Alba

## Justice Committee

Philip Gormley QPM  
Chief Constable  
Police Scotland

By email

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7 September 2016

*Dear Phil,*

### **HMICS ASSURANCE REVIEW OF POLICE SCOTLAND'S COUNTER CORRUPTION UNIT**

Thank you for your letter of 26 July in response to my letter of 28 June, which I sent following that day's evidence session with HM Inspector of Constabulary for Scotland. I note in particular your helpful offer to provide detailed updates by correspondence on Police Scotland's ongoing work to address concerns raised by HMICS's review of the Counter Corruption Unit, and look forward to receiving these in due course.

However, now that Committee Members have had the opportunity to consider your letter, it was agreed that I should write to you, on behalf of the Committee, seeking further clarification in relation to two of the four matters on which I originally wrote to you.

### **Staff of Police Scotland who have submitted complaints about Counter Corruption Unit**

The Committee thanks you for the information contained in Annex B to your letter but has the following follow-up questions:

1. How many criminal complaints have been made against members of the CCU in relation to their duties?
2. What crimes or offences have been alleged in each complaint?
3. What is the current position with each criminal complaint?
4. How many allegations of misconduct have been made against members of the CCU in relation to their duties?
5. What misconduct has been alleged in each complaint?
6. What is the current position with each misconduct allegation?"

**Evidence to previous Justice Committee as to the status of the Emma Caldwell murder inquiry in April 2015**

In relation to my query as to the evidence of the Police Scotland witness before the last Justice Committee on 15 December 2015, I note that matters of possible relevance to this query have been referred to the complaints department.

In this connection, I note that the senior officer whose evidence my letter has queried has now retired from the force. I further note that my query requested further information into two factual matters that the Committee considers to be in the public interest. The first is whether Police Scotland agrees, as a matter of fact, that the evidence provided as to the "live" status of the Emma Caldwell murder inquiry in April 2015 was not accurate. The second is, whether, if so, Police Scotland considered taking any corrective action to help put the then Justice Committee right on this point after the evidence had been given.

Finally, I should be grateful if you would give further consideration to these two points with a view to furnishing the Committee with a response. In relation to the first of these, the Committee notes that Police Scotland has said that it accepts the findings in Mr Penman's review. This would seem to amount to indirect confirmation that Police Scotland agrees that evidence as to the live status of the murder inquiry provided on 15 December 2015 was not accurate. However, it would be helpful to have this expressly confirmed for the record.

I should be very grateful for a response by Friday 23 September.

*Best wishes*

A handwritten signature in black ink, appearing to read 'Margaret Mitchell', with a stylized flourish at the end.

Margaret Mitchell MSP  
Convener, Justice Committee