



The Scottish Parliament
Pàrlamaid na h-Alba

Justice Sub-Committee on Policing

Chief Constable Iain Livingstone
Police Scotland

By e-mail

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Dear Iain

Undercover policing – former Scottish Crime and Drug Enforcement Agency

I am writing to you concerning the findings of Lord Brailsford on 31 January 2019. Lord Brailsford found in favour of a former undercover police officer regarding her unfair treatment after she expressed fears that a colleague within the former Scottish Crime and Drug Enforcement Agency had compromised covert operations.

The judgement indicates that Police Scotland failed to take reasonable care in the duties it owed to its employees. This included not carrying out an appropriate investigation into the former officer's conduct and performance, misleading her, and treating her unfairly.

During consideration of this case, serious allegations of mismanagement and the possible misconduct of those working at the former Scottish Crime and Drug Enforcement Agency were raised. This included an instruction to destroy evidence.

The judgement indicates that further procedures may be required to assess the compensation the former police officer is due. I understand that Police Scotland has noted the judgement and are currently considering its terms.

The serious allegations made about the conduct of police officers are extremely concerning and it is essential that the public are reassured that Police Scotland are taking appropriate action. The allegations have been widely reported and are damaging to the reputation of Police Scotland. A view on whether Police Scotland accepts Lord Brailsford's judgement should therefore be announced as a matter of urgency, as well as an indication of Police Scotland's approach to addressing the matters of mismanagement and possible misconduct which were raised during this case.

It would be appreciated if you could confirm as soon as possible the course of action that Police Scotland intends to take, including any consideration that has been given to asking an external police force to investigate these matters. If so, it would be helpful to understand the terms of the proposed remit, responsibilities, and authority of the external force.

I look forward to your response in due course.

Yours sincerely

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

John Finnie MSP
Convener, Justice Sub-Committee on Policing