

**From:** [REDACTED] **On Behalf Of** Cabinet Secretary for Justice  
**Sent:** 05 October 2017 15:52  
**To:** McGillivray D (Donald); Cabinet Secretary for Justice; First Minister  
**Cc:** [REDACTED]; First Minister FMQs; Permanent Secretary; DG Education, Communities & Justice; Russell GE (Gillian); [REDACTED]  
McFarlane J (John); Lloyd E (Elizabeth); McAllister C (Colin); [REDACTED]  
Communications Justice; Communications First Minister  
**Subject:** RE: Official: Sensitive: Chief Constable

Don, Mr Matheson has noted.

Thanks

[REDACTED]

[REDACTED]

Private Secretary to the Cabinet Secretary for Justice

[REDACTED]

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**From:** McGillivray D (Donald)  
**Sent:** 05 October 2017 13:43  
**To:** Cabinet Secretary for Justice; First Minister  
**Cc:** [REDACTED]; First Minister FMQs; Permanent Secretary; DG Education, Communities & Justice; Russell GE (Gillian); [REDACTED]  
McFarlane J (John); Lloyd E (Elizabeth); McAllister C (Colin); [REDACTED]  
Communications Justice; Communications First Minister  
**Subject:** RE: Official: Sensitive: Chief Constable

Apologies, can anyone replying use this copy list as I had mistakenly put most people in the BCC line.

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**From:** McGillivray D (Donald)  
**Sent:** 05 October 2017 11:29  
**To:** [REDACTED]  
**Cc:** Cabinet Secretary for Justice; First Minister  
**Subject:** Official: Sensitive: Chief Constable

Cabinet Secretary for Justice  
PS/First Minister

Copy as above

A brief update on the Chief Constable position. The SPA Board met yesterday to conduct a review of the leave arrangement for the Chief Constable - they have a commitment to review this every 4 weeks, with the first 4 week period expiring tomorrow. They decided to continue the current leave arrangement [REDACTED]  
[REDACTED]

The fourth complaint remains under assessment and further information has been requested from the complainer. I am keeping in touch with SPA to make sure we are sighted on further developments as they arise. No new complaints have been received.

Don

Don McGillivray  
Deputy Director: Police Division  
Scottish Government  
1WR St Andrews House  
Edinburgh EH1 3DG  
[REDACTED]

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**From:** McGillivray D (Donald)  
**Sent:** 27 September 2017 09:50  
**To:** Cabinet Secretary for Justice; First Minister  
**Cc:** First Minister FMQs; Permanent Secretary; DG Education, Communities & Justice; Russell GE (Gillian); [REDACTED] McFarlane J (John); Lloyd E (Elizabeth); McAllister C (Colin); [REDACTED]; Communications Justice; Communications First Minister  
**Subject:** Immediate: Official: Sensitive: Chief Constable

Cabinet Secretary for Justice  
PS/First Minister

Copy as above

I have just heard from the Scottish Police Authority that they have decided to refer a further complaint against the Chief Constable to the Police Investigations and Review Commissioner. The referral will be made today, and PIRC will then make an assessment before commencing an investigation, at which point they normally put out a public statement. The fact that there is a third complaint has already been widely reported in the media but I nevertheless expect any PIRC announcement to attract significant attention. We will stay in close contact with PIRC about the timing and content of any announcement they plan to make.

The SPA Board is meeting tomorrow and the Chief Executive advises that they will need to discuss the situation regarding the Chief Constable's leave [REDACTED]. This will be done in closed session. The Chief Executive will let me know immediately if anything changes on that front.

SPA is also assessing a fourth complaint [REDACTED]. I have asked them to keep us informed of developments in that case.

Don

Don McGillivray  
Deputy Director: Police Division  
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[REDACTED]