



## **Police Investigation: Lord Advocate Rt Hon Dorothy Bain KC and Scottish First Minister Rt Hon John Swinney MSP**

**Crime Reference PS 20250706-1206**

**FAO Chief Constable Jo Farrell and Advocate General for Scotland Baroness Smith of Cluny KC**

Dear Chief Constable, Advocate General for Scotland, All

1. ASAP-NHS is required to file a follow up to our crime report of 04 July 2025 at Livingston Police Station. See attached crime report, Docs 1 and 2. This was against the SNP government minister Lord Advocate Bain, Solicitor General Charteris, and the head of their government SFM Swinney. The offences were for Scottish ministers constantly interfering with what must be independent of government judicial processes (e.g. by ECHR, HRA 1998, CRA 2005, JCSA 2008, PFRS 2012 etc etc.) As we pointed out at the time the matter was required to be referred to an external police force and to an independent special prosecutor. Has it been? The handling of the crime report requires its own criminal investigation by an external police force or by the National Crime Agency. What communications and involvement was there with Police Scotland and the Scottish government - Bain, Solicitor General Charteris, Crown Agent (John Logue and deputies), COPFS and SFM Swinney? At what stage is the independent criminal investigation into SNP ministers Bain, Charteris, Swinney, and others in the Scottish government? After an initial visit from a Detective Constable (22 July 2025) to ASAP-NHS it appears that the investigation into an unprecedented major crime has been blocked by Chief Constable Farrell. This with or without the interference by the ministers and their government department COPFS. Especially as Police Scotland were a victim of the major crime, we pointed out that the crime report must be investigated by an external police force. In this case the Scottish prosecution system is the offender it also has to go to an external (special) prosecutor. What has happened to it?

2.

If the chief constable did not refer the matter to an external police force (and/or a special prosecutor) that would involve Police Scotland in the unlawful shielding of the SNP government. This a gross failure to uphold the law and to act with unlawful bias. The chief constable cannot continue in office. The offences also involve the Scottish Police Authority. The chief constable constantly acts on unlawful instructions from SNP ministers, section 5 Police and Fire Reform (Scotland) Act 2012 etc. <https://www.legislation.gov.uk/asp/2012/8> The chief constable constantly acts with unlawful bias. They also fail to uphold the 2012 Act, and related offences. The Scottish Police Authority (SPA) commits similar offences including under section 1 Judiciary and Courts (Scotland) Act 2008 [www.legislation.gov.uk/asp/2008/6/section/1](http://www.legislation.gov.uk/asp/2008/6/section/1) The CC also without any independent evidence unlawfully closed down the investigation into one hundred unlawful deaths of babies a year in Bain's government NHS Scotland, Crime Report PS 20250207-1385.

3. The matters have escalated with Bain unlawfully interfering in the ASAP-NHS corporate homicide case against Bain's government over the c10,000 unlawful Covid-19 deaths. Police Scotland 20230301-1579 The chief constable is thereby shielding the SNP government in the run up to the Holyrood 2026 election. They are preventing a fair election; they demolish another pillar of democracy. The chief constable with the constant unlawful acting under the direction from Bain and the Scottish government have been conspiring with them. This with the massive delays on investigations such as on the SNP finances, patient safety deaths, the blocking of crime related to the SNP government's homicidal policies on public safety has unlawfully, patently and blatantly been involved in the interference with fair elections. Bain and Swinney's policy is to delay damaging criminal cases and the (QUEH infection deaths) Scottish hospitals inquiry until after the May 2026 Holyrood election.
4. We also have Bain unlawfully directing Police Scotland over the government's Queen Elizabeth University Hospital infection deaths. The legally required lead body is the independent regulator of dangerous pathogens/ infections - HSE. The deaths are the tip of an iceberg. There will be many more ongoing infection deaths across NHS Scotland. This is due to the Sturgeon-Leitch policy of disregarding the UK-wide legislation on dangerous pathogens (COSHH, HSWA, MHSWR etc.) This is now the homicidal policy of Cabinet Secretary Health Gray and SFM Swinney.
5. In Scotland it is Executive, the SNP Scottish government that runs and controls what must be independent judicial processes. This is SNP government's

prosecution system, its system of investigation of deaths – including most post-mortems (for comparison see the lawful HM Coroner system).

6. In Scotland there is not the separation of the powers. As the prosecutor the SNP government is unlawfully outside the constraints of the law. Without the separation of the powers there can be no rule of law.
7. Another shocker is that human rights law has never been implemented in Scotland. ECHR and the Human Rights Act 1998 are required by law but there has never been the action to comply with them. This results in gross failures in public safety with thousands of unlawful deaths in healthcare and related social care, of an unlawful justice system, and an unlawful system of government. The 'systems' of public safety, justice, and government fundamentally and extensively do not comply with ECHR Articles 1, 2, 3, 5, 6, 7, (8), 13, and 14 ; HRA 1998 Articles 2, 3, 5, 6, 7, 13, 14. [https://www.echr.coe.int/documents/d/echr/convention\\_ENG](https://www.echr.coe.int/documents/d/echr/convention_ENG) We are aware that here is a related case with the European Court of Human Rights. Existing ECtHR judgements prove the case.
8. We have the situation in Scotland of not having the rule of law, nor the protection of human rights, nor an independent judiciary, nor fair elections; we in Scotland are discriminated against by not having the ECHR/HRA protection that the rest of the UK have. Scotland unlawfully fails all the tests of being a democracy.
9. Uniquely I have been the regulator of all UK sectors. The SNP government's systems on patient safety, policing, justice, and government are the most unlawful, dangerous, dysfunctional, corrupt, and are mad. This current situation has been largely created by the SNP government failing and refusing to comply with the law. This with the successive Lord Advocates and the Scottish legal profession. The reality is that the Scottish justice system has no lawful existence (ECHR, HRA etc.) With the recent appearances and statements of Lord Advocate Bain at Holyrood over the Murrell case, the Scottish prosecution system has lost the illusion of credibility. In Scotland and the UK it has become a laughingstock.
10. The situation is of course unprecedented. However, it does fit within the defined role of the National Crime Agency. The crimes are extremely serious relating to thousands of unlawful deaths in Scotland. The crimes are systematically organised by the Scottish government and its ministers, its direct report NHS Scotland, and the directly government dependant Scottish courts and judiciary. The extreme cover-up of the crimes is by the Scottish government, Lord Advocate Bain and their COPFS under SFM Swinney, Police Scotland, and the compliant Scottish judiciary.

- 11.** The scandals continue like a constant avalanche. Recently we have:-
- 11.1** 12 February 2026 FMQ Swinney misleads parliament. He refers to the 'independent courts and judges' when they do not exist. The Scottish courts and judges are not independent, their work -the cases that they get and do not get, and most of the evidence in courts is controlled by SNP government via Bain, Charteris, their Crown Agent Logue, and their SNP-Scottish government department COPFS.
  - 11.2** 18 -25 February 2026 on, SNP minister Bain confesses that they 'forgot' that in March 2025 she had told SFM Swinney about the proposed indictment against former SNP CEO Peter Murrell. According to her own department COPFS, Bain had not followed procedures, see Criminal Procedures (Scotland) Act 1995.
  - 11.3** 23 February 2026 Bain's failure put the light on Criminal Procedures (Scotland) Act 1995. When the Scottish Office drafted the non-ECHR compliant Scotland Act 1998 it failed to address the consequences for the 1995 Act. Try reading it now. Substitute for 'Lord Advocate' the words 'Scottish government's Lord Advocate' The 1995 Act now seems to be fundamentally non-ECHR. It describes the type of justice system of 1930s Germany.
  - 11.4** Post-mortems are almost all controlled by SNP-SG Bain and Charteris. Breach ECHR/HRA Article 2 This is mad, barbaric
  - 11.5** AKI Deaths still no sign of any of the thousands of these deaths being investigated by Bain. Likewise none of the unlawful one hundred baby deaths a year are lawfully, i.e independently, investigated. There is no lawful body acting in Scotland. Breach Art [truncated in source document]

We attach a further background note doc 4 03 March 2026

Regards

**Roger M Livermore** co-lead ASAP-NHS

Ret HM Principal Inspector (8 titles), Crown Prosecutor, and regulator of police forces under the Police (Health and Safety) Act 1997.

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**cc:**

Dame Antonia Romeo DCB, Cabinet Secretary

Rt Hon Lord Hermer PC KC Attorney General

Rt Hon Douglas Alexander MP Secretary of State for Scotland

Rt Hon Ian Murray MP Secretary of State for Scotland

Rt Hon Kemi Badenoch MP

Kirsteen Sullivan MP Bathgate and Linlithgow

Opposition Leaders Holyrood

Stephen Parkinson Director of Public Prosecutions, Crown Prosecution Service

The Right Hon The Lord Reed of Allmuir, President of the UK Supreme Court

Chief Coroner Her Honour Judge Alexia Durran.

Gavin Stephens QPM Chief Constable Chair National Police Chiefs' Council (NPCC)