



CROWN OFFICE
25 CHAMBERS STREET
EDINBURGH EH1 1LA

Telephone: 0300 020 3000

Audrey Nicoll MSP
Convener of the Criminal Justice Committee
Scottish Parliament
Edinburgh
EH99 1SP

Sent by email: justice.committee@parliament.scot

04 May 2023

Dear Convener

Ongoing litigation in relation to the acquisition and administration of Rangers Football Club

I refer to previous correspondence relating to the ongoing litigation arising from the prosecution of various individuals in connection with the acquisition and administration of Rangers Football Club. As Solicitor General for Scotland, I have been issuing instructions to the independent legal team and counsel advising on these cases. The purpose of this note is to provide information in respect of the civil action raised by Craig Whyte against the Lord Advocate.

Mr Whyte raised an action against the Lord Advocate in November 2021 in which he sought reparation for loss of earnings and damage to reputation as a result of his prosecution, which he alleged was malicious. Mr Whyte's claim was for £500,000 and the Lord Advocate defended this action on both liability and quantum.

The matter was sisted until February 2023 pending the outcome of the action raised by David Grier against the Lord Advocate. In the case of David Grier, a proof before answer was heard by Lord Tyre and it was found that Mr Grier had not been the victim of a malicious prosecution. In December 2022, the Inner House refused his reclaiming motion and adhered to the Lord Ordinary's interlocutor.



On 15 March 2023 Mr Whyte's agents contacted SGLD proposing a disposal of his action. On 2 May 2023, the court issued the final interlocutor absolving the Lord Advocate from the conclusion of the summons and finding no expenses due to or by any party. The proceedings in this action are now formally at an end.

Both the Lord Advocate and I are committed to further accountability and a process of inquiry once all legal proceedings have concluded.

Yours sincerely

A handwritten signature in black ink that reads "Ruth Charteris". The signature is written in a cursive, flowing style.

RUTH CHARTERIS, KC