

Emails

From: [Redact]
Sent: 05 February 2020 19:31
To: Nicolson S (Stuart) Special Adviser
Subject: Re: URGENT - PRIVATE

Dear Stuart,

I've spoken to you at length about what we are publishing - and given you examples.

There is sufficient information there for you to provide a comment.

You are asking me to reveal the name of a child, which we won't do.

Will you be making a comment or not?

Kind regards,

[Redact]

[Redact] | The Scottish Sun | Guildhall | 57 Queen Street | Glasgow | G1 3EN | Tel: [Redact]



On Wed, 5 Feb 2020 at 19:23, Stuart Nicolson, Special Adviser, wrote:

[Redact],

Re our recent telephone discussions, I would like to make the following points:

1. We request the material you are basing this story on to be emailed across to us as soon as possible. Given the nature of the story you intend to run, we believe there is an overriding moral obligation to share this material in order for us to be in a position to offer any form of substantive response or view.

2. I appreciate the question has already been asked and answered verbally, but we would request a written reply confirming that the material has been obtained by legitimate means and with the permission of the individual you refer to.

3. Given you yourself state that there is nothing illegal or unlawful in the messages, can you advise on your justification for publication, given the intrusion into private and family life, and correspondence including digital communication.

4. Can you advise on the name of the individual.

We require answers as soon as possible in order to consider our response.

Thanks,

Stuart

Stuart Nicolson – Head of Communications & Senior Political Spokesperson

First Minister of Scotland
St Andrew's House, 4N.06
Edinburgh, EH1 3DG

From: Nicolson S (Stuart) Special Adviser
Sent: 06 February 2020 08:09
Subject: STATEMENT FROM DEREK MACKAY

STATEMENT FROM DEREK MACKAY

Derek Mackay said:

“I take full responsibility for my actions. I have behaved foolishly and I am truly sorry.

“I apologise unreservedly to the individual involved and his family.

"I spoke last night with the First Minister and tendered my resignation with immediate effect.

"Serving in government has been a huge privilege and I am sorry to have let colleagues and supporters down."

Accepting Mr Mackay's resignation, First Minister Nicola Sturgeon said:

"Derek has taken full responsibility for his actions and apologises unreservedly for them to the individual involved and to those he has let down. He has submitted his resignation as a government minister which I have accepted.

"Derek has made a significant contribution to government, however he recognises that his behaviour has failed to meet the standards required.

"The Minister for Public Finance, Kate Forbes, will present today's Scottish Government budget setting out our actions to support the economy, back our people and public services and tackle the climate crisis, and that remains my government's focus."

Stuart Nicolson – Head of Communications & Senior Political Spokesperson

First Minister of Scotland
St Andrew's House, 4N.06
Edinburgh, EH1 3DG
[Redact]

Scottish Ministers, Special advisers and the Permanent Secretary to the Scottish Government are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

Phone Calls and Text Messages

The First Minister made 4 phone calls to one adviser during the evening of 5 February, resulting in 2 conversations, and 2 phone calls to Ministers, resulting in 1 conversation. The First Minister received one phone call from a Minister.

The First Minister's Senior Political Spokesperson made 2 phone calls during the evening of 5 February, resulting in 2 conversations. 3 text messages were sent and 2 were received.

Phone Number outward	Phone Number inward	Time call made	Duration	Date
[Redact]	[Redact]	17:25	Text	5/2/20
[Redact]	[Redact]	17:47	9 mins 13 secs	5/2/20
[Redact]	[Redact]	18:28	29 secs	5/2/20
[Redact]	[Redact]	19:23	Text	5/2/20
[Redact]	[Redact]	19:33	Text	5/2/20
[Redact]	[Redact]	21:22	Text	5/2/20
[Redact]	[Redact]	21:28	Text	5/2/20
[Redact]	[Redact]	23:19	4 mins	5/2/20
[Redact]	[Redact]	23:30	2 secs	5/2/20
[Redact]	[Redact]	23:30	4 secs	5/2/20
[Redact]	[Redact]	23:30	41 secs	5/2/20
[Redact]	[Redact]	23:31	3 mins	5/2/20
[Redact]	[Redact]	23:47	9 mins	5/2/20
[Redact]	[Redact]	23:58	10 mins	5/2/20

A further phone call took place around 7am on the 6 February between an adviser and a junior Minister. We do not hold call log details for this.