

## OFFICIAL-SENSITIVE

Mo Rooney  
Strategic Commercial Interventions Division  
[Redacted]

Frances Pacitti  
Transport Scotland  
[Redacted]  
8 February 2022

Cabinet Secretary for Finance and the Economy  
Minister for Transport

### **Audit Scotland: New ferries for the Clyde and Hebrides, arrangements to deliver vessels 801 and 802 - update on draft clearance report**

#### **Purpose**

1. To update you on Audit Scotland's audit of the arrangements to deliver vessels 801 and 802 and to outline proposed communications plan.

#### **Priority**

2. Routine

#### **Background**

3. Audit Scotland is looking at arrangements to deliver vessels 801 and 802. Its review covers the period from contract award by CMAL to FMEL to date. The overall aim of the current audit is to provide an independent assessment of the initial and new arrangements to deliver the two vessels. The audit seeks to examine:
  - a. whether CMAL and Transport Scotland put appropriate arrangements in place at the outset to ensure the project was delivered to time, cost, and quality,
  - b. the extent to which CMAL, Transport Scotland and the Scottish Government responded appropriately to resolve issues,
  - c. the new arrangements that the Scottish Government has put in place to complete the vessels, and
  - d. whether FMPG is on track to deliver the vessels within the new budget and timescales.

#### **Audit Process**

4. After conducting a scoping exercise, in June 2021 Audit Scotland started conducting an audit, engaging with the four public sector organisation involved in the project (Scottish Government, Transport Scotland, FMPG, and CMAL) and reviewing key materials. In September 2021, Audit Scotland held an emerging message meeting with all four organisation, outlining early findings of the audit. In November 2021, Audit Scotland shared an early draft report with all four

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organisations for review, requesting high level feedback on the accuracy of the preliminary findings.

5. On 18 January 2022, Audit Scotland produced the clearance version of the audit report '*New ferries for the Clyde and Hebrides, arrangements to deliver vessels 801 and 802*'. In line with Audit Scotland's standard process, clearance meetings were held with all four organisations. Written comments have been invited from each of the four public bodies' Accountable Officers on the factual accuracy of the report, by 8 February 2022. Responses will be submitted by each of DG Economy, the Chief Executive of Transport Scotland, the Chief Executive of CMAL, and the Chief Executive of FMPG, to reflect distinct AO responsibilities.
6. The finalised audit report is due to be released by Audit Scotland on 23 March 2022. However, we understand that Audit Scotland may share extracts of the final draft report with Mr Jim McColl and other named third parties before publication. This broader distribution of the final draft creates a possibility that the contents of the report may make their way into the public domain in advance of formal publication.
7. Ministers will be aware that there remain calls for a full public inquiry into vessels 801 and 802 and the Scottish Government's intervention at Fergusons. It may be that the process of the Audit Scotland review is itself called into question as part of that debate. While officials are satisfied that the review has been undertaken independently, with all parties engaging openly and constructively, we are nonetheless mindful of the need to ensure that there is no perception of political influence on the outcome of the report. For that reason, **officials are not at this stage inviting Ministers' comments on the factual accuracy of the report, nor on the proposed terms of Accountable Officers' responses. We are sharing the draft clearance report with you for reference only**, and seeking your views on the proposed communication plan.

### Key Point from Clearance Report

8. The clearance draft report highlights a number of key messages and recommendations. The clearance draft report is provided at Annex A for reference. The draft does not raise any substantive new issues, with identified areas for improvement already under consideration and, in some cases, having been implemented. Key messages to note are as follows:
  - Project Management. Various comments are made around the clarity of reasons for Ministerial decisions at the point of contract award, the project management and governance applied by Transport Scotland and the timing of written updates to Ministers. While we accept some of the areas for recommended improvement, we will respond to highlight the likely low contribution of some of the issues raised to outcomes including contractor failure.
  - BIMCO Contracts. Audit Scotland questions the suitability of the standard BIMCO contract used for vessels 801 and 802, including payment milestones and contractual remedies. We anticipate that CMAL will offer a robust

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explanation of the benefits of the standard contract and risk of material departure from the international standard to future procurement exercises.

- Although FMPG have implemented some significant operational improvements, there are still significant risks to the current delivery programme for vessels 801 and 802, and a considerable amount of work is required to achieve the current targets. The report states that FMPG and the Scottish Government are confident, but cannot guarantee, that the vessels will be delivered within the additional budget of between £110.3-114.3 million.
- FMPG's quarterly updates to the Scottish Parliament are less detailed, and present a more positive picture of progress than the Scottish's Government's monthly updates to Scottish Ministers. [Redacted]
- The relationship between FMPG and CMAL was highlighted, the report concluding relations have been good, with some frustrations emerging. Scottish Government are encouraged to facilitate open discussions between both parties, and to improve scrutiny and transparency ensuring all parties have access to key progress information.
- Scottish Government conducted inadequate due diligence ahead of the acquisition of the yard.

### **SG Position on Clearance Report**

[Redacted]

10. [Redacted]

11. [Redacted]

12. [Redacted]

- [Redacted]

[Redacted]

- [Redacted]

Difference in tenor of FMPG reports to Parliament and Scottish Government reports to Ministers

13. As Ministers are aware, FMPG were in the latter part of 2021 implementing a planning improvement programme. A key output from this work was to be, and has been, improved performance data, allowing more objective assessment of progress towards delivery of the vessels by the FMPG Board and others.
14. Since June 2021, CMAL and FMPG have reported differences of opinion on progress and deliverability of the vessels. In the absence of objective data on which to base the discussion, the businesses' respective views were based on their professional experience and competence. Scottish Government have been working with FMPG and CMAL for some time to support them in mediating their differences of opinion. FMPG were confident that the availability of improved progress data from December 2021 would mitigate CMAL's concerns.
15. The first quarterly update to Parliament by Ferguson Marine was submitted in March 2021. The Board of FMPG have since September 2021 explicitly endorsed the Turnaround Director's position in the quarterly update and have provided Ministers with assurance as to the content of that update.
16. The benefits of the planning improvement process have been realised since end November 2021, with the December 2021 progress report from FMPG (and CMAL's report on that) being the first which is informed by the full data package. December is therefore the first month in which FMPG and CMAL have had the same starting point for their assessments. The December report provided to us by CMAL, and our discussions with them on this report, suggest that CMAL's concerns have been reinforced by the additional information that they are now able to access.
17. The CMAL/FMPG Board to Board meeting planned for 15 February 2022 presents an important opportunity for a strategic discussion between the businesses on their differences of opinion on progress and agreement on next steps.
18. Ministers have already asked that the FMPG Board provide Ministers with a briefing in short order after this meeting. This was on the back of the assurance which Ministers sought from the Chair of the FMPG Board when Ministers met with him on 17 January 2022, that the FMPG Board is listening to the concerns of CMAL and, where appropriate, acting on those.

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19. Ministers may wish to ask that the Board to Board meeting specifically seek to mediate the differences between the positions of the businesses on deliverability of the schedule and report back on this.
20. In follow up to the meeting on 15 February 2022, and subsequent briefing to Ministers by the FMPG Board, Scottish Government will provide Ministers with advice on proposed next steps and action which Ministers may wish to take.

### Inadequate due diligence

21. Scottish Government did undertake due diligence ahead of the decision to nationalise Ferguson Marine. The scale and nature of the turnaround of the business required, and the failings in relation to the delivery of the ferries projects, were though of greater significance and complexity than could have been anticipated given the due diligence we were able to undertake. This is not unusual in the acquisition of a distressed asset. In this context, there is a constrained time within which interested parties must undertake their due diligence whilst also preserving the value of the business. A business with limited cash resources is not able to trade in a manner which preserves its value (providing assurances to customers, settling supplier payments on time etc.) for an extended and undetermined time. This is especially the case where the acquisition (and Administration) is not being driven by the Management of the business, which was the case with FMEL. In this context, access to information and to the yard was limited and further constrained the due diligence – particularly operational and structural due diligence - that could be undertaken. The Turnaround Director has said that the Ferguson Marine turnaround has been the most challenging of his career, in both complexity and scale.

### Framework Document

22. The draft report rightly notes that the Framework Document for Ferguson Marine is currently in draft form. Officials expect to have completed the clearance process for the Framework Document ahead of the publication of the final report, and will make Audit Scotland aware of this.

### **Feedback from clearance meeting with Audit Scotland on 26 January 2022**

23. The Clearance meeting held between Scottish Government and Audit Scotland on 26 January, allowed for an open discussion on any concerns Scottish Government had on points made in the report, ahead of the written response.
24. [Redacted]

25. [Redacted]

26. [Redacted]

27. [Redacted]

28. Audit Scotland confirmed the report will include the most up to date information on the HCCI case and progress on the delivery of the vessels as it becomes available.

### **Communications and Handling**

29. Following receipt of Accountable Officers' responses, the Auditor General will finalise his report, for publication on Wednesday 23 March 2022. [Redacted]

30. Reactive Q+A will be developed now, for use in the event that extracts of the draft report make their way into the public domain in advance of the final report being published. These will respond to the substantive issues raised, but will defer to the conclusion of the Audit Scotland process.

31. [Redacted]

### **Recommendation**

32. Ministers are asked to note the content of this submission and proposed handling plan. Officials would be happy to discuss in further detail if that would assist.

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**Mo Rooney  
Strategic Commercial Interventions Division**

**Frances Pacitti  
Transport Scotland  
8 February 2022**

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Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Cabinet Secretary for Finance and Economy	X				
Minister for Transport	X				
Cabinet Secretary Net Zero, Energy and Transport			X		X
Minister for Business, Trade, Tourism and Enterprise					

<p>Permanent Secretary                  DG Economy                  DG Net Zero                  Chief Executive Transport Scotland                  Reuben Aitken                  Mo Rooney                  [Redacted]</p> <p>Frances Pacitti                  [Redacted]</p> <p>Leanne Dobson                  John MacFarlane                  Kate Higgins                  [Redacted]</p> <p>Comms Finance and Economy                  TS Comms</p>
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**Audit Scotland – New ferries for the Clyde and Hebrides: arrangements to deliver vessels 801 and 802 – Draft Clearance Report**

[Redacted]

**From:** [Pacitti F \(Frances\)](#)  
**To:** [Minister for Transport](#)  
**Subject:** RE: Ferguson Marine - Audit Scotland Report & Proactive Publication  
**Date:** 15 March 2022 17:18:00

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[redacted]

To a reduced copy list. It is still not clear whether Ms Forbes will make a statement on Fergusons next week. I understand that this was discussed at Cabinet this morning, but I await confirmation.

That aside, officials are working with SG colleagues to arrange reactive comms and Q+A. The AS report addresses issues which impact on both Ms Forbes' and Ms Gilruth's portfolio interests, so we will have to determine in whose name reactive responses are issued when we see the nature and context of specific questions. But the narrative will be consistent.

Fran

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**From:** [redacted] **On Behalf Of** Minister for Transport

**Sent:** 15 March 2022 14:14

**To:** Pacitti F (Frances) <Frances.Pacitti@transport.gov.scot>; Minister for Transport <MinisterFT@gov.scot>

**Cc:** Cabinet Secretary for Finance and Economy <CabSecFE@gov.scot>; Chief Executive Transport Scotland <ceo@transport.gov.scot>; [redacted] )

[redacted]

Rooney M (Maureen)

<Maureen.Rooney@gov.scot>; [redacted]

**Subject:** RE: Ferguson Marine - Audit Scotland Report & Proactive Publication

Hi Fran,

Thanks for the update – Ms Gilruth has noted.

For clarity, the Minister has asked whether the comms/media surrounding Audit Scotland report will be primarily handled by Ms Forbes and officials? I do note  
[redacted] comment below that officials are drafting lines specifically on TS elements

of the report.

Many thanks,

[redacted]

[redacted]

The Scottish Government | St Andrew's House, Edinburgh, EH1 3DG

Email: [MinisterFT@gov.scot](mailto:MinisterFT@gov.scot)

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**From:** Pacitti F (Frances) <[Frances.Pacitti@transport.gov.scot](mailto:Frances.Pacitti@transport.gov.scot)>

**Sent:** 14 March 2022 06:43

**To:** Minister for Transport <[MinisterFT@gov.scot](mailto:MinisterFT@gov.scot)>

**Cc:** Cabinet Secretary for Finance and Economy <[CabSecFE@gov.scot](mailto:CabSecFE@gov.scot)>; Chief Executive Transport Scotland <[ceo@transport.gov.scot](mailto:ceo@transport.gov.scot)>; [redacted]

[redacted]

Rooney M (Maureen)

<[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>; [redacted]

**Subject:** RE: Ferguson Marine - Audit Scotland Report & Proactive Publication  
[redacted]

An update to [redacted] email below.

I had a discussion with the Minister and Kate recently in which we agreed that some proactive statement on the AS report may be beneficial, given the anticipated interest in the delivery of the vessels and wider implications for the network. However, officials in the Strategic Industrial Assets Division who lead on Fergusons and delivery of vessels 801 and 802 have confirmed that, following discussion with Ms Forbes, Ms Forbes is not minded to make a proactive statement. I am copying Ms Forbes office and SG colleagues for awareness. Ms Gilruth has indicated that she is minded to make a statement on ferries this term. I will pick up with Kate on timing, but that could include issues raised in the AS report, which will no doubt be raised if not proactively addressed. That will be a useful opportunity to highlight benefits of ongoing investment in the network as a practical application of the lessons which have already been identified from 801 and 802.

Fran

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**From:** [redacted]

**Sent:** 11 March 2022 17:41

**To:** Minister for Transport <[MinisterFT@gov.scot](mailto:MinisterFT@gov.scot)>; Pacitti F (Frances)

<[Frances.Pacitti@transport.gov.scot](mailto:Frances.Pacitti@transport.gov.scot)>; [redacted]

**Cc:** Chief Executive Transport Scotland <[ceo@transport.gov.scot](mailto:ceo@transport.gov.scot)>; [redacted]  
[redacted]

**Subject:** RE: Ferguson Marine - Audit Scotland Report & Proactive Publication  
[redacted]

I think this is mainly for Ms Forbes and SG colleagues to lead on. The elements we are publishing as part of the package are [redacted] letter in response the factual accuracy checking of an earlier draft of the AS report (some of which is now likely addressed in the final version) and may produce some notes of the Network Strategy Group where these vessels are discussed.

There will also likely be a formal response or action plan in response to the report but I'm not sure on the procedure and timing around this.

The Minister is of course welcome to review and clear any of this if she wished – but really this is just a pre-emptive exercise that will be handled along the same lines as FOI.

We have also started drafting reactive Q&A/Press lines for the TS elements of the report and will refine these further once we see the final draft (24hrs before publication on 23 March).

Let us know if anything further is needed at this point. I'm on leave from this evening but colleagues will be able to pick this up.

Have a great weekend.

[redacted]

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**From:** [redacted]

**On Behalf Of** Minister for Transport

**Sent:** 11 March 2022 16:50

**To:** [redacted]

Pacitti F (Frances)

<[Frances.Pacitti@transport.gov.scot](mailto:Frances.Pacitti@transport.gov.scot)>; [redacted]

**Cc:** Minister for Transport <[MinisterFT@gov.scot](mailto:MinisterFT@gov.scot)>

**Subject:** Ferguson Marine - Audit Scotland Report & Proactive Publication

Hi all,

Ms Gilruth has sought confirmation that Ms Forbes will be leading on the handling surrounding publication of the Audit Scotland report, and proactive publication of documents on delivery of 801/802, including comms?

Would be grateful for some advice on what role (if any) the Minister is expected to play around this?

Many thanks

[redacted]

The Scottish Government | St Andrew's House, Edinburgh, EH1 3DG

Email: [MinisterFT@gov.scot](mailto:MinisterFT@gov.scot)

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[redacted]

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**From:** [redacted]  
**Sent:** 28 March 2022 10:34  
**To:** [redacted]  
**Cc:** [redacted]

**Subject:** Rooney M (Maureen); [redacted]  
RE: Communications Plan - Audit Scotland Report and Parliamentary Statement on Ferguson Marine

Good morning [redacted]

The action relating to “proactive release response briefing” which is actually a Q&A for the proactive release, can now be marked as complete. However, we will continue to review and update this as required.

Thanks

[redacted]

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[redacted]

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**From:** [redacted]  
**Sent:** 25 March 2022 17:33  
**To:** [redacted]

Rooney M (Maureen)

<Maureen.Rooney@gov.scot>

**Subject:** RE: Communications Plan - Audit Scotland Report and Parliamentary Statement on Ferguson Marine

Hi [redacted]

The action on [redacted] is still ongoing at this stage.

Many thanks

[redacted]

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[redacted]

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From: [redacted]  
Sent: 25 March 2022 15:17  
To: [redacted]

Rooney M (Maureen)

<[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>; [redacted]

**Subject:** RE: Communications Plan - Audit Scotland Report and Parliamentary Statement on Ferguson Marine

Colleagues

Please find below a list of outstanding actions:

Policy to check in with all stakeholder on any comments or media interest, to ensure next week's FMQ relates to questions being asked.	[redacted]
Proactive release response briefing	[redacted]
AO template follow up/ Financial assurance work	[redacted]
	[redacted]

If any of these actions are now complete please let me know.

Also if there are any other outstanding actions that have not been recorded in the Action Tracker, please do get in contact.

[redacted]

[redacted]

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From: [redacted]  
Sent: 18 March 2022 17:53  
To: [redacted]

Rooney M (Maureen) <[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>

**Subject:** RE: Communications Plan - Audit Scotland Report and Parliamentary Statement on Ferguson Marine

Evening

Please find attached the timeline which was mentioned at this morning's meeting.

Grateful for your thoughts on any improvements that would help.

I am also happy to make changes as required over the course of the week, so please do give me a shout.

[redacted]

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**From:** [redacted]  
**Sent:** 18 March 2022 16:59  
**To:** [redacted] Rooney M (Maureen) <[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>; Aitken R (Reuben) <[Reuben.Aitken@gov.scot](mailto:Reuben.Aitken@gov.scot)>; Director for Covid Business Resilience and Support <[DirectorCOBRAS@gov.scot](mailto:DirectorCOBRAS@gov.scot)>; [redacted]

**Cc:** [redacted] Communications Finance & Economy <[CommunicationsFinance&Economy@gov.scot](mailto:CommunicationsFinance&Economy@gov.scot)>; [redacted] SCI : Rapid Response <[DLECONBCBRSRR@gov.scot](mailto:DLECONBCBRSRR@gov.scot)>  
**Subject:** RE: Communications Plan - Audit Scotland Report and Parliamentary Statement on Ferguson Marine

Hi all

Thanks for your time earlier today. Just to flag we will send the attached comms plan to cab sec this afternoon alongside our usual weekly planner as there are a number of things at play next week so good for her to consider this in the round of wider issues.

Shout up if any concerns?

Thanks  
[redacted]

Communications Team Leader | News: Finance and the Economy  
The Scottish Government, St Andrew's House, Edinburgh  
[redacted]



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**From:** [redacted]  
**Sent:** 17 March 2022 16:00  
**To:** Rooney M (Maureen) <[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>; [redacted] Aitken R (Reuben) <[Reuben.Aitken@gov.scot](mailto:Reuben.Aitken@gov.scot)>; Director for Covid Business Resilience and Support <[DirectorCOBRAS@gov.scot](mailto:DirectorCOBRAS@gov.scot)>; [redacted]

**Cc:** [redacted] Communications Finance & Economy <[CommunicationsFinance&Economy@gov.scot](mailto:CommunicationsFinance&Economy@gov.scot)>; [redacted] SCI : Rapid Response <[DLECONBCBRSRR@gov.scot](mailto:DLECONBCBRSRR@gov.scot)>  
**Subject:** RE: Communications Plan - Audit Scotland Report and Parliamentary Statement on Ferguson Marine

Hi Everyone

For ease of any editing required this document has been added to SCID ERDM file. I've also put a word version on here for anyone without access. It's only some of my initial thoughts and using Mo's notes from this morning's meeting. Please feel free to get in touch and share your ideas, I will have invariably missed something I am not quite aware of.

One point I've added in a comment on is sharing of any letters with externals before either Committee or Parliament. I just recall DFM being very concerned about anyone being told anything before Parliament is informed so we might want to adjust timings so that stakeholders are informed as it happens in some instances.

Catch up on the morning call,

[redacted]

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**From:** Rooney M (Maureen) <[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>

**Sent:** 16 March 2022 20:34

**To:** [redacted] Aitken R (Reuben) <[Reuben.Aitken@gov.scot](mailto:Reuben.Aitken@gov.scot)>; Director for Covid Business Resilience and Support <[DirectorCOBRAS@gov.scot](mailto:DirectorCOBRAS@gov.scot)>; [redacted]

Communications Finance & Economy

<[CommunicationsFinance&Economy@gov.scot](mailto:CommunicationsFinance&Economy@gov.scot)>; [redacted]

**Subject:** RE: Communications Plan - Audit Scotland Report and Parliamentary Statement on Ferguson Marine

Adding [redacted]

[redacted] has made excellent point re engagement with TUs. I have updated comms plan to reflect that.

Mo.

**Mo Rooney** (she/her)

Deputy Director, Strategic Commercial Interventions Division  
Scottish Government

[redacted]

I am working from home, contactable by email, on my mobile, and on Teams.

---

**From:** Rooney M (Maureen)

**Sent:** 16 March 2022 18:43

**To:** [redacted] Aitken R (Reuben) <[Reuben.Aitken@gov.scot](mailto:Reuben.Aitken@gov.scot)>; Director for Covid Business Resilience and Support <[DirectorCOBRAS@gov.scot](mailto:DirectorCOBRAS@gov.scot)>; [redacted]

Communications Finance & Economy

<[CommunicationsFinance&Economy@gov.scot](mailto:CommunicationsFinance&Economy@gov.scot)>; [redacted]

**Subject:** RE: Communications Plan - Audit Scotland Report and Parliamentary Statement on Ferguson Marine

Thanks [redacted]

I've made some tracked changes to address some factual points. I've invited yourself and [redacted] to join a coordination discussion tomorrow (Thu) morning. Hope you'll be able to join us.

Happy for you to engage with [redacted]. I've made the CEO and Chair aware of the planned statement.

We have started on a draft Parliamentary statement. Straw man starting point is here: [redacted]

Grateful for your comments/any proposed tracked changes on this.

Team are working on narrative to accompany proactive release – [redacted] this now feels pressing. Is there a version ready for my review/sign off? We'll want to ensure Comms colleagues are comfortable with it.

Mo.

**Mo Rooney** (she/her)  
Deputy Director, Strategic Commercial Interventions Division  
Scottish Government  
[redacted]

I am working from home, contactable by email, on my mobile, and on Teams.

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**From:** [redacted]  
**Sent:** 16 March 2022 16:32  
**To:** Aitken R (Reuben) <[Reuben.Aitken@gov.scot](mailto:Reuben.Aitken@gov.scot)>; Director for Covid Business Resilience and Support <[DirectorCOBRAS@gov.scot](mailto:DirectorCOBRAS@gov.scot)>; Rooney M (Maureen) <[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>; [redacted]  
**Subject:** Communications Plan - Audit Scotland Report and Parliamentary Statement on Ferguson Marine

Finance & Economy

<[CommunicationsFinance&Economy@gov.scot](mailto:CommunicationsFinance&Economy@gov.scot)>

Hi all

Please find a draft comms plan for next Wednesday. I have tried to detail the chronological order in which we expect things to happen over the course of next week but may have got some details wrong so grateful for updates.

I think it would also be useful to include the narrative you are working on.

I'd like to get started on a statement for Tuesday and the draft release for Wednesday as soon as possible so Cab Sec can consider alongside any draft statement (if possible) so any briefing/suggested lines you may have would be useful to enable us to start preparing comms products.

Mo, [redacted], are you also content for me to call [redacted] to pick up on the ask around FMEL fronting bids? I can also flag we expect there to be a Parliamentary Statement that day if helpful.

Thanks – also happy to have a meeting to discuss any of this if helpful.

[redacted]

[redacted]  
**Communications Team Leader | News: Finance and the Economy**  
The Scottish Government, St [redacted]



[redacted]

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**From:** [redacted]  
**Sent:** 27 March 2022 19:10  
**To:** Cabinet Secretary for Finance and Economy; McFarlane J (John) (Special Adviser);  
[redacted] First Minister; [redacted]  
**Cc:** [redacted] Communications Finance & Economy; [redacted]  
Rooney M (Maureen); [redacted]  
  
Pacitti  
F (Frances); [redacted] Minister for  
Business, Trade, Tourism & Enterprise; Cabinet Secretary for Justice and Veterans;  
Deputy First Minister and Cabinet Secretary for Covid Recovery; [redacted]  
[redacted] Nicolson S (Stuart) (Special Adviser); Dobson L (Leanne); Press  
Transport Scotland; [redacted]  
**Subject:** RE: for clearance PLEASE -GMS BID - FERGUSONS - VARIOUS ISSUES

As with previous email, [redacted] is seeking to speak to Ms Forbes so if you could ask her to call him when she is able to please

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**From:** [redacted] **On Behalf Of** Cabinet Secretary for Finance and Economy  
**Sent:** 27 March 2022 19:06  
**To:** McFarlane J (John) (Special Adviser) <John.McFarlane@gov.scot>; Campbell J (Jeanette) (Special Adviser) <Jeanette.Campbell@gov.scot>; [redacted] Cabinet Secretary for Finance and Economy <CabSecFE@gov.scot>; First Minister <firstminister@gov.scot>; [redacted]  
[redacted]  
**Cc:** [redacted] Finance & Economy <CommunicationsFinance&Economy@gov.scot>; [redacted] Rooney M (Maureen) <Maureen.Rooney@gov.scot>; [redacted]

Pacitti F (Frances)  
<Frances.Pacitti@transport.gov.scot>; [redacted]  
Minister for  
Business, Trade, Tourism & Enterprise <MinisterBTTE@gov.scot>; Cabinet Secretary for Justice and Veterans <CabSecJV@gov.scot>; Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSR@gov.scot>; [redacted] Nicolson S (Stuart) (Special Adviser) <Stuart.Nicolson@gov.scot>; Dobson L (Leanne) <Leanne.Dobson@gov.scot>; Press Transport Scotland <media@transport.gov.scot>; [redacted]  
**Subject:** RE: for clearance PLEASE -GMS BID - FERGUSONS - VARIOUS ISSUES

Thanks [redacted]

Do we have any rebuttal lines to the emerging accusations and how we want to phrase this?

Thanks,

[redacted] | Private Secretary to Minister for Public Finance, Planning and Community Wealth  
– Tom Arthur  
Scottish Government | [redacted]

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**From:** [redacted]  
**Sent:** 27 March 2022 18:27  
**To:** Campbell J (Jeanette) (Special Adviser) <[Jeanette.Campbell@gov.scot](mailto:Jeanette.Campbell@gov.scot)>; [redacted]  
Cabinet Secretary for Finance and Economy <[CabSecFE@gov.scot](mailto:CabSecFE@gov.scot)>; First Minister <[firstminister@gov.scot](mailto:firstminister@gov.scot)>; [redacted]  
**Cc:** [redacted]; Communications Finance & Economy <[CommunicationsFinance&Economy@gov.scot](mailto:CommunicationsFinance&Economy@gov.scot)>; [redacted]  
Rooney M (Maureen) <[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>; [redacted]

Pacitti F (Frances)

<[Frances.Pacitti@transport.gov.scot](mailto:Frances.Pacitti@transport.gov.scot)>; [redacted]  
Minister for Business, Trade, Tourism & Enterprise <[MinisterBTTE@gov.scot](mailto:MinisterBTTE@gov.scot)>; Cabinet Secretary for Justice and Veterans <[CabSecJV@gov.scot](mailto:CabSecJV@gov.scot)>; Deputy First Minister and Cabinet Secretary for Covid Recovery <[DFMCSCR@gov.scot](mailto:DFMCSCR@gov.scot)>; [redacted] Nicolson S (Stuart) (Special Adviser) <[Stuart.Nicolson@gov.scot](mailto:Stuart.Nicolson@gov.scot)>; Dobson L (Leanne) <[Leanne.Dobson@gov.scot](mailto:Leanne.Dobson@gov.scot)>; Press Transport Scotland <[media@transport.gov.scot](mailto:media@transport.gov.scot)>; [redacted]  
**Subject:** RE: for clearance PLEASE -GMS BID - FERGUSONS - VARIOUS ISSUES

There was a quite few FMQs briefs from Thursday and I've also included the transparency brief as well.

---

**From:** Campbell J (Jeanette) (Special Adviser) <[Jeanette.Campbell@gov.scot](mailto:Jeanette.Campbell@gov.scot)>  
**Sent:** 27 March 2022 18:13  
**To:** [redacted] Cabinet Secretary for Finance and Economy <[CabSecFE@gov.scot](mailto:CabSecFE@gov.scot)>; First Minister <[firstminister@gov.scot](mailto:firstminister@gov.scot)>; [redacted] Communications Finance & Economy <[CommunicationsFinance&Economy@gov.scot](mailto:CommunicationsFinance&Economy@gov.scot)>; [redacted] Rooney M (Maureen) <[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>; [redacted]

Pacitti F (Frances)

<[Frances.Pacitti@transport.gov.scot](mailto:Frances.Pacitti@transport.gov.scot)>; [redacted]  
Minister for Business, Trade, Tourism & Enterprise <[MinisterBTTE@gov.scot](mailto:MinisterBTTE@gov.scot)>; Cabinet Secretary for Justice and Veterans <[CabSecJV@gov.scot](mailto:CabSecJV@gov.scot)>; Deputy First Minister and Cabinet Secretary for Covid Recovery <[DFMCSCR@gov.scot](mailto:DFMCSCR@gov.scot)>; [redacted] Nicolson S (Stuart) (Special Adviser) <[Stuart.Nicolson@gov.scot](mailto:Stuart.Nicolson@gov.scot)>; Dobson L (Leanne) <[Leanne.Dobson@gov.scot](mailto:Leanne.Dobson@gov.scot)>; Press Transport Scotland <[media@transport.gov.scot](mailto:media@transport.gov.scot)>; [redacted]  
**Subject:** RE: for clearance PLEASE -GMS BID - FERGUSONS - VARIOUS ISSUES

Ill send on the FMQs but if policy have anything new to add, please send to Ms Forbes PO

---

**From:** [redacted]

**Sent:** 27 March 2022 18:10

**To:** Cabinet Secretary for Finance and Economy <[CabSecFE@gov.scot](mailto:CabSecFE@gov.scot)>; First Minister <[firstminister@gov.scot](mailto:firstminister@gov.scot)>; [redacted]

Communications Finance

& Economy <[CommunicationsFinance&Economy@gov.scot](mailto:CommunicationsFinance&Economy@gov.scot)>; [redacted]

Rooney M (Maureen) <[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>; [redacted]

Pacitti F (Frances)

<[Frances.Pacitti@transport.gov.scot](mailto:Frances.Pacitti@transport.gov.scot)>; [redacted]

McFarlane J

(John) (Special Adviser) <[John.McFarlane@gov.scot](mailto:John.McFarlane@gov.scot)>; Campbell J (Jeanette) (Special Adviser)

<[Jeanette.Campbell@gov.scot](mailto:Jeanette.Campbell@gov.scot)>; Minister for Business, Trade, Tourism & Enterprise <[MinisterBTTE@gov.scot](mailto:MinisterBTTE@gov.scot)>;

Cabinet Secretary for Justice and Veterans <[CabSecJV@gov.scot](mailto:CabSecJV@gov.scot)>; Deputy First Minister and Cabinet Secretary for Covid Recovery <[DFMCSCR@gov.scot](mailto:DFMCSCR@gov.scot)>; [redacted]

S (Stuart) (Special Adviser) <[Stuart.Nicolson@gov.scot](mailto:Stuart.Nicolson@gov.scot)>; Dobson L (Leanne) <[Leanne.Dobson@gov.scot](mailto:Leanne.Dobson@gov.scot)>; Press Transport Scotland <[media@transport.gov.scot](mailto:media@transport.gov.scot)>; [redacted]

**Subject:** RE: for clearance PLEASE -GMS BID - FERGUSONS - VARIOUS ISSUES

Thanks, [redacted]

I'll go back to BBC to confirm the bid and will let policy colleagues come in with the most up to date FMQ note for Ms Forbes.

SpAds – are you able to give Ms Forbes further lines?

I will send a roundup of the queries we have had today and our responses this evening. I will also send Ms Forbes an overview of coverage in the morning before the bid.

Please let me know if I can do anything further to assist.

Many thanks,  
[redacted]



---

**From:** [redacted]

**On Behalf Of** Cabinet Secretary for Finance and Economy

**Sent:** 27 March 2022 18:05

**To:** [redacted]; First Minister <[firstminister@gov.scot](mailto:firstminister@gov.scot)>; [redacted]

; Cabinet Secretary for Finance and Economy <[CabSecFE@gov.scot](mailto:CabSecFE@gov.scot)>

**Cc:** [redacted]

Communications Finance

& Economy <[CommunicationsFinance&Economy@gov.scot](mailto:CommunicationsFinance&Economy@gov.scot)>; [redacted]

Rooney M (Maureen) <[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>; [redacted]

[redacted]

Pacitti F (Frances)

<[Frances.Pacitti@transport.gov.scot](mailto:Frances.Pacitti@transport.gov.scot)>; [redacted]

McFarlane J

(John) (Special Adviser) <[John.McFarlane@gov.scot](mailto:John.McFarlane@gov.scot)>; Campbell J (Jeanette) (Special Adviser) <[Jeanette.Campbell@gov.scot](mailto:Jeanette.Campbell@gov.scot)>; Minister for Business, Trade, Tourism & Enterprise <[MinisterBTTE@gov.scot](mailto:MinisterBTTE@gov.scot)>; Cabinet Secretary for Justice and Veterans <[CabSecJV@gov.scot](mailto:CabSecJV@gov.scot)>; Deputy First Minister and Cabinet Secretary for Covid Recovery <[DFMCSCR@gov.scot](mailto:DFMCSCR@gov.scot)>; [redacted]  
Nicolson S (Stuart) (Special Adviser) <[Stuart.Nicolson@gov.scot](mailto:Stuart.Nicolson@gov.scot)>; Dobson L (Leanne) <[Leanne.Dobson@gov.scot](mailto:Leanne.Dobson@gov.scot)>; Press Transport Scotland <[media@transport.gov.scot](mailto:media@transport.gov.scot)>; [redacted]

**Subject:** RE: for clearance PLEASE -GMS BID - FERGUSONS - VARIOUS ISSUES

[redacted]

Ms Forbes is content to accept the media bid.

Ms Forbes would like some consideration of very robust lines from SpAds too about how we want to push back and how we want to phrase this. Also CabSec would be grateful for an updated FMQ note on this and clear rebuttal lines to the emerging accusations.

Grateful for this as soon as possible.

Thanks,

[redacted] | Private Secretary to Minister for Public Finance, Planning and Community Wealth  
– Tom Arthur  
Scottish Government | [redacted]

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---

**From:** [redacted]

**Sent:** 27 March 2022 16:59

**To:** First Minister <[firstminister@gov.scot](mailto:firstminister@gov.scot)>; [redacted]  
& Economy <[CabSecFE@gov.scot](mailto:CabSecFE@gov.scot)>

Cabinet Secretary for Finance and

**Cc:** [redacted]  
& Economy <[CommunicationsFinance&Economy@gov.scot](mailto:CommunicationsFinance&Economy@gov.scot)>; [redacted]

Communications Finance

Rooney M (Maureen) <[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>; [redacted]

Pacitti F (Frances)

<[Frances.Pacitti@transport.gov.scot](mailto:Frances.Pacitti@transport.gov.scot)>; [redacted]

McFarlane J

(John) (Special Adviser) <[John.McFarlane@gov.scot](mailto:John.McFarlane@gov.scot)>; Campbell J (Jeanette) (Special Adviser) <[Jeanette.Campbell@gov.scot](mailto:Jeanette.Campbell@gov.scot)>; Minister for Business, Trade, Tourism & Enterprise <[MinisterBTTE@gov.scot](mailto:MinisterBTTE@gov.scot)>; Cabinet Secretary for Justice and Veterans <[CabSecJV@gov.scot](mailto:CabSecJV@gov.scot)>; Deputy First Minister and Cabinet Secretary for Covid Recovery <[DFMCSCR@gov.scot](mailto:DFMCSCR@gov.scot)>; [redacted]  
Nicolson S (Stuart) (Special Adviser) <[Stuart.Nicolson@gov.scot](mailto:Stuart.Nicolson@gov.scot)>; Dobson L (Leanne) <[Leanne.Dobson@gov.scot](mailto:Leanne.Dobson@gov.scot)>; Press Transport Scotland <[media@transport.gov.scot](mailto:media@transport.gov.scot)>; [redacted]

[redacted]

**Subject:** RE: for clearance PLEASE -GMS BID - FERGUSONS - VARIOUS ISSUES

Thank you for the First Minister's feedback, [redacted]

**PO/ Finance and Economy Secretary** – grateful if you can ask Ms Forbes to reconsider the bid in light of the First Minister's comments. Comms, policy and SpAd colleagues stand ready to discuss with Ms Forbes if helpful.

Copying in further colleagues who helped with queries earlier in the week.

Thanks,  
[redacted]



---

**From:** [redacted] **On Behalf Of** First Minister  
**Sent:** 27 March 2022 16:28  
**To:** [redacted] >; Cabinet Secretary for Finance and Economy <[CabSecFE@gov.scot](mailto:CabSecFE@gov.scot)>  
**Cc:** [redacted] Communications Finance & Economy <[CommunicationsFinance&Economy@gov.scot](mailto:CommunicationsFinance&Economy@gov.scot)>; [redacted] Rooney M (Maureen) <[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>; [redacted]

Pacitti F (Frances)

<[Frances.Pacitti@transport.gov.scot](mailto:Frances.Pacitti@transport.gov.scot)>; [redacted]

McFarlane J (John) (Special Adviser) <[John.McFarlane@gov.scot](mailto:John.McFarlane@gov.scot)>;  
Campbell J (Jeanette) (Special Adviser) <[Jeanette.Campbell@gov.scot](mailto:Jeanette.Campbell@gov.scot)>; Minister for Business, Trade, Tourism & Enterprise <[MinisterBTTE@gov.scot](mailto:MinisterBTTE@gov.scot)>; Cabinet Secretary for Justice and Veterans <[CabSecJV@gov.scot](mailto:CabSecJV@gov.scot)>; First Minister <[firstminister@gov.scot](mailto:firstminister@gov.scot)>; Deputy First Minister and Cabinet Secretary for Covid Recovery <[DFMCSCR@gov.scot](mailto:DFMCSCR@gov.scot)>

**Subject:** RE: for clearance PLEASE -GMS BID - FERGUSONS - VARIOUS ISSUES

Suzi,

[redacted]

[redacted]

Can we reconsider please?

Thanks

[redacted]

[redacted]

**First Minister Private Office** | [redacted]

e-mails and attachments sent by a Ministerial Private Office to any other official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Offices do not keep official records of such e-mails or attachments.

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**From:** [redacted]

**Sent:** 27 March 2022 13:12

**To:** Cabinet Secretary for Finance and Economy <[CabSecFE@gov.scot](mailto:CabSecFE@gov.scot)>

**Cc:** [redacted] Communications Finance

& Economy <[CommunicationsFinance&Economy@gov.scot](mailto:CommunicationsFinance&Economy@gov.scot)>; [redacted]

Rooney M (Maureen) <[Maureen.Rooney@gov.scot](mailto:Maureen.Rooney@gov.scot)>; [redacted]

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MacDonald R

(Rebecca) <[Rebecca.Macdonald@gov.scot](mailto:Rebecca.Macdonald@gov.scot)>; McFarlane J (John) (Special Adviser) <[John.McFarlane@gov.scot](mailto:John.McFarlane@gov.scot)>; Campbell J (Jeanette) (Special Adviser) <[Jeanette.Campbell@gov.scot](mailto:Jeanette.Campbell@gov.scot)>; Minister for Business, Trade, Tourism & Enterprise <[MinisterBTTE@gov.scot](mailto:MinisterBTTE@gov.scot)>; Cabinet Secretary for Justice and Veterans <[CabSecJV@gov.scot](mailto:CabSecJV@gov.scot)>; First Minister <[firstminister@gov.scot](mailto:firstminister@gov.scot)>; Deputy First Minister and Cabinet Secretary for Covid Recovery <[DFMCSCR@gov.scot](mailto:DFMCSCR@gov.scot)>

**Subject:** for clearance PLEASE -GMS BID - FERGUSONS - VARIOUS ISSUES

PO

Good afternoon

BBC GMS have asked for an interview for their programme tomorrow morning. They bid for either the FM, Deputy FM, Finance Sec or former Infrastructure Sec Keith Brown in relation to "the Audit Scotland investigation into the Ferguson Marine deal, as well as the subsequent stories in relation to the watchdog's findings". They are also speaking to opposition politicians.

Spads are of the view that we have said all that's needed to be said has been said and the recommendation is to put this interview to the Finance Secretary suggesting a decline and offer them lines in response to any specific questions they have instead.

Grateful for the Cabinet Secretary's clearance of this approach please.

Kind regards,

[redacted]

[redacted] | **Senior Media Manager | Health & Communities**

[redacted]

