

[Redacted - out of scope]

From: Ashleigh Gray <Ashleigh.Gray@gov.scot>

Sent: 28 April 2023 12:14

To: Permanent Secretary <PermanentSecretary@gov.scot>; Fol SpAds PO <Fol.SpAdsPO@gov.scot>; First Minister <FirstMinister@gov.scot>; DG Education & Justice <edge@gov.scot>; DG Communities <DGCommunities@gov.scot>; Director of Communications Ministerial Support <DirectorCMS@gov.scot>; [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>

Cc: [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>

Subject: Further request please re: RE: FOIs - Branchform - by close Tuesday 2 May

Importance: High

Dear all

Huge thanks to [Redacted] for holding the ring on the FOI requests received on operation branchform and to colleagues for their contributions. Propriety and ethics will now finalise the full set of FOI requests received. For completeness there are a total now of four outstanding FOI requests for correspondence and information pertaining to branchform (not counting the response to the letter from [Redacted] which we have dealt with separately).

Confusingly they all have slightly different start and end dates and ask for slightly different information. I've set these out below for your reference.

To ensure we've carried out a full and complete search – and with apologies for duplication – I'd be grateful if all colleagues could please confirm that they have searched for any and all records including correspondence sent to sent by or held by SG meeting notes text messages advice communications lines or any other information from the beginning of Police operation branchform (which I believe was around July 2021) until 24 April 2023 (the date of the most recent FOI request). Any information you have already sent to [Redacted] he has passed to me so does not need to be resent but please do send nil returns if you have no further records.

In PBE we will then review all of the material and assess against the specific requests below (i.e. we will ensure that the material matches the specific date ranges for each request). We will of course also then assess what if any material falls to be released under FOISA considering any appropriate exemptions.

With apologies for the short notice as the first FOI response is due by 5 May I'd be very grateful for replies as soon as possible and ideally by close Tuesday 2 May. Please copy [Redacted] into any replies including nils. If this presents any difficulties please let me know. If deadlines are challenging please prioritise information falling within scope of the first request below as that is due for response first.

Please share with any colleagues who were involved in the first search and do let me know if you any questions.

Kind regards

Ashleigh

202300350348	FOI Request	I am writing to you to request the following information. 1) Any correspondence sent to sent by or internally held by the Scottish Government on the topic of Operation Branchform from January 1 to February 15. 2) Any correspondence sent to sent by or internally held by the Scottish Government on the topic of Operation Branchform from March 25 to April 5. 3) Any correspondence between the Scottish Government and Police Scotland on April 5.
202300351077	FOI Request	Dear Freedom of Information Officer Please provide me with any correspondence concerning Operation Branchform.
202300353098	FOI Request	Under the Freedom of Information (Scotland) Act 2002 I would like to request the following: -All communication between the Scottish Government and Police Scotland in relation to Operation Branchform. This should include but not be limited to all face-to-face meetings: emails documents instant messages letters call logs etc. Please state who in government the communication was with - for example any face-to-face meetings include list of all in attendance.
202300353106	FOI Request	Under the Freedom of Information (Scotland) Act 2002 I would like to request the following: -All internal communication in relation to Operation Branchform. This should include but not be limited to all face-to-face meetings: emails documents instant messages letters call logs etc. Please state who in government the communication was with - for example any face-to-face meetings include list of all in attendance.

Ashleigh Gray | Deputy Director (Interim) Propriety & Ethics | Scottish Government | Mob: [Redacted] | Email: Ashleigh.gray@gov.scot

From: [Redacted] <[Redacted]@gov.scot> On Behalf Of Permanent Secretary

Sent: 24 April 2023 16:12

To: Permanent Secretary <PermanentSecretary@gov.scot>; Fol SpAds PO <Fol.SpAdsPO@gov.scot>; Ian Mitchell <Ian.Mitchell@gov.scot>; [Redacted] <[Redacted]@gov.scot>; First Minister <FirstMinister@gov.scot>; DG Education & Justice <edge@gov.scot>; DG Communities <DGCommunities@gov.scot>

Subject: RE: FOI - Branchform - Returns by 12:00 Thursday 27th

Apologies all. I should have included the text of both requests. Please see below, respectively.

REF: 202300350348

1) Any correspondence sent to, sent by, or internally held by the Scottish Government on the topic of Operation Branchform from January 1 to February 15.

2) Any correspondence sent to, sent by, or internally held by the Scottish Government on the topic of Operation Branchform from March 25 to April 5.

3) Any correspondence between the Scottish Government and Police Scotland on April 5.

REF: 202300351077

Please provide me with any correspondence concerning Operation Branchform.

Many thanks for your help and let me know if you require any further info.

[Redacted]

Private Secretary to The Permanent Secretary

The Scottish Government

PermanentSecretary@gov.scot

Scottish Ministers, Special Advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

From: [Redacted] <[Redacted]@gov.scot> On Behalf Of Permanent Secretary

Sent: 24 April 2023 15:53

To: Fol SpAds PO <Fol.SpAdsPO@gov.scot>; Ian Mitchell <Ian.Mitchell@gov.scot>; [Redacted] <[Redacted]@gov.scot>; First Minister <FirstMinister@gov.scot>; DG Education & Justice <edge@gov.scot>; DG Communities <DGCommunities@gov.scot>

Cc: Permanent Secretary <PermanentSecretary@gov.scot>

Subject: FOI - Branchform - Returns by 12:00 Thursday 27th

Hi there

I am currently dealing with 2x FOIs in relation to Operation Branchform. Both are similar in what the requestor is looking for.

Could I kindly ask you to undertake searches for any documentation, correspondence or notes etc in relation to Operation Branchform from 1<sup>st</sup> January until 8<sup>th</sup> April please.

Also grateful if this could be passed on to relevant colleagues from Directorate for Justice and Directorate for Safer Communities, and can I also ask for them to run searches for any correspondence between the Scottish Government and Police Scotland on 5<sup>th</sup> April please?

I would be grateful for all returns by 12:00 on Thursday 27<sup>th</sup> April please. Grateful if nil returns could also be flagged.

Many thanks

[Redacted]

Private Secretary to The Permanent Secretary

The Scottish Government

PermanentSecretary@gov.scot

Scottish Ministers, Special Advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

**From:** [Redacted]@gov.scot> **On Behalf Of** Permanent Secretary  
**Sent:** Thursday, May 4, 2023 11:03 AM  
**To:** Ashleigh Gray <Ashleigh.Gray@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>  
**Cc:** DG Corporate <dgcorporate@gov.scot>; Director of Communications, Ministerial Support <DirectorCMS@gov.scot>; [Redacted]@gov.scot>; Ian Mitchell <Ian.Mitchell@gov.scot>; Andrew Bruce <Andrew.Bruce@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot> [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot> [Redacted]@gov.scot>; Colin McAllister <Colin.McAllister@gov.scot>; FoI SpAds PO <Fol.SpAdsPO@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: For clearance by 5 May - RE: Letter to Permanent Secretary re. Operation Branchform

Hi Ashleigh

Many thanks for the below. To confirm, the Perm Sec has cleared the below.

Thanks again, best wishes

[Redacted]

Private Secretary to The Permanent Secretary

The Scottish Government

[PermanentSecretary@gov.scot](mailto:PermanentSecretary@gov.scot)

Scottish Ministers, Special Advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

**From:** Ashleigh Gray <Ashleigh.Gray@gov.scot>  
**Sent:** 03 May 2023 11:54  
**To:** Permanent Secretary <PermanentSecretary@gov.scot>  
**Cc:** DG Corporate <dgcorporate@gov.scot>; Director of Communications, Ministerial Support <DirectorCMS@gov.scot>; [Redacted]@gov.scot>; Ian Mitchell <Ian.Mitchell@gov.scot>; Andrew Bruce <Andrew.Bruce@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Colin McAllister <Colin.McAllister@gov.scot>; FoI SpAds PO <Fol.SpAdsPO@gov.scot>; [Redacted]@gov.scot>

**Subject:** For clearance by 5 May - RE: Letter to Permanent Secretary re. Operation Branchform  
**Importance:** High

Ps/Perm Sec,

Further to my note below on handling of the response to the letter from Daniel Johnson MSP, please find attached a draft FOI response for your clearance. Please note the deadline for issuing is Friday 5 May.

If you are content with the attached I will issue by close Friday via the FOI system on MiCase.

For your awareness, there are four further FOI requests relating to Operation Branchform that we are currently considering.

Kind regards,

Ashleigh

Ashleigh Gray | Deputy Director (interim) Propriety & Ethics | Scottish Government | Mob:  
[Redacted] | Email: [Ashleigh.gray@gov.scot](mailto:Ashleigh.gray@gov.scot)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**From:** [Ashleigh Gray](#)  
**To:** [Deputy First Minister and Cabinet Secretary for Finance](#)  
**Cc:** [Permanent Secretary; DG Corporate; Ian Mitchell; Director of Communications, Ministerial Support; Andrew Bruce; \[Redacted\] \[Redacted\]; \[Redacted\]; \[Redacted\] Colin McAllister; FoI SpAds PO; \[Redacted\]](#)  
**Subject:** FW: FOIs operation branchform  
05 May 2023 13:01:24  
**Date:** [\[Redacted\] - 20230350348 - Draft FOI response - 5 May 2023.docx](#)  
**Attachments:** [\[Redacted\]- 202300350348 - Document A - Redacted.docx](#)  
[\[Redacted\]- 202300350348 - Document B - Redacted.docx](#)  
[\[Redacted\]- 202300350348 - Document C - Redacted.docx](#)  
[202300351077 - Draft FOI response - 3 May 2023.docx](#)  
[\[Redacted\] - 202300351077 - Document 1 - Redacted.docx](#)  
[\[Redacted\] - 202300351077 - Document 2 - redacted.docx](#)  
[FOI clearance submission- 202300350348 and 202300351077 - 4 May 2023.docx](#)  
High

**Importance:**

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Ps/Deputy First Minister,  
FOI REQUEST: SUBMISSION FOR MINISTERIAL DECISION  
Purpose

1. You are invited to agree the two attached draft responses to information requests made under the Freedom of Information (Scotland) Act 2002 (FOISA).

Priority

2. Urgent. You will be aware of the Scottish Ministers' statutory obligation to comply promptly, in terms of section 10(1) of FOISA.
  - The 20th day for a response to the first request (202300350348, [Redacted] is 5 May; The
  - 20th day for a response to the second request (202300351077, [Redacted] is 10 May.
3. [Redacted]

Background

4. Both requests seek information held by the Scottish Government in relation to Police Operation Branchform into SNP finances and funding.

Request 202300350348:

I am writing to you to request the following information.

- 1) Any correspondence sent to, sent by, or internally held by the Scottish Government on the topic of Operation Branchform from January 1 to February 15.
- 2) Any correspondence sent to, sent by, or internally held by the Scottish Government on the topic of Operation Branchform from March 25 to April 5.
- 3) Any correspondence between the Scottish Government and Police Scotland on April 5.

Request 202300351077:

Dear Freedom of Information Officer,

Please provide me with any correspondence concerning Operation Branchform.

There are 3 documents that I consider should be released under case 202300350348 (documents A, B and C); and 5 documents that I consider should be released under case 202300351077 (documents 1 and 2, plus documents A, B and C). These are attached for consideration.

There are two further FOI requests concerning Operation Branchform that are due by 24 May. I will send further advice on these shortly. I do not consider that there is likely to be any additional material which would fall to be released, over and above the documents listed for release here.

Kind regards,

Ashleigh

Ashleigh Gray | Deputy Director (interim) Propriety & Ethics | Scottish Government | Mob:  
[Redacted] | Email: [Ashleigh.gray@gov.scot](mailto:Ashleigh.gray@gov.scot)

**From:** [\[Redacted\]](#)  
**To:** [Deputy First Minister and Cabinet Secretary for Finance](#)  
**Cc:** [FoI SpAds PO](#); [Ashleigh Gray](#); [Ian Mitchell](#); [\[Redacted\]](#); [\[Redacted\]](#); [DG Corporate](#); [Freedom of Information](#)  
**Subject:** For DFM clearance - FOI 202300361223 / 202300361710 - arrest of Nicola Sturgeon  
**Date:** 06 July 2023 11:05:09  
**Attachments:** [Draft](#) [Response-202300361223.pdf](#)  
[Draft](#) [Response-202300361710.pdf](#)  
[Document 9.pdf](#)  
[Document 10.pdf](#)  
[Document 11.pdf](#)  
[Document 12.pdf](#)  
[Document 13.pdf](#)  
[Document 1.pdf](#)  
[Document 2.pdf](#)  
[Document 3.pdf](#)  
[Document 4.pdf](#)  
[Document 5.pdf](#)  
[Document 6.pdf](#)  
[Document 7.pdf](#)  
[Document 8.pdf](#)  
[FOIs 202300361223 and 202300361710 - Submission to Deputy First Minister for ministerial clearance - 6 July 2023.docx](#)

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Deputy First Minister and Cabinet Secretary for Finance PO,  
Priority – Routine – the deadline for response is 10 July.

Please see the attached submission for clearance by the Deputy First Minister, along with 2 FOI responses and documents proposed for release.

We are planning to release a number of documents in response to 2 FOIs on the arrest of Nicola Sturgeon (the same set of documents will issue to both FOI requesters with just a small variation to the covering draft letter, both attached). SpAds have seen and indicated that the response should be sent for ministerial clearance but comms lines are not required.

The Deputy First Minister has been sighted on previous FOI requests around Operation Branchform and will be aware of the context of these requests. Perm Sec and Lesley Fraser (DG Corporate) have seen this proposed release and have cleared to go for DFM clearance.

Thanks very much,

[\[Redacted\]](#)

Please note I am currently mostly working from home and am contactable on Microsoft Teams or using the mobile number below.

[\[Redacted\]](#) | DPE: Propriety & Ethics | The Scottish Government

Phone: [\[Redacted\]](#) | Mobile [\[Redacted\]](#) | e-mail: [\[Redacted\]@gov.scot](#)

Mail: 1W.10 | St. Andrew's House | Regent Road | Edinburgh | EH1 3DG

## OFFICIAL-SENSITIVE

[Redacted]  
Directorate for Propriety & Ethics  
6<sup>th</sup> July 2023

### FOI REQUESTS – 202300361223 and 202300361710: SUBMISSION FOR MINISTERIAL DECISION

Deputy First Minister and Cabinet Secretary for Finance

#### Purpose

1. You are invited to agree that the attached draft response to two information requests made under the Freedom of Information (Scotland) Act 2002 (FOISA) should be issued.

#### Priority

2. **Routine.** The deadline for response is 10 July.

#### Background

3. We have received two FOI requests, which are in very similar terms:

##### **202300361223:**

- All internal correspondence/communication regarding the arrest of Nicola Sturgeon. This should include (but not be limited to) emails, documents, WhatsApp messages, letters and call logs.

- All external correspondence/communication regarding the arrest of Nicola Sturgeon.

This should include (but not be limited to) emails, documents, WhatsApp messages, letters and call logs.

##### **202300361710:**

Please provide me with any correspondence, briefing notes, memos and attachments relating to the arrest of former FM Nicola Sturgeon on 11 June.

4. Draft responses, together with the information proposed for release, are attached.

#### Reason for seeking Ministerial Decision

5. A Ministerial decision is considered appropriate in this case because there are significant public interest considerations in the communications around the arrest of the former First Minister.

#### Special Adviser Comments

6. Special Advisers have seen the material proposed for release and have recommended that Ministerial clearance is required.

#### Advice from FOI Unit

## OFFICIAL-SENSITIVE

7. Advice has been sought from the FOI Unit confirming the technical competence of the recommended options related to disclosure.

### Area(s) for consideration

8. [Redacted]
9. [Redacted]

### Recommendation

10. The Deputy First Minister is invited to agree that the attached draft response be issued.

*[Redacted]*  
*Directorate for Propriety & Ethics*  
*[Redacted]*



**From:** [Redacted] on behalf of [Deputy First Minister and Cabinet Secretary for Finance](#)  
**To:** [Ashleigh Gray; Deputy First Minister and Cabinet Secretary for Finance](#)  
**Cc:** [Permanent Secretary; DG Corporate; Ian Mitchell; Director of Communications, Ministerial Support; Andrew Bruce; \[Redacted\]; \[Redacted\] \[Redacted\] \[Redacted\] Colin McAllister; FoI SpAds PO; \[Redacted\]; Callum McCaig](#)  
**Subject:** RE: FOIs operation branchform  
**Date:** 17 May 2023 10:10:22

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**This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team in line with [SG records management policy](#).**

Ashleigh,  
DFM is content.

Kind regards,

[Redacted]

**Deputy Private Secretary to the Deputy First Minister and Cabinet Secretary for Finance – Shona Robison MSP**  
**The Scottish Government**

St Andrew's House | Regent Road | Edinburgh | EH1 3DG

[Redacted] | E: [DFMCSF@gov.scot](mailto:DFMCSF@gov.scot)

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**From:** Ashleigh Gray <[Ashleigh.Gray@gov.scot](mailto:Ashleigh.Gray@gov.scot)>

**Sent:** 12 May 2023 16:29

**To:** Deputy First Minister and Cabinet Secretary for Finance <[DFMCSF@gov.scot](mailto:DFMCSF@gov.scot)>

**Cc:** Permanent Secretary <[PermanentSecretary@gov.scot](mailto:PermanentSecretary@gov.scot)>; DG Corporate <[dgcorporate@gov.scot](mailto:dgcorporate@gov.scot)>; Ian Mitchell <[Ian.Mitchell@gov.scot](mailto:Ian.Mitchell@gov.scot)>; Director of Communications, Ministerial Support <[DirectorCMS@gov.scot](mailto:DirectorCMS@gov.scot)>; Andrew Bruce <[Andrew.Bruce@gov.scot](mailto:Andrew.Bruce@gov.scot)>; [Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; Colin McAllister <[Colin.McAllister@gov.scot](mailto:Colin.McAllister@gov.scot)>; FoI SpAds PO <[FoI.SpAdsPO@gov.scot](mailto:FoI.SpAdsPO@gov.scot)>; [Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; Callum McCaig <[Callum.Mccaig@gov.scot](mailto:Callum.Mccaig@gov.scot)>

**Subject:** RE: FOIs operation branchform

PS/Deputy First Minister,

As advised last week, I have attached for clearance the final two outstanding FOI responses concerning Operation Branchform.

**FOI REQUEST: SUBMISSION FOR MINISTERIAL DECISION**

Purpose

1. You are invited to agree the two attached draft responses to information requests made under the Freedom of Information (Scotland) Act 2002 (FOISA). These follow two related FOI requests that you cleared on 5 May (cases 202300350348 – [Redacted] and 202300351077 – [Redacted]).

Priority

2. Routine. You will be aware of the Scottish Ministers' statutory obligation to comply promptly, in terms of section 10(1) of FOISA.

- The 20th day for a response to these two requests (202300353098 and 202300353106 – both [Redacted]) is 24 May;

Background

3. Both requests seek information held by the Scottish Government in relation to Police Operation Branchform into SNP finances and funding.

Request 202300353098:

Under the Freedom of Information (Scotland) Act 2002 I would like to request the following:

- All communication between the Scottish Government and Police Scotland in relation to Operation Branchform.

This should include but not be limited to all face-to-face meetings, emails, documents, instant messages, letters, call logs, etc.

Please state who in government the communication was with - for example, any face-to-face meetings include list of all in attendance.

Request 202300353106:

Under the Freedom of Information (Scotland) Act 2002 I would like to request the following:

-All internal communication in relation to Operation Branchform.

This should include but not be limited to all face-to-face meetings, emails, documents, instant messages, letters, call logs, etc.

Please state who in government the communication was with - for example, any face-to-face meetings include list of all in attendance.

For ease I haven't reattached all the documents that were cleared and issued last week for the previous FOI requests, and which will be re-released for these two requests; I have only attached the two additional documents which have not previously been cleared and which I consider fall to be released under these two requests. If you would prefer to see the full package for release let me know and I will send up.

Colin has seen and had no comments.

Kind regards,

Ashleigh

Ashleigh Gray | Deputy Director (interim) Propriety & Ethics | Scottish Government | Mob: [Redacted] | Email: [Ashleigh.gray@gov.scot](mailto:Ashleigh.gray@gov.scot)

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**From:** [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot) > **On Behalf Of** Deputy First Minister and Cabinet Secretary for Finance

**Sent:** 05 May 2023 16:04

**To:** Ashleigh Gray <[Ashleigh.Gray@gov.scot](mailto:Ashleigh.Gray@gov.scot)>; Deputy First Minister and Cabinet Secretary for Finance <[DFMCSF@gov.scot](mailto:DFMCSF@gov.scot)>

**Cc:** Permanent Secretary <[PermanentSecretary@gov.scot](mailto:PermanentSecretary@gov.scot)>; DG Corporate <[dgcorporate@gov.scot](mailto:dgcorporate@gov.scot)>; Ian Mitchell <[Ian.Mitchell@gov.scot](mailto:Ian.Mitchell@gov.scot)>; Director of Communications, Ministerial Support <[DirectorCMS@gov.scot](mailto:DirectorCMS@gov.scot)>; Andrew Bruce <[Andrew.Bruce@gov.scot](mailto:Andrew.Bruce@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); Colin McAllister <[Colin.McAllister@gov.scot](mailto:Colin.McAllister@gov.scot)>; Fol SpAds PO <[Fol.SpAdsPO@gov.scot](mailto:Fol.SpAdsPO@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); Callum McCaig <[Callum.Mccaig@gov.scot](mailto:Callum.Mccaig@gov.scot)>

**Subject:** RE: FOIs operation branchform

**This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team in line with SG records management policy.**

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Thanks Ashleigh,

DFM is content.

Kind regards,

[Redacted]

**Deputy Private Secretary to the Deputy First Minister and Cabinet Secretary for Finance – Shona Robison MSP**

**The Scottish Government**

St Andrew's House | Regent Road | Edinburgh | EH1 3DG

T: [Redacted] | E: [DFMCSF@gov.scot](mailto:DFMCSF@gov.scot)

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**From:** Ashleigh Gray <[Ashleigh.Gray@gov.scot](mailto:Ashleigh.Gray@gov.scot)>

**Sent:** 05 May 2023 14:31

**To:** Deputy First Minister and Cabinet Secretary for Finance <[DFMCSF@gov.scot](mailto:DFMCSF@gov.scot)>

**Cc:** Permanent Secretary <[PermanentSecretary@gov.scot](mailto:PermanentSecretary@gov.scot)>; DG Corporate <[dgcorporate@gov.scot](mailto:dgcorporate@gov.scot)>; Ian Mitchell <[Ian.Mitchell@gov.scot](mailto:Ian.Mitchell@gov.scot)>; Director of Communications, Ministerial Support <[DirectorCMS@gov.scot](mailto:DirectorCMS@gov.scot)>; Andrew Bruce <[Andrew.Bruce@gov.scot](mailto:Andrew.Bruce@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); Colin McAllister <[Colin.McAllister@gov.scot](mailto:Colin.McAllister@gov.scot)>; FoI SpAds PO <[FoI.SpAdsPO@gov.scot](mailto:FoI.SpAdsPO@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); Callum McCaig <[Callum.Mccaig@gov.scot](mailto:Callum.Mccaig@gov.scot)>

**Subject:** Re: FOIs operation branchform

Hi [Redacted],

Yes, Colin has seen and is content.

Best,

Ashleigh

**From:** [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot) on behalf of Deputy First Minister and Cabinet Secretary for Finance <[DFMCSF@gov.scot](mailto:DFMCSF@gov.scot)>

**Sent:** Friday, May 5, 2023 1:25:55 PM

**To:** Ashleigh Gray <[Ashleigh.Gray@gov.scot](mailto:Ashleigh.Gray@gov.scot)>; Deputy First Minister and Cabinet Secretary for Finance <[DFMCSF@gov.scot](mailto:DFMCSF@gov.scot)>

**Cc:** Permanent Secretary <[PermanentSecretary@gov.scot](mailto:PermanentSecretary@gov.scot)>; DG Corporate <[dgcorporate@gov.scot](mailto:dgcorporate@gov.scot)>; Ian Mitchell <[Ian.Mitchell@gov.scot](mailto:Ian.Mitchell@gov.scot)>; Director of Communications, Ministerial Support <[DirectorCMS@gov.scot](mailto:DirectorCMS@gov.scot)>; Andrew Bruce <[Andrew.Bruce@gov.scot](mailto:Andrew.Bruce@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); Colin McAllister <[Colin.McAllister@gov.scot](mailto:Colin.McAllister@gov.scot)>; FoI SpAds PO <[FoI.SpAdsPO@gov.scot](mailto:FoI.SpAdsPO@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); Callum McCaig <[Callum.Mccaig@gov.scot](mailto:Callum.Mccaig@gov.scot)>

**Subject:** RE: FOIs operation branchform

Thanks Ashleigh,

Before DFM considers, can you confirm if SpAds have had sight of these proposed responses?

Kind regards,

[Redacted]

**Deputy Private Secretary to the Deputy First Minister and Cabinet Secretary for**

**Finance – Shona Robison MSP**

**The Scottish Government**

St Andrew's House | Regent Road | Edinburgh | EH1 3DG

[Redacted] E: [DFMCSF@gov.scot](mailto:DFMCSF@gov.scot)

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[Redacted]

## OFFICIAL-SENSITIVE

To: Deputy First Minister

### FOI REQUEST: SUBMISSION FOR MINISTERIAL DECISION

#### Purpose

1. You are invited to agree the two attached draft responses to information requests made under the Freedom of Information (Scotland) Act 2002 (FOISA). These follow two related FOI requests that you cleared on 5 May (cases 202300350348 – [Redacted] and 202300351077 – [Redacted])

#### Priority

2. Routine. You will be aware of the Scottish Ministers' statutory obligation to comply promptly, in terms of section 10(1) of FOISA.
  - The 20th day for a response to these two requests (202300353098 and 202300353106 – both [Redacted]) is 24 May;

#### Background

3. Both requests seek information held by the Scottish Government in relation to Police Operation Branchform into SNP finances and funding.

##### Request 202300353098:

*Under the Freedom of Information (Scotland) Act 2002 I would like to request the following:*

*- All communication between the Scottish Government and Police Scotland in relation to Operation Branchform.*

*This should include but not be limited to all face-to-face meetings, emails, documents, instant messages, letters, call logs, etc.*

*Please state who in government the communication was with - for example, any face-to-face meetings include list of all in attendance.*

##### Request 202300353106:

*Under the Freedom of Information (Scotland) Act 2002 I would like to request the following:*

*-All internal communication in relation to Operation Branchform.*

*This should include but not be limited to all face-to-face meetings, emails, documents, instant messages, letters, call logs, etc.*

*Please state who in government the communication was with - for example, any face-to-face meetings include list of all in attendance.*

4. We have carried out appropriate and proportionate searches under the FOISA rules for both requests and identified a small amount of information that falls within the scope of these two requests, the majority of which we consider should be released.
5. In relation to the first request, I consider that there are two records that fall to be released, one of which is additional to the records that were released last week under the previous FOI requests (reflecting the different date range associated with this current request).
6. In relation to the second request, I consider that there 7 records that fall to be released, one of which is additional to the records that were released last week under the previous FOI requests (reflecting the different date range associated with this current request).

**OFFICIAL-SENSITIVE**

7. [Redacted]

8. [Redacted]

**Reason for seeking Ministerial Decision**

9. A Ministerial decision is considered appropriate in this case because there are significant public interest considerations that pertain to this issue.

**Special Adviser Comments**

10. I have discussed and agreed with Colin McAllister.

**Advice from FOI Unit**

11. Advice has been sought from the FOI Unit confirming the technical competence of the recommended options related to disclosure.

**Recommendation**

12. You are invited to agree that the attached draft responses (and associated material) be issued.

Ashleigh Gray  
Deputy Director, Propriety and Ethics Directorate

<b>Officials Copy List</b>
Permanent Secretary DG Corporate Director Propriety and Ethics Director Communications and Ministerial Private Office

[Redacted]      [\[Redacted\]](#)  
[Redacted]      [\[Redacted\]](#)  
[Redacted]      [\[Redacted\]](#)  
[Redacted]      [\[Redacted\]](#)  
[Redacted]      [\[Redacted\]](#)

---

[Redacted]

---

**From:** [Redacted]@snpmedia.net>  
**Sent:** 17 May 2023 15:13  
**To:** Emily Mackintosh <Emily.Mackintosh@gov.scot>; Jack Middleton <Jack.Middleton@gov.scot>; [Redacted]@snp.org>  
**Subject:** Re: Comment request - PA - FW: EXTERNAL:- SNP finances scandal must be investigated by parliamentary inquiry

Any thoughts on this?

Adding [Redacted] given party finances angle

On Wed, 17 May 2023 at 13:09, [\[Redacted\]@snpmedia.net](#)> wrote:

Thoughts on the below? [Redacted]

[Redacted]

----- Forwarded message -----

**From:** [\[Redacted\]@pa.media](#)>  
**Date:** Wed, May 17, 2023 at 11:59 AM  
**Subject:** Comment request - PA - FW: EXTERNAL:- SNP finances scandal must be investigated by parliamentary inquiry  
**To:** SNP Media <[snpmedia@snpmedia.net](mailto:snpmedia@snpmedia.net)>

---

Hi all,

Looking for a line on the below please?

Thanks,

[Redacted]



**[redacted]**

Scottish Deputy Political Editor

P2/14, Media Tower, Scottish Parliament, EH99 1SP

**M** [Redacted]

Registered Address: PA Media Group Limited, The Point, 37 North Wharf Road, Paddington, London, W2 1AF

Registered in England No.4197

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**From:** [\[Redacted\]@parliament.scot](mailto:[Redacted]@parliament.scot)>

**Sent:** 17 May 2023 11:52

**To:** [\[Redacted\]@parliament.scot](mailto:[Redacted]@parliament.scot)>

**Subject:** EXTERNAL:- SNP finances scandal must be investigated by parliamentary inquiry

**[Redacted]**

**[Redacted]**

**[Redacted]**

**[Redacted]**

**[Redacted]**

---

[Redacted]



**From:** [\[Redacted\]](#)  
**To:** [Minister for Parliamentary Business](#)  
**Cc:** [\[Redacted\]](#) [\[Redacted\]](#) [Permanent Secretary; DG Corporate; Andrew Bruce; \[Redacted\]; \[Redacted\]; \[Redacted\]; \[Redacted\]; Penelope Curtis; \[Redacted\]](#)  
**Subject:** FW; Bureau Papers 23 May  
**Date:** 22 May 2023 16:02:03  
**Attachments:** [20230517 Correspondence ABurnett CtteeEstablishment.pdf](#)

---

[Redacted]

Many thanks for sharing a copy of Mr Burnett's letter (attached for ease) to the PO. PLU offers the following thoughts on Mr Burnett's proposition.

Operation Branchform, so far as we are aware, is concerned with alleged irregularities in the SNP's use of party funds. The statutory framework provided for in the Scotland Act 1998 setting the scope of the Parliament's activities (e.g. powers to provide evidence) are based on activities falling within devolved competence and the actions of those, including the SG, with responsibility for matters in that area. [Redacted]

Regards

[Redacted]

---

**From:** [\[Redacted\]@gov.scot](#) **On Behalf Of** Minister for Parliamentary Business **Sent:** 19 May 2023 20:42

**To:** [\[Redacted\]@gov.scot](#); [\[Redacted\]@gov.scot](#)

**Cc:** First Minister <[FirstMinister@gov.scot](#)>; Deputy First Minister and Cabinet Secretary for

---

Finance <[DFMCSF@gov.scot](mailto:DFMCSF@gov.scot)>; Colin McAllister <[Colin.McAllister@gov.scot](mailto:Colin.McAllister@gov.scot)>; Callum McCaig <[Callum.Mccaig@gov.scot](mailto:Callum.Mccaig@gov.scot)>; Jeanette Campbell <[Jeanette.Campbell@gov.scot](mailto:Jeanette.Campbell@gov.scot)>; Spads Admin <[Spads\\_Admin@gov.scot](mailto:Spads_Admin@gov.scot)>

**Subject:** FW: Bureau Papers 23 May

[Redacted]

Copying FM/DFM for awareness.

To see the attached letter from Alexander Burnett to the Presiding Officer regarding a request to establish a new Parliamentary Committee to investigate SNP finances. Can we please have advice on the parliamentary process aspects of what's being proposed by **4pm on Monday 22 May**.

Thanks,

[Redacted]

Deputy Private Secretary to Minister for Parliamentary Business – George Adam MSP

The Scottish Government

St Andrew's House, Regent Road, EDINBURGH, EH1 3DG

M: [Redacted]E: [MinisterPB@gov.scot](mailto:MinisterPB@gov.scot)

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---

**From:** [Redacted]@parliament.scot>

**Sent:** 19 May 2023 19:25

**To:** [Redacted]@parliament.scot>; [Redacted]@parliament.scot>;

[Redacted]@parliament.scot>; [Redacted]@parliament.scot>; [Redacted]@parliament.scot>;

[Redacted]@parliament.scot>; \_\_\_\_\_

[Redacted]@parliament.scot>; Business Team <[Business.Team@parliament.scot](mailto:Business.Team@parliament.scot)>; [Redacted]

@Parliament.scot>; [Redacted]@parliament.scot>; [Redacted]@parliament.scot>; [Redacted]

@Parliament.scot>; \_\_\_\_\_

[Redacted]@parliament.scot>; [Redacted]@parliament.scot>; \_\_\_\_\_

[Redacted]@Parliament.scot>; [Redacted]@parliament.scot>; [Redacted]@parliament.scot>;

[Redacted]@parliament.scot>; [Redacted]@parliament.scot>; [Redacted]@parliament.scot>;

[Redacted] \_\_\_\_\_

@Parliament.scot>;

[Redacted]@parliament.scot>; \_\_\_\_\_

[Redacted]@parliament.scot>; [Redacted] \_\_\_\_\_

@parliament.scot>; [Redacted]@parliament.scot>; Media Relations

<[MediaRelations@parliament.scot](mailto:MediaRelations@parliament.scot)>; Minister for Parliamentary Business

<[MinisterforPB@gov.scot](mailto:MinisterforPB@gov.scot)>; [Redacted]@parliament.scot>; [Redacted] \_\_\_\_\_

@parliament.scot>; [Redacted]

@parliament.scot>; Presiding Officers <[PresidingOfficers@parliament.scot](mailto:PresidingOfficers@parliament.scot)>; [Redacted]

@parliament.scot>; [Redacted] \_\_\_\_\_

@parliament.scot>; [Redacted]@parliament.scot>; [Redacted]@Parliament.scot>; \_\_\_\_\_

[Redacted]@parliament.scot>; [Redacted]@parliament.scot>; [Redacted]@parliament.scot>;

[Redacted]@Parliament.scot> \_\_\_\_\_

**Subject:** RE: Bureau Papers 23 May

---

Dear all,

Further to the email below, please find attached a revised agenda (updated to include an item on the attached correspondence from Alexander Burnett MSP) and information on sitting times.

Kind regards,

[Redacted]

---

**From:** [Redacted]@parliament.scot>

**Sent:** Thursday, May 18, 2023 5:48 PM

**To:** [Redacted]@parliament.scot>; \_\_\_\_\_

[Redacted]@parliament.scot>; [Redacted]@parliament.scot>; \_\_\_\_\_

[Redacted]@parliament.scot>; [Redacted]@parliament.scot>; [Redacted]@parliament.scot>;

Business Team \_\_\_\_\_

<Business.Team@parliament.scot>;

[Redacted]@Parliament.scot>; [Redacted]@parliament.scot>; [Redacted]@parliament.scot>;

[Redacted]@Parliament.scot>; \_\_\_\_\_

[Redacted]@parliament.scot>;

[Redacted]@parliament.scot>; [Redacted]@parliament.scot>; [Redacted]@Parliament.scot>;

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[Redacted]@parliament.scot>; [Redacted]@parliament.scot>; \_\_\_\_\_

[Redacted]@Parliament.scot>; \_\_\_\_\_

[Redacted]@parliament.scot>; \_\_\_\_\_

[Redacted]@parliament.scot>;

[Redacted]@parliament.scot>; [Redacted]@parliament.scot>; Media Relations

<MediaRelations@parliament.scot>; Minister for Parliamentary Business

<MinisterForPB@gov.scot>; [Redacted]@parliament.scot>; [Redacted]@parliament.scot>;

[Redacted]@parliament.scot>; Presiding Officers <PresidingOfficers@parliament.scot>;

[Redacted]@parliament.scot>; \_\_\_\_\_

[Redacted]@parliament.scot>; [Redacted]@parliament.scot>; [Redacted]@Parliament.scot>;

[Redacted]@parliament.scot>; [Redacted]@parliament.scot>; [Redacted]@parliament.scot>;

[Redacted]@Parliament.scot> \_\_\_\_\_

**Subject:** Bureau Papers 22 May \_\_\_\_\_

Good evening, \_\_\_\_\_

Please find attached the agenda and papers for the meeting of the Parliamentary Bureau on Tuesday 22 May.

Information on late Parliamentary sittings will follow tomorrow.

Best wishes,

[Redacted]

Senior Clerk

Parliamentary Business Team

\*\*\*\*\*

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The Scottish Parliament  
Pàrlamaid na h-Alba

Alison Johnstone MSP  
Presiding Officer  
Convener of Parliamentary Bureau  
The Scottish Parliament

Office of Alexander Burnett MSP  
M2.18  
Edinburgh  
EH99 1SP

[Alexander.burnett.msp@parliament.scot](mailto:Alexander.burnett.msp@parliament.scot)  
[www.alexanderburnett.com](http://www.alexanderburnett.com)

0131 348 5642

17 May 2023

Dear Presiding Officer,

I write to you today to request the formal establishment of a committee to investigate Operation Branchform, the codename for the investigation into the SNP's finances.

As you will be aware, over the past few weeks, two senior Scottish National Party officials have been arrested, causing significant alarm to the public and the parliament. This investigation has been ongoing for nearly two years now and there are many elements of the investigation where both the public and the media have expressed interest and as a parliament we have a duty to uncover the truth about this investigation.

You will recall that in 2019, a committee was set up to investigate the Scottish Government's handling of complaints against Alex Salmond. This was despite a criminal investigation into Salmond that was ongoing, but the parliament decided to set up an inquiry of its own, because it was in the public interest.

This sets a precedent that a committee can be established before a criminal investigation concludes, albeit the work cannot start until the conclusion of proceedings in the criminal case. Therefore, a committee should be established looking into Operation Branchform, so that we can establish the facts and give the public the answers that they deserve.

I therefore propose that a new committee be established to lead this inquiry, with proceedings beginning upon the conclusion of Operation Branchform and any resulting criminal proceedings, and suggest that the Parliamentary Bureau discusses the matter at its next meeting.

I look forward to hearing from you.

All the best,  
Alex

Alexander Burnett  
MSP for Aberdeenshire West

[Redacted]

[Redacted]

[Redacted]

---

[Redacted]

[Redacted]

[Redacted]

---

**From:** [\[Redacted\]@gov.scot](#)>

**Sent:** 29 May 2023 15:02

**To:** Permanent Secretary <[PermanentSecretary@gov.scot](#)>; Lord Advocate <[LordAdvocate@gov.scot](#)>

**Cc:** Communications Justice and Home Affairs

<[CommunicationsJusticeAndHomeAffairs@gov.scot](#)>; [\[Redacted\]@gov.scot](#);

[\[Redacted\]@gov.scot](#); [\[Redacted\]@gov.scot](#); [\[Redacted\]@gov.scot](#);

[\[Redacted\]@gov.scot](#); [\[Redacted\]@gov.scot](#); [\[Redacted\]@gov.scot](#);

[\[Redacted\]@gov.scot](#); [\[Redacted\]@gov.scot](#);

<[\[Redacted\]@gov.scot](#)>; [\[Redacted\]@gov.scot](#);

[\[Redacted\]@gov.scot](#); [\[Redacted\]@gov.scot](#); [\[Redacted\]@gov.scot](#); Cabinet Secretariat

Inbox <[CabinetSecretariat@gov.scot](#)>; [\[Redacted\]@gov.scot](#); [\[Redacted\]@gov.scot](#);

[\[Redacted\]@gov.scot](#); <[\[Redacted\]@gov.scot](#)>; [\[Redacted\]@gov.scot](#); Neil Rennick

<[Neil.Rennick@gov.scot](mailto:Neil.Rennick@gov.scot)>; Ross Ingebrigtsen <[Ross.Ingebrigtsen@gov.scot](mailto:Ross.Ingebrigtsen@gov.scot)>;  
<[\[Redacted\]@sps.gov.uk](mailto:[Redacted]@sps.gov.uk)>; Emily Mackintosh <[Emily.Mackintosh@gov.scot](mailto:Emily.Mackintosh@gov.scot)>; Jack Middleton  
<[Jack.Middleton@gov.scot](mailto:Jack.Middleton@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; Cabinet Secretary for Justice & Home  
Affairs <[CabSecJHA@gov.scot](mailto:CabSecJHA@gov.scot)>; [Cabinet Secretariat Inbox](mailto:CabinetSecretariat@gov.scot)  
<[CabinetSecretariat@gov.scot](mailto:CabinetSecretariat@gov.scot)>

**Subject:** RE: FOR SpAD VIEW PLEASE: Media Query Comment on split of Lord Advocate's role,  
and her attendance at cabinet - Daily Record

Permanent Secretary

Lord Advocate

CC Cabinet Secretary for Justice and Home Affairs

With help from officials and SpAds we've drafted a response, below, to a query from the Daily Record on the back of their FOI, documents attached, asking for comment on the new Lord Advocate's attendance at cabinet at times when the investigation into SNP finances has been ongoing along with a comment on whether the Lord Advocate's dual role should be split.

The journalist has asked for a response by **3.30pm today**, and for info they have also asked the same question of the Crown Office, their draft response is at the bottom of this email.

Grateful to know if the Permanent Secretary and Lord Advocate are content.

Best wishes

[Redacted]

**Response**

A Scottish Government spokesperson said:

"The Lord Advocate is not a member of the Cabinet but sees all Cabinet papers, and she (or in her absence the Solicitor General) attends Cabinet meetings when required. [Redacted]"

"As protected within the Scotland Act, the Law Officers operate entirely independently of any other person as they undertake their prosecutorial and investigation of deaths functions. The consultation on the functions of the Law Officers is proceeding as planned. Development of the consultation is to be informed by an initial phase of expert research, which is currently underway."

### **Background**

[Lord Advocate: role and functions - gov.scot \(www.gov.scot\)](http://www.gov.scot)

### **Draft Response from Crown Office**

"The independence of the Lord Advocate is explicitly protected by law.

"The Lord Advocate exercises their authority independently of political pressure, and indeed of any other person.

"As is standard practice in any matter regarding politicians, Operation Branchform is being dealt with by independent prosecutors without the involvement of the Lord Advocate or Solicitor General."

### **Query**

The attached SG FOI shows the new lord advocate has attended cabinet on over 40 occasions. This is at a time when the investigation into SNP finances has been ongoing.

Would you like to comment on this and whether the LA's dual role should be split?

My deadline is 3.30pm.

[Redacted]

News | Media Manager

Constitution, External Affairs and Culture Communications

The Scottish Government, St Andrew's House, Edinburgh

Mobile: [Redacted] | Portfolio Media inquiries: [Redacted]

[www.gov.scot/news](http://www.gov.scot/news)



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## Jack Middleton

Special Adviser to the First Minister

[Redacted]

[jack.middleton@gov.scot](mailto:jack.middleton@gov.scot)

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---

**From:** [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot) > **On Behalf Of** Communications DFM & Finance **Sent:** 03 June 2023 15:34

**To:** Ashleigh Gray <[Ashleigh.Gray@gov.scot](mailto:Ashleigh.Gray@gov.scot)>; Lesley Fraser <[Lesley.Fraser@gov.scot](mailto:Lesley.Fraser@gov.scot)>

**Cc:** Fol SpAds PO <[Fol.SpAdsPO@gov.scot](mailto:Fol.SpAdsPO@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>;

Emily Mackintosh <[Emily.Mackintosh@gov.scot](mailto:Emily.Mackintosh@gov.scot)>; [Ross.Ingebrigtsen](mailto:Ross.Ingebrigtsen)

<[Ross.Ingebrigtsen@gov.scot](mailto:Ross.Ingebrigtsen@gov.scot)>; Jack Middleton <[Jack.Middleton@gov.scot](mailto:Jack.Middleton@gov.scot)>; \_\_\_\_\_

[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; Ian Mitchell <[Ian.Mitchell@gov.scot](mailto:Ian.Mitchell@gov.scot)>; \_\_\_\_\_

[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; Communications DFM & Finance \_\_\_\_\_

<[CommunicationsDFMandFinance@gov.scot](mailto:CommunicationsDFMandFinance@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>;

[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; \_\_\_\_\_

[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; \_\_\_\_\_

[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; Colin McAllister <[Colin.McAllister@gov.scot](mailto:Colin.McAllister@gov.scot)>;

[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; DG Corporate <[dgcorporate@gov.scot](mailto:dgcorporate@gov.scot)>; Permanent Secretary

<[PermanentSecretary@gov.scot](mailto:PermanentSecretary@gov.scot)> \_\_\_\_\_

**Subject:** Media query - Express - Operation Branchform/FOI

### Colleagues

The Express have approached us for comment on the two attached documents, released through FOI, regarding Operation Branchform.

In the Perm Sec letter to FM, the reporter is particularly interested in the line: "I would advise *no comment on live investigations*".

The other document is about a planned question about the investigation during a Q&A with school pupils and Mr Brown.

Opposition comments as follows:

**Scottish Conservative chairman Craig Hoy MSP said:** "It's little surprise SNP ministers have been advised to stonewall any questions about the financial scandal engulfing the party. Avoiding scrutiny and saying nothing is their default position whenever there are awkward questions.

"But while that tactic might work to palm off journalists, it won't cut it with the police. This is a major criminal investigation and everyone questioned by Police Scotland has a duty to cooperate.

"It's a measure of how serious and toxic this scandal is for the SNP that their deputy leader, Keith Brown, was petrified about being grilled on it by school pupils."

Suggest the following response – grateful for views.

A Scottish Government spokesperson said:

"Given that there is a live police investigation, it would be inappropriate to comment".

Many thanks

[Redacted]

Senior Media Manager | Deputy First Minister, Finance and Corporate

Scottish Government

3-W, St Andrew's House, Edinburgh, EH1 3DG

[Redacted]

**From:** [\[Redacted\]@snpmedia.net](mailto:[Redacted]@snpmedia.net)  
**Subject:** Statement from Nicola Sturgeon spokesperson  
**Date:** 11 June 2023 14:56:15

---

Commenting a spokesperson for Nicola Sturgeon said: "Nicola Sturgeon has today, Sunday 11th June, by arrangement with Police Scotland, attended an interview where she was to be arrested and questioned in relation to Operation Branchform. Nicola has consistently said she would co-operate with the investigation if asked and continues to do so." ENDS

[Redacted]

**From:** [SNP Media <snpmedia@snpmedia.net>](mailto:snpmedia@snpmedia.net)  
**Subject:** Statement from SNP: Operation Branchform and Nicola Sturgeon arrest  
**Date:** 11 June 2023 15:15:28

---

An SNP spokesperson said: "These issues are subject to a live police investigation. The SNP have been cooperating fully with this investigation and will continue to do so however it is not appropriate to publicly address any issues while that investigation is ongoing." ENDS

**From:** [Redacted]  
**To:** [Jeanette Campbell](#); [Colin McAllister](#)  
**Subject:** RE: Operation Branchform line  
**Date:** 11 June 2023 16:35:41

Yes, no problem, will do.

Thanks

[Redacted]  
Communications Team Leader  
[Redacted]

**From:** Jeanette Campbell <Jeanette.Campbell@gov.scot>

**Sent:** Sunday, June 11, 2023 4:34 PM

**To:** [Redacted]@gov.scot>; Colin McAllister <Colin.McAllister@gov.scot>

**Subject:** RE: Operation Branchform line

can you send to [Redacted] at Telegraph also please and say it's in response to voicemail left with  
duty spad please  
thanks

[Redacted - otherwise accessible FOI 202300361710]



**From:** [\[Redacted\]](#)  
**To:** [Ross Ingebrigtsen](#)  
**Subject:** FW: Sturgeon  
**Date:** 14 June 2023 14:45:11  
**Attachments:** [image001.jpg](#)

---

Hi Ross, just wanted to check off the record whether there is anything in this?

I've heard conflicting reports about whether he was specifically referencing the former FM – any chance of clearing it up?

Best wishes,

[Redacted]

---

**From:** [Redacted]@dailymail.co.uk> **Sent:** 14 June 2023  
14:42  
**To:** [redacted]@dailymail.co.uk>  
**Subject:** Sturgeon

[Redacted] - otherwise reasonably available



-  
-  
-  
-



[Redacted]  
Political Editor  
Scottish Daily Mail  
Room PM03  
Scottish Parliament  
EH99 1SP

[Redacted]

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**From:** [Redacted] on behalf of [Deputy First Minister and Cabinet Secretary for Finance](#)  
**To:** [Redacted] [Deputy First Minister and Cabinet Secretary for Finance](#)  
**Cc:** [Fol SpAds PO](#); [Ashleigh Gray](#); [Ian Mitchell](#); [Redacted]; [Redacted] [DG Corporate](#); [Freedom of Information](#)  
**Subject:** RE: For DFM clearance - FOI 202300361223 / 202300361710 - arrest of Nicola Sturgeon  
**Date:** 06 July 2023 17:47:48

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**This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team in line with [SG records management policy](#).**

[Redacted]  
DFM is content.

Kind regards,

[Redacted]

**Deputy Private Secretary to the Deputy First Minister and Cabinet Secretary for Finance – Shona Robison MSP**

**The Scottish Government**

St Andrew's House | Regent Road | Edinburgh | EH1 3DG

T: [Redacted] | M: [Redacted] | E: [DFMCSF@gov.scot](mailto:DFMCSF@gov.scot)

All 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.

Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

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**From:** [Redacted]

**Sent:** Thursday, July 6, 2023 11:05 AM

**To:** Deputy First Minister and Cabinet Secretary for Finance <[DFMCSF@gov.scot](mailto:DFMCSF@gov.scot)>

**Cc:** [Fol SpAds PO](mailto:Fol.SpAdsPO@gov.scot) <[Fol.SpAdsPO@gov.scot](mailto:Fol.SpAdsPO@gov.scot)>; [Ashleigh Gray](mailto:Ashleigh.Gray@gov.scot) <[Ashleigh.Gray@gov.scot](mailto:Ashleigh.Gray@gov.scot)>; [Ian Mitchell](mailto:Ian.Mitchell@gov.scot) <[Ian.Mitchell@gov.scot](mailto:Ian.Mitchell@gov.scot)>; [Redacted]@gov.scot; <[Redacted]@gov.scot>; [DG Corporate](mailto:DG Corporate) <[dgcorporate@gov.scot](mailto:dgcorporate@gov.scot)>; [Freedom of Information](mailto:foi@gov.scot) <[foi@gov.scot](mailto:foi@gov.scot)>

**Subject:** For DFM clearance - FOI 202300361223 / 202300361710 - arrest of Nicola Sturgeon

Deputy First Minister and Cabinet Secretary for Finance PO,

Priority – Routine – the deadline for response is 10 July.

Please see the attached submission for clearance by the Deputy First Minister, along with 2 FOI responses and documents proposed for release.

We are planning to release a number of documents in response to 2 FOIs on the arrest of Nicola Sturgeon (the same set of documents will issue to both FOI requesters with just a small variation to the covering draft letter, both attached). SpAds have seen and indicated that the response should be sent for ministerial clearance but comms lines are not required.

The Deputy First Minister has been sighted on previous FOI requests around Operation Branchform and will be aware of the context of these requests.

Perm Sec and Lesley Fraser (DG Corporate) have seen this proposed release and have cleared to go for DFM clearance.

Thanks very much,

[Redacted]

Please note I am currently mostly working from home and am contactable on Microsoft Teams or using the mobile number below.

[Redacted] DPE: Propriety & Ethics | The Scottish Government Phone:  
[Redacted] | Mobile [Redacted] | e-mail: [Redacted] Mail: 1W.10 | St.  
Andrew's House | Regent Road | Edinburgh | EH1 3DG

[Redacted- out of scope].

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**From:** [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)

**Sent:** Thursday, July 13, 2023 3:33 PM

**To:** Ashleigh Gray <[Ashleigh.Gray@gov.scot](mailto:Ashleigh.Gray@gov.scot)>; Kevin Pringle <[Kevin.Pringle@gov.scot](mailto:Kevin.Pringle@gov.scot)>; Emily Mackintosh <[Emily.Mackintosh@gov.scot](mailto:Emily.Mackintosh@gov.scot)>; Ross Ingebrigtsen <[Ross.Ingebrigtsen@gov.scot](mailto:Ross.Ingebrigtsen@gov.scot)>; Jack Middleton <[Jack.Middleton@gov.scot](mailto:Jack.Middleton@gov.scot)>

**Cc:** Fol SpAds PO <[Fol.SpAdsPO@gov.scot](mailto:Fol.SpAdsPO@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); DG Corporate <[dgcorporate@gov.scot](mailto:dgcorporate@gov.scot)>; Lesley Fraser <[Lesley.Fraser@gov.scot](mailto:Lesley.Fraser@gov.scot)>; Ian Mitchell <[Ian.Mitchell@gov.scot](mailto:Ian.Mitchell@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); Communications DFM & Finance <[CommunicationsDFMandFinance@gov.scot](mailto:CommunicationsDFMandFinance@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot); Colin McAllister <[Colin.McAllister@gov.scot](mailto:Colin.McAllister@gov.scot)>; [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)

**Subject:** Scottish Express - FOI comment

Hello,

Express looking for comment on this FoI which went up on the SG website on July 11: [Operation Branchform communications: FOI release gov.scot \(www.gov.scot\)](https://www.gov.scot/foi/operation-branchform-communications-foi-release)

Planning to go back with the line below – any issues let me know by 4.30pm.

Thanks,

[Redacted]

A Scottish Government spokesperson said:

“Given that there is a live police investigation, it would be inappropriate to comment”.

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[Redacted out of scope]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**From:** [Redacted]  
**To:** [First Minister; Permanent Secretary](#)  
**Cc:** [FoI SpAds PO; \[Redacted\] DG Corporate; Lesley Fraser; Ian Mitchell; \[Redacted\] Communications DFM & Finance; \[Redacted\]; \[Redacted\] \[Redacted\]; \[Redacted\]; Colin McAllister; \[Redacted\]; Ross Ingebrigtsen; Ashleigh Gray; Kevin Pringle; Emily Mackintosh; Jack Middleton; \[Redacted\]; Christopher Mackie](#) For information - Scottish Express - FOI comment  
**Subject:** 13 July 2023 16:25:09  
**Date:**

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PS First Minister  
PS Permanent Secretary,

For information, The Express has been in touch looking for comment on this FoI regarding Operation Branchform correspondence: [Operation Branchform communications: FOI release - gov.scot \(www.gov.scot\)](#)

We have issued our standard line below.

A Scottish Government spokesperson said:

“Given that there is a live police investigation, it would be inappropriate to comment”.

[Redacted]

*My working days are Tuesday to Friday*

Communications Team Leader DFM & Finance | Scottish Government | [Redacted] | [www.gov.scot](#)