

## Annex A

### Item 1

**From:** Mark Blyth  
**Sent:** Thursday, April 28, 2022 5:51 PM  
**To:** Crawford E (Ewan)  
**Cc:** [redacted]  
**Subject:** Re: independence work

[redacted]

Mark Blyth  
The William R. Rhodes '57 Professor of International Economics  
The Watson Institute for International and Public Affairs,  
Brown University,  
Providence RI 02912 USA

On Apr 28, 2022, at 11:59, Ewan Crawford wrote:

Thanks Mark - we all have PCs!

Invite sent - [redacted]

Ewan

Ewan Crawford  
Senior Special Adviser to the First Minister,  
EU affairs and the constitution.  
[redacted]

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

**From:** Mark Blyth  
**Sent:** 28 April 2022 15:23  
**To:** [redacted]  
**Cc:** Crawford E (Ewan)  
**Subject:** Re: independence work

[redacted]

You got docs you want me to eyeball send them too

M

Mark Blyth  
The William R. Rhodes '57 Professor of International Economics  
The Watson Institute for International and Public Affairs,

Brown University,  
Providence RI 02912 USA

On Apr 28, 2022, at 10:20, [redacted] wrote:

Also happy to zoom from personal phone if it makes things easier?

**From:** Mark Blyth  
**Sent:** 28 April 2022 14:43  
**To:** Crawford E (Ewan)  
**Cc:** [redacted]  
**Subject:** Re: independence work

[redacted] But OK, you send the link - or a google link

M  
Mark Blyth  
The William R. Rhodes '57 Professor of International Economics  
The Watson Institute for International and Public Affairs,  
Brown University,  
Providence RI 02912 USA

On Apr 28, 2022, at 09:38, Ewan Crawford wrote:

Hi Mark,

[redacted] Can we do this on Teams? (in which case I'll send a link). If you don't have Teams I'll join zoom from personal phone.

Ewan

Ewan Crawford  
Senior Special Adviser to the First Minister,  
EU affairs and the constitution.  
[redacted]

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**From:** Mark Blyth  
**Sent:** 28 April 2022 14:18  
**To:** Crawford E (Ewan)  
**Cc:** [redacted]  
**Subject:** Re: independence work

Just sent invite. Looking forward

M

Mark Blyth  
The William R. Rhodes '57 Professor of International Economics  
The Watson Institute for International and Public Affairs,  
Brown University,  
Providence RI 02912 USA

On Apr 28, 2022, at 03:57, Ewan Crawford wrote:

Hi Mark,

I am also free next Friday (May 6). I think you are five hours behind us, is that right? If so, can we say 0930 your time – 1430 ours. (But I can be flexible next Friday so earlier or later is also fine).

Regards,

Ewan

Ewan Crawford  
Senior Special Adviser to the First Minister,  
EU affairs and the constitution.  
**[redacted]**

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**From:** **[redacted]**  
**Sent:** 28 April 2022 08:08  
**To:** Mark Blyth ; Crawford E (Ewan)  
**Subject:** RE: independence work

Thanks Mark,

I'm free next Friday and the following Wednesday – what suits you best Ewan?

**[redacted]**  
**[redacted]**/ Constitutional Futures Division / Scottish Government / **[redacted]**

**From:** Mark Blyth  
**Sent:** 27 April 2022 19:50  
**To:** Crawford E (Ewan)  
**Cc:** **[redacted]**  
**Subject:** Re: independence work

Hi Guys

happy to chat. Next week is getting towards end of semester so it s bonkers. I can do friday morning my time but that's about it. OR - weds the week after is open?

Your call

M

Mark Blyth  
The William R. Rhodes '57 Professor of International Economics  
The Watson Institute for International and Public Affairs,  
Brown University,  
Providence RI 02912 USA

On Apr 27, 2022, at 08:43, Ewan Crawford wrote:

Hi Mark,

Hope you are well.

As you may have seen we are starting work in earnest on updating the prospectus for Scottish independence. Would you be free sometime next week to discuss (via Teams) our initial thinking? I've copied in **[redacted]** who will be leading the drafting for much of the economic work.

If that's ok in principle could you suggest some dates/times?

Regards,

Ewan

Ewan Crawford  
Senior Special Adviser to the First Minister,  
EU affairs and the constitution.

**[redacted]**

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

## Item 2

**From:** Mark Blyth  
**Sent:** Thursday, May 5, 2022 1:53 PM  
**To:** **[redacted]**  
**Subject:** Re: SG meeting - Friday 6th May

Got it. Will read.

M

Mark Blyth  
The William R. Rhodes '57 Professor of International Economics  
The Watson Institute for International and Public Affairs,  
Brown University,  
Providence RI 02912 USA

On May 5, 2022, at 06:25, [redacted] wrote:

Hi Mark,

Thanks again for making the time to meet tomorrow.

In advance of our chat, thought it might be helpful to share the draft outline plan for the Economy Prospectus that will form part of the series of papers – to be published over the coming months - that together will comprise the Scottish Government's prospectus for independence. The draft plan sets out the proposed structure and also has an initial stab at some policy proposals.

The prospectus series will also include [redacted] an initial scene-setter comparing the UK's performance across a range of economic and social indicators to that of a group of European countries.

All the above is in confidence for the time being as we have yet to announce the prospectus series.

Look forward to meeting you tomorrow.

Best wishes,

[redacted]  
[redacted] / Constitutional Futures Division / Scottish Government / [redacted]

[redacted]

### Item 3

**From:** [redacted]  
**Sent:** Friday, May 6, 2022 4:10 PM  
**To:** Mark Blyth <mark\_blyth@brown.edu>; Eric Lonergan <eric.lonergan@me.com>  
**Cc:** Crawford E (Ewan) <Ewan.Crawford@gov.scot>  
**Subject:** RE: follow-up

Thanks Mark

Hi Eric – if it's ok with you, will be in touch next week to try to arrange a chat?

Best wishes,

[redacted]  
[redacted] / Constitutional Futures Division / Scottish Government / [redacted]

**From:** Mark Blyth <[mark\\_blyth@brown.edu](mailto:mark_blyth@brown.edu)>  
**Sent:** 06 May 2022 16:05  
**To:** **[redacted]** Eric Lonergan <[eric.lonergan@me.com](mailto:eric.lonergan@me.com)>  
**Cc:** Crawford E (Ewan) <[Ewan.Crawford@gov.scot](mailto:Ewan.Crawford@gov.scot)>  
**Subject:** Re: follow-up

Delighted. I'm cc-ing him on this.

Dear Eric

Looking forward to seeing you in a week and a bit. In the meantime here's an intro to **[redacted]** and Ewan**[redacted]**

**[redacted]**

Well worth the chat.

best to all

mark

Mark Blyth  
The William R. Rhodes '57 Professor of International Economics  
The Watson Institute for International and Public Affairs,  
Brown University,  
Providence RI 02912 USA

On May 6, 2022, at 10:35, **[redacted]** wrote:

Hi Mark,

Thanks again for taking the time to chat today.

It would be great to follow up your idea of speaking with Eric Lonergan – would you be able to make a quick email introduction? Or maybe just provide an email address (can't find one on his website)?

Will be in touch as the paper develops.

Best wishes,

**[redacted]**  
**[redacted]** / [Constitutional Futures Division](#) / [Scottish Government](#) / **[redacted]**

**Item 4 –**

**From:** **[redacted]** **On Behalf Of** Constitutional Futures  
**Sent:** Thursday, November 17, 2022 2:54 PM  
**To:** Mark Blyth  
**Subject:** Freedom of Information request

Dear Mr Blyth,

I am writing to advise you that the Scottish Government has received a request under the Freedom of Information (Scotland) Act 2002 (FOISA) for confirmation of any external engagement in relation to the Building a New Scotland paper, A stronger economy with independence.

You have an interest in the information which has been requested because you engaged with Scottish Government officials while policy development and paper drafting was underway.

Therefore, I am writing to advise you that your name has been included in the response to the FOISA request. We expect this to be issued in the coming days.

I should also explain that we can withhold information only if an exemption under FOISA applies to that information and, where applicable, the public interest in disclosure is not outweighed by the public interest in upholding the exemption. You can find detailed information about FOISA on our website at: <https://www.gov.scot/about/contact-information/how-to-request-information/> or on the Scottish Information Commissioner's website at: <https://www.itspublicknowledge.info/>.

Kind regards

**[redacted]**

Constitutional Futures Division  
Constitution and Cabinet Directorate  
The Scottish Government

**Item 5 –**

**From:** [redacted] **On Behalf Of** Constitutional Futures

**Sent:** Thursday, July 13, 2023 9:41 AM

**To:** Mark Blyth

**Subject:** Freedom of Information request

Good morning,

I am writing to advise you that the Scottish Government has received a request under the Freedom of Information (Scotland) Act 2002 (FOISA) for a list of names of any external individuals or organisations that members of staff working within the Constitutional Futures Division have met with since March 2021.

You have an interest in the information which has been requested because you have attended a meeting which included staff within the Constitutional Futures Division.

Therefore, I am writing to advise you that your name will be included in the list within the response to the FOISA request. We expect this to be issued in the coming days.

I should also explain that we can withhold information only if an exemption under FOISA applies to that information and, where applicable, the public interest in disclosure is not outweighed by the public interest in upholding the exemption. You can find detailed information about FOISA on our website at: [https://www.gov.scot/about/contact-](https://www.gov.scot/about/contact-information/how-to-request-information/)

[information/how-to-request-information/](#) or on the Scottish Information Commissioner's website at: <https://www.itspublicknowledge.info/>.

Kind regards

**[redacted]**  
Constitutional Futures Division  
Directorate for Constitution  
The Scottish Government  
2W, St Andrew's House, Edinburgh, EH1 3DG



## **Annex B**

### **Section 30(b)(ii) – Free and Frank Exchange of Views for the Purposes of Deliberation**

An exemption under section 30(b)(ii) of FOISA (Free and Frank Exchange of Views) applies to some of the amount of the information requested. This exemption applies because disclosure would, or would be likely to, inhibit substantially the free and frank exchange of views for the purposes of deliberation. This exemption recognises the need for a private space to discuss and explore options with stakeholders. Disclosing the content of free and frank discussions will substantially inhibit such discussions in the future and may deter stakeholders from entering into discussions with the Scottish Government if they believe their comments will be published.

This exemption is subject to the ‘public interest test’. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of open, transparent and accountable government, and to inform public debate. However, there is a greater public interest in allowing a private space within which to engage with stakeholders and external experts. This private thinking space is essential to enable all options to be properly considered, so that good policy decisions can be taken. Premature disclosure is likely to undermine the full and frank discussion of issues, which in turn will undermine the quality of the policy making process, which would not be in the public interest.

### **Section 30(c) (Prejudice to the Effective Conduct of Public Affairs)**

The reason why this exemption applies is because releasing draft plans for and content of Scottish Government publications, which do not reflect final decisions taken, would result in inaccurate information on the Scottish Government’s proposals for an independent Scotland being published, thereby undermining the Scottish Government’s ability to effectively and accurately engage and communicate with the public.

This in turn would be likely to impair the Government’s ability to take forward its work on policy development for an independent Scotland. This would constitute substantial prejudice to the effective conduct of public affairs in terms of the exemption.

This exemption is subject to the ‘public interest test’. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of open, transparent and accountable government, and to inform public debate. However, there is a greater public interest in enabling the Scottish Government to effectively and accurately engage and communicate with the public on its proposals for an independent Scotland without the risk of these proposals being prejudiced by inaccurate information, which doesn’t reflect final decisions taken, being released while the Scottish Government’s work was still under development on a matter of significant political relevance and controversy.

### **Section 38(i)(b) - Personal Information**

An exemption under section s.38(1)(b) of FOISA (Personal Information) applies to a small amount of the information you have requested because it is the personal data of a third party,

i.e. names and contact details of individuals (including civil servants below SCS), and disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulation and in section 34(1) of the Data Protection Act 2018. This exemption is not subject to the 'public interest test', so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exemption.