

Annex A

Item 1 –

From: Alan Miller <alan.miller@strath.ac.uk>
Sent: 11 March 2022 11:01
To: [Redacted]
Cc: [Redacted]
Subject: FW: Webinar - Link

And here is a link to a presentation and Q&A on the UN Report/Scotland's contribution.....

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow G4 0LT
Scotland

[Redacted]Email: alan.miller@strath.ac.uk

From: [Redacted]
Sent: 11 March 2022 10:42
To: Alan Miller <alan.miller@strath.ac.uk>
Subject: Webinar - Link

Hi Alan,

Thanks for your patience!

I've uploaded the webinar to YouTube so you can share it :
<https://youtu.be/Et590mFBc8Y>

We also wanted to link to it from the University Global Coalition site, which had an SDG Awareness week – are you happy with that?

Best wishes,

[Redacted]
[Redacted]**Operations Manager**
Centre for Sustainable Development, University of Strathclyde
Visit our [website](#) | [Sharepoint](#) (internal only)
E: [Redacted]

Due to my current work pattern, you may receive an email from me outwith normal working hours. For the avoidance of doubt, there is no expectation that you will reply to me outside of your agreed working hours.



FOR THE CORONAVIRUS, FAQs AND INFORMATION, FROM THE UNIVERSITY:
<https://www.strath.ac.uk/coronavirus/>

Item 2 –

From: [Redacted]

Sent: 12 May 2022 09:09

To: 'Alan Miller' <alan.miller@strath.ac.uk>

Subject: RE: Request for an initial private chat about the independence prospectus, constitution and rights

Hi Alan,

Thank you! That would be great. I will send the meeting invitation just now.

Many thanks,

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 11 May 2022 19:43

To: [Redacted]

Subject: Re: Request for an initial private chat about the independence prospectus, constitution and rights

Hi [Redacted]

Thanks.

I could do 3.45pm tomorrow?

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow
G4 OLT

[Redacted]

Email: alan.miller@strath.ac.uk

On 11 May 2022, at 19:11, "[Redacted]" wrote:

Hi Alan,

Apologies for the very late response!

Would you have some time for a meeting at some point between 3.00 to 4.30 pm tomorrow (Thursday) afternoon? Otherwise, I'm also free on Friday afternoon from 2.30 pm onwards.

I can send you a Teams invitation once we have found a time that works for us.

Many thanks,

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 10 May 2022 13:31

To: [Redacted]

Subject: Re: Request for an initial private chat about the independence prospectus, constitution and rights

Hi [Redacted]

Thanks.

Sounds good.

I can do 2pm tomorrow or am flexible on Thursday?

Look forward to that.

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow
G4 0LT

[Redacted] Email: alan.miller@strath.ac.uk

On 10 May 2022, at 11:50, "[Redacted]" wrote:

Hi Alan,

Thank you for getting in touch and the update! I hope you are doing well. Apologies for the late response; I was offline for most of last week and yesterday.

A catch-up sounds great and would be very useful. Is there a particular date and time that works best for you? Tomorrow is a bit difficult for me but I have got some free time on most other days in the coming couple of weeks.

We now have a first draft of the paper, which is currently with various policy officials for further input. I hope that this means that we will be in a position to share some content with you in the near future.

Best regards,

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 05 May 2022 13:22

To: [Redacted]

Cc: [Redacted]

Subject: RE: Request for an initial private chat about the independence prospectus, constitution and rights

Hi [Redacted]

I hope all going well with you.

Do you have time for a brief call to update each other on progress?

[Redacted]

Thanks

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow G4 0LT
Scotland

[Redacted] Email: alan.miller@strath.ac.uk

From: [Redacted]
Sent: 25 March 2022 12:41
To: Alan Miller <alan.miller@strath.ac.uk>
Cc: [Redacted]
Subject: RE: Request for an initial private chat about the independence prospectus, constitution and rights

Hi Alan,

That sounds great. I'll send a meeting invitation just now.

Many thanks and I hope you have a lovely, sunny weekend, as well!

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>
Sent: 25 March 2022 12:07
To: [Redacted]
Cc: [Redacted]
Subject: RE: Request for an initial private chat about the independence prospectus, constitution and rights

Hi [Redacted]

Thanks.

Let's do Wednesday, March 30 at 3pm?

Have a sunny weekend.

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow G4 0LT
Scotland

[Redacted]Email: alan.miller@strath.ac.uk

From: [Redacted]
Sent: 25 March 2022 11:44
To: Alan Miller <alan.miller@strath.ac.uk>
Cc: [Redacted]
Subject: RE: Request for an initial private chat about the independence prospectus, constitution and rights

Hi Alan,

Thank you! We hope you are doing well, too.

Of course, another chat would be very useful. I've had a look at our diaries – maybe one of the following dates and times would suit you:

- Wednesday, 30 March, between 3.00 – 5.00 pm
- Thursday, 31 March, between 4.00 – 5.00 pm
- Friday, 1 April, between 11.00 am – 12.00 pm or 2.00 – 4.00 pm
- Monday, 4 April, between 10.00 am – 12.00 pm or 2.00 – 5.00 pm
- Tuesday, 5 April, between 3.00 – 5.00 pm
- Wednesday, 6 April, between 9.00 – 11.00 am or 3.00 – 5.00 pm?

Best regards,

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 24 March 2022 14:54

To: [Redacted]

Cc: [Redacted]

Subject: RE: Request for an initial private chat about the independence prospectus, constitution and rights

Hi both

I hope that you are doing well.

I have been reflecting a little more on our recent conversation and it may be useful to arrange another chat with regard to the content of the [Redacted]

If this would be helpful please give me a few windows you may have and I will try to fit in?

Thanks

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow G4 0LT
Scotland

[Redacted]Email: alan.miller@strath.ac.uk

From: [Redacted]

Sent: 11 March 2022 12:46

To: Alan Miller <alan.miller@strath.ac.uk>

Cc: [Redacted]

Subject: RE: Request for an initial private chat about the independence prospectus, constitution and rights

Hi Alan,

Thank you for our conversation earlier and the links to the blog, report and presentation! They are very useful and extremely relevant to what [Redacted] and I are looking at.

As [Redacted] said, we will get back in touch with you in a few weeks to organise a more detailed conversation. But please feel free to get in touch with us in the meantime if you have any questions, further thoughts on the work etc.

We hope you also have a good weekend.

Best regards,

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 11 March 2022 10:59

To: [Redacted]

Cc: [Redacted]

Subject: RE: Request for an initial private chat about the independence prospectus, constitution and rights

Hi both

Enjoyed the conversation and the approach you are taking.

Happy to support in whatever way is most helpful.

Here is the blog on two trajectories.

[The Supreme Court's judgment on the UNCRC \(Incorporation\) \(Scotland\) Bill | University of Strathclyde](#)

This other one below has just been posted and features a UN Report I authored on human rights/SDGs and personal reflections on Scotland's contributions.

[New UN Report on how human rights support the SDGs globally | University of Strathclyde](#)

I look forward to hearing from you.

Have a good weekend.

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow G4 0LT
Scotland

[Redacted]Email: alan.miller@strath.ac.uk

From: [Redacted]
Sent: 10 March 2022 15:22
To: Alan Miller <alan.miller@strath.ac.uk>
Cc: [Redacted]
Subject: RE: Request for an initial private chat about the independence prospectus, constitution and rights

Hi Alan,

[Redacted]
[Redacted]and I are both have no other meetings tomorrow, so anytime during the work day would work for us. If you let us know what time works best for you, I could then send a Teams meeting invitation to all of us – if tomorrow still suits you?

Alternatively, [Redacted] and I are both free the following dates and times during the week of the 21st:

- Monday, 21 March: 10 am – 12 pm
- Tuesday, 22 March: 11 am – 12 pm and 2 pm – 4 pm
- Wednesday, 23 March: 9 am – 12 pm
- Friday, 24 March: 9 am – 12 pm and 2 pm – 4 pm

Many thanks and best regards,

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 10 March 2022 11:14

To: [Redacted]

Cc: [Redacted]

Subject: RE: Request for an initial private chat about the independence prospectus, constitution and rights

Hi [Redacted]

Thanks for being in touch and pleased to meet you.

Sure, very happy to speak.

Tomorrow is good, next week [Redacted]and then have flexibility the week of the 21st – why don't you give me a couple of windows and we can confirm a time?

Look forward to that.

Thanks

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow G4 0LT
Scotland

Tel: [Redacted]

Email: alan.miller@strath.ac.uk

From: [Redacted]

Sent: 10 March 2022 10:43

To: Alan Miller <alan.miller@strath.ac.uk>

Cc: [Redacted]

Subject: Request for an initial private chat about the independence prospectus, constitution and rights

CAUTION: This email originated outside the University. Check before clicking links or attachments.

Dear Professor Miller,

My name is [Redacted] and I work with [Redacted], who I think you have been in touch with before, in the Scottish Government's Constitutional Futures Division. I previously worked for [Redacted] and we've been at some of the same events but I don't think that we've properly met before.

As you may know, our Division is taking forward the work on the independence prospectus. I was wondering whether you have some time over the next week or two for an initial private chat, maybe for 30 – 45 mins, to discuss our plans for the independence prospectus, constitution and human rights?

Best regards,

[Redacted]

[Redacted] | **Prospectus Lead: Constitution, Rights and Equality | Constitutional Change Unit | Constitutional Futures Division | Directorate for Constitution and Cabinet** | [Redacted]

Item 3 –

-----Original Appointment-----

From: [Redacted]

Sent: 12 May 2022 09:15

To: [Redacted]'Alan Miller'

Subject: Catch-up about prospectus work

When: 12 May 2022 15:45-16:45 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Microsoft Teams Meeting

Sensitivity: Private

Dear Alan,

As promised, this is the meeting invitation for later today. I am not sure if we will need a full hour.

[Redacted]_

Microsoft Teams meeting

[Redacted]

Item 4 –

From: [Redacted]

Sent: 24 May 2022 15:54

To: Alan Miller <alan.miller@strath.ac.uk>

Cc: [Redacted] [Redacted] Brian Dornan <Brian.Dornan@gov.scot [Redacted]

[Redacted]**Subject:** RE: Upcoming draft paper and meeting

Hi Alan,

Thank you!

Would sometime (maybe 2.00 to 3.00 pm) during the afternoon of Monday, 30 May, suit you?

Best wishes,

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 23 May 2022 15:48

To: [Redacted]

Cc: [Redacted][Redacted]Dornan B (Brian) <Brian.Dornan@gov.scot>

Subject: RE: Upcoming draft paper and meeting

Hi [Redacted]

Good to hear from you and hope you had a good weekend.

Sure, I have flexibility this Friday or next Monday – just let me know what works best for you?

I look forward to taking a look at the draft.

Thanks

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow G4 0LT
Scotland

[Redacted]Email: alan.miller@strath.ac.uk

From: [Redacted]
Sent: 23 May 2022 15:24
To: Alan Miller <alan.miller@strath.ac.uk>
Cc: [Redacted]Brian.Dornan@gov.scot
Subject: Upcoming draft paper and meeting

CAUTION: This email originated outside the University. Check before clicking links or attachments.

Hi Alan,

I hope you are doing well.

Thank you again for your ongoing engagement with us. I was wondering whether you have some time later this week for a meeting or early next week?

We are also hoping to share a draft of the paper with you before the meeting – hopefully you will receive that in the next day or two.

Best regards,
[Redacted]

[Redacted] **Prospectus Lead: Constitution, Rights and Equality | Constitutional Change Unit | Constitutional Futures Division | Directorate for Constitution and Cabinet** | [Redacted]

Item 5 –

From: [Redacted]
Sent: 06 July 2022 12:05
To: Alan Miller <alan.miller@strath.ac.uk>
Cc: [Redacted] Brian Dornan <Brian.Dornan@gov.scot>;
[Redacted][Redacted][Redacted][Redacted]
Subject: RE: OFF SEN - [Redacted]paper draft - confidential
Sensitivity: Confidential

Hi Alan,

Great! I will send a meeting invitation just now.

Looking forward to our meeting,
[Redacted]
From: Alan Miller <alan.miller@strath.ac.uk>
Sent: 05 July 2022 13:34
To: [Redacted]
Cc: [Redacted] Dornan B (Brian) <Brian.Dornan@gov.scot>; [Redacted][Redacted];
[Redacted] [Redacted][Redacted]
Subject: Re: OFF SEN - [Redacted]paper draft - confidential
Sensitivity: Confidential

Hi [Redacted]

Thanks.

How about 11am?

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow
G4 OLT

Tel: [Redacted]
Email: alan.miller@strath.ac.uk

On 5 Jul 2022, at 12:53, "[Redacted]" wrote:

Hi Alan,

Thanks! That sounds great. Would sometime before lunch on Friday, 8 July, work for you? We seem to be fairly flexible in terms of the actual time.

[Redacted]

Best wishes,

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 04 July 2022 21:11

To: [Redacted]

Cc: [Redacted]Dornan B (Brian) <Brian.Dornan@gov.scot>;

[Redacted][Redacted][Redacted][Redacted]**Subject:** Re: OFF SEN -

[Redacted]paper draft - confidential

Sensitivity: Confidential

Hi [Redacted]

Thanks and glad you are better now.

Yeah, [Redacted] but would be good if we could have a catch up on Friday July 8 or the morning of July 11 as I have a call with Bonavero, etc on the 12th?

Thanks

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow
G4 OLT

Tel: [Redacted]

Email: alan.miller@strath.ac.uk

On 4 Jul 2022, at 18:35, "[Redacted]" wrote:

Hi Alan,

Thank you! [Redacted]

[Redacted] so hopefully we can schedule a catch-up after that.

Best wishes,
[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>
Sent: 28 June 2022 09:26
To: [Redacted]
Cc: [Redacted] Dornan B (Brian) <Brian.Dornan@gov.scot>; [Redacted] [Redacted]
[Redacted] [Redacted] **Subject:** Re: OFF SEN - [Redacted] paper draft - confidential
Sensitivity: Confidential

Hi [Redacted]

[Redacted]
Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow
G4 OLT

Tel: [Redacted]
Email: alan.miller@strath.ac.uk

On 28 Jun 2022, at 09:18, "[Redacted]" wrote:

Hi Alan,

[Redacted]

Best wishes,
[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>
Sent: 27 June 2022 16:37
To: [Redacted]
Cc: [Redacted] Dornan B (Brian) <Brian.Dornan@gov.scot>; [Redacted] [Redacted]

[Redacted] ; [Redacted] **Subject:** RE: OFF SEN - [Redacted] paper draft - confidential

Sensitivity: Confidential

Hi [Redacted]

Thanks.

I will actually have more flexibility over the next couple of days [Redacted] – let me know your windows and happy to have a chat?

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow G4 0LT
Scotland

Tel: [Redacted]

Email: alan.miller@strath.ac.uk

From: [Redacted]

Sent: 27 June 2022 16:33

To: Alan Miller <alan.miller@strath.ac.uk>

Cc: [Redacted] ; Brian.Dornan@gov.scot; [Redacted] ; [Redacted] ; [Redacted]
[Redacted]

Subject: RE: OFF SEN - [Redacted] paper draft - confidential

Sensitivity: Confidential

Hi Alan,

I'm doing well, thank you! I hope you are doing well, too.

Thank you so much for sharing the blog. That is really useful and obviously aligns with a lot of what our paper is going to say.

[Redacted] but maybe we could have a catch-up meeting, [Redacted]

Many thanks and best wishes,

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 27 June 2022 14:53

To: [Redacted]

Cc: [Redacted] Dornan B (Brian) <Brian.Dornan@gov.scot>; [Redacted] [Redacted]

[Redacted] [Redacted] **Subject:** RE: OFF SEN - [Redacted] paper draft -
confidential
Sensitivity: Confidential

Hi [Redacted]

I hope that you are doing well.

Just giving you a heads up on a blog to be posted over the next day or two – and hopefully [Redacted] ***Attachment located at item 7***

I would think that you may be interested?!

Happy to have a chat.

Thanks

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow G4 0LT
Scotland

Tel: [Redacted]

Email: alan.miller@strath.ac.uk

From: [Redacted]

Sent: 27 May 2022 11:58

To: Alan Miller <alan.miller@strath.ac.uk>

Cc: [Redacted] Brian.Dornan@gov.scot; [Redacted] [Redacted] [Redacted]
[Redacted]

Subject: OFF SEN - [Redacted] paper draft - confidential

Importance: High

Sensitivity: Confidential

CAUTION: This email originated outside the University. Check before clicking links or attachments.

Dear Alan,

I hope you are doing well.

Thank you again for offering your time and expertise. I have attached the current draft version of our '[Redacted]' prospectus paper ahead of our meeting on Monday. Apologies for the delay in getting this to you! ***Attachment located at Item 6***

I have left in some comments in the draft paper and some sections are in brackets and/or highlighted [Redacted] publication. I also wanted to make you aware that the current draft includes a quotation from one of your blog posts (on p. 27).

As discussed, we are sharing this draft on a strictly confidential basis and ask that you do not share it with anyone.

We are looking forward to our meeting on Monday. However, if you require more time to look at the draft (especially as we promised to send it earlier than this!) and would rather postpone the Monday meeting, please do not hesitate to get in touch.

Best regards,
[Redacted]

[Redacted]) | **Prospectus Lead: Constitution, Rights and Equality | Constitutional Change Unit | Constitutional Futures Division | Directorate for Constitution and Cabinet | mobile:** [Redacted]

Item 6 –

[Redacted]

Item 7 –

Under section 25(1) of FOISA, we do not have to give you information which is already reasonably accessible to you. However, in the interests of being helpful, we have provided links to the relevant material below:

[The British Bill of Rights – what are we all to do about it? | University of Strathclyde](#)

Item 8 –

From: [Redacted]

Sent: 02 August 2022 17:05

To: Alan Miller <alan.miller@strath.ac.uk>

Cc: [Redacted]

Subject: RE: Catch-up about the prospectus work

Hi Alan,

Thank you for the link and the information! That sounds great.

Would 3 pm on Tuesday, 9 August, work for you?

Best wishes,
[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 02 August 2022 14:53

To: [Redacted]

Cc: [Redacted]

Subject: RE: Catch-up about the prospectus work

Hi [Redacted]

Thanks and happy to catch up.

I could do a call during the afternoons of next Monday/Tuesday/Wednesday?

If sooner works better I could also do 2.30pm this Thursday?

Hope all going well.

[Redacted]

[International principles for domestic bills of rights processes \(biicl.org\)](http://biicl.org)

Look forward to meeting.

Thanks

Best

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow G4 0LT
Scotland

Tel: [Redacted]

Email: alan.miller@strath.ac.uk

From: [Redacted]

Sent: 02 August 2022 14:10

To: Alan Miller <alan.miller@strath.ac.uk>

Cc: [Redacted]

Subject: Catch-up about the prospectus work

CAUTION: This email originated outside the University. Check before clicking links or attachments.

Hi Alan,

I hope you are doing well.

[Redacted] and I were wondering whether you may have some time over the coming week to have a catch-up regarding the prospectus work?

Best regards,
[Redacted]

[Redacted]
| **Prospectus Lead: Constitution, Rights and Equality | Constitutional Change Unit | Constitutional Futures Division | Directorate for Constitution and Cabinet**
| [Redacted]

Item 9 –

-----Original Appointment-----

From: [Redacted]

Sent: 02 August 2022 17:13

To: [Redacted]

; Alan Miller

Subject: Catch-up about the prospectus work

When: 09 August 2022 15:00-15:30 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Microsoft Teams Meeting

Sensitivity: Private

Hi everyone,

As discussed, this is the meeting invitation for our catch-up on Tuesday.

Many thanks,
[Redacted]

Microsoft Teams meeting
[Redacted]

Item 10 –

From: [Redacted]

Sent: 08 February 2023 11:22

To: Alan Miller <alan.miller@strath.ac.uk>

Cc: [Redacted]

Subject: RE: Chat about the prospectus paper

Hi Alan,

Thank you so much for this (and again for the meeting, of course).

Yes, I think that's a good idea. I can see how we can add something along those lines.

Many thanks,
[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 05 February 2023 17:02

To: [Redacted]

Subject: RE: Chat about the prospectus paper

Hi [Redacted]

Good to chat last week.

One further reflection – [Redacted]

Hope helps – and this would not take more than a sentence or two!

Thanks

Best

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow G4 0LT
Scotland

Tel: [Redacted]

Email: alan.miller@strath.ac.uk

From: [Redacted]

Sent: 01 February 2023 09:12

To: Alan Miller <alan.miller@strath.ac.uk>

Subject: RE: Chat about the prospectus paper

Hi Alan,

Thank you so much for the briefing paper! That's really useful. We've also shared it with some colleagues in our wider team.

I've attached the current draft of our paper – apologies for only being able to share it now, as it was being revised. Any comments you may have would be greatly appreciated, although we obviously don't expect you to have read it before our meeting later this morning. We can talk you through some of the main changes to the paper and we can always have a later conversation about your comments, as well. ***Attachment located at Item 12***

Looking forward to our meeting today and many thanks again for your help,
[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 27 January 2023 13:43

To: [Redacted]

Cc: [Redacted]

[Redacted][Redacted]**Subject:** RE: Chat about the prospectus paper

Hi [Redacted]

Look forward to talking next week.

In the meantime and FYI here is the now recently published briefing paper from the Bonavero Institute (Oxford University), Bingham Centre (British Centre for International and Comparative Law) and the Centre for the Study of Human Rights Law (Strathclyde University). ***Attachment located at Item 11***

Its purpose is to influence the public debate on the various Bills of Rights processes throughout the UK – British Bill of Rights, Scottish Human Rights Bill and your paper, the forthcoming Welsh legislative process and the Northern Ireland Bill of Rights process – through offering a methodology of critique based on principles from the international human rights framework.

So, the Centre for the Study of Human Rights Law at the University of Strathclyde is likely to use this methodology to assess the Scottish Human Rights Bill consultation paper as well as your own paper.

Hope is of use to you.

Talk more next week.

Have a good weekend.

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow G4 0LT
Scotland

Tel: [Redacted]

Email: alan.miller@strath.ac.uk

From: [Redacted]

Sent: 26 January 2023 17:33

To: Alan Miller <alan.miller@strath.ac.uk>

C[Redacted]

Subject: RE: Chat about the prospectus paper

Hi Alan,

Apologies for the late response!

Would the morning of Wednesday, 1 February, still work for you?

We can also share an updated version of the paper in advance of the meeting.

Many thanks,

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 23 January 2023 14:22

To: [Redacted]

Cc: [Redacted][Redacted] [Redacted]**Subject:** Re: Chat about the prospectus paper

Hi [Redacted]

Thanks and a happy new year to you and yours!

Good to hear from you and of course happy to meet.

Mornings of Feb 1/2 work for you all?

Look forward to catching up.

Thanks

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow
G4 OLT

Tel: [Redacted]

Email: alan.miller@strath.ac.uk

On 23 Jan 2023, at 08:47, [Redacted] wrote:

CAUTION: This email originated outside the University. Check before clicking links or attachments.

Dear Alan,

Happy New Year! I hope you're doing well.

Thank you again for our meetings and your insight earlier last year, and apologies not to have been in touch again before now.

We wondered if you have some time for another chat in the next week or two, on the same basis as before?

Best wishes,
[Redacted]

[Redacted] | **Prospectus Lead: Constitution, Rights and Equality | Constitutional Change Unit | Constitutional Futures Division | Directorate for Constitution and Cabinet | mobile:** [Redacted]
[Redacted]

Item 11 –

Under section 25(1) of FOISA, we do not have to give you information which is already reasonably accessible to you. However, in the interests of being helpful, we have provided links to the relevant material below:

[The Bonavero Institute publishes new report NO. 1/2023: The Making of Bills of Rights: Relevant International Human Rights Law Obligations | Faculty of Law \(ox.ac.uk\)](#)

Item 12 –

[Redacted]

Item 13 –

From: [Redacted]

Sent: 04 May 2023 15:18

To: Minister for Independence <MinisterforIndy@gov.scot>

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

[Redacted][Redacted]**Subject:** Off Sen - Note on academic engagement - draft Constitution paper

Hi [Redacted]

Here is the note on academic engagement requested by Mr Hepburn at our meeting last week -

File Note - Minister for Independence - academic engagement on draft Constitution prospectus paper May 2023 details - Objective ECM (scotland.gov.uk)

Attachment located at Item 14

If you have any difficulties opening the ERDM link, please let me know. I have attached a Word version for ease of reference.

Kind regards

[Redacted]

[Redacted]

**]Directorate for Constitution
Scottish Government**

Tel: [Redacted]

Item 14 –

Minister for Independence: Further advice on CFD engagement with academics on drafts of Building a New Scotland: Creating a modern constitution for an independent Scotland – file note

Background

At our briefing on 25 April 2023 the Minister asked officials for a note of the academics we have engaged with on the drafting of the prospectus paper “Creating a modern constitution for an independent Scotland.”

Context for academic engagement

In order to provide the people of Scotland with the information they need to make an informed choice about their constitutional future, officials sought academic expertise to ensure the draft prospectus paper was informed by research-based knowledge and insight.

Basis of engagement

Individual academics and officials conducted Teams conversations or face-to-face meetings on the basis, communicated with all academics, that:

- Academics could participate in conversations without compromising any commitment to impartiality
- The conversations were a safe space for the sharing of knowledge and ideas, taking place on the understanding that exchanges would remain private and confidential (though the fact and the record of meetings could be disclosed through FOI, if a relevant request were received)
- Any sustained engagement and sharing of expertise would be acknowledged appropriately (e.g., a testimonial letter).

No testimonial letters have been requested or issued thus far.

List of academics

To date, officials engaged with the following academics:

- Professor Christine Bell, University of Edinburgh. Professor of Constitutional Law
- Dr Elliot Bulmer. Author of *Constituting Scotland: The Scottish National Movement and the Westminster Model* (2016) and Research Director of the Constitutional Commission (2009-13)
- Professor Nicola McEwen, University of Edinburgh. Professor of Territorial Politics
- Professor Aileen McHarg, University of Durham. Professor of Public Law and Human Rights
- Professor Alan Miller, University of Strathclyde. Professor of Practice in Human Rights Law

Constitutional Futures Division, 4 May 2023

Item 15 –

From: [Redacted]

Sent: 14 June 2023 17:39

To: Alan Miller <alan.miller@strath.ac.uk>

Cc: [Redacted]

Subject: RE: Request for a call to catch-up on the constitution paper later this week
Sensitivity: Private

Hi Alan,

Great, how about 3.00 – 3.30 pm? I can send a Teams invitation just now.

Many thanks,

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 14 June 2023 17:32

To: [Redacted]

Cc: [Redacted]

Subject: Re: Request for a call to catch-up on the constitution paper later this week

Sensitivity: Private

Hi [Redacted]

Sure.

Just give me a time?

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
141 St James Road
Glasgow G4 OLT
Scotland

Tel: [Redacted]

alan.miller@strath.ac.uk

On 14 Jun 2023, at 17:23, [Redacted] wrote:

Hi Alan,

Thank you for the very fast response!

Would sometime tomorrow afternoon after 2.30 pm work for you?

Many thanks,

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 14 June 2023 17:22

To: [Redacted]

Cc: [Redacted]

Subject: Re: Request for a call to catch-up on the constitution paper later this week

Sensitivity: Private

Hi [Redacted]

Thanks for being in touch.

I have flexibility tomorrow but not Friday?

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
141 St James Road
Glasgow G4 OLT
Scotland

Tel: [Redacted]

alan.miller@strath.ac.uk

On 14 Jun 2023, at 17:19, [Redacted] wrote:

CAUTION: This email originated outside the University. Check before clicking links or attachments.

Hi Alan,

I hope you are doing well.

Thank you again for all of your previous engagement with us regarding the prospectus paper and apologies for the long silence from our end.

We were wondering whether you would have some time for a follow-up call regarding the paper either tomorrow or on Friday? This would be under the same conditions regarding confidentiality as our previous calls.

Best regards,

[Redacted]

[Redacted] | **Prospectus Lead: Constitution, Rights and Equality | Constitutional Change Unit | Constitutional Futures Division | Directorate for Constitution |**

mobile:[Redacted]

[Redacted]

[Redacted]

Item 16 –

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 16 June 2023 16:06

To: [Redacted]

Cc: [Redacted][Redacted]**Subject:** Re: CONFIDENTIAL - copy of the constitution paper

Sensitivity: Private

Hi [Redacted]

Thanks for this and I look forward to the read.

Well done on getting it over the line.

Have a lovely weekend.

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
141 St James Road
Glasgow G4 OLT
Scotland

Tel: [Redacted]

alan.miller@strath.ac.uk

On 16 Jun 2023, at 14:24, [Redacted] wrote:

CAUTION: This email originated outside the University. Check before clicking links or attachments.

Hi Alan,

Thank you again for our catch-up yesterday!

Please find the final version of the 'Building a New Scotland: Creating a modern constitution for an independent Scotland' paper attached to this email. As discussed during our meeting, we are sharing this on a confidential basis and ask that you do not share the paper, its content or the fact that it has been shared with you in advance with others. ***Item located at Item 17***

This is the final PDF version, so the page numbers etc. should be the same as the one that will be published on Monday.

If you have any questions about the paper or would like to discuss it further, please do not hesitate to get in touch. And I am sure we will get back in touch regarding further engagement or discussions regarding its content.

Thank you again for your contributions to this paper!
Best wishes,
[Redacted]

[Redacted] | **Prospectus Lead: Constitution, Rights and Equality | Constitutional Change Unit | Constitutional Futures Division | Directorate for Constitution | mobile:** [Redacted]
[Redacted]
[Redacted]

Item 17 –

[Building a New Scotland: Creating a modern constitution for an independent Scotland - gov.scot \(www.gov.scot\)](http://www.gov.scot)

The link above relates to the section 25(1) exemption detailed on page one of this response.

Item 18 –

-----Original Message-----

From: [Redacted]

Sent: 28 June 2023 15:43

To: alan miller <[Redacted]>

Subject: RE: Blog | University of Strathclyde

Hi Alan,

That's great! Thank you so much for sending us a link - I've shared it with colleagues :)

Many thanks,

[Redacted]

-----Original Message-----

From: alan miller <[Redacted]>

Sent: 28 June 2023 14:08

To: [Redacted] Subject: Blog | University of Strathclyde

Hi [Redacted]

FYI and to share with colleagues..

<https://www.strath.ac.uk/humanities/lawschool/blog/>

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
University of Strathclyde
141 St James Road
Glasgow G4 OLT
Scotland

Tel: [Redacted]

Email: alan.miller@strath.ac.uk

Item 19 –

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 13 July 2023 10:35

To: Constitutional Futures <ConstitutionalFutures@gov.scot>

Subject: Re: Freedom of Information request

Hi [Redacted]

Thanks for this.

Not a problem.

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
141 St James Road
Glasgow G4 OLT

Scotland

Tel: [Redacted]

alan.miller@strath.ac.uk

On 13 Jul 2023, at 09:37, ConstitutionalFutures@gov.scot wrote:

CAUTION: This email originated outside the University. Check before clicking links or attachments.

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-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

Item 20 –

From: [Redacted]

Sent: 19 July 2023 11:51

To: Alan Miller <alan.miller@strath.ac.uk>

Cc: [Redacted][Redacted] [Redacted]

Subject: RE: Potential meeting with Minister for Independence

Hi Alan,

That's great, thank you! We have messaged Private Office to see if we can get a date for a meeting in Edinburgh instead. We will get back in touch as soon as we've heard back from them.

Many thanks,

[Redacted]

From: Alan Miller <alan.miller@strath.ac.uk>

Sent: 18 July 2023 14:36

To: [Redacted]>

Cc: [Redacted]>; [Redacted]; [Redacted]>

Subject: Re: Potential meeting with Minister for Independence

Hi [Redacted]

Good to hear from you and hope you are enjoying the summer.

[Redacted]

No problem either way.

Thanks and look forward to the meeting.

Best

Alan

Alan Miller
Professor of Practice in Human Rights
Law School
141 St James Road
Glasgow G4 OLT
Scotland

Tel: [Redacted]

alan.miller@strath.ac.uk

On 18 Jul 2023, at 14:16, [Redacted]wrote:

CAUTION: This email originated outside the University. Check before clicking links or attachments.

Hi Alan,

I hope you are doing well.

Our Minister, Mr Hepburn, would greatly appreciate a meeting with you to discuss the 'Building a New Scotland' prospectus series, including the constitution paper we published last month. We were, therefore, wondering whether you might have some availability on 25 July in Glasgow?

Many thanks,

[Redacted]

[Redacted] **Prospectus Lead: Constitution, Rights and Equality | Constitutional Change Unit | Constitutional Futures Division | Directorate for Constitution | mobile:** [Redacted]

[Redacted]

[Redacted]

Item 21 –

-----Original Appointment-----

From: [Redacted]

Sent: Friday, March 25, 2022 12:43 PM

To: [Redacted] Alan Miller

Subject: Chat about prospectus work

When: 30 March 2022 15:00-16:00 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Microsoft Teams Meeting

Sensitivity: Private

Hi Alan and [Redacted]

As discussed over email just now, here is the meeting invitation for our call on Wednesday.

Many thanks,

[Redacted]

Microsoft Teams meeting

Join on your computer or mobile app

[Redacted]

Item 22 –

-----Original Appointment-----

From: [Redacted]

Sent: Wednesday, June 14, 2023 5:41 PM

To: Alan Miller

Cc: [Redacted][Redacted] Brian Dornan

Subject: Catch-up regarding the constitution paper

When: 15 June 2023 15:00-15:30 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Microsoft Teams Meeting

Sensitivity: Private

Hi Alan,

I am not sure if [Redacted] will be able to join us tomorrow, so I have added Brian and [Redacted], as well, in case they want to/can join us.

Many thanks,
[Redacted]

Microsoft Teams meeting

Join on your computer, mobile app or room device
[Redacted]

Item 23 –

-----Original Appointment-----

From: [Redacted]

Sent: Friday, January 27, 2023 1:40 PM

To: [Redacted][Redacted][Redacted]; Alan Miller

Subject: Chat about the constitution paper

When: 01 February 2023 10:30-11:30 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Microsoft Teams Meeting

Hi everyone,

As discussed, I'm putting in some time on Wednesday morning to discuss the constitution paper.

Alan, if this time doesn't work for you, just let me know and I can reschedule it.

Many thanks and I hope you have a lovely weekend,
[Redacted]

Microsoft Teams meeting

Join on your computer, mobile app or room device
[Redacted]

Item 24 –

-----Original Appointment-----

From: [Redacted]

Sent: Wednesday, May 25, 2022 3:56 PM

To: Alan Miller; [Redacted]; Brian Dornan; [Redacted]

Subject: Meeting about the prospectus paper

When: 30 May 2022 14:00-15:00 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Microsoft Teams Meeting

Sensitivity: Private

Hi Alan,

I hope this time on Monday still suits you.

As you'll see, I've added a few of my Constitutional Features Division colleagues to the meeting.

We will share a draft of the paper with you tomorrow. I hope that gives you enough time to review the draft? If not, please do not hesitate to get in touch.

Many thanks,
[Redacted]_

Microsoft Teams meeting

[Redacted]

Item 25 –

Note of meeting between Professor Alan Miller and SG officials 1 February 2023

Attendees

- Professor Alan Miller, University of Strathclyde
- Officials: [Redacted], [Redacted], [Redacted]

Background

As part of the wider prospectus programme to provide the people of Scotland with the information they need to make an informed choice about their constitutional future, officials sought academic expertise to ensure the draft prospectus paper on the constitution, rights and equality was informed by research-based knowledge and insight.

Officials conducted a Teams conversation with Professor Miller on the following basis as agreed in advance of the meeting:

- That we anticipate that academics would participate in conversations without compromising any commitment to impartiality
- That conversations would be a safe space for the sharing of knowledge and ideas, taking place on the understanding that exchanges would remain private and confidential
- That any sustained engagement and sharing of expertise could be acknowledged appropriately (e.g. through a testimonial letter)

Discussion

Discussion focused on the main arguments and policy proposals contained in the latest draft of the prospectus publication (which had been shared with Professor Miller prior to the meeting) as well as the latest developments in human rights and equality policy.

Item 26 –

Note of meeting between Professor Alan Miller and SG officials 30 May 2022

Attendees

- Professor Alan Miller, University of Strathclyde
- Officials: [Redacted], [Redacted], Brian Dornan, [Redacted]

Background

As part of the wider prospectus programme to provide the people of Scotland with the information they need to make an informed choice about their constitutional future, officials sought academic expertise to ensure the draft prospectus paper on the constitution, rights and equality was informed by research-based knowledge and insight.

Officials conducted a Teams conversation with Professor Miller on the following basis as agreed in advance of the meeting:

- That we anticipate that academics would participate in conversations without compromising any commitment to impartiality
- That conversations would be a safe space for the sharing of knowledge and ideas, taking place on the understanding that exchanges would remain private and confidential
- That any sustained engagement and sharing of expertise could be acknowledged appropriately (e.g. through a testimonial letter)

Discussion

Discussion focused on the main arguments and policy proposals contained in the draft prospectus publication, which had been shared with Professor Miller prior to the meeting.

Item 27 –

Note of meeting between Professor Alan Miller and SG officials 8 July 2022

Attendees

- Professor Alan Miller, University of Strathclyde
- Officials: [Redacted], [Redacted], Brian Dornan, [Redacted]

Background

As part of the wider prospectus programme to provide the people of Scotland with the information they need to make an informed choice about their constitutional future, officials sought academic expertise to ensure the draft prospectus paper on the constitution, rights and equality was informed by research-based knowledge and insight.

Officials conducted a Teams conversation with Professor Miller on the following basis as agreed in advance of the meeting:

- That we anticipate that academics would participate in conversations without compromising any commitment to impartiality
- That conversations would be a safe space for the sharing of knowledge and ideas, taking place on the understanding that exchanges would remain private and confidential
- That any sustained engagement and sharing of expertise could be acknowledged appropriately (e.g. through a testimonial letter)

Discussion

Discussion focused on the main arguments and policy proposals contained in the latest draft of the prospectus publication (which had been shared with Professor Miller prior to the meeting) as well as the latest developments in human rights and equality scholarship.

Item 28 –

Note of meeting between Professor Alan Miller and SG officials 9 August 2022

Attendees

- Professor Alan Miller, University of Strathclyde
- Officials: [Redacted]

Background

As part of the wider prospectus programme to provide the people of Scotland with the information they need to make an informed choice about their constitutional future, officials sought academic expertise to ensure the draft prospectus paper on the constitution, rights and equality was informed by research-based knowledge and insight.

Officials conducted a Teams conversation with Professor Miller on the following basis as agreed in advance of the meeting:

- That we anticipate that academics would participate in conversations without compromising any commitment to impartiality
- That conversations would be a safe space for the sharing of knowledge and ideas, taking place on the understanding that exchanges would remain private and confidential
- That any sustained engagement and sharing of expertise could be acknowledged appropriately (e.g. through a testimonial letter)

Discussion

Discussion focused on the main arguments and policy proposals contained in the latest draft of the prospectus publication (which had been shared with Professor Miller prior to the meeting) as well as the latest developments in human rights and equality scholarship.

Annex B

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

An exemption under Section 30(c) (Prejudice to the Effective Conduct of Public Affairs) of FOISA applies to some of the information you have requested. The reason why this exemption applies is because releasing information regarding potential future Scottish Government publications, which may 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.