

Email exchange between an official in the Scottish Government's Constitutional Futures Division and Mark Blyth:

From: Mark Blyth [redacted]
Sent: 05 May 2022 13:53
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] / [Constitutional Futures Division](#) / [Scottish Government](#) / [redacted]

An exemption under section 38(1)(b) of FOISA (Personal Information) applies to some of the information requested because it is personal data of a third party 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.

An exemption under section 30(b)(ii) of FOISA (Free and Frank Exchange of Views for the Purposes of Deliberation) applies to some 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 Ministers and officials to have a private space within which to discuss issues and options with external stakeholders before the Scottish Government reaches a settled public view. Disclosing the content of these discussions will substantially inhibit such discussions in the future, because stakeholders will be reluctant to provide their views fully and frankly if they believe that those views are likely to be made public. This would significantly harm the Scottish Government's ability to carry out many aspects of its work, and could adversely affect its ability to gather all of the evidence needed to make fully informed policies/decisions.

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 Ministers and officials a private space within which to communicate with appropriate external stakeholders as part of the process of exploring and refining the Government's policy position until the Government as a whole can adopt a policy that is sound and likely to be effective. This private space is essential to enable all options to be properly considered, so that good policy decisions can be taken based on fully informed advice and evidence. Premature disclosure is likely to undermine the full and frank discussion of issues between the Scottish Government and stakeholders, which in turn will undermine the quality of the policy making process, which would not be in the public interest. There is also an important public interest in avoiding the loss of stakeholder confidence in cases where they thought they were discussing policy matters in confidence, which would be inevitable if an individual's discussion was released against their wishes.