

## Annex A

### Item 1

**From:** [Redacted]

**Sent:** Friday, February 2, 2024 9:51 AM

**To:** Cabinet Secretary for Constitution, External Affairs & Culture

<CabSecforCEAC@gov.scot>; Minister for Culture, Europe & International Development

<zzMinisterforCEID@gov.scot>; Minister for Independence <MinisterforIndy@gov.scot>

**Cc:** [Redacted] [Redacted] Jack Middleton <Jack.Middleton@gov.scot>; Tom Thomson

<Tom.Thomson@gov.scot>; David Hutchison <David.Hutchison@gov.scot>

**Subject:** CULTURE LAUNCH: Confirmed media/running issues

Good morning Cabinet Secretary/Ministers/PO

Below is a list of attendees for today's launch.

I have also included a list of running issues and responses.

Kind regards

[Redacted]

#### **Confirmed media to attend**

##### **Broadcast**

Andrew Kerr – BBC

Chloe Adams - STV

Cameraman – BBC

Alan Zycinski – LBC

Linda Graham – Broadcasting Scotland

##### **Print**

Brian Ferguson – Scotsman (Culture)

Pauline McLean – BBC (Arts)

Chris McCall – Daily Record

Kathleen Nutt – Herald

Lewis McKenzie – Scottish Sun

Rebecca McCurdy – PA

Jessica North – Scottish Daily Mail

Abbi Garton – The National

##### **Photography**

Les Gallagher – Sun (Photos)

Wattie Cheung – Mail (photos)

Colin Mearns – Herald (Photo)

### Item 2

**From:** [Redacted]

**Sent:** Friday, February 2, 2024 9:21 AM

**To:** Cabinet Secretary for Constitution, External Affairs & Culture

<CabSecforCEAC@gov.scot>; Minister for Culture, Europe & International Development

<zzMinisterforCEID@gov.scot>; Minister for Independence <MinisterforIndy@gov.scot>

**Cc:** [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]

[Redacted] [Redacted] [Redacted] ; Social Media <socialmedia@gov.scot[Redacted] >;

[Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] >; [Redacted]

[Redacted] Tom Thomson <Tom.Thomson@gov.scot>; [Redacted] >; Ewan Crawford

<Ewan.Crawford@gov.scot>; Jack Middleton <Jack.Middleton@gov.scot>; David Hutchison <David.Hutchison@gov.scot>; Julie Grant <Julie.Grant@gov.scot>; Brian Dornan <Brian.Dornan@gov.scot>; Andrew Bruce <Andrew.Bruce@gov.scot>; Dominic Munro <Dominic.Munro@gov.scot>; [Redacted] [Redacted] Permanent Secretary <PermanentSecretary@gov.scot>; [Redacted] **Subject:** RE: FOR CLEARANCE: BANS Culture news release

Thanks all for the clearance – we will amend before publishing just after 10:00.

Regards

[Redacted]

**From:** [Redacted] **On Behalf Of** Cabinet Secretary for Constitution, External Affairs & Culture

**Sent:** Friday, February 2, 2024 9:07 AM

**To:** [Redacted] Cabinet Secretary for Constitution, External Affairs & Culture <CabSecforCEAC@gov.scot>; Minister for Culture, Europe & International Development <MinisterforCEID@gov.scot>; Minister for Independence <MinisterforIndy@gov.scot>

**Cc:** [Redacted] >; [Redacted] >; [Redacted] >; [Redacted] [Redacted] [Redacted] >; [Redacted] >; [Redacted] >; [Redacted]; Social Media <socialmedia@gov.scot>; [Redacted] >; [Redacted] >; [Redacted] [Redacted] [Redacted] >; [Redacted] [Redacted] >; [Redacted] >; Tom Thomson <Tom.Thomson@gov.scot>; [Redacted] >; Ewan Crawford <Ewan.Crawford@gov.scot>; Jack Middleton <Jack.Middleton@gov.scot>; David Hutchison <David.Hutchison@gov.scot>; Julie Grant <Julie.Grant@gov.scot>; Brian Dornan <Brian.Dornan@gov.scot>; Andrew Bruce <Andrew.Bruce@gov.scot>; Dominic Munro <Dominic.Munro@gov.scot>; [Redacted] >; [Redacted] >; Permanent Secretary <PermanentSecretary@gov.scot>; [Redacted] **Subject:** RE: FOR CLEARANCE: BANS Culture news release

Hi [Redacted],

Mr Robertson is content with one minor grammatical tweak at the end of para 2 as follows:

Mr Robertson said:

“Our culture and creative sectors, such as music, video games and the screen sector, are a key part of Scotland’s economy, not just in their own right but also as a driver of other sectors such as tourism and hospitality. Our creative industries already make an important contribution to our economy but as an independent country, Scotland’s rich and diverse culture would help our economy to thrive.

“Independence means that broadcasting decisions that impact Scottish audiences and our creative industries would be determined by the Scottish public through the Scottish Parliament. For example, decisions about what large-scale sporting events should be made available to broadcast free-to-air, such as international football qualifiers. A new public service broadcaster would prioritise content and services that are more representative of diverse audiences in Scotland, ~~and~~ enhancing local voices and coverage of community issues.

“Brexit and the removal of free movement has had a major impact on Scotland’s cultural and creative sectors by limiting access to the people, talent and skills the sector needs. The

increased costs and administrative burdens have also meant that working in the EU is now beyond the reach of many of Scotland's artists, damaging their ability to reach new audiences and generate income. Independence and Scotland becoming a full member state within the EU is the only way for artists and creatives to regain the vast benefits of EU membership, including freedom of movement."

Thanks,  
[Redacted]

### Private Secretary

Office of Angus Robertson MSP, Cabinet Secretary for Constitution, External Affairs and Culture [CabSecforCEAC@gov.scot](mailto:CabSecforCEAC@gov.scot)

### Item 3

**From:** [Redacted] > **On Behalf Of** Minister for Independence  
**Sent:** Friday, February 2, 2024 12:24 PM  
**To:** [Redacted] >; Minister for Independence <[MinisterforIndy@gov.scot](mailto:MinisterforIndy@gov.scot)>  
**Cc:** [Redacted] >; [Redacted] >; [Redacted] >  
**Subject:** RE: BANS - Culture - Minister for Independence stakeholder letter - draft

[Redacted]

Letter issued for records.

[Redacted]

[Redacted]

**Private Secretary – Minister for Independence – Jamie Hepburn MSP**  
**The Scottish Government**

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

[Redacted] Email: [MinisterforIndy@gov.scot](mailto:MinisterforIndy@gov.scot)

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### Item 4

**From:** [Redacted] > **On Behalf Of** Minister for Independence  
**Sent:** Friday, February 2, 2024 10:27 AM  
**To:** [Redacted] >; Cabinet Secretary for Constitution, External Affairs & Culture <[CabSecforCEAC@gov.scot](mailto:CabSecforCEAC@gov.scot)>; Minister for Independence <[MinisterforIndy@gov.scot](mailto:MinisterforIndy@gov.scot)>  
**Cc:** Minister for Culture, Europe & International Development <[zzMinisterforCEID@gov.scot](mailto:zzMinisterforCEID@gov.scot)>; Brian Dornan <[Brian.Dornan@gov.scot](mailto:Brian.Dornan@gov.scot)>; Lisa Baird <[Lisa.Baird@gov.scot](mailto:Lisa.Baird@gov.scot)>; Rachael Mckechnie <[Rachael.Mckechnie@gov.scot](mailto:Rachael.Mckechnie@gov.scot)>; Spads Admin <[Spads\\_Admin@gov.scot](mailto:Spads_Admin@gov.scot)>; Ewan Crawford <[Ewan.Crawford@gov.scot](mailto:Ewan.Crawford@gov.scot)>; David Hutchison

<David.Hutchison@gov.scot>; [Redacted] >; [Redacted] >; [Redacted] [Redacted] [Redacted] >; [Redacted] [Redacted] **Subject:** RE: For Signature - letters to Parliamentary contacts and Welsh/UKG Ministers - Culture Paper

[Redacted]

Please find attached Mr Hepburn's sent letters for records.

Thanks

[Redacted]

**[Redacted] Private Secretary – Minister for Independence – Jamie Hepburn MSP**  
**The Scottish Government**

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

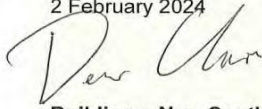
[Redacted] Email: [MinisterforIndy@gov.scot](mailto:MinisterforIndy@gov.scot)

**Item 4.1**

Clare Adamson MSP  
Convener of the Constitution, Europe, External  
Affairs and Culture Committee

Email: [CEEAC.committee@parliament.scot](mailto:CEEAC.committee@parliament.scot)

2 February 2024



### **Building a New Scotland: Culture in an Independent Scotland**

Today the Scottish Government has published 'Culture in an Independent Scotland', the tenth in our 'Building a New Scotland' series of independence prospectus papers, a copy of which is attached.

Scotland has a deep and rich culture that is world renowned. The Scottish Government is determined to protect and enhance it, putting it at the heart of our communities for the benefit of everyone. This paper sets out proposals on how independence would: further support the creative economy and realise the potential of our culture and creative sectors on the international stage and how it would build on the strength of our screen sector. It sets out how independence would build on the progress that has been made under devolution, creating new opportunities to support access to culture and to provide future Scottish Governments with powers to ensure our culture, heritage and creative sectors have adequate and appropriate support to develop and thrive.

By joining the EU as an independent nation, Scotland's creative industries would also have unrestricted access to the EU market and freedom of movement, and access to EU programmes which would provide an important source of funding, projects and collaboration. Freedom of movement would make activities such as touring, collaborating with artists in other countries, and taking part in cultural productions and festivals, much smoother and less expensive.

The paper also outlines how we would protect public service broadcasting with independence. This Scottish Government would establish a new Scottish public service broadcaster; to reflect the specific needs, interests and values of Scottish audiences and creative industries.

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)

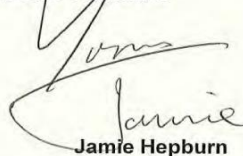
St Andrew's House, Regent Road, Edinburgh EH1 3DG  
[www.gov.scot](http://www.gov.scot)



Independence would provide the powers to develop a broadcasting strategy to meet the requirements of audiences in Scotland, improve authentic representation of people here, and engage with partners around the UK and beyond to explore continued access to the programming and services that matter to Scottish audiences, while keeping editorial and creative independence from government.

As our culture and creative sectors navigate the impacts of Brexit, the aftermath of the COVID-19 pandemic, and the increased cost of living, it is therefore more important than ever that Scotland has the full powers of independence to support and develop them.

I will be very happy to discuss this with you and our Parliamentary colleagues further, as the national discussion on independence continues.



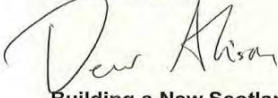
**Jamie Hepburn**

## Item 4.2

Rt. Hon. Alison Johnstone MSP  
Presiding Officer

Email: [PresidingOfficers@parliament.scot](mailto:PresidingOfficers@parliament.scot)

2 February 2024



### **Building a New Scotland: Culture in an Independent Scotland**

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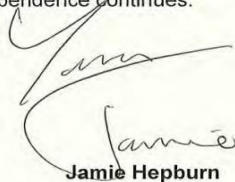
**INVESTORS IN PEOPLE™**  
We invest in people Silver



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I would be very happy to discuss this with you and our Parliamentary colleagues further, as the national discussion on independence continues.



**Jamie Hepburn**

## Item 5

**From:** [Redacted] > **On Behalf Of** Brian Dornan

**Sent:** Friday, February 2, 2024 12:16 PM

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

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

**Subject:** Official Sensitive: Building a New Scotland independence prospectus series - Paper 10 - 'Culture in an independent Scotland'

[Redacted],

Proposed text of a note from Mr Hepburn for Cab Sec, Ministerial and SpAd colleagues, below. Also attaching the three relevant documents.

Trust useful.

Brian

“Colleagues,

Today we have published the tenth paper in our independence prospectus series ‘**Culture in an independent Scotland**’. Please find attached materials to support any stakeholder engagement you may be undertaking in the coming days:

- Full paper
- Briefing pack
- Portfolio top lines

[Insert signature]”

**Brian Dornan** | Deputy Director Constitutional Futures | Directorate for Constitution | Scottish Government

### Item 5.1 – Full paper

[Building a New Scotland: Culture in an independent Scotland - gov.scot \(www.gov.scot\)](http://www.gov.scot)

### Item 5.2

<b>What</b>	You are launching “Culture in an independent Scotland”, the tenth paper in the Building a New Scotland prospectus series.
<b>Where</b>	The Glasgow Royal Concert Hall, 2 Killermont St, Glasgow, G2 3NW
<b>When</b>	Friday 2 February from 13:15 – 15:00.  To note the launch media event finishes at 14:30 (TBC ) and after this the Cabinet Secretary for Culture and Minister for Culture will meet with representatives from Glasgow Life.
<b>Who</b>	Councilor Bailie Annette Christie, Glasgow City Council Convener for Culture, Sport and International Relations and Chair of Glasgow Life  Billy Garrett, Director of Culture, Tourism and Events for Glasgow Life
<b>Briefing contents</b>	<b>Annex A:</b> Launch arrangements, timetable, participant biographies (page 2)  <b>Annex B:</b> Key messages (page 4)  <b>Annex C:</b> Overview of “Culture in an independent Scotland” (page 6)  <b>Annex D:</b> Background Briefing (page 8)  <b>Annex E:</b> Q&A (page 10)  [Redacted]  [Redacted]  [Redacted]
<b>Media Handling</b>	Handling plans shared separately.
<b>Contact</b>	Lead Culture Official: [Redacted] Lead Broadcasting Official: [Redacted] Constitutional Futures Official: [Redacted]

## LAUNCH ARRANGEMENTS

The Cabinet Secretary for Culture, Minister for Culture and Minister for Independence will launch 'Building a New Scotland: Culture in an independent Scotland' at the Glasgow Royal Concert Hall on Friday 2 February.

As part of Celtic Connections, Glasgow Life has offered to provide access to a Celtic Connections venue as a backdrop for the launch of the culture paper.

Ministers have been invited to attend the rehearsal for Transatlantic Sessions, which will be held in the main auditorium of the Glasgow Royal Concert Hall on Friday 2 February.

Transatlantic Sessions celebrates the rich traditions connecting Scotland, Ireland and the US, and is a Celtic Connections highlight.

A visit and photocall at the Glasgow Royal Concert Hall and will be followed by a brief meeting with representatives from Glasgow Life regarding their cultural plans for the year and Scottish Government support. The launch and visit are currently expected to take place from **13:15 – 15:00**.

The proposed running order for the day is set out in the communications handling plan and is below:

- 13:15 – Cab Sec and Ministers arrive at Glasgow Royal Concert Hall. Arrival at Killermont Street entrance which is the usual car drop-off point. *Bailie Annette Christie*, City Convener for Culture, Sport and International Relations and Chair of Glasgow Life, and Billy Garrett, Director of Culture, Tourism and Events for Glasgow Life will greet the ministers on arrival
- 13:20 – Cab Sec and Ministers briefing with Spads and Comms
- 13:25 – Photographs outside/inside venue with Culture paper
- 13:40 – Print interviews
- 14:00 – Broadcast interviews
- 14:00 – Band rehearsal starts
- 14:30 – Media visit ends
- 14:35 – 15:00: Cab Sec and Minister for Culture meet Cllr Bailie Annette Christie and Billy Garrett to discuss Glasgow Life's cultural plans for this year and the Scottish Government's continued support for culture and events in Glasgow. The Minister for Independence is free to leave.

## PARTICIPANT BIOGRAPHIES

### Councillor Bailie Annette Christie



Annette Christie was elected in 2017 for the East Centre ward (SNP) and is currently the Glasgow City Council Convener for Culture, Sport and International Relations and Chair of Glasgow Life.

A graduate of the University of Glasgow, Annette also trained as an actress at the Royal Scottish Academy of Music & Drama and has been a lifelong supporter of the arts.

### Billy Garrett, Director of Culture, Tourism and Events for Glasgow Life



As the strategic lead for Glasgow Life's Culture, Tourism and Events portfolio, Billy is responsible for the promotion of Glasgow as a leading cultural and major events centre - inspiring more local, national and overseas visitors to come to Glasgow and boosting the city's tourism economy.

Part of this work includes directing Glasgow's Major Events Strategy; working with local and national agencies, major cultural bodies, and UK and global sports federations to attract world-class events to the city.

In his role, Billy leads the work of the Glasgow Convention Bureau, which coordinates the city's bids for more than 100 prestigious conferences and business events annually. He also provides leadership across Glasgow Life's arts, music and cultural venues, including Glasgow Royal Concert Hall and Tramway, as well as the city's world-renowned museums and civic collections.

## Annex B

### KEY MESSAGES

- Scotland has a deep and rich culture that is a priceless asset for the people of this country.
- Scotland's creative sectors are strong, dynamic, and innovative, and are important to other parts of the economy. They are key growth sectors and will play a vital role in strengthening and developing the economy of a newly independent Scotland.
- Independence would give Scotland the full range of powers to make vital decisions which benefit our culture, events and creative sectors: it would create an opportunity to become the best it can be.
- Brexit has had a profound negative impact on our culture and creative sectors, taking away freedom of movement and making cultural collaboration difficult. As our culture sector navigates this alongside the aftermath of the COVID-19 pandemic and cost of living crises, it's more important than ever that Scotland has full powers to support the sector.
- With independence, the Scottish Government would have full powers to help the culture sector reach its potential, including creating a fairer and more open immigration system or establishing a fairer and more equal labour market.
- Scotland is an open and welcoming country. Being able to attract talented people from around the world is crucial to the future of the culture sector. Being able to work and tour internationally is of huge importance to Scotland's artists and creative professionals: it helps them reach new audiences, generate income, collaborate across borders and showcase Scotland's creative sectors overseas.

#### With independence:

- Independence would give the Scottish Government the powers to realise the culture sector's potential, through:
  - Migration: an independent Scotland would design a visa and immigration system for all parts of the economy, including our creative industries, supporting the sector to attract the people and skills it needs
  - EU membership: Scotland's creative industries would have unrestricted access to the EU market and freedom of movement, and access to EU programmes which would provide an important source of funding, projects and collaboration.
  - International promotion: using our new embassies to support Scottish culture globally
- The removal of free movement has had a major impact on touring artists, who have found it increasingly difficult to reach new audiences and generate income in a key export market. Re-joining the EU as an independent Scotland would allow artists to move freely without barriers like visas and customs requirements, helping Scotland's culture sector reach the people, talent and skills it needs, and making it easier and less expensive for Scottish artists to tour, collaborate and exchange ideas internationally.
- Common Travel Area membership would mean that Scottish creative professionals also have an automatic right to travel and work across Great Britain and Ireland.
- Scotland could provide greater support to promote our creative sectors on the world stage and collaborate and cooperate on cultural initiatives with other nations.
- Independence would allow Scotland to become part of multilateral institutions like UNESCO. These organisations would help to nurture and protect Scotland's cultural heritage.

- Public service broadcasting would be protected with independence. This Scottish Government would establish a new Scottish public service broadcaster, to reflect the specific needs, interests and values of Scottish audiences and creative industries
- With independence, the Scottish Government would have the power to determine a list of events which should be available to broadcast free-to-air. Our position is that national sporting events, such as Scotland's men's and women's football qualifiers for the World Cup and European Championships, should be included in the list to expand the opportunity for audiences to enjoy these games.
- The Scottish Government would also have the power to engage with partners across the UK and beyond to explore continued access to programmes that matter to Scottish audiences, as well as enhance Scotland's voice on the world stage through global forums like Eurovision.
- Independence will give the Scottish Government and Parliament the powers to make important fiscal decisions about the cultural sector which are currently reserved to the UK Government

## Annex C

### Overview: 'Culture in an independent Scotland'

#### Paper overview

- The paper begins by setting out the value that people in Scotland place on our culture, including the wider social benefits of the sector for our communities. It also outlines some of the successes of the culture sector under devolution, including improving access for children and young people.
- The paper goes on to outline the damage Brexit caused to creative industries, particularly to touring artists. An independent Scotland in the EU would reverse barriers for international and Scottish performers. Freedom of movement and control over visa and immigration policies would also allow the Scottish Government to design policies which support the culture sector and drive the diversity and international connectedness of the sector.
- Independence would also allow Scotland to be a member of multilateral institutions, like the Council of Europe and UNESCO. As a member, Scotland would not only have full access to organisations that exist to nurture and protect our culture and cultural heritage but could also play a key role in influencing how these organisations shape their cultural policies.
- The paper also shows how independence would provide opportunities for promoting Scottish culture worldwide. In strategic locations, an independent Scotland would use its foreign policy, through a network of embassies, to promote Scottish culture globally.
- The final section notes the contribution that Scotland's creative sectors make to the wider economy, before showing how independence would provide the Scottish Government with additional powers that could enable further support to Scotland's creative and cultural sectors.
- The paper proposes that this Scottish Government would be committed to matching UK tax relief for film and tv production, theatres, orchestras and museums and galleries through support and incentives. It would be for future Scottish Governments to consider appropriate additional support, and the exact mechanisms for such support, depending on the wider economic and fiscal context.

#### Broadcasting

- The broadcasting section describes how public service broadcasting, and the range of services provided, would be protected with independence, with a commitment to a Scottish public broadcaster providing TV, radio and online services, with strong governance arrangements to protect its impartiality.
- The paper proposes that the scope, remit, governance, and funding model for a new broadcaster would be explored in future conversations with Scottish audiences and industry, to ensure that the public are served by an independent, accountable, sustainable broadcaster that reflects the needs of people in Scotland and takes account of the technological, economic and demographic context in play at the time.
- The paper sets out how independence would also provide the means to adapt regulatory and governance structures so that broadcasters remain independent and are accountable to the Scottish public through the Scottish Parliament. This would ensure that broadcasters are working to meet the requirements of audiences in Scotland, and improving authentic representation of people in Scotland, while retaining editorial and creative independence from government.

## Annex D

### BACKGROUND BRIEFING

#### Celtic Connections

Celtic Connections is at the cornerstone of Scotland's cultural calendar, and 2024's edition will showcase over 2,100 musicians across multiple genres of music from around the world at 300 events that include concerts, ceilidhs, talks, art exhibitions, workshops and free events.

Celtic Connections is the largest winter music festival of its kind and the UK's premiere celebration of Celtic music, promoting traditional and contemporary Scottish culture with more than two-thirds of the shows featuring Scottish artists. The festival actively promotes artistic links and cultural exchanges across countries, and helps raise Glasgow's profile worldwide as an exciting, cosmopolitan, welcoming city.

In 2023, the festival celebrated its 30th edition (which was the first festival without restrictions since 2020) seeing over 300 events with more than 100,000 attendances at 25 venues across Glasgow, as well as over 100,000 people tuning in from 65 countries to watch over 10.5 million minutes of content across 19 days.

Celtic Connections is one of 4 Glasgow based festivals in receipt of Scottish Government EXPO funding, with £101,000 awarded from the 2023-24 fund for their 2024 edition (£110,000 for their 2023 edition). **[Sums are in public domain].**

#### Previous SG Involvement

With support from SG Culture officials, the 2022 edition of the UK's premiere celebration of roots music pivoted to a hybrid approach in light of the Omicron variant that emerged just before their 2022 edition, preserving the 18-day festival and successfully staging around 60 spectacular in-person concerts, a number of intimate filming sessions and an exciting digital offering.

As a result of the Omicron variant no Ministers attended in person in 2022, however in 2023 Ministers attended the Opening Concert and the Young Trad Musician Awards.

#### Budget settlement for the Culture sector

We are increasing funding to the culture sector by £15.8m next financial year to £196.6m. This is the first step on the route to investing at least £100m more annually in culture and the arts by the financial year 2028/29. In 2025/2026 we aim to provide an additional £25m to the culture sector.

This commitment to additional funding despite the challenging budget situation signals our confidence in the Scottish culture sector. Through this increased investment we want to drive up opportunities for participation in creative pursuits, support the production of new works, and ensure that Scotland's cultural output has platforms at home and abroad.

## Re-joining the EU – Culture

There is a clear process for joining the EU, which we would follow. The Scottish Government's proposal is that an independent Scotland would apply to re-join the EU as soon as possible. This would have many benefits for the culture sector.

As a member of the EU, freedom of movement would mean that creative professionals based in Scotland would be free to carry out activities such as touring and production work throughout the EU without significant barriers. Along with this, under an arrangement called the Common Travel Area (CTA), people in Scotland would be able to move freely within the UK, Ireland, the Channel Islands and the Isle of Man. Rights to travel, live, work and access services would be protected and would continue for British and Irish citizens in Scotland, and for the citizens of an independent Scotland in the UK and Ireland. Under these arrangements, touring artists moving between Scotland and the UK would not require visas or work permits.

As an EU member state, Scotland would protect its place in the single market which requires checks on certain goods from outside the EU – either at the border or elsewhere. Our intention would be to work constructively with all partners to find pragmatic and sensible solutions, based on existing precedents, with minimal burdens. The Scottish Government would also prepare measures to help creative professionals and businesses adapt to new procedures and requirements.

Finally, by rejoining the EU, Scotland's regulatory structures for television and broadcasting would once again be aligned with the EU's Audio Visual Media Service Directive, which would allow for greater access to key EU markets for Scottish productions, and could help Scotland to become a European hub for international productions.

## Migration

Migration is vitally important to Scotland's future and culture sector: independence offers the opportunity to make sure migration policy is set according to Scotland's needs and the challenges we face.

Scotland's economy, culture and society benefit greatly from migration: evidence shows those who choose Scotland as their home help to grow our economy, increase our productivity and innovation, address skills shortages and make essential contributions to communities, culture and public services.

Scotland's migrants contribute more to government revenue via taxes than they take out through public services.

Independence can lead to a positive change on migration policy: Scotland needs to attract people who can make a positive contribution to our economy, culture and public services.

## BUILDING A NEW SCOTLAND: CULTURE IN AN INDEPENDENT SCOTLAND

### Q&A

#### 1. General

**Q:** *Why do we need a paper on Culture?*

**A:** It illustrates the importance we place on Scotland's vibrant cultural sector and our hopes for how independence will reopen doors and allow Scotland to take its rightful place on the cultural world stage.

Culture is a human right under article 27 of the Universal Declaration of Human Rights, and supports many positive outcomes including community cohesion, improved health, tackling poverty, addressing climate change, connecting us with other countries, and contributing to economic growth.

**Q:** *How important is the cultural sector to Scotland's economy?*

**A:** Culture is an important part of our economy, contributing to economic growth, creating jobs, and supporting other sectors of the economy to thrive. In 2020, 65% of people in Scotland reported that their local area would lose something of value if the area lost its arts and cultural activities. The approximate Gross Value Added (GVA) of Scotland's Arts, Culture and Creative Sector was estimated at £4.4 billion in 2020.

**Q:** *Culture is already a devolved policy area where you have all the policy levers? Why do you need independence?*

**A:** Independence would give the Scottish Government new powers such as:

- Migration policy – having a visa and immigration system that works for our creative industries, removing barriers to touring artists
- International promotion – a global network of embassies with integrated culture sections
- EU membership – access to the EU market, and EU programmes which could be an important source of funding
- Economic measures – autonomy over tax, spending and borrowing, and powers over international trade
- Power to protect public service broadcasting
- Ability to join international organisations such as UNESCO

**Q:** *Have the proposals in this paper been costed?*

**A:** With independence, future Scottish Governments would have full powers over both fiscal policy, and economic policies which could play a key role in boosting tax revenues. This would allow them to take decisions which ensure that Scotland is fiscally sustainable, while prioritising support for public services and investment, and rejecting the 'austerity' approaches imposed on Scotland by UK Governments in the recent past.

Under independence, Scottish Governments would have the full range of policy options needed to provide appropriate support and investment to the creative economy.

Further information about Scotland's place in the world under independence, and future Scottish governance will be provided later in the BANS series.

**Q:** *Have you estimated the value of independence to Scotland's culture sector?*

**A:** The range of new powers available to the Scottish Government would allow the culture sector to thrive. Latest data estimates that Scotland's Arts, Culture and Creative sector had an approximate Gross Value Added (GVA) of £4.4 billion in 2020, and has increased in real terms by 31% since 2010.

## **2. Creative Industries**

**Q:** *Will the Scottish Government provide support to Creative Stirling*

**A:** We recognise the importance of creative networks in sustaining local creative ecosystems, connecting and supporting creative professionals, organisations and businesses. This benefits the whole region, providing a unique cultural offering which promotes tourism and drives regeneration. Creative Stirling's inclusive model brings around £250,000 per annum into the local economy.

I appreciate the disappointment of Creative Stirling's unsuccessful bid to Creative Scotland's National Lottery Extended Programme Fund. Creative Scotland, as the national arts development body, operate at arm's length from the Scottish Government. This means that Scottish Ministers have no role in funding decisions made by Creative Scotland. I would encourage organisations to continue engagement with the Creative Scotland at this time for potential future funding that may become available.

**Q:** *Will the Scottish Government support the Screen Machine?*

**A:** understand the unique cultural contribution that the Screen Machine makes to communities who otherwise would struggle to visit the cinema. In 2023 Screen Scotland provided funding of £176,000 to keep the service operating on a temporary basis. We continue to liaise with relevant parties to explore any avenues for support.

**Q:** *Will the Scottish Government support the Edinburgh Filmhouse?*

**A:** I am delighted that, as a result of the hard work and dedication of all involved, the work to reopen the Filmhouse is progressing so positively. The announcement of funding from the City of Edinburgh Council, alongside recent funding from Screen Scotland and the generosity of all those donating to the fundraising campaign, is great news.

The Scottish Government will continue to engage with Screen Scotland and others to ensure that a future for cultural cinema in Edinburgh can be secured. We are working in partnership with stakeholders to ensure that cultural cinema is protected for Scotland's audiences.

**Q:** *With communities at home and overseas recently celebrating Burns Nights at the end of January, what financial support is the Scottish Government offering to promote the Burns legacy and deliver economic impacts?*

**A:** Robert Burns is an essential part of Scottish culture and heritage, continues to provide new and compelling reasons to visit Scotland and Burns Night itself is an excellent opportunity to celebrate Scotland's wider cultural creativity and bring communities together.

1. The Scottish Government, our partners and stakeholders continue to work together to maximise the impact of Scotland's approach to its international footprint, enhance the impact of our international activity and promote Scotland's interests – including using Robert Burns.

Budget pressures meant the direct funding of community Burns events through the Scottish Government's Scotland's Winter Festivals initiative permanently closed in September 2022. The Scottish Government continues to fund public bodies, and support external organisations, to help maintain and increase the visibility of Burns throughout the year.

**Q.** *What is the Scottish Government doing to capitalise on the 2020 research by the University of Glasgow that showed that Robert Burns is worth £203 million annually in direct value to Scotland, and almost £140 million in brand value.*

**A:** The Scottish Government commissioned Professor Pittock of the Centre for Robert Burns Studies at the University of Glasgow to produce a report, to help partners to understand the impact of Burns on the Scottish economy and associated prospects for driving inclusive growth.

As the 2020 study helped illustrate, cultural assets connected to Robert Burns can play an important role in supporting tourism – both in Dumfries and Galloway and across Scotland.

**Q:** *Will the Scottish Government support the Edinburgh Deaf Festival?*

**A:** I appreciate the important role that the Edinburgh Deaf Festival plays and I understand the impact of the unsuccessful application to the Creative Scotland National Lottery Open Fund for Organisations and National Lottery Extended Programme Fund on the festival. The Public Service Reform (Scotland) Act 2010 prohibits Scottish Ministers from interfering so far as relating to the artistic or cultural judgement of Creative Scotland. However, there is an exemption where it is with a view to increasing the diversity of people who access and participate in the arts and culture. I have therefore written to Creative Scotland seeking further information on how Creative Scotland's decision not to fund the Edinburgh Deaf Festival links in with their duties under the Equality Act 2010 to promote a fair and more equal society. I am also seeking clarification from Creative Scotland whether, given the festival's high degree of distinctiveness and pre-eminence within its respective art form it would be eligible to apply for EXPO or PLACE festivals funding in the 2024/2025 round.

### **3. Proposed tax measures**

**Q:** *Will the Scottish Government support the Scottish Green Party's campaign to introduce a stadium tax to support grass root music venues?*

**A:** We fully value the importance of music to Scotland's culture and recognise the role venues play in supporting the talent pipeline.

I met with Music Venue Trust to discuss the challenges faced by the sector and the ticket levy proposal on 20 September. I recommended that the Music Venue Trust asks the Cross-Party Group for Music to convene an industry roundtable to discuss the proposal.

We are exploring the potential for additional and parallel funding streams for the culture and creative sectors, including industry-led proposals and will continue to engage with

stakeholders throughout the sector to discuss challenges facing the industry, and to explore what can be done within our powers and resources to help overcome these.

**Q:** *The paper indicates that you would match UK fiscal incentives/tax breaks for parts of the creative sector following independence - how is this affordable? How would you fund it?*

**A:** To help put the sector on a firmer financial footing, including supporting the recovery of the sector from the effects of the pandemic, following a vote for independence, this Scottish Government would be committed to matching UK tax relief for film and tv production, theatres, orchestras and museums and galleries through support and incentives. Future Scottish Governments could also explore the opportunities for further competitive international tax advantages with the sector.

Incentive schemes such as these have found success in other countries - a study commissioned by Screen Ireland found that 89% of incoming production expenditure to the Republic of Ireland can be attributed to the film and television tax credit incentive.

Measures such as these could enable growth in the number of companies and filmmakers doing business in Scotland and encourage continued growth in our creative industries.

**Q:** *Would introducing incentives such as these be possible within the EU's fiscal deficit rules?*

**A:** We have been clear that our long-term fiscal approach would be guided by the EU Stability and Growth Pact. This currently sets ceilings of 3% for the budget deficit and 60% for public debt, though the expectation is that the Pact may in future be more flexible, giving weight to the need for investment.

As a consequence of this, the Scottish Government recognises that to support the aims of the EU's Stability and Growth Pact, Scotland's fiscal rules should aim to maintain the current budget deficit within sustainable limits. Over the medium-term, we would aim to achieve fiscal sustainability through fiscal rules that control borrowing for current expenditure, but still permit spending on an independent Scotland's key priorities.

#### **4. National Lottery**

**Q:** *Would the National Lottery continue in an independent Scotland?*

**A:** Following a vote for independence, the Scottish Government would work with the National Lottery licence holder to give residents of an independent Scotland continued access to the National Lottery for the remainder of the licence term.

This would mean people in Scotland would continue to be able to play National Lottery games, and the infrastructure enabling them to do so would remain in place. The Scottish Government would also negotiate to form a new regulatory partnership to ensure an equitable apportionment of good cause money across Scotland.

Following the expiry of the relevant licence, future Scottish Governments would be able to decide whether to continue with the existing arrangement or to establish a distinct Scottish National Lottery.

## 5. Support for specific industries

**Q:** How would independence support X creative sector?

**A:** Independence would give the Scottish Government new powers to support this industry, including:

- Control over migration policy that serves the needs of particular industries in Scotland
- The ability to promote Scottish industries on the world stage through our network of embassies with integrated culture sections (building on Scotland House model)
- EU membership, giving industries access to the EU market and restoring freedom of movement
- Full control over economic and policy levers which are currently reserved, to provide tailored support for Scottish industries

[For film and tv production, theatres, orchestras and museums and galleries – additional fiscal line below]

The Scottish Government would be committed to matching UK tax relief for film and tv production, theatres, orchestras and museums and galleries through support and incentives. Future Scottish Governments could also explore the opportunities for further competitive international tax advantages with the sector.

## 6. Minimum Income Guarantee

**Q:** How much would the Minimum Income Guarantee and/or UBI cost and how would you pay for them? How soon could they be in place after independence?

**A:** The Minimum Income Guarantee Expert Group have been tasked with developing recommendations for a Minimum Income Guarantee and are due to report on their findings towards the end of 2024. The report is expected to consider some of the reforms that might be required to employment, services, social security, and taxation to deliver a Minimum Income Guarantee. It is also expected that the report will consider the costs of a range of Minimum Income Guarantee levels (the set income floor that nobody should fall below) and will incorporate macroeconomic analysis of the impacts.

Once these recommendations are received by the Scottish Government, we will be able to comment further on the speed of implementation. This type of transformational change will undoubtedly take time as it is essential that we get it right.

**Q:** Is the Scottish Government committed to delivering a Universal Basic Income?

**A:** This Scottish Government is committed to finding new and innovative ways to combat poverty and inequality. A Universal Basic Income is just one option which could be considered – a feasibility study in 2020 concluded that a Scottish pilot Universal basic Income could not be delivered without support from the UK Government. It would be for future Governments in an independence Scotland to decide whether to consider such an approach.

## 7. EU Membership

### Touring in Europe

**Q:** *What benefits would EU membership bring to touring artists in Scotland?*

**A:** As a member of the EU, freedom of movement would mean that creative professionals based in Scotland would be free to carry out activities such as touring and production work throughout the EU without significant barriers. Key benefits would include removing the need for visas and work permits, and removing customs requirements such as ATA Carnets or CITES regulations, which currently add significant financial and administrative burdens to international working. It would also remove restrictions on the movements of Scottish hauliers within the EU – known as Cabotage rules – which currently limit the ability of Scottish cultural organisations to move equipment around the EU.

## **Touring in the UK**

**Q:** *If there is a border between Scotland and the rest of the UK, will this mean the need for visas or work permits for touring artists moving between the two countries?*

**A:** Under an arrangement called the Common Travel Area (CTA), people in Scotland would be able to move freely within the UK, Ireland, the Channel Islands and the Isle of Man. Rights to travel, live, work and access services would be protected and would continue for British and Irish citizens in Scotland, and for the citizens of an independent Scotland in the UK and Ireland. Under these arrangements, touring artists moving between Scotland and the UK would not require visas or work permits.

**[Redacted]**

## **Access to EU Funding**

**Q:** *What new funding opportunities would EU membership bring to an independent Scotland's cultural sector?*

**A:** With independence and EU membership, Scotland's culture and creative sectors would benefit significantly from EU funding programmes such as Creative Europe, both as a source of revenue and in facilitating cross-border cultural collaboration. While this programme will provide important funding to the sector, it will also play a vital role in developing and maintaining relationships with key partners in Europe and beyond, and in supporting our cultural and creative sectors to work and collaborate internationally, fostering the cross-border cultural partnerships and networks that are vital to the sector's operation.

**Q:** *Would an independent Scotland lose out on UK Government funding to support the culture sector, such as the Global Screen Fund, designed to replace EU funding?*

**A:** UK Government funds that have been put in place to replace EU funding for the culture sector have delivered significantly lower funding than was available through EU programmes.

## **TV and Broadcasting in the EU**

**Q:** *How would membership of the EU benefit an independent Scotland's TV and broadcasting sectors?*

**A:** By rejoining the EU, Scotland's regulatory structures for television and broadcasting would once again be aligned with the EU's Audio Visual Media Service Directive, which would allow

for greater access to key EU markets for Scottish productions, and could help Scotland to become a European hub for international productions.

## 8. International Affairs

**Q:** *What international cultural institutions would an independent Scotland join?*

**A:** As an independent country, Scotland could join a wide range of international cultural institutions as a full member, including the Council of Europe and the United Nations Educational, Scientific and Cultural Organization (UNESCO). Scotland would be able to fully participate in programmes delivered by these organisations. Additionally, Scotland would be able to enter into conventions and treaties that play central roles in supporting culture and facilitating cultural cooperation across borders.

**Q:** *Under independence, how would culture feature in an independent Scotland's foreign policy?*

**A:** Culture would play a vital role in Scotland's foreign policy. Scotland's culture is recognised across the world. It is a massive asset to our country in cultural and economic terms and also in its potential to open doors and support Scotland's wider international relationships. Independence will give us the tools we need to develop the links that Scotland's cultural presence has with the country's wider international connections. In strategic locations, an independent Scotland would use its network of embassies to promote Scottish culture globally. This would build on the current 'Scotland House' model, which fosters connectivity with international partners.

**Q:** *What benefits would flow to an independent Scotland's culture sector with control over migration policy?*

**A:** As was set out in Building a New Scotland: Migration to Scotland after independence, there would be a number of options for people to come and work in Scotland with or without sponsorship by a Scotland based employer. Creating opportunities for people to come and work in the Scottish culture sectors, and allowing employers access to the global talent they need.

An independent Scotland could design visa and immigration policies that minimise the barriers to those who come to participate in and enjoy Scotland's culture and creative sectors from around the world. For example, a generous entry allowance of six months would be maintained under general visitor rules. While re-joining the EU, would it easier for EU citizens to participate freely in festivals and other cultural activities.

Power over immigration would also help to drive diversity help our culture, events and creative sectors realise their full potential. Whether it is creating a fairer and more open immigration system or establishing a more equal labour market, independence would allow future governments to put policies in place to benefit Scotland's creative economy.

**Q:** *What value do the current Scottish international offices provide?*

**A:** The work of Scotland's international network delivers tangible benefits to our people, businesses and institutions. Overseas offices work to improve the key international factors that will deliver for Scotland's economy – growing exports, delivering investment, creating

and securing jobs in Scotland, and helping realise a just transition to a fairer, greener, growing economy.

Examples of how Scotland's international network supports the growth of our economy include:

- £275m forecast export sales supported by Scottish Development International and the SG Office in Washington DC;
- £320m forecast international export sales in European markets supported by SG and SDI teams in Ireland, France, Belgium, Germany and the Nordics; and
- 1,000 planned real living wage jobs associated with investment supported by SDI and the Scottish Government Office Washington DC.

**Q:** *What will it cost to set up the "Scotland House" arrangements described in the paper?*

**A:** In strategic locations, the Scottish Government would expand upon the Scotland House model which operates within the devolution settlement and has already been adopted in our offices in Brussels and London. These locations already deliver tangible benefits to the culture sector.

An independent Scotland would establish a network of embassies and consulates in countries around the world, in some strategic locations these would include integrated cultural sections building on the Scotland House model.

## 9. Television and Broadcasting

**Q:** *Would an independent Scotland set up its own national broadcaster after independence and what would be the benefits of that?*

**A:** This government proposes that BBC Scotland could become the foundation for the establishment of a publicly-funded, Scottish public service broadcaster. The existing BBC Charter expires on 31 December 2027, and we propose that, by working closely with the BBC and other relevant bodies, the government of an independent Scotland would honour the existing Charter and Agreement to their expiry. Thereafter, and following public consultation, a new Scottish public service broadcaster would continue to operate a broadcasting service providing TV, radio and online services to reflect the broad interests and outlook of the people of Scotland, that replaces the BBC in Scotland. Further benefits set out below.

**Q:** *Why do we need a new broadcaster when we've already got BBC Scotland?*

**A:** A new Scottish public service broadcaster could expand the current offer available on television, radio, and online, with tailored programming that is reflective of Scotland's diverse audiences, and which enhances local voices and coverage of issues in our communities, and which supports a broader range of high-quality content produced by Scottish-based media, including in Gaelic and Scots.

This service would have the interests of Scottish audiences and the creative industries in Scotland at its heart and would be able to prioritise on content that is more representative of audiences in Scotland, while ensuring that income raised in Scotland is spent here.

Currently, the full value of BBC spending in Scotland continues to fall short of achieving the proportionate share compared to other nations across the UK.

A new public service broadcaster would be independent and would be accountable to the Scottish public through the Scottish Parliament. The scope, remit, governance, and funding model for a new broadcaster would be explored in conversation with Scottish audiences and the broadcasting sector. This would help ensure that the right priorities are being met and that the public is served by an independent, accountable, sustainable broadcaster that best reflects, and sits at the heart of, Scottish life. A new public service broadcaster could also address issues of representation of people and place in Scotland and improve the lower perceptions that audiences in Scotland currently have of public service broadcasters reflecting their local area and specific interests.

A new Scottish public service broadcaster would also be able to build relationships with other broadcasters across Europe and further afield, and enhance Scotland's voice on the world stage through global forums like Eurovision.

Broadcasting would be regulated by a Scottish regulator, with a targeted framework which reflects the priorities and values of the nation and delivers real and long-term benefits to audiences and the creative industries.

[Redacted]

## 10. Issues of culture sector funding

**Q:** *You already have the power to fund cultural sector what additional funding are you providing to the culture sector to help them face existing challenges?*

**A:** We are increasing funding to the culture sector by £15.8m next financial year to £196.6m. This is the first step on the route to investing at least £100m more annually in culture and the arts by the financial year 2028/29. In 2025/2026 we aim to provide an additional £25m to the culture sector. This commitment to additional funding despite the challenging budget situation signals our confidence in the Scottish culture sector.

Through this increased investment we want to drive up opportunities for participation in creative pursuits, support the production of new works, and ensure that Scotland's cultural output has platforms at home and abroad.

**Q:** *Why have the culture public bodies funding been cut in 2024/2025?*

**A:** This is the most challenging Budget to be delivered under devolution. Scotland already faced a precarious financial situation, caused in part by the war in Ukraine and Brexit, with high inflation putting significant pressure on households, the economy and public finances. This was compounded by an Autumn Statement that prioritised a tax cut over providing the investment we need in services and infrastructure, leaving Scotland's finances in a worst-case scenario.

An efficiency saving has been applied to all of our public bodies' budgets. This tough but necessary decision means we are able to support a range of projects across the culture sector.

**Q:** What is the SG doing to help individuals and organisations in the culture sector facing rising costs due to inflation and soaring energy costs?

**A:** I understand that this is an incredibly worrying time for the culture sector.

This is the most challenging Budget to be delivered under devolution. Scotland already faced a precarious financial situation, caused in part by the war in Ukraine and Brexit, with high inflation putting significant pressure on households, the economy and public finances. This was compounded by an Autumn Statement that prioritised a tax cut over providing the investment we need in services and infrastructure, leaving Scotland's finances in a worst-case scenario.

We will continue to work with the culture sector to identify barriers to immediate and long-term recovery, and we will continue to do everything within our powers and resources to help those most affected by current economic challenges.

We have funded and continue to fund Creative Scotland to support their regularly funded organisations, the screen sector, major festivals, and the Youth Music Initiative.

[Redacted]

## Item 6

**From:** [Redacted] > **On Behalf Of** Minister for Local Government Empowerment & Planning

**Sent:** Friday, February 2, 2024 5:13 PM

**To:** [Redacted] >

**Cc:** Minister for Independence <MinisterforIndy@gov.scot>; Brian Dornan

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

Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>; Minister for Local Government Empowerment & Planning <MinisterLGEP@gov.scot>

**Subject:** RE: Note from Mr Hepburn - Building a New Scotland Independence Prospectus Series - Ministerial Engagement - Request for Stakeholder Lists

Hi [Redacted] ,

The letters have now been issued as per attached – flagging that recipients were blind copied.

Kind Regards,

[Redacted]

[Redacted] Assistant Private Secretary to Minister for Local Government Empowerment and Planning - Joe FitzPatrick MSP



**From:** [Redacted] >  
**Sent:** Friday, February 2, 2024 2:51 PM  
**To:** Minister for Local Government Empowerment & Planning <MinisterLGEP@gov.scot>  
**Cc:** Minister for Independence <MinisterforIndy@gov.scot>; Brian Dornan <Brian.Dornan@gov.scot>; [Redacted] >; [Redacted] >; [Redacted] >; [Redacted] >; [Redacted] >; Deputy First Minister and Cabinet Secretary for Finance <DFMCSF@gov.scot>  
**Subject:** RE: Note from Mr Hepburn - Building a New Scotland Independence Prospectus Series - Ministerial Engagement - Request for Stakeholder Lists

Afternoon Private Office

Very grateful if you could confirm if these letters have issued?

Many thanks

[Redacted]

[Redacted] (she/her)

Constitutional Futures Engagement Lead  
Directorate for Constitution  
Scottish Government

Item 7

**From:** [Redacted] On Behalf Of Cabinet Secretary for Education & Skills  
**Sent:** Tuesday, February 6, 2024 3:26 PM  
**To:** [Redacted] >; Cabinet Secretary for Education & Skills <CabSecforES@gov.scot>  
**Cc:** Brian Dornan <Brian.Dornan@gov.scot>; [Redacted] ; [Redacted] >; Minister for Independence <MinisterforIndy@gov.scot>; [Redacted]; [Redacted] >; [Redacted] ; [Redacted]  
**Subject:** RE: Note from Mr Hepburn - Building a New Scotland Independence Prospectus Series - Ministerial Engagement - Request for Stakeholder Lists

Hi [Redacted]

Thanks very much. I have now issued the letter to the stakeholder list provided.

Kind regards

[Redacted]

Deputy Private Secretary to Cabinet Secretary for Education and Skills – Jenny Gilruth MSP  
The Scottish Government

**From:** [Redacted]

**Sent:** Tuesday, February 6, 2024 2:18 PM

**To:** Cabinet Secretary for Education & Skills <[CabSecforES@gov.scot](mailto:CabSecforES@gov.scot)>

**Cc:** Brian Dornan <[Brian.Dornan@gov.scot](mailto:Brian.Dornan@gov.scot)>; [Redacted] [Redacted] >; Minister for Independence <[MinisterforIndy@gov.scot](mailto:MinisterforIndy@gov.scot)>; [Redacted] ; [Redacted] ; [Redacted] >; [Redacted] >

**Subject:** RE: Note from Mr Hepburn - Building a New Scotland Independence Prospectus Series - Ministerial Engagement - Request for Stakeholder Lists

Hi [Redacted]

Many thanks for this – I've attached an updated letter for the Cabinet Secretary to send.

[Redacted]

[Redacted]

Constitutional Futures Engagement Lead  
Directorate for Constitution  
Scottish Government

**From:** [Redacted] > **On Behalf Of** Cabinet Secretary for Education & Skills

**Sent:** 06 February 2024 13:50

**To:** Minister for Independence <[MinisterforIndy@gov.scot](mailto:MinisterforIndy@gov.scot)>; [Redacted] **Cc:** Brian Dornan <[Brian.Dornan@gov.scot](mailto:Brian.Dornan@gov.scot)>; [Redacted] [Redacted] >; [Redacted] >; [Redacted] >; [Redacted] >; [Redacted] >; Cabinet Secretary for Education & Skills <[CabSecforES@gov.scot](mailto:CabSecforES@gov.scot)>

**Subject:** RE: Note from Mr Hepburn - Building a New Scotland Independence Prospectus Series - Ministerial Engagement - Request for Stakeholder Lists

Hi [Redacted]

Thanks very much for the additional info. Ms Gilruth is happy for her letters to go in her name.

Kind regards

[Redacted]

[Redacted] Deputy Private Secretary to Cabinet Secretary for Education and Skills – Jenny Gilruth MSP  
The Scottish Government

St Andrews House | Regent Road, Edinburgh, EH1 3DG

Mobile: [Redacted] | Email: [CabSecforES@gov.scot](mailto:CabSecforES@gov.scot)

**From:** [Redacted] > **On Behalf Of** Minister for Independence

**Sent:** Friday, February 2, 2024 5:35 PM

**To:** Cabinet Secretary for Education & Skills <[CabSecforES@gov.scot](mailto:CabSecforES@gov.scot)> [Redacted] **Cc:** Minister for Independence <[MinisterforIndy@gov.scot](mailto:MinisterforIndy@gov.scot)>; Brian Dornan <[Brian.Dornan@gov.scot](mailto:Brian.Dornan@gov.scot)>; [Redacted] >; [Redacted] [Redacted] >; [Redacted] >;

**[Redacted] [Redacted] Subject:** RE: Note from Mr Hepburn - Building a New Scotland Independence Prospectus Series - Ministerial Engagement - Request for Stakeholder Lists

**[Redacted]**

**Private Secretary – Minister for Independence – Jamie Hepburn MSP  
The Scottish Government**

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

**[Redacted]**

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

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**From:** **[Redacted]** > **On Behalf Of** Cabinet Secretary for Education & Skills

**Sent:** Friday, February 2, 2024 3:00 PM

**To:** **[Redacted]** >

**Cc:** Cabinet Secretary for Education & Skills <[CabSecforES@gov.scot](mailto:CabSecforES@gov.scot)>; Minister for Independence <[MinisterforIndy@gov.scot](mailto:MinisterforIndy@gov.scot)>; Brian Dornan <[Brian.Dornan@gov.scot](mailto:Brian.Dornan@gov.scot)>;

**[Redacted]** >; **[Redacted]** >; **[Redacted]** >; **[Redacted]** >; **[Redacted]** >; **[Redacted]** >

**Subject:** RE: Note from Mr Hepburn - Building a New Scotland Independence Prospectus Series - Ministerial Engagement - Request for Stakeholder Lists

**[Redacted]**

**Private Secretary to Cabinet Secretary for Education and Skills – Jenny Gilruth MSP**

The Scottish Government

St Andrews House | Regent Road, Edinburgh, EH1 3DG

Mob: **[Redacted]** | Email: [CabSecforES@gov.scot](mailto:CabSecforES@gov.scot)

## Item 7.1

[Cabinet Secretary for Education and Skills](#)

Jenny Gilruth MSP

T: 0300 244 4000

E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)



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6 February 2024

Dear colleague,

### **Building a New Scotland: Culture in an Independent Scotland**

The Scottish Government has published 'Culture in an Independent Scotland', the tenth in our 'Building a New Scotland' series of independence prospectus papers, a copy of which is attached.

Scotland has a deep and rich culture that is world renowned. The Scottish Government is determined to protect and enhance it, putting it at the heart of our communities for the benefit of everyone. This paper sets out proposals on how independence would: further support the creative economy and realise the potential of our culture and creative sectors on the international stage and how it would build on the strength of our screen sector. It sets out how independence would build on the progress that has been made under devolution, creating new opportunities to support access to culture and to provide future Scottish Governments with powers to ensure our culture, heritage and creative sectors have adequate and appropriate support to develop and thrive.

By joining the EU as an independent nation, Scotland's creative industries would also have unrestricted access to the EU market and freedom of movement, and access to EU programmes which would provide an important source of funding, projects and collaboration. Freedom of movement would make activities such as touring, collaborating with artists in other countries, and taking part in cultural productions and festivals, much smoother and less expensive.

The paper also outlines how we would protect public service broadcasting with independence. This Scottish Government would establish a new Scottish public service broadcaster; to reflect the specific needs, interests and values of Scottish audiences and creative industries. Independence would provide the powers to develop a broadcasting strategy to meet the requirements of audiences in Scotland, improve authentic representation of people here, and engage with partners around the UK and beyond to explore continued access to the programming and services that matter to Scottish audiences, while keeping editorial and creative independence from government.

As our culture and creative sectors navigate the impacts of Brexit, the aftermath of the COVID-19 pandemic, and the increased cost of living, it is therefore more important than ever that Scotland has the full powers of independence to support and develop them.

The paper is available in a number of translations and accessible formats, at [www.gov.scot/newscotland](http://www.gov.scot/newscotland). If you have any questions on this paper or other papers in the Building a New Scotland series, please contact [constitutionallfutures@gov.scot](mailto:constitutionallfutures@gov.scot).

Yours Sincerely,

**JENNY GILRUTH**

**Item 8**

**From:** [Redacted] >

**Sent:** Friday, February 2, 2024 2:51 PM

**To:** Cabinet Secretary for Wellbeing Economy, Fair Work & Energy  
<CabSecWEFWE@gov.scot>

**Cc:** Minister for Independence <MinisterforIndy@gov.scot>; Brian Dornan  
<Brian.Dornan@gov.scot>; [Redacted] >; [Redacted] >; [Redacted] [Redacted]  
[Redacted] >

**Subject:** RE: Note from Mr Hepburn - Building a New Scotland Independence Prospectus  
Series - Ministerial Engagement - Request for Stakeholder Lists

Afternoon Private Office

Very grateful if you could confirm if these letters have issued?

Many thanks

[Redacted]

Constitutional Futures Engagement Lead  
Directorate for Constitution  
Scottish Government

**Item 9**

**From:** [Redacted]

**Sent:** Tuesday, February 6, 2024 2:18 PM

**To:** Cabinet Secretary for Education & Skills <CabSecforES@gov.scot>

**Cc:** Brian Dornan <Brian.Dornan@gov.scot>; [Redacted] >; [Redacted]; Minister for  
Independence <MinisterforIndy@gov.scot>; [Redacted] >; [Redacted] [Redacted] >;  
[Redacted] >

**Subject:** RE: Note from Mr Hepburn - Building a New Scotland Independence Prospectus  
Series - Ministerial Engagement - Request for Stakeholder Lists

Hi [Redacted]

Many thanks for this – I've attached an updated letter for the Cabinet Secretary to send.

[Redacted]

Constitutional Futures Engagement Lead  
Directorate for Constitution





<CabSecforCEAC@gov.scot>

**Cc:** Permanent Secretary <PermanentSecretary@gov.scot>; Jack Middleton <Jack.Middleton@gov.scot>; Tom Thomson <Tom.Thomson@gov.scot>; Ewan Crawford <Ewan.Crawford@gov.scot>; David Hutchison <David.Hutchison@gov.scot>; [Redacted] >; [Redacted] ; [Redacted] >; [Redacted] ; [Redacted] >; [Redacted] >; Rachael Mckechnie <Rachael.Mckechnie@gov.scot>; Lisa Baird <Lisa.Baird@gov.scot>; [Redacted]; [Redacted] >; [Redacted] >; [Redacted] >; Social Media <socialmedia@gov.scot>; [Redacted] >; [Redacted] >; [Redacted] ; [Redacted] [Redacted] >; [Redacted]; [Redacted] >; [Redacted] >; [Redacted] >; Julie Grant <Julie.Grant@gov.scot>; Brian Dornan <Brian.Dornan@gov.scot>; Andrew Bruce <Andrew.Bruce@gov.scot>; Dominic Munro <Dominic.Munro@gov.scot>; [Redacted] >

**Subject:** For Minister clearance: BANS Culture Paper social content

PO for Cabinet Secretary for the Constitution, External Affairs and Culture,

Please see below draft social media content on the BANS Culture paper to be shared on the main Scot Gov social channels from today through to Feb 9.

The content has been checked with policy, SpAds, Deputy Heads of News, and senior colleagues.

Apologies for the tight-turn around, but we'd be grateful for Mr Robertson' views and clearance ASAP.

Thank you,  
[Redacted]

[Redacted] | Social Media Manager  
Email[Redacted]

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**Launch Post Graphic:**



BUILDING A NEW  
**SCOTLAND**



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# NEW BUILDING A NEW SCOTLAND PAPER LAUNCHED

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Culture in an  
Independent Scotland

**Launch Post Copy (280/280 characters):**

Independence could help Scotland's culture sector reach its full potential.

Our **#ANewScotland** paper sets out proposals to:

- Enhance public service broadcasting
- Re-join the EU, allowing Scottish artists to move freely
- Promote our creative sectors on the world stage

**HERO Video Post Copy (245/280 characters):**

St Andrew's House, Regent Road, Edinburgh EH1 3DG  
[www.gov.scot](http://www.gov.scot)



Culture Secretary @AngusRobertson on our #ANewScotland paper:

“Scotland's enormous cultural contribution is celebrated the world over.

Independence would give Scotland new powers to help our culture sector thrive.”

**Public Service Broadcasting Graphic:**



**Public Service Broadcasting Post Copy (265/280 characters):**

An independent Scotland could protect and enhance public service broadcasting.

This Government would establish a new Scottish public service broadcaster, which would reflect the specific needs, interests and values of Scottish audiences.

[i](#) [Link to Paper]

### EU membership graphic:



### EU Membership Post Copy:

Brexit and the end of freedom of movement has affected our culture sector.

An independent Scotland in the EU would benefit from:

- Freedom of movement for Scottish artists
- Unrestricted access to the EU market for our creative industries

**Migration graphic:**



**Migration Post Copy (279/280 characters):**

With independence, Scotland could design a visa and immigration system to serve all parts of the economy, including our creative industries.

New visa routes and EU free movement would help the culture sector to attract the people and skills it needs.

[i](#) [Link to Paper]

**Free to Air Broadcast Graphic:**



BUILDING A NEW  
**SCOTLAND**



# Making more national sporting events **free-to-air** for broadcast

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## **Free to Air Post Copy (280/280 characters):**

An independent Scotland would have the power to decide which events should be available to broadcast free-to-air.

This would allow audiences to enjoy more national sporting events, like international football qualifiers, without a fee or subscription.

[i](#) [Link to Paper]

## **Global Stage Graphic:**

St Andrew's House, Regent Road, Edinburgh EH1 3DG  
[www.gov.scot](http://www.gov.scot)





BUILDING A NEW  
**SCOTLAND**



# Enhancing Scotland's voice on the world stage with independence

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## Global Stage Post Copy (280/280 characters):

With independence, Scotland could:

- Enhance our voice through global forums and events, like @UNESCO and @Eurovision
- Freely collaborate on cultural initiatives with other nations
- Use our new embassies across the world to promote Scottish culture



## Item 11

**From:** [Redacted] >

**Sent:** Friday, February 2, 2024 1:01 PM

**To:** Cabinet Secretary for Constitution, External Affairs & Culture  
<CabSecforCEAC@gov.scot>

**Cc:** Minister for Culture, Europe & International Development

<zzMinisterforCEID@gov.scot>; Rachael Mckechnie <Rachael.Mckechnie@gov.scot>;

[Redacted] >; [Redacted] >; [Redacted]; [Redacted] >; [Redacted] >; [Redacted] >;

[Redacted] [Redacted]; [Redacted] **Subject:** BaNS - Culture - Notes of meetings with  
broadcasting stakeholders - Friday 2 February 2024

Good afternoon,

Please find attached the draft notes of this morning's meetings with broadcasting stakeholders on the BaNS culture paper.

ACTION: Officials to find out latest position on sharing Gaelic content with CBC.

ACTION: Officials to investigate issues related to Creative Scotland funding second series of productions.

ACTION: Officials to liaise with Emily Davidson (Channel 4) on Cab Sec attending 4schools opportunity.

ACTION: Officials to investigate opportunity to arrange for students to meet major stakeholders including Channel 4 and Screen Scotland at Edinburgh TV or Film Festival, with the possibility of prizes for students.

Kind regards,

[Redacted]

### Item 11.1 – Extract from document

AR talked through the key points in the BaNS paper for broadcasters, offering reassurances that existing licences would be respected.

## Item 12

**From:** [Redacted]

**Sent:** Friday, February 2, 2024 5:22 PM

**To:** Cabinet Secretary for Constitution, External Affairs & Culture

<CabSecforCEAC@gov.scot>; Minister for Culture, Europe & International Development

<zzMinisterforCEID@gov.scot>; Minister for Independence <MinisterforIndy@gov.scot>

**Cc:** Permanent Secretary <PermanentSecretary@gov.scot>; Jack Middleton

<Jack.Middleton@gov.scot>; Tom Thomson <Tom.Thomson@gov.scot>; Ewan Crawford

<Ewan.Crawford@gov.scot>; David Hutchison <David.Hutchison@gov.scot>; [Redacted] >;

[Redacted] >; [Redacted] >; [Redacted]; [Redacted] >; [Redacted] Rachael Mckechnie

<Rachael.Mckechnie@gov.scot>; Lisa Baird <Lisa.Baird@gov.scot>; [Redacted] ;

[Redacted] >; [Redacted] >; [Redacted] t>; Social Media <socialmedia@gov.scot>;

[Redacted]; [Redacted] >; [Redacted] >; [Redacted]; [Redacted] >; [Redacted] >; [Redacted] >; Julie Grant <Julie.Grant@gov.scot>; Brian Dornan <Brian.Dornan@gov.scot>; Andrew Bruce <Andrew.Bruce@gov.scot>; Dominic Munro <Dominic.Munro@gov.scot>; [Redacted] >

**Subject:** RE: For awareness: BANS Culture HERO video

Hi all,

Just to make you aware, I noticed a minor typo at 48 secs – this has been fixed now.

Thanks,

[Redacted]

**From:** [Redacted]

**Sent:** Friday, February 2, 2024 4:41 PM

**To:** Cabinet Secretary for Constitution, External Affairs & Culture

<CabSecforCEAC@gov.scot>; Minister for Culture, Europe & International Development

<MinisterforCEID@gov.scot>; Minister for Independence <MinisterforIndy@gov.scot>

**Cc:** Permanent Secretary <PermanentSecretary@gov.scot>; Jack Middleton

<Jack.Middleton@gov.scot>; Tom Thomson <Tom.Thomson@gov.scot>; Ewan Crawford

<Ewan.Crawford@gov.scot>; David Hutchison <David.Hutchison@gov.scot>; [Redacted] >;

[Redacted] >; [Redacted] [Redacted]; [Redacted] >; [Redacted] >; Rachael Mckechnie

<Rachael.Mckechnie@gov.scot>; Lisa Baird <Lisa.Baird@gov.scot>; [Redacted] >;

[Redacted] >; [Redacted] >; [Redacted]; Social Media <socialmedia@gov.scot>;

[Redacted] >; [Redacted] >; [Redacted] >; [Redacted] >[Redacted] [Redacted] >;

[Redacted] >; [Redacted] >; [Redacted] >; [Redacted] >; Julie Grant

<Julie.Grant@gov.scot>; Brian Dornan <Brian.Dornan@gov.scot>; Andrew Bruce

<Andrew.Bruce@gov.scot>; Dominic Munro <Dominic.Munro@gov.scot>; [Redacted] >

**Subject:** For awareness: BANS Culture HERO video

PO for Cabinet Secretary for the Constitution, External Affairs and Culture,

For awareness, please see below the HERO video for BANS Culture paper launch, which will be posted on main Scot Gov social channels at 6pm today.

Please note, the post copy and video script for this content has already been fully cleared.

Many thanks,

[Redacted]

[Redacted] | Social Media Manager

Email: [Redacted]

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**Video Link:** [Hightail - G4bAmfWcX8](#)

**Reel Thumbnail:**



# Building a New Scotland - Culture in an independent Scotland

**HERO Video Post Copy (245/280 characters):**

St Andrew's House, Regent Road, Edinburgh EH1 3DG  
[www.gov.scot](http://www.gov.scot)



Culture Secretary @AngusRobertson on our #ANewScotland paper:

“Scotland's enormous cultural contribution is celebrated the world over.

Independence would give Scotland new powers to help our culture sector thrive.”

### Item 13

**From:** [Redacted] > **On Behalf Of** Cabinet Secretary for Constitution, External Affairs & Culture

**Sent:** Friday, February 2, 2024 11:29 AM

**To:** [Redacted] >; Cabinet Secretary for Constitution, External Affairs & Culture <CabSecforCEAC@gov.scot>

**Cc:** Minister for Culture, Europe & International Development <zzMinisterforCEID@gov.scot>; Brian Dornan <Brian.Dornan@gov.scot>; Minister for Independence <MinisterforIndy@gov.scot>; [Redacted] >; [Redacted] >; [Redacted] >; [Redacted] >; [Redacted]

**Subject:** RE: For Signature - letters to Parliamentary contacts and Welsh/UKG Ministers - Culture Paper

Hi [Redacted],

I've now issued the email to all those on the spreadsheet, please see attached for info.

Kind Regards

[Redacted]

Assistant Private Secretary to Angus Robertson MSP, Cabinet Secretary for Constitution, External Affairs and Culture

Ministerial Private Office

St Andrews House

Edinburgh

### Item 14

**From:** [Redacted] > **On Behalf Of** Cabinet Secretary for Constitution, External Affairs & Culture

**Sent:** Friday, February 2, 2024 10:23 AM

**To:** [Redacted] >; Cabinet Secretary for Constitution, External Affairs & Culture <CabSecforCEAC@gov.scot>; Minister for Independence <MinisterforIndy@gov.scot>

**Cc:** Minister for Culture, Europe & International Development <zzMinisterforCEID@gov.scot>; Brian Dornan <Brian.Dornan@gov.scot>; Lisa Baird <Lisa.Baird@gov.scot>; Rachael Mckechnie <Rachael.Mckechnie@gov.scot>; Spads Admin <Spads\_Admin@gov.scot>; Ewan Crawford <Ewan.Crawford@gov.scot>; David Hutchison <David.Hutchison@gov.scot>; [Redacted] >; [Redacted] >; [Redacted] >; [Redacted] >; [Redacted] >; [Redacted] >; [Redacted]

**Subject:** RE: For Signature - letters to Parliamentary contacts and Welsh/UKG Ministers - Culture Paper

Hi [Redacted]

Following publication of the Culture paper this morning, please see attached letters sent to FM Wales and DCMS SoS for your records.

Thanks  
[Redacted]

#### Item 14.1

Cabinet Secretary for Constitution, External Affairs and  
Culture  
Angus Robertson MSP  
T: 0300 244 4000  
E: scottish.ministers@gov.scot

The Rt Hon Lucy Frazer KC MP  
Secretary of State for Culture, Media and Sport

By email

2 February 2024

Dear Lucy,

#### Building a New Scotland: Culture in an Independent Scotland

Today the Scottish Government has published 'Culture in an Independent Scotland', the tenth in our 'Building a New Scotland' series of independence prospectus papers, a copy of which is attached.

Scotland has a deep and rich culture that is world renowned. The Scottish Government is determined to protect and enhance it, putting it at the heart of our communities for the benefit of everyone. This paper sets out proposals on how independence would: further support the creative economy and realise the potential of our culture and creative sectors on the international stage and how it would build on the strength of our screen sector. It sets out how independence would build on the progress that has been made under devolution, creating new opportunities to support access to culture and to provide future Scottish Governments with powers to ensure our culture, heritage and creative sectors have adequate and appropriate support to develop and thrive.

By joining the EU as an independent nation, Scotland's creative industries would also have unrestricted access to the EU market and freedom of movement, and access to EU programmes which would provide an important source of funding, projects and collaboration. Freedom of movement would make activities such as touring, collaborating with artists in other countries, and taking part in cultural productions and festivals, much smoother and less expensive.

The paper also outlines how we would protect public service broadcasting with independence. This Scottish Government would establish a new Scottish public service broadcaster; to reflect the specific needs, interests and values of Scottish audiences and creative industries. Independence would provide the powers to develop a broadcasting strategy to meet the requirements of audiences in Scotland, improve authentic representation of people here, and engage with partners around the UK and beyond to explore continued access to the programming and services that matter to Scottish audiences, while keeping editorial and creative independence from government.

As our culture and creative sectors navigate the impacts of Brexit, the aftermath of the COVID-19 pandemic, and the increased cost of living, it is therefore more important than ever that Scotland has the full powers of independence to support and develop them.

Yours sincerely,

ANGUS ROBERTSON

## Item 14.2

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)

The Scottish Parliament, Edinburgh EH99 1SP

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

Cabinet Secretary for Constitution, External Affairs and Culture

Angus Robertson MSP

T: 0300 244 4000

E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)

Rt Hon Mark Drakeford MS

First Minister of Wales

Via email: [PS.FirstMinister@gov.wales](mailto:PS.FirstMinister@gov.wales)

---

2 February 2024

Dear Mark,

Building a New Scotland: Culture in an Independent Scotland

Today the Scottish Government has published 'Culture in an Independent Scotland', the tenth in our 'Building a New Scotland' series of independence prospectus papers, a copy of which is attached. Scotland has a deep and rich culture that is world renowned. The Scottish Government is

determined to protect and enhance it, putting it at the heart of our communities for the benefit of everyone. This paper sets out proposals on how independence would: further support the creative economy and realise the potential of our culture and creative sectors on the international stage and how it would build on the strength of our screen sector. It sets out how independence would build on the progress that has been made under devolution, creating new opportunities to support access to culture and to provide future Scottish Governments with powers to ensure our culture, heritage and creative sectors have adequate and appropriate support to develop and thrive.

By joining the EU as an independent nation, Scotland's creative industries would also have unrestricted access to the EU market and freedom of movement, and access to EU programmes which would provide an important source of funding, projects and collaboration. Freedom of movement would make activities such as touring, collaborating with artists in other countries, and taking part in cultural productions and festivals, much smoother and less expensive.

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As our culture and creative sectors navigate the impacts of Brexit, the aftermath of the COVID-19 pandemic, and the increased cost of living, it is therefore more important than ever that Scotland has the full powers of independence to support and develop them.

Yours sincerely,

ANGUS ROBERTSON

## Item 15

**From:** [Redacted] > **On Behalf Of** Cabinet Secretary for Constitution, External Affairs & Culture

**Sent:** Friday, February 2, 2024 1:26 PM

**To:** [Redacted] >; Cabinet Secretary for Constitution, External Affairs & Culture <CabSecforCEAC@gov.scot>

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

**Subject:** RE: Note of meetings on BANS Culture - 01 February

**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.**

Thanks [Redacted] – Mr Robertson has noted and is content

Can we just double check, in regards to, *AR also asked that SG officials provide Festivals Edinburgh with an update on future EXPO funding as soon as possible – when the timings of this is likely to be ?*

Many thanks,

[Redacted]

## **Annex B**

### **Section 29(1)(b) – Ministerial communications**

An exemption under section 29(1)(b) of FOISA (Ministerial communications) applies to all of the information requested because it relates to communications between Scottish Ministers.

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 a private space within which issues can be explored and refined, until the Government as a whole can reach a decision that is sound and likely to be effective. This private thinking space also allows for 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 between Ministers, which in turn will undermine the quality of the decision making process.

### **Section 30(b)(i) – free and frank provision of advice**

An exemption under section 30(b)(i) of FOISA (free and frank provision of advice) applies to some of the information requested. This exemption applies because disclosure would, or would be likely to, inhibit substantially the free and frank provision of advice.

This exemption recognises the need to have a private space within which to provide free and frank advice to Ministers before the Scottish Government reaches a settled public view. Disclosing the content of free and frank advice will substantially inhibit the provision of such advice in the future.

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 Scottish Government staff can provide full and frank advice to Ministers until the Government as a whole can adopt a policy that is sound and likely to be effective. This private thinking space is essential to enable all options to be properly considered, based on the best available advice, so that good policy decisions can be taken. Premature disclosure is likely to undermine the full and frank discussion of issues between Ministers and officials, 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**

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 drafts of 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.