

The exemptions applied in this instance are:

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

Some information has been withheld as an exemption under section 30(b)(i) (free and frank provision of advice) of FOISA applies to that information.

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 an open, transparent and accountable government, and to inform public debate. However, there is a greater public interest in allowing a private space for officials to provide free and frank advice to Ministers prior to outlining our position in the public domain.

Section 30(b)(ii) – free and frank exchange of views for the purposes of deliberation

Some information has been withheld as an exemption under Section 30(b)(ii) (free and frank exchange of views for the purposes of deliberation) of FOISA applies to that information.

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 an open, transparent and accountable government, and to inform public debate. However, there is a great public interest in allowing a private space for officials to have free and frank discussions on any given topic to properly consider the governments response.

Section 38(1)(b) – Personal data

Some information has been withheld as an exemption under section 38(1)(b) (personal data) of FOISA applies to that information, this is 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.

All emails or letters sent or received by (a) Humza Yousaf (b) Michael Matheson and (c) any member of the Scottish Government communications and public engagement team that refer to the Health Secretary's iPad bill between Tuesday the 14th November and Wednesday the 15th of November:

Document 1

From: [Redacted] <[Redacted]@yahoo.co.uk>

Sent: Wednesday, November 15, 2023 4:32 PM

To: First Minister <FirstMinister@gov.scot>

Subject: Scottish Parliament publishes Matheson's £11k data roaming bill | The Herald

Mr Yousaf

This latest non-sense from you still does not address the core issue i.e. precisely which sites did Matheson visit?

The people of Scotland must be told precisely which sites he visited. We are entitled to know.

This cover-up can't be allowed to continue any longer.

<https://www.heraldscotland.com/news/23926144.scottish-parliament-publishes-mathesons-11k-data-roaming-bill/>

Sent from my iPad

Document 2

From: [Redacted]@aol.com <[Redacted]@aol.com>

Sent: Wednesday, November 15, 2023 3:37 PM

To: First Minister <FirstMinister@gov.scot>

Subject: WHATEVER HAPPENED TO TRUTH, INTEGRITY AND JUSTICE

Dear First Minister

As a deeply concerned citizen of the degradation of democracy in Scotland under the SNP Government I felt compelled to make you aware of my concerns.

Since the Nike Conference held in Edinburgh there has been a gradual erosion of truth and integrity under the SNP Government.

Alex Salmond enquiry, BIFab, the ferries Procurement, the missing £600K, the COVID WhatsApp messages and now Mr Mathieson's IPAD. There is more I could include.

WhatsApp COVID messages deleted? What's hidden in the shadows that you do not want the public to know about?

Mr Mathieson's £11K roaming charges, nothing to see here move on please, couple of days later, I'll pay £3k but I wasn't aware to change the sim card, days later oh wait a minute I was told to change the sim and I didn't do it, couple of days later, ok the media has caught me so I will pay the £11k but the IT guy looked at my iPad to confirm it was work related, oh no the guy didn't look at my iPad, vote of no confidence - what does Mr Mathieson have to hide on his iPad?

I talk to family members, friends and associates and all agree there is a smell around the SNP Government, and it has got to the stage that in good Scottish parlance it now positively reeks

Regards

[Redacted]

Document 3

From: William Buchanan <william.buchanan@falkirk.gov.uk>

Sent: Tuesday, November 14, 2023 2:36 PM

To: [Redacted] <[Redacted]@yahoo.co.uk>;

Michael.Matheson.msp@parliament.scot; Stephen.Kerr.msp@Parliament.scot;
[Redacted] <[Redacted]@parliament.scot>; First Minister <FirstMinister@gov.scot>;
douglas.ross.mp@paliament.uk; Jackie.Baillie.msp@parliament.scot; Alex.Cole-
Hamilton.msp@parliament.scot

Subject: Re: PUBLIC FUNDS.

Nice one he has done nothing for [Redacted] in all his years as an msp a chancer
Sent from Outlook for Android

From: [Redacted] <[Redacted]yahoo.co.uk>

Sent: Tuesday, November 14, 2023 1:48:07 PM

To: Michael.Matheson.msp@parliament.scot

<michael.matheson.msp@parliament.scot>; William Buchanan
<william.buchanan@falkirk.gov.uk>; Stephen.Kerr.msp@Parliament.scot
<Stephen.Kerr.msp@Parliament.scot>; McNeil T (Tracy)
<Tracy.McNeil@parliament.scot>; firstminister@gov.scot <firstminister@gov.scot>;
douglas.ross.mp@paliament.uk <douglas.ross.mp@paliament.uk>;
Jackie.Baillie.msp@parliament.scot <jackie.baillie.msp@parliament.scot>;
Alex.Cole-Hamilton.msp@parliament.scot <alex.cole-
hamilton.msp@parliament.scot>

Subject: PUBLIC FUNDS.

Mr Matheson,

After a great deal of thought, I feel compelled to comment on your recent expense
fiasco. I do not use that word lightly.

For almost the past two years I have come to you in good faith, to seek your help
and support in the living nightmare placed upon my Wife and I by Falkirk Council.
You, Council Officials and Elected Government Officers were the only People I could
turn to for help.

A few came forward. Most did not.

However, to hear of this expense fiasco, and then eventually how you backed down
and decided to re imburse the full amount raises all sorts of concerns with myself.

If it was all innocent and above board, why when this situation arose did you not
immediately surrender all electronic devices in question for scrutiny ?

Why if it is/ was all innocent and above board, did you decide to pay the money back
?

Why was a Man in your exalted position of respect and office unable to comprehend
the costs?

Why was a Man in your exalted position of office not fully aware of the technical
issues and subject penalties ?

I placed my trust and faith in you Mr Matheson, alas I feel betrayed. You will no
longer ever receive my support.

[Redacted]

Sent from Mail for Window

Document 4

From: [Redacted] <[Redacted]@yahoo.co.uk>
Sent: Wednesday, November 15, 2023 4:39 PM
To: First Minister <FirstMinister@gov.scot>
Subject: Michael Matheson
This man racked up £7k data in one day.
How can he still stand up for him?
It is absolutely shocking.
[Redacted]
Sent from Yahoo Mail on Android

Document 5

From: Jack Middleton <Jack.Middleton@gov.scot>
Sent: Tuesday, November 14, 2023 5:51 PM
To: [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>
Cc: [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>;
Jeanette Campbell <Jeanette.Campbell@gov.scot>; Jennie Gollan
<Jennie.Gollan@gov.scot>; Kevin Pringle <Kevin.Pringle@gov.scot>
Subject: RE: Police Scotland - roaming charges [OFFICIAL]
Thanks. Can we direct any queries to the party please.
Jack Middleton
Special Adviser to the First Minister
[Redacted]
jack.middleton@gov.scot

Scottish Ministers, Special advisers and the Permanent Secretary to the Scottish Government are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot.

From: [Redacted] <[Redacted]@gov.scot>
Sent: Tuesday, November 14, 2023 4:30 PM
To: [Redacted] <[Redacted]@gov.scot>
Cc: [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>;
Jeanette Campbell <Jeanette.Campbell@gov.scot>; Jennie Gollan
<Jennie.Gollan@gov.scot>; Jack Middleton <Jack.Middleton@gov.scot>
Subject: RE: Police Scotland - roaming charges [OFFICIAL]
Thanks [Redacted], adding Jennie and Jack for awareness.
[Redacted]
[Redacted]
Team Leader Communications Health and Social Care
Scottish Government
[Redacted]
[Redacted]@gov.scot

From: [Redacted] <[Redacted]@gov.scot>
Sent: Tuesday, November 14, 2023 4:15 PM
To: [Redacted] <[Redacted]@gov.scot>
Cc: [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>;
Jeanette Campbell <Jeanette.Campbell@gov.scot>
Subject: FW: Police Scotland - roaming charges [OFFICIAL]
[Redacted],

Police Scotland comms team have been in touch – apparently Michael Matheson has been reported to the police off the back of the roaming charges story. Please find the line issued from PS below on this for awareness

Many thanks
[Redacted]

[Redacted]
Senior Media Manager
Justice and Home Affairs
Scottish Government
[Redacted]

Pronouns: She/Her
@ScotGovJustice | gov.scot | @scotgov

From: Corp Communications News Desk <NewsDesk@scotland.police.uk>
Sent: Tuesday, November 14, 2023 4:05 PM
To: [Redacted] <[Redacted]@gov.scot>
Subject: Police Scotland - roaming charges [OFFICIAL]

OFFICIAL

Hi [Redacted]
Our line below on the roaming charges issue as discussed.
Thanks
[Redacted]

A Police Scotland spokesperson said: “We have received a complaint which will be assessed to determine if any action is required.”

Corporate Communications National News Desk
Police Scotland
T: 01786 896 000
E: newsdesk@scotland.police.uk

Twitter: @PoliceScotland
Facebook: www.facebook.com/PoliceScotland
Website: www.scotland.police.uk