



The Scottish Parliament
Pàrlamaid na h-Alba

Finance and Public Administration Committee

Kate Forbes MSP
Deputy First Minister and Cabinet Secretary for the Economy and Gaelic
Scottish Government

3 December 2025

Dear Kate

Cost-effectiveness of Scottish public inquiries

Thank you for giving evidence to the [Finance and Public Administration Committee on 25 November 2025](#) in relation to our current inquiry into [the Cost-effectiveness of Scottish public inquiries](#).

During evidence on 25 November, the Committee discussed with you the requirement under the [Scottish Ministerial Code](#) for Scottish Ministers to observe the ‘Nolan Principles’, including the principle of Integrity which states—

“Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.”

The Ministerial Code further states that “ministers must ensure that no conflict arises, or could reasonably be perceived to arise, between their public duties and their private interests, financial or otherwise”.

During the evidence session on 25 November, you told the Committee that—

“As you know, we are required to regularly review our publicly declared interests, both as MSPs and as ministers. The Cabinet secretariat requires us to regularly update that list and to ensure that it is as up to date as possible. We all sit under that obligation, irrespective of the particular issue on our desk, if that makes sense. The register of interests should apply, irrespective of the specific decision that we are making. In all such situations, officials would have given advice to ministers. Ministers do not take decisions independently of officials.”

We also heard from Scottish Government official, Don McGillivray, who reiterated this point, stating “thinking of the Sheku Bayoh inquiry in particular, very substantive advice was given to ministers, covering all the policy and legal considerations that

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they might need to take into account in reaching the decision". He further said, "I make it clear that, in that case, ministers were given very substantive advice, which informed their decisions".

In the context of Ministerial decisions to establish Scottish public inquiries, you also offered to "give further evidence in writing on the obligations under which ministers sit in relation to their declaration of interests, because it is a regular part of our obligations".

Given these obligations, we also request details of all advice provided by Scottish Government officials to former First Minister Humza Yousaf MSP on whether he should declare an interest under the Scottish Ministerial Code as a close friend and client of lawyer, Aamer Anwar, who has campaigned for and participated in various Scottish public inquiries. In particular, the Committee would be interested to see this advice in relation to Mr Yousaf's role in—

1. providing evidence to the Scottish and UK Covid-19 inquiries as the then First Minister, with reference to his previous posts in the Cabinet (2023/2024),
2. [the decision as Cabinet Secretary for Justice to hold a public inquiry into the events surrounding the death of Sheku Bayoh, the subsequent investigation and whether race was a factor](#) (2019), and
3. [the decision as First Minister to hold a public inquiry into the investigation of Emma Caldwell's murder](#) (2024).

This information will be very helpful in informing any Committee conclusions or recommendations regarding the transparency of decision-making and maintaining public trust and integrity in relation to public inquiries. Given the timescale for publishing the Committee's report on this inquiry, we request that the above information is provided by close on Wednesday 10 December 2025.

Yours sincerely

Kenneth J Gibson MSP
Convener