



The Scottish Parliament
Pàrlamaid na h-Alba

COMMITTEE ON THE SCOTTISH GOVERNMENT HANDLING OF HARASSMENT COMPLAINTS

AGENDA

11th Meeting, 2020 (Session 5)

Tuesday 27 October 2020

The Committee will meet at 10.15 am in the Robert Burns Room (CR1).

1. **Phase 3 - The Judicial Review:** The Committee will take evidence from—

Judith MacKinnon, Head of People Advice, Scottish Government;

and then from—

Barbara Allison, Director for Communications, Ministerial Support & Facilities, Scottish Government.

2. **Review of evidence (in private):** The Committee will review the evidence received.

Clerk to the Committee on the Scottish Government Handling of Harassment
Complaints

Email: SGHHC@Parliament.Scot

The papers for this meeting are as follows—

Agenda Item 1

Clerk's Note

SGHHC/S5/20/11/1

PRIVATE PAPER

SGHHC/S5/20/11/2

Agenda Item 2

PRIVATE PAPER

SGHHC/S5/20/11/3

Committee on Scottish Government Handling of Harassment Complaints**11th Meeting, 2020 (Session 5), Tuesday 27 October 2020****Phase 3: Judicial Review****Evidence session 6: 27 October 2020****Background**

1. This paper has been produced prior to the Committee on the Scottish Government Handling of Harassment Complaints' sixth evidence session where the Committee will hear from two Scottish Government officials - Judith MacKinnon, Head of People Advice and Barbara Allison, Director for Communications, Ministerial Support and Facilities.

Previous Evidence

2. The Committee agreed to conduct its inquiry in phases. It has previously taken evidence on the development of the development of the handling of harassment complaints policy as follows:

- The Permanent Secretary on 18 August. The *Official Report* is available [here](#).

Following this evidence session, the Permanent Secretary submitted further written evidence, this letter can be found [here](#).

- Senior Scottish Government Officials James Hynd; Head of Cabinet, Parliament and Governance Division, and Nicola Richards; Director of People on 25 August 2020. The *Official Report* is available [here](#).

Following this evidence session, James Hynd and Nicola Richards submitted further written evidence. The letter from James Hynd can be found [here](#) and Nicola Richard's letter can be found [here](#).

- Dave Penman, General Secretary, FDA; and Malcolm Clark, Convenor of the Council of Scottish Government Unions and PCS Scottish Government Group President on Tuesday 1 September. The *Official Report* is available [here](#).

Following this evidence session, Dave Penman submitted further written evidence, this can be found [here](#).

- The Permanent Secretary was asked to give further evidence on policy development on 8 September 2020. The *Official Report* is available [here](#)

Following this evidence session, the Permanent Secretary submitted further written evidence, this can be found [here](#)

- Sir Peter Housden, former Permanent Secretary; and Barbara Allison, former director of people at the Scottish Government, on 15 September. The *Official Report* is available [here](#).

Following this evidence session, Barbara Allison sent two letters to the Committee which can be found [here](#) and [here](#).

Phase 3: Judicial Review

3. In addition, the Committee held an exploratory session with the Permanent Secretary and the Lord Advocate on the judicial review as part of its evidence session on 8 September. The Official Report is available [here](#)

4. Documentation, information and relevant correspondence related to the Judicial Review phase of the inquiry can be found [here](#). As can be seen, the Committee has received some documentation and information relevant to this part of the inquiry, but more documentation and information is being processed or has been requested.

5. The 'Open Record' mentioned in the Deputy First Minister's letter of [21 Sep 2020](#) which sets out the pleadings of the parties in the Judicial Review will be published on the Committee's webpage prior to the committee meeting.

6. Although the Committee is still awaiting documents related to the Judicial Review, it agreed to begin taking oral evidence from Scottish Government officials who were involved in the Judicial Review process and, in particular, who appeared before the Commission and Diligence hearing in December 2018.

7. [The Committee's remit and approach to its inquiry](#) is available on the Committee's webpage.

Clerks and SPICe Research October 2020