



The Scottish Parliament
Pàrlamaid na h-Alba

Committee on the Scottish Government Handling of Harassment Complaints

David McKie
Levy & McRae

c/o Clerk to the Committee
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The Scottish Parliament
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Dear Mr McKie

I am writing in response to references to a number of documents by the former First Minister during his evidence session on Friday 26 February. Mr Salmond suggested that there were a number of documents readily available to be shared with the Committee. The Committee is of the view that it does not require to serve a notice on you in order for you to provide key documents cited by your client. Specifically, the Committee asks that you provide, by return:

- The witness precognition referred to in the *Official Report* extract below:

Andy Wightman: *Thank you for that very full response. I turn to my third question. In paragraph 24 of your submission on the judicial review, you say: "We have a witness precognition (statement) which recounts that in late November 2018 a Special Adviser told the witness that the Government knew they would lose the JR but that they would 'get him' in the criminal case." Can you say anything more about who that witness is, who the special adviser is or, indeed, whether you can supply the committee with a copy of the witness precognition statement?*

Alex Salmond: *It certainly happened, and we have got the statement. I would have to consult the person concerned. The reason for it being there is that it demonstrates that, in November 2018, the hope on the part of that special adviser and others was that the judicial review would be overtaken by the criminal case.*

- Documents relating to the judicial review, specifically the transcript of the Commission and Diligence and the minute of proceedings.

The Committee asks that you send these documents in a format that complies with the Committee's evidence handling statement, including seeking consent of the witness referred to above for this information to be shared.

Please note that the Committee is actively pursuing other further documents with the Scottish Government direct as a matter of urgency.

Yours sincerely

Linda Fabiani MSP

Convener, Committee on the Scottish Government Handling of Harassment Complaints