



Committee on the Scottish Government Handling of Harassment Complaints

Peter Murrell
Chief Executive
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c/o Clerk to the Committee
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BY EMAIL

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9 September 2020

Dear Mr Murrell

Thank you for your written submission to the Committee, dated 4 August 2020. The Committee considered its terms in private session on 25th August and is yet to publish your submission or decide whether to invite you to provide oral evidence to the Committee. The Committee did however agree that I should write to you again to invite you to revisit certain questions asked by the Committee to assess whether there is further evidence you could usefully provide the Committee.

You will recall that the Committee wrote at an early stage of its inquiry to the First Minister seeking assurances that all relevant records would be retained to inform the inquiry, and this included any records held by the SNP.¹ On 15 April the Committee requested that the First Minister—

“ensure details (i.e. names, position, and contact details) of any party members, party staff and other persons employed by myself who would have had any involvement whatsoever, directly or indirectly, with, or in connection with, the complaints and actions which are the subject to the Committee’s inquiry are preserved”.

On 21 May the Committee elaborated to say—

¹ Letter from the First Minister to the Convener, 15 April 2019:
<https://www.parliament.scot/HarassmentComplaintsCommittee/20190415FMtoConvener.pdf>
Letter from the Convener to the First Minister, 21 May 2019:
<https://www.parliament.scot/HarassmentComplaintsCommittee/20190521ConvenertoFM.pdf>
Letter from the First Minister to the Convener, 12 June 2019:
<https://www.parliament.scot/HarassmentComplaintsCommittee/20190620ResponsefromFM.pdf>

“The Committee discussed your response at its meeting on 9 May and agreed that it would expect your commitment to preserve documents and information to apply also to those party members, party staff and other persons employed by you whose details you committed to preserve in your reply of 15 April.

Although we assume this will be the case, I would be grateful if you could confirm that this instruction to preserve all documents and information will apply to those individuals.”

The First Minister confirmed on 12 June 2019 that she would comply with this request.

In my letter to you of 7 July 2020 I asked that you set out the means by which the SNP head office communicates between staff and post holders. Specifically, the safeguards in place to ensure these communication channels are not used for business that should be redirected to Scottish Government channels. I also asked for details of any instances where it may have been the case that SNP channels had been used for Scottish Government business in terms of the Committee’s remit, and details of actions that were taken to address such situations.

In writing to you as Chief Executive of the Scottish National Party, it was the Committee’s intention that you would provide a corporate response on behalf of the SNP—

“The Committee is examining the extent to which lines that divide Scottish Government matters and party matters are clear and adhered to in practice. The Committee is seeking written evidence from you, regarding this, in your capacity as Chief Executive of the SNP”

On that basis, the Committee’s intention was that you would canvas colleagues for relevant information and records as well as submitting any evidence you were aware of as an individual.

Therefore, I would be grateful if you could confirm whether you conferred with colleagues to ascertain if they held any information relevant to the Committee’s inquiry as requested in my original letter, or if you based your answers solely on your own direct knowledge and experience.

If you did not confer with colleagues during the drafting of your submission I would ask that you now do so and submit further written evidence to the Committee, providing details of any and all communications requested in my original letter that may be relevant.

For clarity, the information we are seeking includes, but is not limited to, relevant emails, minutes, notes, texts, papers and WhatsApp messages from all levels of the SNP.

In your submission you state that you are “not aware of any such instances” where SNP communication channels have been used for Scottish Government business. Given however, the [recent information released by the Scottish Government](#) detailing the number of emails from personal accounts (including snp.org accounts) received by the Scottish Government from Cabinet members (including the First Minister), and previous media coverage suggesting certain matters are directed at the First Minister using an email account other than her ministerial account, the Committee invites confirmation from you whether there have been instances where SNP channels of communication are used by SNP members when acting in a ministerial capacity.

Secondly, my letter also requested copies of any communications in relation to the complaints made under the Scottish Government Procedure on handling of harassment complaints involving current or former ministers between the SNP and:

- a. the former First Minister, Alex Salmond;
- b. the First Minister, in her capacity as First Minister;
- c. the First Minister’s Chief of Staff; and
- d. any other relevant individuals (for example other special advisers or relevant communications between senior SNP staff).

In your submission you stated, “the SNP has no communications between it and any of the individuals listed in your letter, in relation to the complaints raised under the Scottish Government procedure on handling of harassment complaints involving current or former ministers”.

Again, I would be grateful if you would confirm whether you conferred with colleagues on this aspect of your submission, including, but not limited to:

- Nicola Sturgeon, Party Leader;
- Liz Lloyd, Special Adviser to the Party Leader;
- Ian McCann, Compliance Manager;
- Sue Ruddick, Chief Operating Officer; and
- any other special advisers or SNP staff relevant to the inquiry.

If you did not confer with colleagues in this regard I would ask that you now do so and submit further written evidence to the Committee, providing details of any and all communications requested in my original letter that may be relevant.

Again, the information we are seeking includes, but is not limited to, emails, minutes, notes, texts, papers and WhatsApp messages from all levels of the SNP.

The Committee look forward to receiving your response as soon as is practicable.

Yours sincerely

Linda Fabiani MSP

**Convener, Committee on the Scottish Government Handling of
Harassment Complaints**