

Government releases more documents to the Harassment Committee

The Scottish Government has just released further documents in order to assist the Committee on the Scottish Government Handling of Harassment Complaints and its inquiry.

They have released additional legal advice documents relating to the judicial review brought by former First Minister, Alex Salmond.

The publication of these documents follows the decision to release [key legal advice](#) earlier in the week. This advice centred around the handling of the judicial review, and the government said it was released to disprove allegations made about the Scottish Government's handling of that. The government's defence of the judicial review raised by the former First Minister eventually collapsed costing the government over £500,000 in costs which it reimbursed to Mr Salmond. The government also incurred its own costs in the matter.

The [documents](#) the Scottish Government is making available to the Inquiry cover the key advice from external Counsel that informed decisions at critical points in the progress of the judicial review, in particular around the prospects of success.



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Deputy First Minister John Swinney said: “The Scottish Government decided it was necessary to take the exceptional step of releasing key legal advice to ensure the public could have confidence that legal advice was not ignored or the process deliberately delayed.

“The documents released today should enhance that public confidence.

“In particular it is clear that delaying the case – known as *sisting* – was only considered as an option in order to minimise the impact of the case on the ongoing police investigation. This option was explicitly ruled out by the Lord Advocate who made clear that it was ‘preferable and appropriate’ that court-imposed reporting restrictions protect the integrity of any future prosecution.

“This puts beyond any doubt that there was any attempt to delay the judicial review so that it would be overtaken by criminal proceedings.

“I have instructed officials to consider whether further documents should be released, subject to essential statutory checks and notifications, and to do so as a matter of urgency.”