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## Summary

Alex Salmond explained to a committee of MSPs why he believed there was an attempt - by a number of people he named - to remove him from public life

In his evidence - which lasted for five hours - the former first minister fired shots at the Scottish government, including saying its harassment policy was "badly thought out and badly implemented"

He was also critical of the "censorship" of one of his submissions to the Holyrood committee investigating the mishandling of complaints against him

A row erupted after part of his written evidence was initially published but later redacted when the Crown Office raised concerns with the Scottish Parliament

Mr Salmond believed that other parliaments, including the one at Westminster, would not have agreed to such a request by a prosecution service

He accused the civil service, the Crown Office and the Scottish government of "many and obvious" failures in leadership, adding that there should be resignations

Mr Salmond also told MSPs that the name of a woman who had made complaints about him had been shared at a meeting involving his former chief of staff, Geoff Aberdeen

The politician of three decades said he hoped the inquiry would yield lessons leading to a greater confidence in Scotland's institutions

Mr Salmond went on to say that he "has no doubt" that Nicola Sturgeon broke the ministerial code

Ms Sturgeon said her predecessor had "not a shred of evidence" to back his claim that there was "malicious" moves to damage him

### Full Text ###

19:25

### **Key points from Alex Salmond's evidence session**

Thank you for joining our coverage of Alex Salmond's six-hour evidence session. Here are the main points:

Alex Salmond had "no doubt" First Minister Nicola Sturgeon broke the ministerial code as he contradicted evidence from her over key meetings.

He called on the head of Scotland's civil service, Permanent Secretary Leslie Evans, to resign and said the head of the prosecution service, the Lord Advocate, should consider his position.

The former first minister alleged a "malicious scheme" among senior SNP figures to damage his reputation, although he said he had no evidence Ms Sturgeon was part of this.

The committee has been "systematically deprived of the evidence it has legitimately sought" in its inquiry, Mr Salmond said, adding there was "deliberate suppression of information inconvenient to the government".

Mr Salmond told MSPs that the name of a woman who had made complaints about him had been shared at a meeting with one of his aides.

The former first minister claimed a leak to the Daily Record newspaper, which broke news of the allegations against him, was "politically inspired" and he called for the police to act.

He declined to directly apologise for his own behaviour when asked, instead pointing to being cleared at the criminal trial and his victory in a civil case.

Mr Salmond said the previous two years and six months - during his investigation and criminal trial - had been a "nightmare".

He said "Scotland's leadership has failed" and that the failures of were "many and obvious".

19:12

### **Analysis: Huge questions for Nicola Sturgeon**

Nick Eardley Political correspondent

The last six hours have been detailed. Alex Salmond's complaints are numerous.

But stand back from it for a second.

The former first minister of Scotland has just accused his successor of breaking the ministerial code – and left open the door for her having to resign as a result.

He has said Scotland's most senior civil servant should quit – and that its most senior lawyer should consider his position.

Nicola Sturgeon's allies will argue he has not provided evidence for his claims of a plot against him.

But Ms Sturgeon will face huge questions when she appears before MSPs next week – some of the most difficult she has faced in her career.

19:09

### **Head of civil service 'will not resign'**

In response to the question about whether Permanent Secretary Leslie Evans would resign, a Scottish government spokesman said: "No."

"Scottish Government civil servants have acted professionally throughout on behalf of ministers and in line with the Civil Service Code and values of integrity, honesty, impartiality and objectivity.

"The permanent secretary has already addressed the issues raised today at Committee on several occasions.

"As the first minister has set out, she retains confidence in the permanent secretary and expects her to see out the remainder of her contract."

The spokesman said the government had a duty to investigate the "serious and specific" complaints against Mr Salmond.

"As set out in detailed evidence to the committee, all government decisions were informed by legal advice and taken in line with the Civil Service Code," he added.

19:03

### **Crown Office responds to Salmond evidence**

The Crown Office has responded to the allegations made by Alex Salmond in his evidence, saying it takes its responsibility to uphold the law seriously and protects the dignity and rights of all.

It added: "Scotland's prosecutors have acted independently and in the public interest at all times when considering matters related to this case.

"The Lord Advocate will appear before the committee next week to assist in public understanding of his role, and the actions of the Crown Office in relation to this case."

18:58

### **'Extremely willing' to assist**

Philip Sim BBC Scotland political reporter

As the session ended, Mr Salmond suggested to the committee that it could use its powers to seek to recover documents from his lawyers.

He said the group had previously served orders on "people unwilling to give you information" – but that his solicitors would be "extremely willing" to assist.

The committee has requested that the Crown Office produce messages which Mr Salmond cited as potential proof of collusion against him by midday on Tuesday – the day before Nicola Sturgeon gives evidence.

The group had previously used Scotland Act powers to compel the release of other text messages – but concluded that they were not relevant to the inquiry's remit.

18:51

### **Salmond offers information through his solicitors**

Mr Salmond concludes by suggesting that the committee should serve an order under the Scotland Act on his solicitors "who are extremely willing to give you information".

He says members may also want to request "the letters from the Crown Office preventing me from furnishing you with that information hitherto" under the same powers.

He says that if the committee serves that order on his solicitors they will have the documentation on Monday morning, in time for sessions with the Lord Advocate and crown agent.

18:45

### **Have you forgiven Nicola Sturgeon?**

Labour MSP Jackie Baillie says that Mr Salmond has been very careful not call for Nicola Sturgeon to resign.

"Does that mean you have forgiven her for her handling of this?" she asks.

Mr Salmond says "no" - it means the people who he has called on to consider their positions are the ones where he has "documentary evidence" of their actions.

"I don't think it is for me to judge what happens to someone who may have broken the ministerial code," he says.

18:42

### **When did the malicious plan start?**

Committee convener Linda Fabiani asks Mr Salmond when the "malicious plan" that he has described against him started.

Mr Salmond repeats that he thinks some people hoped the police investigation would come to the rescue of the judicial review.

"That almost happened," he says.

"It was only with the great work of my legal team that we were able to argue that should not happen."

18:40

### **Salmond has 'every confidence' in James Hamilton**

James Hamilton QC, Ireland's former director of public prosecutions, is leading an investigation into whether Nicola Sturgeon broke the ministerial code - which sets out how ministers should behave.

Independent MSP Andy Wightman asks Mr Salmond if he has "full confidence in the independent advisers on the ministerial code" and "can we rely on Mr Hamilton's findings?"

Mr Salmond says he has "every reason to believe he (Mr Hamilton) is a man of great integrity and experience".

He says he created the panel and thinks it is unsatisfactory its remit should be confined in any way.

"I've got every confidence that Mr Hamilton will discharge his duties in a proper way and I think it is fundamentally a good system," he says.

18:16

### **Key allegations in Alex Salmond's evidence**

Alex Salmond has made a series of allegations in his evidence:

He says he has 'no doubt' Nicola Sturgeon broke the ministerial code. Mr Salmond gave an account to the committee of meetings he had with Ms Sturgeon that appeared to contradict her version of events. He said it was not for him to say whether Ms Sturgeon should resign if she was found to have broken the code.

He claims Peter Murrell and others intervened in a police investigation. Mr Salmond is read text messages from the SNP chief executive and then refers to these messages and those from others, saying: "In my opinion, there has been behaviour which is about not just pressurising the police but pressurising witnesses, collusion with witnesses, we are talking about the construction of evidence because the police were somehow felt inadequate in finding it themselves."

The Scottish government may have obstructed justice. Mr Salmond said that given the government was under a "duty of candour" in the civil proceedings and a search warrant for the criminal ones, failure to disclose documents amounted to "obstruction of justice".

He believes Leslie Evans, the permanent secretary and head of the civil service, has not discharged her duties in line with the civil service code and should resign. He adds that Lord Wolffe, the lord advocate and head of the Crown Office, should consider his position.

The first minister, Mr Murrell, Ms Evans and Lord Wolffe have all rejected the allegations and deny wrongdoing.

18:09

### **Fraser asks Salmond: Who should resign?**

Murdo Fraser asks Mr Salmond who should resign.

Mr Salmond says the people responsible for the judicial review should resign.

He says permanent secretary Leslie Evans should have resigned on 8 January 2019 when the judicial review was conceded, and he knew Scottish government ministers who felt the same.

"I can't think of many people who would not have thought that an appropriate thing to do," he says.

"I think the Lord Advocate should be considering his position for this and a range of other issues," Mr Salmond adds.

He says the Scottish government administration and the Crown Office needs new leadership.

Mr Fraser asks if Nicola Sturgeon should resign if she is shown to have broken the ministerial code.

Mr Salmond says he is in no doubt that she has broken the code, but it is not for him to say what the consequences should be.

He says it is not the case that every minister that breaks the code resigns.

"Your own party have an example of that relatively recently," he tells the Tory MSP, referring to the case of the UK government's Home Secretary Priti Patel.

18:00

**Fraser: 'Why would they conspire against you?'**

Mr Salmond said in his submission that "the evidence supports a deliberate, prolonged, malicious and concerted effort amongst a range of individuals within the Scottish government and the SNP to damage my reputation, even to the extent of having me imprisoned".

Tory MSP Murdo Fraser asks why these people would conspire against him.

Mr Salmond says the original intention was to defeat the judicial review by having it postponed.

He says: "It came to be believed among some people that the loss of the court case would be cataclysmic not just for Leslie Evans and senior officials in the Scottish government, but for Nicola Sturgeon herself.

"I think people came to the belief that the police process would somehow assist in firstly not losing the review, and thereafter making sure that the loss of the judicial review was swept away in the inevitable publicity of the criminal trial.

"If I had been convicted of any offence in the criminal trial, that would be the case."

Quote Message: The evidence supports a deliberate, prolonged, malicious and concerted effort amongst a range of individuals within the Scottish government and the SNP to damage my reputation, even to the extent of having me imprisoned. from Alex Salmond Former first minister

*"The evidence supports a deliberate, prolonged, malicious and concerted effort amongst a range of individuals within the Scottish government and the SNP to damage my reputation, even to the extent of having me imprisoned."*

Alex Salmond Former first minister

17:52

### **Salmond says Sturgeon breached ministerial code**

Mr Salmond tells Murdo Fraser that both explanations around the 29 March meeting breach the ministerial code.

He says either Ms Sturgeon did not really forget about it and parliament was deliberately misled, or alternatively it was forgotten about and parliament was not informed when she was reminded of it.

These are clear breaches of the ministerial code, he says.

A separate inquiry, led by James Hamilton, is to decide on whether the ministerial code was broken.

17:49

### **March meeting was 'written out of history'**

Tory MSP Murdo Fraser says First Minister Nicola Sturgeon has said Mr Salmond's claims are untrue and he has no evidence.

"In effect she is denouncing you as a liar and a fantasist. Are you?" asks Mr Fraser.

Mr Salmond points to the evidence of his claims, citing the meeting with his special advisor on 29 March 2018 which Ms Sturgeon had "forgotten" happened.

He says there is no doubt that this meeting was pre-arranged for the express purpose of Ms Sturgeon being briefed about the complaints against him.

The meeting on 2 April arose from that, he says.

"Otherwise, how on earth would I have known to turn up on the 2 April?"

Mr Salmond says that for a substantial period of time the meeting of 29 March was written out of history.

"People say what difference does four days make?" he asks.

"The difference is, of course, if the meeting of 29 March is admitted and, indeed, the subject matter is admitted, then it makes it very hard to argue that the meeting of 2 April was on party business as opposed to government business."

17:40

### **Salmond takes aim at senior figures**

Glenn Campbell

BBC Scotland Political Editor

There's a lot of important detail to wade through in this inquiry and it would be easy to get bogged down.

But essentially Alex Salmond thinks senior figures in Scotland's public administration should be held to account for mishandling harassment complaints against him.

Perhaps foremost among them is Scotland's top civil servant, Leslie Evans.

Asked by Labour MSP Jackie Baillie if he thought she had discharged her responsibilities in line with the ministerial code, he gave a one word answer: "No".

He's also taken aim at the Scottish government's chief legal adviser, Lord Advocate James Wolffe.

And we know that he thinks his successor, Nicola Sturgeon, has repeatedly broken the code of conduct of ministers.

His evidence on the ministerial code is the final section of today's epic evidence session which has already gone into extra time.

17:38

### **Salmond: 'I had no thought of resignation'**

Mr Cole-Hamilton says the first minister's written evidence says she agreed to meet Mr Salmond for two reasons.

The Lib Dem MSP says the first was Mr Salmond's "profound distress" around what he was going to say at the meeting, and the second was that she thought he was going to resign her party membership.

Mr Salmond says he had no purpose in resigning from the SNP at that time and insists "I had no thought of resignation whatsoever.

"Resignation from the SNP never entered my head."

17:36

### **Salmond: FM not surprised by purpose of April meeting**

Mr Cole-Hamilton asks Mr Salmond to summarise the discussion he had with the first minister on 2 April.

Mr Salmond says they had discussed the situation and what he had been sent, which had some detail.

He said there was no suggestion that Ms Sturgeon was "surprised and astounded" by the reason for the meeting. "The meeting was for that purpose," he said.

He says they went through options, including a mediation policy - which had been absent from the harassment policy.



Mr Salmond says the indication the first minister gave him was that she was willing to go ahead with that.

Mr Cole-Hamilton asks if the name of one of the complainants was intimated to him and the three other people involved in that discussion.

Mr Salmond said he thought it was - but that the name had previously been given to him by Geoff Aberdein, who had got it from a senior government official.

17:22

### **Sturgeon 'knew about complaints at March meeting'**

Alex Cole-Hamilton focuses on a meeting between Geoff Aberdein and Nicola Sturgeon on 29 March 2018 and the subsequent meeting between Alex Salmond and the first minister on 2 April.

Mr Salmond says the purpose of Mr Aberdein meeting with Ms Sturgeon on 29 March was to brief the first minister on what was happening.

"I know that Nicola Sturgeon knew about the complaints process at the meeting on the 29th of March because I was told so by Geoff Aberdein," he said.

He adds that meeting was "not impromptu, was not accidental, was not her popping her head around the door - it was a meeting arranged for that purpose".

Mr Salmond and Ms Sturgeon met at the first minister's Glasgow home on 2 April.

Mr Salmond says he had heard Mr Murrell say that he was regularly "popping in". The former first minister points out that he stays 200 miles away from Glasgow and says he has only visited Ms Sturgeon's home about six times in his life.

"I didn't pop in," he says.

17:10

### **Salmond: Messages showed 'pressure' and 'collusion'**

Tory MSP Margaret Mitchell refers to a text sent by SNP chief executive Peter Murrell that talks of "pressurising" the police. Another says "the more fronts he is having to firefight on the better for all complainers".

Mr Murrell, who is the husband of First Minister Nicola Sturgeon, has said the messages were out of character and expressed how upset he was at the time.

Mr Salmond says that in January last year, on the day he first appeared at court for a preliminary hearing in the criminal case, he was presented with a memory stick.

The next day when he went through the messages it contained "was one of the most extraordinary days of my life", Mr Salmond says.

He says he is not allowed to describe them in any detail, but they speak to behaviour he would not have expected from people he had known for 30 years.

"In my opinion, there has been behaviour which is about not just pressurising the police but pressurising witnesses, collusion with witnesses, we are talking about the construction of evidence because the police were somehow felt inadequate in finding it themselves," he says.

Mr Salmond says that when a police investigation starts these matters are for the police.

It is not for the SNP or the Scottish government to supplant the police in an investigative function, he says.

17:05

### **Questions raised over ministerial code**

Jackie Baillie says there was a meeting on 13 November 2018 between counsel, the first minister, the permanent secretary and the chief of staff.

"As a former first minister, would carrying on legal action in the Court of Session knowing that you had acted unlawfully be a breach of the ministerial code?" she asked.

"Yes," replies Mr Salmond.

Ms Baillie asks: "Do you believe that this was the case in this instance?"

He replies: "Well we cannot be sure because I like you haven't seen the external legal advice of October 2018."

If the legal advice said the government was about to lose and the first minister carried on with the case then that would be a breach of the ministerial code, he says.

Mr Salmond says people would be better informed if they could see the document. Ms Baillie says the parliament has asked twice, adding: "Good luck with that one."

16:44

### **Salmond: 'Spectacular' failure to disclose documents**

Labour MSP Jackie Baillie asks if, when the committee asked for information in the complaints handling phase, there were still documents which Mr Salmond's legal team had not seen.

He says there were 40 or so documents that his team had never seen before, which he described as "spectacular".

Mr Salmond says the "most spectacular of these, but by no means the only example, is a series of documents which demonstrated that the permanent secretary had met the complainants, one complainant, and telephoned the other" on 6 March 2018.

That was the day before he was informed of any complaints, he adds.

Mr Salmond asks why that was not disclosed in the civil case, and says the Crown Office either did not receive the document or did not disclose it to his team. He says that was "beyond imagination" and an "obstruction of justice".

Ms Baillie also asks if Mr Salmond believes the permanent secretary has discharged her duties in line with the civil service code.

"No," he replies.

16:39

### **Background: Why did Alex Salmond take the government to court?**

Philip Sim

BBC Scotland political reporter

Alex Salmond has been asked a series of questions about taking the Scottish government to court.

The action started after he was told of the complaints against him on 7 March 2018 when Permanent Secretary Leslie Evans wrote and asked for his response to them.

The former first minister first asked for mediation with the complainers, then for arbitration over the government's investigation process. After both were denied, his lawyers drew up papers for a judicial review of the probe, listing a series of ways in which they believed the process was "inherently flawed and unlawful".

These were submitted to the Court of Session after Ms Evans informed Mr Salmond that she had completed her decision report - which upheld the complaints and said they were "well founded".

The former party leader resigned his SNP membership and launched a crowdfunder for his legal action.

The government initially said it would defend its position "vigorously", but after months of legal to-ing and fro-ing was forced to concede the case.

Papers emerged during court-ordered searches which revealed the extent of prior contact between the investigating officer and the complainers - something which the procedure appeared to prohibit.

Although lawyers defended the investigating officer's conduct, the government agreed that the inquiry had been "procedurally unfair and tainted by apparent bias". Ms Evans' decision report upholding the complaints was squashed by the court, and the government ultimately agreed to pay Mr Salmond more than £500,000 in legal expenses.

16:29

### **Salmond: Some had hoped criminal case would 'ride to the rescue'**

Mr Salmond tells independent MSP Andy Wightman that many people seemed to hope the criminal case against him would "ride to rescue like the cavalry over the hill" and the civil case would never be heard.

"If you are in a situation where you have a high degree of expectation that you will calamitously lose a civil case then that obviously was a pressing concern," he says.

Mr Salmond won the civil case - the judicial review - in January 2019 and was cleared of criminal charges in March 2020.

He says "sisting" (pausing) the judicial review pending the criminal case was a "huge preoccupation" of the government in September and October 2018.

16:15

### **'In the Richter scale of mistakes, this is right up there'**

Margaret Mitchell asks who signed or was responsible for the Scottish government certificate confirming there were no further documents after Mr Salmond had successfully petitioned for more documents.

The Tory MSP argues that "this was a really serious, if not a criminal, offence".

Mr Salmond says: "In terms of the Richter scale of mistakes this is right up there, this is a very big one."

He says he would have hoped someone would have accepted responsibility.

Mr Salmond points out that when he left the Court of Session he said that perhaps Permanent Secretary Leslie Evans should consider her position.

That is because she had claimed ownership of this policy, he adds.

16:09

### **Analysis: An extraordinary attack on the leadership of Scotland's institutions**

Nick Eardley

Political correspondent

There has been a lot of detail in this session so far. Mr Salmond's criticism are broad. But perhaps the most extraordinary so far was his attack on leaders of Scotland's key institutions – saying that they had failed.

Not only that, he thinks Scotland needs robust institutions if it is to become independent – something he has fought for his entire public life.

He might not have said it explicitly, but some will see that as a suggestion that is not possible under the current leadership – a claim bound to cause damage 10 weeks from a crucial Scottish parliament election.

16:04

## **Timeline: How complaints came forward as new process was drawn up**

Philip Sim

BBC Scotland political reporter

The committee is looking at how the Scottish government's complaints process was drawn up. Here are some of the key dates:

31 October 2017 - Ms Sturgeon advises cabinet that she has commissioned Permanent Secretary Leslie Evans to review government policies and procedures for reporting sexual harassment, and writes to SNP parliamentarians and staff to outline a “confidential, independent mechanism for reporting inappropriate behaviour”.

4 November - Mark McDonald resigns as early years minister over allegations of harassment. That same day, Sky News makes an inquiry to the SNP media office about claims of inappropriate behaviour by Alex Salmond dating back to 2009. Nicola Sturgeon speaks to him the following day and he denies the allegations.

7 November - The first outline draft of a new complaints handling procedure is drawn up. The same day, the complainer who will be known as “Ms B” first makes contact with officials.

20 November - The complainer who will become known as “Ms A” approaches Nicola Sturgeon’s private secretary to raise concerns. He refers her on to senior managers, and insists he never mentioned it to anyone else.

22 November - Two senior managers meet with Ms A and take a “statement of concern”. The same day, Nicola Sturgeon writes to Leslie Evans to say it would be “fair and reasonable” to include former ministers in the complaints procedure.

24 November - A draft of the procedure is sent to Nicola Sturgeon.

29 November - Managers ask Ms A if she would like to see a draft of the new procedure to “test” it and to help “consider next steps”. Court papers suggest Ms Sturgeon and Ms Evans met that same day.

5 December - Two more senior managers meet with Ms A, and two days later one of them speaks to Ms B on the phone before emailing her with “various options to think about”.

12 December - Nicola Sturgeon and Leslie Evans meet to discuss the latest draft.

14 December - Ms A is sent the latest draft of the procedure, and is told that there are “two other people who are also considering their position”.

20 December - Nicola Sturgeon approves the procedure, and it is now considered “live”.

16 January 2018 - Ms A makes her formal complaint, and the investigation begins the following day. 24 January - Ms B makes her formal complaint, and is interviewed two days later.

8 February - The new procedure for dealing with harassment complaints is published on the government's intranet. Four days later, Leslie Evans highlights it to staff in her weekly blog.

16:03

### **Scottish government documents 'missing'**

Mr Salmond says it was clear to everyone that there were "missing" documents in the evidence provided to the judicial review by the Scottish government.

The judge allowed a "commission of diligence" to recover documents from the Scottish government, something Mr Salmond describes as "extraordinary".

Each document strengthened his case, Mr Salmond says.

The documents showed that the government's own pleadings to the court were wrong, inaccurate and misleading, Mr Salmond says.

He says the government's counsel behaved "perfectly honourably" and it was not their fault.

Mr Salmond says both Crown counsel threatened to resign from the case. He says it must be unprecedented for this to happen when you are representing the government.

15:52

### **Policy 'not published until after complaints'**

Mr Salmond tells Murdo Fraser that a whistleblower told his team in October 2018 that a Scottish government press release had wrongly claimed that the new policy on harassment was approved in December 2017 and published at that time.

In fact, it was not published on the Scottish government intranet until February 2018.

"That was after the complaints came in," Mr Salmond says.

"How can complaints come in in January under a policy that was not publicised internally to Scottish government employees until February?"

Mr Salmond says that is when he started to ask questions about the contact between various people in the civil service and complainants, prior to the formal complaints being made.

15:44

### **Salmond's legal bill was £591,000**

Mr Salmond told the committee that his total legal bill was £591,689.73, and that he recouped £512,250 from the Scottish government.

He says he recouped a very high percentage of legal expenses because of the lengths they had to go to get documentation from the government.

"The government were prepared to go before the court and say there were no more documents," Mr Salmond says.

He says the government were withholding documents from him, the court and even their own lawyers.

"That is a totally extraordinary position," he says.

15:41

### **Salmond: I was reluctant to sue government**

Tory MSP Murdo Fraser asks Mr Salmond what he was told when he asked for legal advice after being informed in March 2018 that there were complaints against him.

The former first minister says he was told that his legal challenge would have a "very high probability of success".

He says he was reluctant to launch the judicial review because he was the former first minister and he was about to sue the Scottish government.

Mr Salmond says he sent the permanent secretary a letter in June 2018 setting out the grounds for his legal challenge.

Instead of getting a detailed argument back, he was just told that they were satisfied that the process was lawful.

He says there was a firm view from his counsel that they should go ahead, but he remained reluctant and offered legal arbitration.

"If the policy was found to be legal I would submit to the policy," he says.

15:34

### **Salmond: 'Deliberate suppression of information'**

Committee convener Linda Fabiani turns to the judicial review and the way the complaints process was run.

Mr Salmond says the judicial review was a challenge to the basis of the procedure itself.

He says the judicial review was well under way when documents "were extracted from the government" detailing significant problems with its legal basis.

He adds: "I can't think of anything which could be worse handled in terms of how it was approached."

The former first minister says the principle of "no prior involvement" of the investigator was key.

Mr Salmond says the Scottish government's permanent secretary met one of the complainants and phoned the other in mid-process, before he had been informed of the complaints.

Mr Salmond argued there had been a "pattern of non-disclosure". He said it was not the odd document, it was "a sequence of deliberate suppression of information inconvenient to the government".

15:27

### **Salmond evidence: What have we learned so far?**

Here are some more key points of evidence from the former first minister:

A complainer's name was shared with Alex Salmond's former chief of staff in a breach of confidentiality, he says. This allegation apparently **contradicts what Nicola Sturgeon said in Holyrood** on Thursday. But Mr Salmond says he was told this, and that three other people know this to be true.

There should be a **criminal investigation into leak of information against him published in the Daily Record newspaper**, according to Mr Salmond. He said he believed there had been a "politically inspired" leak from the government.

Mr Salmond says Westminster would not have agreed to redact submissions in the way Holyrood did. This comes after **a row erupted after part of his written submission was initially published** but later redacted when the Crown Office raised concerns.

15:14

### **Salmond: 'Extraordinary position' over submissions**

Tory MSP Murdo Fraser asks about the role of the Crown Office and its request that parliament remove some of Mr Salmond's evidence, which had been published by the parliament earlier this week.

Mr Fraser asks if the Crown Prosecution Service in England would have asked the House of Commons to redact evidence it had published.

Mr Salmond says it would not, and that the normal response from any parliament would be to reject any such overtures.

He questions the leadership of the Crown Office.

Mr Salmond says it is an "extraordinary position" that he cannot talk about some of the evidence from his submission before the parliamentary committee.

15:05

### **Salmond calls for further police investigation into 'leak'**



Jackie Baillie moves on to talk about the "leak" of the story to the Daily Record, which broke news of the allegations against Alex Salmond in August 2018.

Mr Salmond said there was another story in the newspaper the next day which demonstrated that it had either a copy or an extract from the permanent secretary's decision report.

"Someone had to have given them that document," he says.

Mr Salmond says this caused enormous distress to him and the complainants.

The matter was investigated by the Information Commissioner's Office, which had "sympathy" with the suggestion that the leak had come from a government employee.

Mr Salmond said the ICO had said it was a criminal leak, but that it had 23 suspects.

"Whoever did that should answer for what is a very, very serious matter which caused enormous distress and the implications that followed," he said.

Mr Salmond said he thought the leak was "politically inspired" and that there should be "further investigation".

He said it was a "hugely serious matter" and that it "does require further police investigation".

14:40

### **Salmond says complainant's name was shared**

Labour MSP Jackie Baillie asks about the confidentiality of the women who had made complaints about Mr Salmond.

At First Minister's Questions on Thursday, she raised the allegation that the name of one of the women had been passed to Mr Salmond while a meeting with Nicola Sturgeon was being arranged.

Ms Sturgeon replied: "To the very best of my knowledge I do not think that happened."

Ms Baillie asked Mr Salmond if he knew whether the name of a complainant was shared during a meeting with Mr Salmond's former chief of staff Geoff Aberdein, as a precursor to the meeting between Mr Salmond and Ms Sturgeon.

"Yes," replies Mr Salmond.

He says he was told that by his former chief of staff, and that three other people know this to be true.

14:36

### **Salmond: Many grounds for policy to fail**

Independent MSP Andy Wightman asks Mr Salmond why he challenged the policy on the grounds that it was a "retrospective".

He asks if he thought it was not ever competent to investigate complaints of historic sexual harassment as a matter of principle.

Or was it because he thought allegations against him should not be investigated? Mr Wightman asks.

Mr Salmond says he put forward that argument on legal advice.

He says the policy fell at the very first hurdle because there were many things wrong with it, he says.

But if there had been nothing else it may well have fallen on the question of it being retrospective, Mr Salmond says.

"Not just because it was retrospective but because there had been in place at the time a perfectly acceptable robust policy," he says.

Mr Salmond adds that of all the arguments that came forward in terms of the #metoo movement, he was surprised by the need for a specific policy for former ministers of the Scottish government.

14:18

### **Salmond evidence: The main points so far**

Here are the main points so far from the former first minister's evidence:

**"Scotland's leadership has failed"** Mr Salmond claims there has been a failure of leadership across government and the civil service, adding: "The failures of leadership are many and obvious but not a single person has taken responsibility, not a single resignation or sacking, not even admonition."

There is a **legal row over what evidence can be heard**. Mr Salmond claim he is "severely hampered" in what he can say during the session due to legal constraints. "Even today I appear before you under the explicit threat of prosecution if I reveal evidence for which the committee has asked," he says.

Asked if **he wanted to apologise over his own conduct**, Mr Salmond points out he was cleared by a jury and that over the last three years there have been two court cases, two judges and a jury. "I'm resting on the proceedings of these cases," he says.

14:02

### **Lib Dem MSP asks Salmond if he wants to apologise for behaviour**

Alex Cole-Hamilton says Alex Salmond made no mention in his opening statement of the "considerable distress and misery caused to certain women at the heart of this".

The Liberal Democrat MSP asks if Mr Salmond is sorry for some of the "appalling" behaviour he has admitted to.

The former first minister says that is not correct and that in his opening statement he pointed out the huge consequences of the government's illegality for a number of people, specifically mentioning the complainants.

Mr Salmond says over the last three years there have been two court cases, two judges and a jury, and says: "I'm resting on the proceedings of these cases."

Committee convener Linda Fabiani intervenes to remind Mr Cole-Hamilton that Mr Salmond is not on trial and tells him to be more general in his questions.

13:56

### **New harassment policy 'disaster for all concerned'**

SNP MSP Maureen Watt says that at the time the new policy on sexual harassment complaints were being drawn up, there was a broad consensus that more needed to be done in light of the #metoo movement.

She asks Mr Salmond if it was not correct to update the policies.

He says the "fairness at work" policy was already in place.

If it needed changing or strengthening there should have been proper consultation with union representatives, he says.

Instead an entirely new policy was developed "at pace" which ended up a "total disaster for all concerned".

Mr Salmond accuses the permanent secretary, the head of Scotland's civil service, of not understanding the policy she was replacing.

Maureen Watt asks Mr Salmond if he would have considered changing the policy on sexual harassment if he had been first minister when the #metoo movement became such a powerful force for change.

He says there were ways of responding that strengthened or amendment the existing policy.

"The last thing you do on subjects like this is rush them through in spatchcock fashion in a matter of days without consultation with the trade unions, in a manner which ended in the Court of Session in total disaster for everyone concerned," he says.

13:44

### **Analysis: Committee begins by focusing harassment policy**

Nick Eardley

Political correspondent

It's worth remembering this committee has a wide remit. At first, it's looking at the formation of the Scottish government's harassment policy.

Mr Salmond's claims Nicola Sturgeon broke the ministerial code are likely to come later, as her his claims of a "malicious" campaign against him featuring senior people close to Ms Sturgeon.

One thing this committee will want to do is scrutinise the latter claims in particular. Many at Holyrood have accused Mr Salmond of having no evidence.

13:42

### **Should the Lord Advocate's role be split?**

Conservative MSP Margaret Mitchell asks about the dual role of the Lord Advocate - who is the head of the Crown Office and Procurator Fiscal Service, as well as a minister in the Scottish government and its principal legal advisor.

Mr Salmond says he thinks there is an argument for separating the government-advising role from the prosecutorial role.

He argues people should not confuse institutional failure with personnel, saying the leadership has serious questions to answer.

When a government behaves unlawfully it is a "huge and heinous thing", Mr Salmond says, and consequences should follow.

13:24

### **'I appear before you under the explicit threat of prosecution'**

Mr Salmond says the Scottish government spent £600,000 defending their illegal policy in the courts before it collapsed in the judicial review.

He says enormous time, effort and public money had been devoted to refusing to give the committee the documentation it required.

The committee has been blocked and tackled at every turn with "calculated and deliberate suppression" of key evidence, he says.

Mr Salmond says his evidence had been published and then "censored" by the intervention of the Crown Office.

"Even today I appear before you under the explicit threat of prosecution, if I reveal evidence for which the committee has asked," he says.

He says the inquiry is neutered, but is "a chance to assert what kind of a country we are trying to create".

13:14

### **'Scotland has not failed, its leadership has failed'**

Mr Salmond says some have argued that the blurring of the boundaries between party, government and the prosecution mean Scotland is in danger of becoming a failed state.

"I disagree," he says. "The Scottish civil service has not failed, its leadership has failed.

"The Crown Office has not failed, its leadership has failed.

"Scotland has not failed, its leadership has failed."

13:09

### **Committee has 'hands tied behind its back'**

Mr Salmond says the committee investigating the government's handling of the complaints against him has been asked to do its job with "both hands tied behind its back and a blindfold on".

He says witness after witness has later "adjusted" evidence which had been given under oath.

"Were it not for the independence of the judiciary, the robust scrutiny of the Court of Session and the common sense of jury made up of members of the public, the matters before this committee would never have come to light," Mr Salmond says.

He says the Scottish courts emerge with their reputation enhanced.

"Can those leading the government and the Crown Office say the same?" he asks.

13:03

### **'The government acted illegally but somehow nobody is to blame'**

Mr Salmond says the events shine a light on a government whose actions are no longer true to the principals of "openness, accountability and transparency" - the core principals on which the Scottish parliament was founded.

The failures of leadership are "many and obvious," he says.

"And yet not a single person has taken responsibility."

He says there has not been a single resignation, sacking or admonition.

"The government acted illegally but somehow nobody is to blame," he says.

12:53

### **This has been 'a nightmare', says Salmond**

Mr Salmond says he has not done a single TV interview, press interview or statement in the 11 months since he was acquitted at his trial in March last year.

He has turned down hundreds of such offers, he says.

Mr Salmond says he has watched with frustration as the committee has been "systematically deprived of the evidence it has legitimately sought".

He says he is just about the only witness who has been trying to present the committee with evidence rather than withholding it.

Mr Salmond says he watched with astonishment on Wednesday when the first minister used a Covid press briefing to "effectively question the result of a jury", but he said nothing.

"Today, that changes," he said.

He says it has been a "nightmare" and that he has faced accusations which are among the most wounding any person can face.

But he says we cannot move on until the decision-making that is undermining the system of government in Scotland is addressed.

12:45

### **'The government were found to have acted unlawfully'**

Mr Salmond says the inquiry is about an investigation into the conduct of ministers, the permanent secretary and civil advisers.

He says it also has to shine a light on the actions of the Crown Office and to examine "the unacceptable conduct of those who appear to have no understanding of the importance of separation of party, government and prosecution authorities, indeed of the rule of law itself".

He says: "It was the government who were found to have acted unlawfully, unfairly and tainted by apparent bias."

12:38

### **Alex Salmond begins his evidence**

The evidence session with Alex Salmond begins as convener Linda Fabiani welcomes the former first minister and outlines how the four-hour session will proceed.

Mr Salmond begins his opening statement to the MSPs by making the oath.

He says the inquiry is not about him, and that he has already established the illegality of the actions of the Scottish government in the Court of Session.

Mr Salmond adds: "I have been acquitted of all charges by a jury in the highest court in the land.

"The remit for this inquiry is about the action of others."

12:27

### **Alex Salmond arrives at Holyrood**

Former First Minister Alex Salmond has arrived at the Scottish Parliament to give evidence to the inquiry into the government's mishandling of sexual harassment complaints about him.

During the four-hour session he will be questioned by MSPs over his claims of a "malicious and concerted" conspiracy against him.

12:22

Alex Salmond is back with a vengeance

Glenn Campbell

BBC Scotland Political Editor

It's been more than six years since Alex Salmond stood down as first minister after losing the independence referendum and now he's back at Holyrood, with what looks like a vengeance.

He'll accuse his successor, Nicola Sturgeon, of repeatedly breaking the rules for ministers in her handling of harassment complaints against him.

He'll point the finger at those in the Scottish government and the SNP - both of which he used to lead - that he believes plotted against him.

He'll allege that Scotland's prosecution service has assisted them by improperly withholding information that could back up his conspiracy claims.

This is his opportunity to convince MSPs his allegations have substance and are not the "alternative reality" Ms Sturgeon thinks he has created.

Instead of commanding the main chamber as he did as first minister, today Alex Salmond will appear as a witness before a parliamentary committee.

Given the enormity of his allegations, his four-hour evidence session will be one of the most notable contributions in Holyrood's short history.

12:14

### **Nicola Sturgeon has no regrets over allowing Salmond complaints**

Nicola Sturgeon has insisted she has no regrets about ensuring complaints against Alex Salmond were investigated - despite the "difficulties" it has caused.

She was challenged on the issue at First Minister's Questions on Thursday.

Ms Sturgeon said when she had first learned of the allegations against her predecessor she had "declined to intervene", insisting she believed it was "important a process happened".

She added: "For somebody in my position, somebody hearing what my predecessor, close colleague, friend of 30 years was accused of, the easier thing to do perhaps, perhaps the

thing that in days gone by would have been done, was to sweep these complaints under the carpet and not to allow them to be properly investigated.

"I opted not to do that. And whatever difficulties have happened since then, whatever pain has been caused to lots of people in this process, I don't regret not sweeping the complaints under the carpet, because that was the right thing to do."

12:05

### **Alex Salmond to appear after several delays**

Alex Salmond has not made any public statement in person since March last year, when he was cleared of sexually assaulting nine women while he was Scotland's first minister.

However, his written submissions to the Holyrood inquiry make a range of accusations about the conduct of the first minister, government officials, the SNP and the prosecution service.

The content of these written submissions has been the cause of several delays to Mr Salmond's appearance before the committee.

He said he would only appear if the submissions were published in full, allowing him to refer to them in his evidence.

Those papers were published on Monday - but some parts were then removed after the Crown Office, Scotland's prosecution service, raised "grave concerns" about a potential contempt of court.

In the published submissions, Mr Salmond wrote that there had been "a deliberate, prolonged, malicious and concerted effort among a range of individuals within the Scottish government and the SNP to damage my reputation, even to the extent of having me imprisoned".

And he claimed there had been a "complete breakdown of the necessary barriers which should exist between government, political party and indeed the prosecution authorities".

11:54

### **What is the controversy all about?**

The row began when allegations of sexual harassment - which he strongly denied - were made against Mr Salmond by two female civil servants in 2018.

The complaints were made after Ms Sturgeon asked for new government policies on sexual harassment to be put in place in the wake of the #MeToo movement. Mr Salmond believed the policy was aimed at him.

Mr Salmond and his supporters claim Ms Sturgeon has misled parliament over the government inquiry into the allegations. They have accused officials close to her of conspiring against Mr Salmond. Ms Sturgeon denies these claims.



The Scottish government eventually admitted it had botched its investigation. It had to pay Mr Salmond's legal fees of more than £500,000 after it admitted it had acted unlawfully.

Then, in January 2019, Mr Salmond was arrested and charged with multiple counts of sexual assault, including attempted rape.

Mr Salmond was cleared of all 13 charges - all alleged to have happened while he was first minister - after a trial in March last year.

The nine women who made the allegations included an SNP politician, a party worker and several current and former Scottish government civil servants and officials.

11:44

### **What is the committee investigating?**

Although it has become known as the Salmond inquiry, the committee is actually investigating the Scottish government's actions.

Its official name is the Scottish Parliament committee on the Scottish government's handling of harassment complaints.

It was set up after the government admitted its investigation of two harassment complaints against Mr Salmond had been unlawful.

An internal probe had upheld the complaints - which dated back to when he was first minister - but the decision report was torn up after the government conceded in court that the investigation had been "procedurally unfair" and "tainted by apparent bias".

Mr Salmond was awarded more than £500,000 in legal expenses following the judicial review case, and was subsequently acquitted of sexual assault charges in a separate High Court trial.

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