Three Scottish Leaks

In this paper I will attempt to gather the evidence regarding a leak to the Scottish press in 2018 about an ongoing investigation into allegations of harassment against the Former First Minister Alex Salmond, hopefully with a view to identifying some new leads. The leak was investigated by the office for the Information Commissioner (ICO), but with limited success. The ICO had "sympathy" for the hypothesis that the leak originated from the Scottish Government (SG), and it has been suggested, for example, by Craig Murray, that the leak almost certainly stemmed from First Minister Nicola Sturgeon's chief of staff - a claim strenuously denied by Liz Lloyd. One piece of circumstantial evidence here is that Lloyd had long been associated with the journalist who authored the article, Davie Clegg. For example, she had holidayed with him.

We note at the outset that in fact there were at least three leaks, for soon after the Daily Record splashed (on 23 August 218) about Salmond being reported "to the cops over allegations of sexual assault," a second article in the Sunday Post written by Andrew Picken¹ (26 August) told readers that "Scotland's top law officer said sex claims had to be handed over to police," and later still (on 12 November) the Daily Record again informed the hungry public that Salmond's "sex rap cops" were "probing alleged incidents at Edinburgh Airport."

Lloyd was also long associated with Picken on Twitter, so the index finger once again points to the chief of staff. That said, we must be open to the possibility that the evidence was *made* to point in that direction - perhaps by someone who would wish to clip both wings of the Independence movement.

We can begin with the most banale of remarks that by definition a leak suggests a crack in the pipe that lets water escape from some *source* (such as the SG) to a *sink* (such as the Scottish Press). Accordingly, we shall try to think about both the sink and the source. In particular, it seems to us that the "sink" was particularly attuned to the source even as a "tuning fork" is attuned to a particular musical note - I mean that the sink would resonate with news hostile to Salmond. One reference point here would be Twitter, and the several journalists who seem to be long associated with LLoyd, a "bubble," so to speak. We shall make some elementary explorations.

We shall proceed as follows:

- By way of background, we will précis the remarks of the ICO, the inquiry conducted by James Hamilton, and the one convened by Linda Fabiani (SGHHC).
- We will then comment on a fact thrown up by SGHCC, namely, that the SG intended to release details of the investigation in response to a freedom of information request (FOI).

¹ Picken was at the Post for five years, but in October 2018 he joined the BBC, a cause for celebration duly noted by LLoyd: Elizabeth Lloyd on Twitter: "@andrewpicken1 Congratulations. Good to see @scotgov arguments for fair funding for BBC Scotland and a new channel are creating so many employment opportunities : / Twitter

- We will consider statements from the "prime suspect," Liz Lloyd.
- We will consider some prominent journalists and develop the idea of a "Liz Lloyd bubble," especially on Twitter.
- We will note some deletions in the Twitter feed.
- We will review the Edinburgh Airport story and in the light of this:
- We will extend our bubble to encompass the BBC, again recording some suspicions.
- We will consider links between Clegg and the other alleged conspirators
- Finally, we will conclude with an overview and some recommendations for further inquiry.

Even if our methodology can only obtain modest results, our hope is that any insight we might glean may be taken up by others with experience, skills, and contacts. As the Scots themselves say, *Many a mickle makes a muckle*.

Summary of ICO on the leak by the Daily Record²

In May 2020 the ICO responded to Salmond's legal request of 29 October 2018 regarding the leaks to the Daily Record of 23 and 25 August, and also that the Sunday Post³ reported the content of the Lord Advocate's advice on the harassment investigation (which though mentioned was not addressed in the reports findings). The ICO report has five parts.

In the Introduction, the ICO explained his or her remit to review the decision of the Criminal Investigations Team (CRIT) not to pursue the matter any further.

In the second section the ICO reviewed the relevant law which, inter alia, would indicate that Salmond was a "victim."

In the third section the ICO reviewed the evidence. The ICO noted that the SG had conducted a forensic examination of the IT systems and concluded that "No evidence was found that data was leaked through email, document sharing or downloading to portable media device. Furthermore, no evidence was found that a third party had unlawfully accessed the SG's IT systems." It was therefore impossible to follow an electronic trail; nor was the Daily Record forthcoming.⁴

The fourth section considered representations from Salmond noting that the leak came just hours after the SG intended to make a press release, but had also received notice of Salmond's intention to seek an interdict. The ICO considered the statement of a senior detective who

² The ICO report may be found in Appendix A of Salmond's submission on the Judicial Review: <u>Alex_Salmond_Submission_(Judicial_Review).pdf (parliament.scot)</u>

³ <u>PressReader.com - Your favorite newspapers and magazines.</u> Article by BBC's Andrew Picken. Note Picken's article on the initial findings: <u>A Scottish government review finds no data</u> <u>breach in Salmond case - BBC News</u>

Alex Salmond refers Scottish government to data watchdog - BBC News ⁴ Curiously, the ICO makes no mention of Picken for the Post. For the tweet of Picken's article: <u>The</u> <u>Sunday Post on Twitter: "Scotland's top law officer advised government to send Alex Salmond</u> <u>misconduct claims to police https://t.co/iCrlOrp5fN https://t.co/a4gU7C6xxc" / Twitter</u>

confirmed that the police had declined to receive the Decision Report from the Crown Agent, and moreover had warned against releasing sensitive information - a fact that to Salmond's lawyers indicated that the police were not behind the link. In 4.6 the opinion is given:

I have sympathy with the hypothesis that the leak came from an employee of the SG and agree that the timing arguably could raise such an inference.

However, no suspect could be identified in particular, and interviews threw up no leads (the ICO identified 23 people who would have had access to the information). "The list of stakeholders who had access to the internal misconduct investigation report includes the original complainants, the QC, the First Minister's Principal Private Secretary, the Crown Office & Procurator Fiscal Service and Mr Salmond and Levy & McRae, as well as the relevant staff members of the SG." Those who had access to the legal advice included "staff within the Lord Advocate's office, the Permanent Secretary's Office and officials in the SG's Legal Directorate," but again, no evidence was forthcoming.

The final section reviewed the decision of the CRIT, essentially finding that they had acted reasonably in following all lines of inquiry as far as they could. Nor could the CPS hope to prosecute without identifying a particular suspect. Still:

If further information comes to light, for example if a witness comes forward, then I have no doubt that the matter would be properly revisited. At the present time, however, I am satisfied that there are no grounds to reinstate the investigation.

Summary of Hamilton on the leak

We have reported on James Hamilton's inquiry elsewhere,⁵ but just briefly we note that the 17th item on the remit refers to the "alleged" leak to the Daily Record. Tersely, Hamilton states that it is not part of his function and he has no power to conduct criminal investigations. Mr Salmond should go to the police.

Hamilton makes no reference to the leaks to the Post or the subsequent leak to the Record about the Edinburgh Airport story⁶ - that we have suggested may have been made to cover for the fact that just one week earlier the SG were forced to admit that they had misled Salmond's solicitors with regards to the fact that the Investigating Officer had had prior contact with the complainants (contrary to paragraph 10 of the new procedure). The overall effect of Hamilton's report is that the leaks are minimised.

Summary of SGHHC on the conclusion of the procedure and the leak⁷

⁵ (1) (PDF) Hamilton's Report | Chris S Friel - Academia.edu

⁶ Alex Salmond sex rap case cops probing alleged incidents at Edinburgh Airport - Daily Record

⁷ See: <u>SGHHC2021R1.pdf (azureedge.net)</u> paragraphs 383-414. The report has many references via links that are now broken. These may be accessed by the following location, for

The SGHHC reported on the leak when addressing how confidentiality was handled after the decision report was concluded.

This was on 21 August 2018, and on the next day both the complainants and Alex Salmond were informed and then his lawyers issued a reminder as regards confidentiality. Permanent Secretary Leslie Evans also told the First Minister, and then on 23 August a decision to respond to a FOI request as to whether Salmond was being investigated was made. The request had actually been received mid-June and was due mid-July when it had been decided that the information would be released (despite Salmond's concerns). It was clear from communications with the Crown Agent on 21 August that the police were unhappy about this, but in the afternoon of 23 August the Permanent Secretary confirmed to the First Minister her intention to make a statement at 5pm. Salmond sought an interdict and although he had no time to secure one, the Scottish government delayed. Even so, in the evening of 23 August reports circulated online and the Daily Record approached Salmond for comment on a story that was to run on 24 August that included details of the complaint.

Salmond then announced that he was launching a Judicial Review, and both the Daily Record and the Sunday Post published their articles. Salmond's lawyers wrote to the Permanent Secretary 27 August about their concerns on how sensitive information was (mis)handled (by the SG). Salmond would later ask the ICO to investigate, and although the leaker could not be identified the ICO had "sympathy with the hypothesis" that the leak came from an employee of the SG, here noting the timing of the leak. The Permanent Secretary had found no evidence for this,⁸ but Salmond argued that the particular source deployed indicated a political motivation. The First Minister denied any responsibility and pointed out that she had not received the report, though the Permanent Secretary had informed her of the outcome and "next steps."

At this juncture, the SGHHC refers to the evidence of Salmond's former chief of staff Geoff Aberdein that a senior government official had revealed the name of one of the complainants in early March (as confirmed by Duncan Hamilton and Kevin Pringle), but the committee was not able or willing to identify the source of the leak. Among its conclusions, the SGHHC notes that no sanctions are attached to the harassment procedure, but the effect of the leak would certainly have been to damage Salmond, and so would constitute a sanction. Moreover, the SGHHC underscores the responsibility of the SG for the safe custody of information.

Commentary on the Timing of the FOI

The ICO referenced "timing," and a natural suspicion regards the FOI request. Apparently a journalist had made one in mid-June, and given the willingness of the SG to release information

example, for "phase 2": <u>Phase 2 - Complaints Handling - Parliamentary Business : Scottish</u> <u>Parliament</u> ⁸ Her evidence:

https://archive2021.parliament.scot/HarassmentComplaintsCommittee/General%20documents/20200121 PermSectoConvener(1).pdf (as evidenced by the intended press release in August), we may wonder whether the "journalist" already knew about the investigation, presumably from the same employee of the SG who went on to make the leak.

It is natural to guess that the journalist in question was Davie Clegg who had published the 23 August story at 21.43 in the Daily Record about a sex "attack" in 2013 (mentioning even then that it had been reported to the police):

Alex Salmond reported to cops over allegations of sexual assault - Daily Record

A day later the Record explained how it had come by the knowledge:

Alex Salmond sex assault allegations: How the Daily Record broke the story - Daily Record

In this story Clegg explained:

Acting on a tip off, we submitted a series of questions to the Scottish Government on October 31 in a bid to ascertain if any complaints had been made about Alex Salmond during his tenure as first minister.

The answer came back that no ministers had been the subject of an official complaint since the SNP came to power in 2007 and that there were no live investigations.

We continued to look into the allegations about Salmond over the following months but were not able to establish anything that met the legal and ethical threshold for publication.

A natural but almost certainly incorrect reading here would be that the Record had made formal FOI requests in October. But (a) I can find no reference to such an FOI request, and (b) while Woman A was told about the FOI request of June, it does not appear that she was told of any *earlier* FOI, and (c) in response to my FOI the SG say that they received no FOI's. Moreover, a supplement to LIz Lloyd's evidence relates:

The committee has also indicated it would like information on any media inquiries and their handling on concerns or complaints in advance of the media reporting the fact of the investigation into Mr Salmond. This should be directed to the Scottish Government corporately. I am aware that a number of questions were asked verbally at media briefings in late October and early November 2017 and of colleagues being approached by journalists within the Parliament complex with queries in relation to whether or not there had been complaints about ministers, including against Mr Salmond. Such informal queries recurred from time to time through late 2017 and 2018 following the increased focus on sexual harassment that came from the "#Metoo" movement, allegations of sexual harassment at Westminster and the publication of the Scottish Parliament's own survey of experiences of sexual harassment within the parliament.⁹

⁹ Liz_Lloyd_(additional_submission).pdf (parliament.scot)

More likely, then, the formal request was first made 18 June - by the Daily Record - so that the SG was duty bound to make a reply by 16 July,¹⁰ a fact has been clouded by Clegg in his "explanation."

It remains that the SG was only prepared to respond to the FOI request in *August* when, as a matter of fact, the Crown Agent had actually approached the police (who would in mid-September confirm that an investigation had been launched). Accordingly, the Record appears to have inside information when it tells us that Salmond had been reported to the "cops," even as the Post is very well informed about the Lord Advocate.

Presumably, then, the Record had a steer in June that occasioned the FOI which in turn was part of a ploy to obtain a pretext for releasing the information that the SG already wanted to come out. From the SGHHC we learn that the Decision Report was actually completed by 16 July,¹¹ and also that at that time the two women were unwilling to go to the police.¹² Presumably again, the Decision Report could have been sent to Salmond at *that* time. By August, however, the women had changed their mind, and *were* now prepared to go to the police. They gave evidence to the SGHHC that they had not been not been directed so by the Lord Advocate,¹³ but it would be plausible to think that someone had given them assurances that their anonymity would be protected in that eventuality - which seems to have been their major concern.

From this emerges the picture of careful and premeditated liaison between a leaker who would have or come to have access to the Decision Report (and who would also be appraised of the intention of going to the police) and the trusted journalist.

These considerations only corroborate the ICO's sympathy for the hypothesis that an employee of the SG was responsible.

Moreover, from the fact of the police connection - and we may add, the exaggerations in the August story of an "attack" - the motive would certainly have been to damage Salmond as much as possible, plausibly for political gain as Salmond suspected.

This is the picture that Clegg's article of 24 August only serves to cover up.

Rough Notes on the FOI

¹⁰ See the SGHHC chronology on page 154. Note that Salmond had written to the Permanent Secretary to seek assurance on anonymity just 5 days earlier, 13 June.

¹¹ See chronology, page 155.

¹² See for example, paragraph 335: "The Investigating Officer's revised report was prepared and sent to the Permanent Secretary as Deciding Officer on 18 July 2018. A second revised report was prepared and submitted to the Deciding Officer on 23 July 2018 after further representations from the former First Minister. The Deciding Officer's report was dated 21 August 2018."

¹³ See SGHHC paragraphs, 38, 358,

The SG received an FOI on 18 June 2018.¹⁴ The SG responded on 20 September. Annexe A refers to Monica Lennon.¹⁵ This annexure makes reference to S5W-18396.¹⁶

Lennon tweets @MonicaLennon7. Links with Lloyd:

<u>(from:Eliz_Lloyd) (@monicaLennon7) - Twitter Search / Twitter</u> (from:monicaLennon7) (@Eliz_Lloyd) - Twitter Search / Twitter (One tweet, Jun 2013). With Clegg: (from:monicaLennon7) (@davieclegg) - Twitter Search / Twitter (Many from 2014)

Note also:

(from:monicaLennon7) (@journostephen) - Twitter Search / Twitter (Many from 2014).

Lennon tweeted in November about the Airport allegations:

Monica Lennon on Twitter: ""Executives at Edinburgh Airport curtailed VIP access for Alex Salmond after he was accused of sexual harassment by female staff." If this report is accurate, the man who was running Scotland wasn't even trusted to walk down an airport corridor. Damning. https://t.co/8TKAlylg7a" / Twitter

kathryn samson on Twitter: "@MonicaLennon7 (Labour shadow cab sec for equalities) says "Given the serious nature of these allegations, it would be appropriate that the SNP suspends Alex Salmond's membership of the party with immediate effect."" / Twitter

Kenny Farquharson on Twitter: "/ Labour Shadow Cabinet Secretary for Equalities Monica Lennon said: "Given the serious nature of these allegations, it would be appropriate that the SNP suspends Alex Salmond's membership of the party with immediate effect."" / Twitter

kathryn samson on Twitter: "@MonicaLennon7 (Labour shadow cab sec for equalities) says "Given the serious nature of these allegations, it would be appropriate that the SNP suspends Alex Salmond's membership of the party with immediate effect."" / Twitter Alex Salmond admits he is 'no saint' but strongly denies sexual harassment claims (pressandjournal.co.uk) SNP urged to suspend Salmond over misconduct claims | HeraldScotland

Note also links with Jason Allardyce: (from:monicaLennon7) (@sundayTimesSco) - Twitter Search / Twitter

But nothing to Clegg about Salmond:

salmond (from:monicaLennon7) (to:DavieClegg) - Twitter Search / Twitter

¹⁴ Information relating to complaints about the conduct of a former first minister: FOI release - gov.scot (www.gov.scot)

¹⁵ DG Permanent Secretary.dot (www.gov.scot)

¹⁶ Searching for this code gives: <u>Reports of sexual impropriety : FOI release - gov.scot (www.gov.scot)</u>

Note also Lennon on 5th November claiming she was groped: MSP Monica Lennon claims she was 'groped' by senior male colleague - BBC News

BBC reporting harassment at Holyrood: <u>The papers: 'Harassment at Holyrood' - BBC News</u>

Reference to Sunday Post, Kieran Andrews: <u>Revealed: Parliamentary sexual harassment scandal moves north to Holyrood as Mark</u> <u>McDonald resigns and Willie Coffey accused - The Sunday Post</u>

Update

On 4 May the SG replied to my FOI (202100192401) saying that it was a Times journalist who made the June 2018 FOI, suggesting perhaps that it was Kieran P Andrews. As we shall see, Andrews has long been associated with Davie Clegg (since the time that they were at the Courier together), and also with Liz Lloyd and Monica Lennon.

However, the SG have further explained that the journalist no longer works for The Times. We note that Hamish Macdonell left the newspaper to work in the SSPO:

Hamish Macdonell on Twitter: "After 9 yrs working for The Times, freelance and staff, I have decided to take on a new challenge. Been a privilege to work with such a great team on such a guality paper. 1/2" / Twitter

For an early article on the Salmond allegations:

SNP urged to suspend Alex Salmond | Scotland | The Times

Liz Lloyd?

In the opinion of Craig Murray, it is almost certain that Liz Lloyd was responsible for the leak no doubt because of her long association with Clegg. One relevant fact here is the junket (holiday) they shared in 2016.¹⁷ In fact, in a now deleted tweet Clegg referred to it, mentioning @Eliz_Lloyd.¹⁸

Nevertheless, Lloyd has strenuously denied the allegation, for example, in her supplementary statement to SGHHC:

¹⁷ Wings Over Scotland | All the jolly boys and girls

¹⁸ The tweet is captured <u>Wings Over Scotland | All the jolly boys and girls</u> A reply by Lang Banks, a fellow traveller, can be found here: <u>Lang Banks</u>, <u>WWF on Twitter</u>: <u>"@davieclegg @holyroodmandy</u> <u>@CulturalVistas @USAinUK @RossThomsonMSP @eliz_lloyd @JennyGilruth @kezdugdale</u> <u>@David_Ross86 we're observing back" / Twitter</u>

I would also like to make clear that I do not have any awareness as to how the Daily Record obtained information about the existence of the inquiry, its outcome, the police referral or most distressingly, the detail of the complaints. I did not have access to the level and detail of information published in the Daily Record and any claim that I was responsible for that information reaching that newspaper, or any other media outlet is false.

To share or expose a woman's experience or complaint without their consent is something I could never and would never take part in. I also could not and would not expose a complainers identity if I had such knowledge, and while my primary concern has been for the complainers it has been a source of considerable concern to me that such claims have been made.¹⁹

And again:

The committee has referred to an associated Freedom of Information request. Any detail on the response to the FoI request should be requested from the Scottish Government centrally.

As the committee will be aware from the evidence it has received, the proposed government statement was not issued following receipt of notice by Mr Salmond on the 23rd August of his intent to seek an interim interdict against the Scottish Government.

The fact of complaints, and of an investigation into those complaints, was confirmed by Mr Salmond in a statement issued to the media on the evening on 23rd August. The committee has indicated it is interested in any awareness I have of contact with the Sunday Post or the Daily Record in August 2018 including how both became aware of details of the complaints when they remained confidential. I do not recognise the reference to the Sunday Post and the committee clerk has been unable to clarify that for me. I assume the reference to the Daily Record is in relation to the widely reported article titled "Alex Salmond reported to cops over allegations of sexual assault" published according to their website at 21.45 on 23rd August.

As stated above, I am not aware as to how the Daily Record became aware of the complaints, the detail of the complaints or any outcome or referral whilst they remained confidential. Any suggestion that that information was provided to the Daily Record by myself is wholly untrue. As noted above, while I am not clear what the reference to the Sunday Post relates to, I can confirm that I provided no information to that newspaper in relation to the complaints, their investigation, the individuals concerned or any other matter within the remit of the committee.

The committee has already received evidence which confirms that I did not have access to the Decision Report containing the information that was published by the Daily

¹⁹ <u>Liz_Lloyd_(additional_submission).pdf (parliament.scot)</u>:

Record. I can also confirm for the committee that at no point have I had access to the Investigating Officer's Report. As a result of seeing the letter from the Permanent Secretary to the First Minister on the 22nd August which contained no detail of the complaints and did not include the decision report, I participated in the internal investigation, which found that information had been handled appropriately, a position I understand the Information Commissioner's Office echoed.

We note that Lloyd side-steps the issue of the FOI. We also note that like Sturgeon, Lloyd appears to have no knowledge of the article in the Sunday Post, which seems surprising given Lloyd's association with the journalist.²⁰

Some Scottish Journalists

One way of locating some Scottish journalists is to key in the words "Elizabeth Lloyd," "David Clegg," and "Andrew Picken" into a basic search yielding: <u>govscot:document (www.gov.scot)</u>. This document, ironically enough, relates to a lament from some Scottish journalists with regards to the lack of transparency from the Scottish Government. On this we find an open letter signed by:

- Billy Briggs, Fiona Davidson, Rob Edwards, Peter Geoghegan, Rachel Hamada and LaylaRoxanne Hill (The Ferret)
- Angela Haggerty, Nathanael Williams, David Jamieson and Michael Gray (CommonSpace)
- Severin Carrell (The Guardian)
- James McEnaney (freelance)
- Daniel Sanderson (The Times)
- Andrew Picken (Sunday Post)
- Chris Diamond on behalf of the BBC NUJ chapel
- Bernard Ponsonby on behalf of the STV NUJ chapel
- David Clegg (Daily Record)
- Michael Blackley (Daily Mail Scotland)
- Paul Hutcheon (Sunday Herald)
- Tom Gordon (The Herald)
- Kieran Andrews (The Courier)
- Simon Johnson (The Telegraph)
- Ian Dunn (Scottish Catholic Observer)

But for various reasons that will emerge later we would add to our list:

- Connor Gillies (BBC)
- Stephen Daisley (Spectator)

²⁰ Picken worked at the SO from 2013-18, and then joined the BBC. LLoyd congratulated him in October, but obviously missed his article six weeks earlier: <u>(from:Eliz_Lloyd) (to:bbcandrewpicken) - Twitter Search</u> / <u>Twitter</u>

• Kenny Farquharson (The Times)

We can identify the following Twitter handles (and in some cases, antecedents):

@BillyBriggs @FionaDavidson2 @RobEdwards53 @PeterKGeoghegan @RachelHamada @LRH151 (= Layla Roxanne Hill?) @AngelaHaggerty @Nate_Williams23 (whose tweets are protected) @David Jamieson7 @GrayInGlasgow @SeverinCarrell @MrMcEnaney @DSanderson 85 @BBCAndrewPicken (=@AndrewPicken1) @stvbernardp (=Bernard Ponsonby) @DavieClegg (=@CourierClegg) @Mike Blackley @PaulHutcheon @HTScotPol (=Tom Gordon) @KieranPAndrews @simon_telegraph @lan Dunn

And in addition: @ConorGillies @JournoStephen (=Stephen Daisley) @KennyFarq

We wonder about the "Liz Lloyd" bubble by examining links with: @Eliz_Lloyd.

Thus, an advanced search from @BillyBriggs mentioning @Eliz_lloyd yields no results: (from:billybriggs) (@Eliz_Lloyd) - Twitter Search / Twitter

Repeating this process in turn yields:

<u>(from:AngelaHaggerty) (@Eliz_Lloyd) - Twitter Search / Twitter</u> (that is, an association since May 2011) <u>(from:GrayInGlasgow) (@Eliz_Lloyd) - Twitter Search / Twitter</u> (a solitary tweet in 2017) <u>(from:SeverinCarrell) (@Eliz_Lloyd) - Twitter Search / Twitter</u> (several tweets from May 2011 to March 2016) <u>(from:MrMcEnaney)</u> (@Eliz_Lloyd) - Twitter Search / Twitter (tweets only from 2018, but "Liz Lloyd looks good")

(from:BBCAndrewPicken) (@Eliz_Lloyd) - Twitter Search / Twitter (several tweets from December 2012 to May 2017

(from:DavieClegg) (@Eliz_Lloyd) - Twitter Search / Twitter (numerous tweets from August 2011 to October 2019)

(from:Mike_Blackley) (@Eliz_Lloyd) - Twitter Search / Twitter (two tweets, one in 2014)

(from:PaulHutcheon) (@Eliz_Lloyd) - Twitter Search / Twitter (numerous tweets from March 2013 to December 2017)

(from:HTScotPol) (@Eliz_Lloyd) - Twitter Search / Twitter (several tweets from March 2012 to March 2015)

(from:KieranPAndrews) (@Eliz_Lloyd) - Twitter Search / Twitter (several tweets from June 2013 to July 2018)

(from:simon_telegraph) (@Eliz_Lloyd) - Twitter Search / Twitter (numerous tweets from March 2012)

(from:lan_Dunn) (@Eliz_Lloyd) - Twitter Search / Twitter (a solitary tweet from 2011)

We note also that:

(from:ConorGillies) (@Eliz_Lloyd) - Twitter Search / Twitter (no results)

And:

<u>(from:JournoStephen)</u> (@Eliz_Lloyd) - Twitter Search / Twitter (several results from August 2014 to June 2016).

And again we have noticed Kenny Farquaharson:

(from:kennyfarq) (@Eliz_Lloyd) - Twitter Search / Twitter (very many results from February 2011 to August 2018, and then a break until May 2020).²¹

We may then potentially characterise the following as a "Lloyd bubble":

@SeverinCarrell
@BBCAndrewPicken (=@AndrewPicken1)
@DavieClegg (=@CourierClegg)
@PaulHutcheon
@HTScotPol (=Tom Gordon)
@KieranPAndrews
@simon_telegraph
@JournoStephen (=Stephen Daisley).
@KennyFarq

²¹ Including this tweet from 2017: <u>Kenny Farquharson on Twitter: "Paddy Power is offering 25-1 on Alex</u> Salmond making a comeback as next SNP leader. That's not a bad bet. An entirely plausible scenario." / <u>Twitter</u> that led to:

Kenny Farquharson on Twitter: "@eliz_lloyd @DaniGaravelli1 Oh don't be a spoilsport, Liz.." / Twitter

Without claiming to explore the network exhaustively, but by way of illustration, we now run 7 of these 8 handles against the remaining handle, @DavieClegg:

<u>(from:severincarrell) (@davieclegg) - Twitter Search / Twitter</u> (Very many tweets from 2013) (from:BBCAndrewPicken) (@davieclegg) - Twitter Search / Twitter (Many tweets from 2012) (from:PaulHutcheon) (@davieclegg) - Twitter Search / Twitter (Many tweets from 2013) (from:HTScotPol) (@davieclegg) - Twitter Search / Twitter (Many tweets from 2012) (from:KieranPAndrews) (@davieclegg) - Twitter Search / Twitter (Very many tweets from 2012) (from:simon_telegraph) (@davieclegg) - Twitter Search / Twitter (Many tweets from 2012) (from:JournoStephen) (@davieclegg) - Twitter Search / Twitter (Very many tweets from 2013) (from:kennyfarq) (@davieclegg) - Twitter Search / Twitter (Very many tweets from 2013)

We are thus emboldened in our use of the word "bubble." Without attempting to prove our point, we would further suggest that a degree of fellow feeling exists therein:

Simon Johnson on Twitter: "@davieclegg Congratulations chum" / Twitter Stephen Daisley on Twitter: "I see @davieclegg thought he could sneak his big day past everyone. No chance. Happy 40th, mate. @ https://t.co/GIOPSIGBRw" / Twitter Kieran Andrews on Twitter: "@davieclegg @PoliticalYeti @andrewpicken1 @AlanRoden @Imkmcintosh @GlennBBC It's all because of that shirt, mate." / Twitter Tom Gordon on Twitter: "Big congrats to @davieclegg on a gong well won" / Twitter Paul Hutcheon on Twitter: "@davieclegg cheers pal who won it in the previous 5?" / Twitter Severin Carrell on Twitter: "Congratulations @davieclegg Gong deserved #scottishpressawards" / Twitter Kenny Fargubarson on Twitter: "@davieclegg Great news about the award. You're da bang

Kenny Farquharson on Twitter: "@davieclegg Great news about the award. You're da bang. Many congrats." / Twitter

We would not therefore be surprised to find a degree of scepticism in this bubble regarding Salmond's claim that Lloyd et al were engaged in a malicious plot to oust him from public life - though the leaks can hardly be thought of as friendly to the Former Minister.

For example, in this article by Carrell, Salmond's "conspiracy" in which he explicitly referred to Murrell, Ruddick, McCann, and Lloyd is discussed with the author pointedly omitting any reference to LLoyd:

MSPs dismiss claims Sturgeon's husband conspired to destroy Salmond | Alex Salmond | The Guardian

Gordon dismisses any conspiracy:

Tom Gordon: Alex Salmond conspiracy is in the eye of the beholder | HeraldScotland

While Hutcheon is equally dismissive, referring to Salmond's "admission" that he could not prove the conspiracy - despite Salmond asserting that he had documentary evidence, and had much more that he could say were he not constrained:

Former political heavyweight Alex Salmond failed to deliver knockout blow - Paul Hutcheon - Daily Record

And from Farquharson:

Nicola Sturgeon has won the battle with Alex Salmond but the SNP civil war still rages | News | The Times

Deleted Tweets

It is interesting to note that Clegg seems to have deleted several tweets mentioning Salmond - perhaps because he deleted a swathe of tweets in a time period. Some of these have been captured by Wings.²²

Daisley, also appears to have been deleting. Our suspicion here is that news of Salmond's investigation circulated privately before Clegg made it public, for example, Daisley of the Spectator. We recall that someone, probably Clegg, made a FOI in June 2018, and in any case, Sky News were asking about those Airport allegations in 2017. We may then consider the journalistic interest over time by searching tweets with "Salmond" for each handle.

Thus: <u>salmond (from:DavieClegg) - Twitter Search / Twitter</u> shows tweets from 18 September 2020 and up to 4 January 2016, but not between. We may then search for tweets to the handle between the "silent" period:

salmond (to:DavieClegg) until:2020-09-18 since:2016-01-04 - Twitter Search / Twitter

Manifestly, Clegg has attracted numerous "Salmond" tweets in the interim, and it is clear that this indicates tweet deletion as per:

Douglas Turner on Twitter: "@davieclegg Interesting to see that Clegg's language has changed from "sexual assault" to " sexual harassment". And the proud journalist of the year can't just say Salmond is taking the Scottish government to court. Once a gutter pressman?" / Twitter

Many other examples could be given, but the above refers to the original tweet from 23 August that has been deleted recently (as I know because I have seen it).

Similarly: salmond (from:journostephen) - Twitter Search / Twitter

²² Wings Over Scotland | All the jolly boys and girls. This does not show the earliest relevant tweet, but perhaps a reply to it (Clegg replying to Clegg).

Daisley is extremely interested in Salmond after 8 January 2019 and before 30 March 2018, but is strangely silent during the "exciting" time. Even so, if we search tweets to Daisly in the interim:

salmond (to:journostephen) until:2019-01-08 since:2018-03-30 - Twitter Search / Twitter

It is clear from replies that Daisley has been deleting, for example:

Wideawake on Twitter: "@JournoStephen @NicolaSturgeon must explain why she met with Mr Salmond 3 times before referring these allegations to the police." / Twitter

But these two journalists would appear to be the exception. Carrell does not appear to delete in the "interesting" period:

Severin Carrell on Twitter: "@AlexSalmond latest: @scottishlabour says @theSNP should suspend Salmond from party: "Given the serious nature of these allegations, it would be appropriate that the SNP suspends Alex Salmond's membership of the party with immediate effect."" / Twitter

We can check Picken:

Andrew Picken on Twitter: "Statement from Scotland's most senior civil servant on the Alex Salmond story https://t.co/GGkYVDMQ2j" / Twitter

Hutcheon has:

Paul Hutcheon on Twitter: "Alex Salmond's judicial review into the Government's handling of sexual misconduct allegations isn't being heard in court today" / Twitter

Gordon has:

Tom Gordon on Twitter: "Police Scotland now confirming they have received info on Alex Salmond complaint" / Twitter

Andrews:

Kieran Andrews on Twitter: "Both FM and Perm Sect statements reference SG procedures for handling harassment claims against current or former ministers. It went on SG intranet in Dec, Salmond complaints in Jan, uploaded onto SG beta site at 23.40 last night. https://t.co/jgKpBsfwjU" / Twitter

And on 30 August Johnson:

Simon Johnson on Twitter: "SNP splits over Alex Salmond sexual misconduct allegations and crowdfunding campaign https://t.co/R6EKL0dd59" / Twitter

It would seem, then, that of the bubble only Daisley and Clegg have (systematically) deleted Salmond tweets (in 2018).

The Edinburgh Airport story

When Nicola Sturgeon gave her evidence to SGHHC she claimed that one of the reasons why the new procedures were set up in late 2017 was that at that time SKY News contacted the SG with a story of some sort of incident a decade back involving Alex Salmond at Edinburgh Airport. Coming in the wake of the MeToo movement, the allegation "lingered" in her mind.²³

Now, the Airport story became public when Davie Clegg published it on 12 November 2018. In fact, by that time - after 10 years - the police were now investigating, and this was confirmed. But what was the incident actually about? As James Hamilton reported (5.2) the public has never actually heard any detail, though that is not quite correct. One version, and one only, relates that it was as Salmond implied, a "nothing." Thus Craig Murray relates, when some woman accidentally set off a security alarm Salmond made a "dad" joke about "killer heels." Ten years later the police found themselves investigating this "nothing."

It's natural to guess that the same source in the SG who leaked the August stories was behind the November leak, and if so we may ask, Why then? A natural answer presents itself when one appreciates that just one week before (5 November 2018) Salmond learned that the investigating officer, Head of People Advice Judith Mackinnon, had been involved with the complainants prior to the formal complaint in January 2018. The SG had actually withheld this information from their own (external) legal team who had to apologetically relay the news that would in the event wreck their own case (so that they threatened to resign if the SG did not concede). We can suspect, then, that the November leak was an attempt to secrete the cover story into the public domain. To those who might suspect Sturgeon of instigating a new procedure because she had got wind of informal complaints, the counter is that what really tilted it for her were the strange events percolating from the Airport.

If we turn to the emergence of the story in November we find that several other sources including the BBC were involved. The Airport exposé emerged in an article at 6.29pm. However, it is actually mentioned in an earlier tweet from BBC's Connor Gillies at 6.25pm:

<u>Connor Gillies on Twitter: "Edinburgh Airport confirm its assisting Police Scotland with its</u> <u>enquiries in to sex misconduct claims against Alex Salmond. The former First Minister denies all</u> <u>wrongdoing." / Twitter</u>

Four minutes *later* Clegg reports about the "sex rap" case in the Daily Record:

Alex Salmond sex rap case cops probing alleged incidents at Edinburgh Airport - Daily Record

²³ I have treated this in: (1) (PDF) Salmond's Evidence | Chris S Friel - Academia.edu

And four minutes after that we find that the "confirmation" about police involvement was actually supplied by the LBC (who would retweet Gillies' tweet):

LBC News on Twitter: "Edinburgh Airport's told LBC it is helping Police Scotland with its investigation in to sex misconduct claims against Alex Salmond." / Twitter²⁴

Some sense of the immediate impact on Twitter can be gleaned from:

edinburgh airport salmond until:2018-11-13 since:2018-11-11 - Twitter Search / Twitter

We observe that within 90 minutes the BBC, citing the Daily Record, also covered the story - with a statement from Salmond's spokesman (also included by Clegg):

Edinburgh Airport 'assisting Salmond investigation' - BBC News

Within two hours the story was that the allegations related to "sexual misconduct" and that Salmond was a "sex pest." However, to repeat, no report that I can find has ever corroborated this claim, and it is interesting to note that although Salmond mentioned the event in his evidence before Linda Fabiani, the SGHHC never referred to the Airport allegations at all.

Commentary on the Airport story

We have already aired some suspicions to the effect that the SG must have tipped off the media about the Airport non-story. Although @ConorGillies does not appear to have links with @Eliz_Lloyd, we noted that the story was quickly taken up by the BBC. Thus, Philip Sim has:

Philip Sim on Twitter: "Alex Salmond "denies all suggestions of misconduct at any time", after police speak to Edinburgh Airport staff as part of their inquiry into the former first minister's conduct. Story (first broken once again by @davieclegg) here:" / Twitter

This tweet from @BBCPhilipSim is factually incorrect insofar as it was *not* Clegg who broke the story. As we have seen, it was the BBC's own @ConorGillies who did. Nor can it be said that Philip has never heard of Conor:

(from:bbcphilipsim) (@connorgillies) - Twitter Search / Twitter. In fact, he follows him.

Now, while we see no link between Lloyd and Gillies, in fact Sims had communicated (positively) from 2016:

²⁴ What is the link between Gillies and the LBC? We have contacted Connor without reply, but perhaps he was tipped off by fellow journalist Corrie Martin: (from:connorgillies) (@corriemartin1) - Twitter Search / Twitter

(from:bbcphilipsim) (@Eliz_Lloyd) - Twitter Search / Twitter (from:Eliz_Lloyd) (@bbcPhilipSim) - Twitter Search / Twitter

For that matter we can note that LLoyd has long been associated with James Cook, "Chief reporter for @BBCScotNine." Thus, from 2011:

(from:bbcjamescook) (@Eliz_Lloyd) - Twitter Search / Twitter (from:Eliz_Lloyd) (@bbcjamescook) - Twitter Search / Twitter

Curiously, though, the last communication is from 24 August 2018:

Elizabeth Lloyd on Twitter: "@BBCJamesCook Welcome back!" / Twitter

Again, Lloyd is linked to Glenn Campbell: (from:Eliz_Lloyd) (@GlennBBC) - Twitter Search / Twitter (Many tweets Apr 2011 to Apr 2019)

Finally, we can add another BBC commentator who appears to us to be taking an anti-Salmond line. Nick Eardley has long associated with LLoyd:

(from:nickeardleyBBC) (@Eliz_Lloyd) - Twitter Search / Twitter (from:Eliz_Lloyd) (@nickeardleybbc) - Twitter Search / Twitter

And indeed, Eardley also tweets about the Edinburgh Airport story that night:

Nick Eardley on Twitter: "Edinburgh Airport 'assisting Alex Salmond investigation' https://t.co/PpCEft5Xao" / Twitter

It would seem obvious, then, that insofar as we are entitled to speak of a "Liz Lloyd Bubble" that includes mainstream members of the media, to that extent we are entitled to incorporate the BBC. Moreover, whether or not it was Lloyd who was behind the leaks, it remains that the said bubble appears in several ways to be intimately connected with the Chief of Staff.

Perhaps Gillies was tipped off from Sim who in turn received the information from Lloyd, a theory that might explain why Sim did not give Gillies the credit for his "scoop."

A Postscript on the Airport Story

At this juncture we add that the SG have responded to a FOI request claiming that they know nothing about the story, and Davie Clegg, just a couple of days after breaking the news, reports that at the time, no formal investigation was made. Clegg also wrote that the police investigated "last week" - meaning the week commencing Monday 5th November, just when Salmond was told that the IO was involved with the complainants before they made official complaints.

<u>SNP told about Alex Salmond alleged sexual misconduct by Edinburgh Airport chief in 2008 -</u> <u>Daily Record</u>

Angus Robertson gave his evidence here, relating that no specific allegation was made:

Since the matter has been raised in the Committee, and reported elsewhere, it is probably worth taking time to address one instance where unspecified behaviour was mentioned to me. In 2009 I was called by an Edinburgh Airport manager about Alex Salmond's perceived "inappropriateness" towards female staff at the airport. I was asked if I could informally broach the subject with Mr Salmond to make him aware of this perception. I raised the matter directly with Mr Salmond, who denied he had acted inappropriately in any way. I communicated back to the Edinburgh Airport manager that a conversation had happened. The matter being resolved, and without a formal complaint having been made, it was not reported further.

Angus_Robertson.pdf (parliament.scot)

Clegg and the "Conspirators"

Alex Salmond has alleged a conspiracy of those who would oust him from public life including Peter Murrell, Sue Ruddick, Ian McCann, and Liz Lloyd. We shall examine some tweets from the "gang of four" whose handles are @PeterMurrell, @SueRuddick, IanMcCann, and @Eliz_Lloyd.

We take six pairs of four searching for tweets to and from each handle.

(from:Eliz_Lloyd) (@PeterMurrell) - Twitter Search / Twitter (Many tweets Feb 2011 to Jan 2018) (from:Eliz_Lloyd) (@IanMcCann) - Twitter Search / Twitter (no hits) (from:PeterMurrell) (@Eliz_Lloyd) - Twitter Search / Twitter (Many tweets Feb 2011 to Nov 2014) (from:PeterMurrell) (@Eliz_Lloyd) - Twitter Search / Twitter (Tweets Apr 2011 to May 2014) (from:PeterMurrell) (@IanMcCann) - Twitter Search / Twitter (Tweets Jun 2011 to Mar 2015) (from:PeterMurrell) (@Eliz_Lloyd) - Twitter Search / Twitter (Tweets Feb 2011 to Apr 2015) (from:IanMcCann) (@Eliz_Lloyd) - Twitter Search / Twitter (Tweets Aug 2011 to Apr 2013) (from:IanMcCann) (@Eliz_Lloyd) - Twitter Search / Twitter (Tweets Jun 2011 to Jul 2020) (from:IanMcCann) (@SueRuddick) - Twitter Search / Twitter (Tweets Feb 2011 to Jul 2020) (from:IanMcCann) (@SueRuddick) - Twitter Search / Twitter (Tweets Mar 2011 to Jul 2020) (from:SueRuddick) (@Eliz_Lloyd) - Twitter Search / Twitter (Tweets Mar 2011 to Nov 2019) (from:SueRuddick) (@PeterMurrell) - Twitter Search / Twitter (Tweets Mar 2011 to Nov 2019) (from:SueRuddick) (@IanMcCann) - Twitter Search / Twitter (Tweets Jun 2011 to Nov 2019) (from:SueRuddick) (@IanMcCann) - Twitter Search / Twitter (Tweets Jun 2011 to Nov 2019)

Unsurprisingly, we find common links.

We have also referred to a "bubble" of journalists that includes: @SeverinCarrell, @BBCAndrewPicken (=@AndrewPicken1),

@DavieClegg (=@CourierClegg), @PaulHutcheon, @HTScotPol (=Tom Gordon),
 @KieranPAndrews, @Simon_Telegraph, and @KennyFarq. Also, @BBCPhilipSims,
 @BBCJamesCook, @GlennBBC, and @NickEardleyBBC.

We consider:

(from:Eliz_Lloyd) (@DavieClegg) - Twitter Search / Twitter (Many Dec 2012 to Jul 2017) (from:petermurrell) (@davieclegg) - Twitter Search / Twitter (One tweet in 2015) (from:SueRuddick) (@DavieClegg) - Twitter Search / Twitter (One tweet in 2020) (from:lanMcCann) (@DavieClegg) - Twitter Search / Twitter (Two tweets Aug 2016 & Jun 2017)

It would appear that Clegg is closer to LLoyd than any of the other alleged conspirators. Again, neither Murrell, nor Ruddick, nor McCann has ever mentioned Picken in any tweet.

Some conclusions

The ICO reported on a leak to the Daily Record in August and was sympathetic to the idea that it was the SG who leaked. We are equally sympathetic to this hypothesis, and in this paper we have widened the net to consider two other leaks. Our view is that the suspicions of the ICO are strengthened.

Craig Murray was drawn into the case by posing to himself the problem of the leak, and although it surprised him at the time, came to the natural suspicion that it was Davie Clegg's friend Liz Lloyd who was the culprit. Once again, and despite her denials, these suspicions have only been strengthened - with the caveat that perhaps Lloyd is being put in the frame for some reason.

Of course, Lloyd was named by Salmond as one of a "gang of four," that includes Peter Murrell, Sue Ruddick, and Ian McCann. Twitter suggests that of these, Lloyd is the closest to both Clegg and to Picken.

In considering the August leak to the Record we suggested that the original plan might have been to release information in July (as indicated by the June FOI), but in the event it would only be leaked in August when the complainants had been persuaded to go to the police (and Salmond had sought an interdict). Clegg is cagey about the June FOI that we think he must have made - an indication that the leak was carefully planned. Lloyd also seems coy about that FOI, and perhaps that throws up a lead that might be pursued further.

We would also propose that the leak to the Post merits scrutiny. Both Sturgeon and Lloyd avow ignorance, something that in Lloyd's case is surprising as the story was written by an old friend whom she would congratulate when he was promoted to the BBC just six weeks later.

As to the Airport story, this has also avoided scrutiny. Whether by accident or design it serves to promote the Sturgeon narrative about her lingering concerns, and its timing is very suspicious (entering the public domain as soon as the SG were forced to tell Salmond about the early

contact of the investigating officer with the complainants, an embarrassment that would later ensure his judicial review was successful). On the face of it the scoop belongs to Clegg, but on Twitter we find that the BBC are first to tweet, and here we wonder whether old friend Philip Sims was involved as he seems to have tried to disguise the fact that Conor Gillies actually had the scoop. Perhaps Gillies made the mistake of tweeting a little too early and so gave the game away (about prior coordination), and as a result Sims had to underscore that it was Clegg who was first with the story.

In this essay we have developed the idea of a "Liz Lloyd bubble" of prominent mainstream journalists who had tweeted with her since the early days of Twitter (and with Clegg too), and we extended this to include those working for the state broadcaster. To our mind, this bubble has been highly sympathetic to the Sturgeon narrative and dismissive of Salmond's conspiracy theory (especially as regards to the role of Lloyd herself whom we suppose Salmond regards as the prime mover). We can make the obvious remark that the bubble in effect cocoons the leaker from any serious scrutiny, indeed, that those inside the bubble have tended to cover up any tracks. If it was someone close to Lloyd who leaked they would have known that they were shielded by a *protective* bubble.

On Twitter the bubble includes: @SeverinCarrell, @BBCAndrewPicken (=@AndrewPicken1), @DavieClegg (=@CourierClegg), @PaulHutcheon, @HTScotPol (=Tom Gordon), @KieranPAndrews, @Simon_Telegraph, and @KennyFarq. Also, @BBCPhilipSims, @BBCJamesCook, @GlennBBC, and @NickEardleyBBC.

Here we must also record the somewhat anomalous @JournoStephen (=Daisley from the Spectator). The Spectator has tended to be a thorn in Sturgeon's side, yet our feeling is that Daisley might have got wind of the Salmond investigation early on: he was highly interested in Salmond both before and after 2018, and yet like Clegg he appears to have deleted his Salmond tweets just at the time when we would expect them to be most interesting. He would seem to have his ear to the ground, and although he manifests great friendliness towards Clegg, he would, not to us, seem an obvious friend to Lloyd. We wonder whether perhaps he is part of a "divide and rule" strategy - but our speculations must end on this inconclusive note.

Our aim was to try to get some new leads, and although our results are meagre we would recommend that the police/ ICO/ any interested journalist considers:

- Extending scrutiny beyond the August leak in the Record to include the one in the Post, and also the November story about the incident at the Airport in 2018. For example, the ICO references "forensic examination of the IT systems," but a similar examination can be conducted for the other two leaks.
- Probing the 16 June FOI. In particular, the ICO referenced 23 employees who might have had contact with the Decision Report but an investigation is needed to see which of these were aware of the FOI. Again, the plan seems to have been, not merely to release information about the harassment investigation, but rather that it was sent to the police. Who was aware that the Crown Agent had tried to hand the Decision Report over to the

police? Yet again, who was aware of the details about the Lord Advocate as related in the Post?

- Asking the members of the bubble for their insights, and following through any discrepancies and deletions. For example, apart from Lloyd, who in the SG were in touch with bubble members? How does Philip Sim explain his lack of knowledge about Gillies' November tweet that in effect scooped the Airport story? Why did Daisley delete?
- In particular, asking Kieran P Andrews or Hamish Macdonell about the leak (This bullet added 4 May see the section marked "Update")

Plainly, the focus of attention remains the role of the First Minister's Chief of Staff. However, intellectual probity demands that we are open to the alternative hypothesis that Lloyd has been framed, and accordingly, that idea needs to be put to relevant parties.