

**From:** [Logue, John](#)  
**To:** [Miller, Lindsey](#)  
**Cc:** [REDACTED]  
**Subject:** RE: Sheku Bayoh Coverage  
**Date:** 24 September 2018 17:00:59  
**Sensitivity:** Confidential

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Sure, makes sense.

**John Logue** | Deputy Crown Agent Operational Support  
Crown Office and Procurator Fiscal Service | 25 Chambers Street | EDINBURGH | EH1 1LA  
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**From:** Miller, Lindsey  
**Sent:** 24 September 2018 16:59  
**To:** Logue, John  
**Cc:** [REDACTED]  
**Subject:** RE: Sheku Bayoh Coverage  
**Sensitivity:** Confidential

Thanks JTL

I've spoken to [REDACTED] in HR and I think it may come up at LOB so we can maybe have a chat tomorrow?

My concern is that the LA will want something done regardless of advice, and what maybe best to offer him is a course of action which provides reassurance from our end about checking for contacts with the journalist (which is the most we could hope for).

One for SET?

L

On 24 September 2018 at 16:40:12 BST, Logue, John [REDACTED] wrote:

Lindsey

As [REDACTED] indicates, our checking can only really involve interviews of the staff who were aware of the decision and checking of their corporate email and phone logs. With appropriate support from SG, we could do something similar for any staff in Scottish Government who were aware or had been given an indication of the possible outcome. We are unlikely to find anything from these checks.

My real concern is that this is not the normal sort of "leak" which generates a leak inquiry. We should really only undertake such an inquiry where we can establish there has been a leak. Nothing about the story allows us to do that – there are only

two possible decisions and the family were aware they were coming to a meeting in ten days to be told the decision. It could easily have been a guess on the part of the journalist, written up as a “leak”.

If it helps, I’m happy to either make the point direct to the LA or reflect it in advice, whatever works best.

**John Logue** | Deputy Crown Agent Operational Support  
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**From:** Miller, Lindsey  
**Sent:** 24 September 2018 16:03  
**To:** [REDACTED]  
**Cc:** Logue, John  
**Subject:** RE: Sheku Bayoh Coverage  
**Sensitivity:** Confidential

Thanks [REDACTED]

JTL and I will discuss further before I come back to you as there will be some significant HR implications here too.

L

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**From:** [REDACTED]  
**Sent:** 24 September 2018 16:01  
**To:** Miller, Lindsey  
**Cc:** Logue, John  
**Subject:** RE: Sheku Bayoh Coverage  
**Sensitivity:** Confidential

Thanks Lindsey, the source is allegedly within the Justice System, but I believe that I would be able to give you a report that would cover the COPFS side with enough to say that checks have been made and we are satisfied that the leak did not come from us. Obviously we can only work

with what we have.

If you are in agreement, I can do some background on the reporters social media presence, I would need the names of all our staff who were in both the discussions and the E Mail chain with their desk phone numbers. To start I will check if there has been any traffic either by E Mail or telephone to the reporter or the News desk at the paper. I will check on any friends within social media for any connections.

Whilst I appreciate this is a lot of ticking the boxes it may give the LA a bit of reassurance

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**From:** Miller, Lindsey  
**Sent:** 24 September 2018 15:14  
**To:** [REDACTED]  
**Cc:** Logue, John  
**Subject:** FW: Sheku Bayoh Coverage  
**Importance:** High  
**Sensitivity:** Confidential

Afternoon [REDACTED]

We spoke. As you know, I am after some advice from you about how to deal with recent developments in the above case.

You may be aware of some of the coverage of the apparent decision in the above case (attached for information from the weekend's media)

The formal decision on proceedings has not been communicated by the Crown to the family and the Lord Advocate is both concerned and disappointed that such detailed speculation has appeared in the media before the meeting with the family, which is scheduled for 3 October.

I can confirm that a minute setting out particular options on next steps was sent by the Lord Advocate to the Cabinet Secretary for Justice in early September, and that Les Brown and I have had some discussions with Scottish Government officials about what the various options/eventualities/timescales would be depending on the decision.

There is on one view a small group of people within Crown Office who are party to the decision, and a group in Government who have been advised of the issues the Lord Advocate would like them to consider were there to be a decision to take no action. Everything with the Government both at Ministerial and official level has been couched in the hypothetical rather than the actual, although a clear direction of travel was there for anyone with an idea of how these things work.

The Lord Advocate has asked that I commence an investigation into this purported leak and I'd be grateful to you for some advice on how you see that this might be carried out at COPFS end. I am awaiting a call back from the relevant Deputy Director at the Scottish Government about what, if anything, they are planning to do. I've copied to JTL and he and I have discussed just how difficult this may be.

I am of course happy to discuss further.

Kind regards

Lindsey

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**From:** [REDACTED]  
**Sent:** 24 September 2018 08:49  
**To:** Miller, Lindsey; Brown, Les; [REDACTED]  
**Cc:** PA/DCA Serious Casework  
**Subject:** FW: Sheku Bayoh Coverage

Morning folks

Sheku coverage from the weekend, and today, for interest.

N

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**From:** [REDACTED]  
**Sent:** 24 September 2018 08:31  
**To:** Shields, Graham; [REDACTED]  
**Subject:** Sheku Bayoh Coverage

Please find attached coverage from yesterday and today for your interest and in case you wanted to share with officials.

Regards,

[REDACTED]

[REDACTED]  
Senior Communications Officer  
Crown Office and Procurator Fiscal Service

**Direct Dial:** [REDACTED]

**Media Relations Team:** [REDACTED]

**Email:** [REDACTED]

*Urgent out of hours media enquiries only:* [REDACTED]

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