

make sure he see this. Give him a couple of extra copies, since FM and Lord Advocate will want to be sure they are content.

Thanks

Colin

-----Original Message-----

**From:** MacLean CR (Colin)

**Sent:** 01 December 2004 10:14

**To:** Edgar R (Rachel); Layden P (Patrick); Henderson RM (Richard) (Solicitor); McNicoll G (Gordon); Donnelly LM (Louise)

**Cc:** Laing SG (Shirley)

**Subject:** RE: Independent expert--IMMEDIATE

Mr Peacock is now in Cabinet, so it will not be possible for us to speak to him (or FM) for another hour or so. I propose that Rachel and OSSE colleagues try to agree a new form of words that can be offered to FM / PP immediately Cabinet concludes – which indicates that someone will be appointed, leaves the specific remit vague, and makes it clear that the work of that individual, and their subsequent report, will be designed to avoid prejudicing individual cases.

My understanding of the Minister's position is that his objective is to establish a general understanding of the systems that operated in the past – rather than form any view – or make any statement about – systems operating in named establishments, by named organisations, or affecting named or identifiable individuals. Clearly, that is a challenging task – but it is one that Ministers are clear they want to undertake.

Happy to discuss in the course of this morning.

Colin

-----Original Message-----

**From:** Edgar R (Rachel)

**Sent:** 01 December 2004 09:53

**To:** Layden P (Patrick); Henderson RM (Richard) (Solicitor); McNicoll G (Gordon); Donnelly LM (Louise)

**Cc:** MacLean CR (Colin); Laing SG (Shirley)

**Subject:** Independent expert--IMMEDIATE

**Importance:** High

Good morning,

I have just had a phone call from Mr Peacock to say that First Minister has told him that he does not want to say that are we considering appointing someone but that we will appoint someone.

He wishes new text to reflect that.

Perhaps we could discuss.

Regards,  
Rachel.

Rachel Edgar  
Head of Looked After Children and Youthwork Division  
Education Dept