

Chapter 2 - Where it all began

The 2014 independence referendum was never supposed to happen. When Tony Blair's Labour Government created the new Scottish Parliament in 1999 it was designed with two things in mind. First, the powers it wielded were limited to such an extent that it could never behave like a normal autonomous government. For example the Scottish government cannot borrow money, it survives on a block grant given to it by the Westminster Parliament.

Rather than list the powers that Westminster would devolve to the new Scottish Parliament, Blair's Labour Government simply listed the powers to be retained by London. In essence, the Labour party ensured almost every critical power, including broadcasting, remained firmly in the hands of the powerful London based elite. This minimalising of the Scottish Parliament was compounded by a Westminster Labour government which officially designated it an Executive. The Scottish administration couldn't officially be termed a government.

This was underlined in December 2009 when Scotland's largest local authority, Labour controlled Glasgow City Council, forbade its own staff from using the term 'government' when referring to the Scottish Parliament. The council had been under the control of the Labour party for decades and its leader, Steven Purcell, was being tipped as the next leader of the Labour party in Scotland. An internal council memo, sent on 25 November of that year, informed council staff that:

"all future communications should now refer to the Scottish Executive and not Scottish government."

The second thing Labour did was to design a voting system that was supposed to ensure no single party could ever command a majority. A side-effect of such a system was that the Scottish National Party could never outnumber the Unionist bloc of Labour, the Conservatives and the Lib Dems.

So, whilst the SNP could form the Scottish Executive, its hope of independence would remain a pipedream as any referendum would theoretically require the support of at least one of the Unionist parties in order to be voted through. Scotland had smaller fringe parties such as the Scottish Greens and the Scottish Socialist Party [SSP] both of which appeared sympathetic to independence, but neither commanded significant support.

Indeed there was a prevailing belief within the Labour party that devolution would curtail forever demand for independence. As former Labour MP George [now Lord] Robertson put it, "Devolution will kill nationalism stone dead."

Moreover, traditional support for the Labour party was so strong in Scotland that the prevailing school of thought was that the party could not be overtaken in a Scottish election. The proportional voting system may well have prevented an outright majority, but it was pretty much accepted that as the larger party Labour would always provide the First Minister. Labour had designed a virtual one-party system where it would always be the dominant and leading power, and always able to call the shots.

That said, Labour was not without its problems when it came to the issue of Scottish devolution. The Scottish Parliament's first ever First Minister was Donald Dewar. Dewar had been an advocate of devolution when a minister in Tony Blair's Labour Government. A respected figure across the political divide, the Labour MP was also a key figure in the embarrassing spectacle that was the construction of the Scottish Parliament building.

The planning and construction of Holyrood was one of the most enduring scandals of the early days of devolution. Dewar himself was responsible for two of the biggest controversies when first designating an area of Edinburgh for the site and then claiming the whole project would cost no more than forty million pounds.

Many people considered the Old Royal High School to be the perfect setting for the new Scottish Parliament. It sat on an elevated part of the city and its Greek style pillars provided an air of authority and authenticity. It had gravitas. Dewar though had other ideas, and eyebrows were raised when the Labour MP chose a part of the capital many felt unsuitable.



The new Scottish Parliament building would be sited in a bowl-like part of Edinburgh. The four-acre Holyrood site sat at the foot of Edinburgh's Royal Mile and lay in the shadow of the Salisbury Crags. Holyrood was literally looked down on before the building was even begun.

Explaining his reasoning for rejecting the Old Royal High School, Dewar said:

"The conversion of an existing building would have to be a compromise. There would be no visible symbol of the new Parliament and it would lack the operational efficiency of a new building."

More controversy followed when it was announced that the new building was to be designed by Spanish architect Enric Miralles. Miralles had pitched a modernist plan based on an upturned boat. The concrete and glass design caused bitter division.

The construction of Holyrood was beset with problems as the new MSPs, who had been omitted from Dewar's initial process, sought to address some of its shortcomings. A key change involved the debating chamber which Miralles had designed as a shallow ellipse which was thought to encourage consensus and reduce confrontation. MSPs however demanded a more acutely curved design that would allow elected members to engage in adversarial face-to-face encounters.

The changes led to delays which led to significant cost increases. Dewar's initial estimate of forty million pounds was exposed as embarrassingly optimistic by a factor of ten, although blame would later be laid at the feet of Civil Servants. The episode led to the Scottish public turning against its own Parliament. Confidence in the new entity would take some time to build.

The curse of Holyrood hit the Labour party on 11th October 2000 when, walking down stairs on an icy Edinburgh morning, Donald Dewar slipped. An apparent innocuous fall took on far greater significance hours later when it was announced Scotland's First Minister had died.

His replacement was Henry McLeish who defeated party rival Jack McConnell in a fast-track leadership contest. McLeish, like Dewar, was a strong devolutionist, however he also had powerful enemies within his own party at Westminster and his tenure as First Minister would be short lived.

In November 2001, just over a year after it began, Henry's reign as First Minister ended after an error over his constituency office finances was leaked to the press. The leak led to Holyrood's first serious political scandal. Henry's resignation after the 'muddle' presented an opportunity to the man he had defeated thirteen months earlier - Jack McConnell.

However several scandals had come to light that threatened to de-rail McConnell's bid to replace McLeish. The Motherwell MSP admitted to having had an affair with a Labour Party press officer. It also emerged that McConnell had sought cash from Labour MPs in order to help pay the wages of his ex-lover. In the 1990s MPs had been asked to give £100 each.

There was also an accusation that supporters had sought to rig a newspaper telephone-poll by repeatedly calling to register support for McConnell, whose suitability as First Minister was being questioned. Despite the revelations, on November 22nd 2001, Jack McConnell became Scotland's third First Minister.

McConnell was nothing if not pragmatic. The MSP for Motherwell knew exactly what his Labour party bosses expected of him and he didn't disappoint as he steered his Executive on a safety first course. Jack set out to do little, but to do it well. When he became First Minister he vowed to "do less, better".

In 2005 Jack caused controversy when he introduced a promotional slogan which described Scotland as “The best small country in the world”.

Airports and other transport hubs bore the slogan, which had over-emphasised the word ‘small’. Why not just aspire to be the best country in the world, critics asked?



McConnell was competent but unexciting. The lack of ambition would prove to be his downfall. In the first Scottish Parliamentary election of 1999, the SNP had been led by Alex Salmond. The party had hoped for a good showing in the wake of the strong backing for devolution two years earlier. However the Nationalists failed to achieve the breakthrough anticipated, losing to Labour by 56 seats against 35. The disappointment saw Alex Salmond step down as leader and head back to London to resume his career at Westminster. Into the vacuum stepped John Swinney.

A thoroughly decent man, Swinney is that rare phenomena in politics having no perceivable enemies. As a leader though, Swinney was not effective. The 2001 UK general election saw the SNP return five MPs, one less than 1997. In the 2003 Scottish election the SNP’s chances of defeating Labour suffered a blow when the Nationalists failed to capitalise on a poor showing from Labour.

Jack McConnell’s party had lost five MSPs, however the SNP had contrived to lose eight of its own. On 22 June 2004, following poor results in the European Parliament election, John Swinney resigned as leader of the SNP.

The Labour party had been re-elected in Scotland. Jack McConnell was now First Minister in his own right and Salmond was ensconced in Westminster. Tony Blair was in his second term of office as UK Prime Minister and looking as popular as ever. George Robertson's suggestion that devolution would kill the SNP stone dead was looking prescient.

Salmond Returns

In 2004 and sensing a complacency within Scottish Labour, a by now much more mature Alex Salmond made a surprise announcement. He wanted to return to Holyrood and lead the SNP to victory in the 2007 Scottish election. Standing alongside Salmond in a joint-leadership ticket was a highly respected young woman called Nicola Sturgeon.

Salmond had made grandiose statements before and to the assembled media this was just another. Nobody doubted the SNP would overwhelmingly back the Salmond/Sturgeon partnership, the party was going nowhere fast, but the claim he could oust McConnell as First Minister was not treated seriously.

The Labour party dominated Scottish politics and had outvoted its rivals in every election since the 1950s. The SNP, which had finished 23 seats behind Labour [50 to 27] in 2003, needed a huge swing in order to defeat McConnell's party in the next election which would be held in 2007. But Salmond was adamant, he wanted to oust McConnell. The scene was set for one of the most dramatic elections in Scottish political history.

2007 ... The Media Is Exposed

The 2007 Holyrood campaign was remarkable for several reasons. As the campaign progressed it became clear that Labour was having difficulty engaging voters. Salmond had sensed a lack of ambition at the heart of McConnell's administration. The SNP leader also felt that Scots had become frustrated with a Labour led Executive that appeared content to go through the motions.

McConnell himself suffered from a poor public profile. Unlike his SNP counterpart, he was not regarded as a big hitter. Labour's campaign was steered from London. It appeared Jack had been sidelined. The remoteness of the campaign directorate left Labour in Scotland vulnerable. The SNP benefited from strong grassroots activists and the party was making inroads. Salmond's strategy was bearing fruit.

Another very noticeable change took place during the 2007 Scottish election campaign. The Scottish media had never before been faced with the prospect of a Labour party losing in its northern fiefdom. The Scottish media is a pro-Union beast. Prior to 2007, newspapers could afford to give a degree of balance to their coverage of Scottish politics. They could indulge the SNP safe in the knowledge that the Nationalists posed no real threat. In 2007 that changed. As the possibility of an SNP win increased so too did media hostility. More pro-Labour headlines appeared and fewer articles backed Salmond's SNP. Labour, now increasingly panicked, altered its strategy and gave McConnell a higher profile. Jack responded and performed admirably in a televised debate alongside Salmond.

The BBC also jumped into action. A live TV debate hosted by Jeremy Paxman saw the BBC presenter cross-examine Salmond. Paxman confronted the SNP leader with the result of a poll of businesses that had been commissioned by the BBC which he claimed showed most were opposed to the SNP's flagship policy of Scottish independence. Viewers witnessed Paxman tell Alex Salmond that 'not one' of 50 firms, made up of 25 in the rest of the UK and 25 north of the border, supported the party's independence policy.

Paxman said:

"We spoke to the 25 largest companies in Britain and the 25 largest companies in Scotland and not one of them favoured independence."

If Paxman's gambit was designed to wrongfoot the SNP leader, it failed. Salmond batted the attack away. However all was not as the BBC had claimed. It soon emerged that of the fifty businesses that were contacted by the BBC, only seven had actually replied. The BBC was forced to admit that contrary to Paxman's claims, a majority had declined to express a view one way or the other, two had declared 'neutrality' and one leading business said 'it didn't care.'

It was a shocking attempt at political manipulation and one that could have had a significant influence on the 2007 election. However Salmond's political experience ensured the situation was handled deftly. The BBC stunt had little if any impact on the 2007 election.

The count on election night was high drama with Labour establishing a commanding lead over the SNP in the early constituency vote - 37 seats to 21. The constituency seats are based on the first past the post principle, something that benefited Labour. However, things started to turn the following day when the list count showed the SNP fighting back. The list system acts as a counter to the constituency vote, it ensures the eventual outcome is relatively proportional.

The list counts showed the SNP doing very well. Indeed, the party began eating into Labour's constituency lead. As each area announced its list result the contest grew tighter, eventually coming down to the final region - the Highlands and Islands. The initial count gave Labour four list seats, the Tories two and the Greens one but none for the SNP. It would give Labour an election victory, McConnell would remain First Minister.

However an alert SNP observer sensed something was not quite right. He had calculated more support for the SNP, yet according to officials the Nationalists had not won a single list seat in the Highlands and Island region. The returning officer was stopped whilst on his way to announce the result – a recount was requested.

Officials then discovered that they had failed to scroll over the file containing the count and had left out all the SNP votes. After the extra information was added, the result was amended as Labour three, Tories two and SNP two - giving Salmond's party a one seat lead in the Scottish parliament. On a sunny Friday afternoon a news report on the BBC confirmed the result. The SNP had won the 2007 Scottish election by just one seat. The Labour party was in shock. It had lost in Scotland. The party would struggle to come to terms with the defeat.

One other organisation was also taken by surprise. BBC Scotland had failed to anticipate the SNP win. Hours after the result was confirmed, presenter Sally Magnusson asked the soon to be new Scottish First Minister Alex Salmond, "What message do you have for people who are scared tonight?"

It was a shockingly worded question that was lifted straight out of the Labour election handbook. The origins of the suggestion that voters should be scared of the SNP were contained in a leaked Labour party memo from a previous Scottish election. In 1999 Labour MP Douglas Alexander had said "We have got to engender fear of the SNP."

The marginal nature of the victory meant that the SNP would have to seek a coalition in order to create a majority administration. This was unsurprising. Even Labour, in its two previous victories, had required the assistance of the Lib Dems in order to form a majority administration; it reflected the proportional system employed for the election. The obvious choice was again the Lib Dems, with whom the SNP shared many policies and aims.

However the Lib Dems, twice the minor partner with Labour, refused - citing as a reason the SNP's policy of seeking a referendum on Scottish independence. Even the prospect of negotiating a compromise and holding a ballot that included their own long held policy of federalism was not enough to persuade Nicol Stephen's party to join the SNP in government.

It would later emerge that Lib Dem leader Menzies Campbell had held secret talks with Labour PM Gordon Brown as they plotted to try to prevent the SNP from taking office. Brown wanted a new Liberal-Labour coalition to seize power even if the SNP won. The Lib Dems declined to join Labour in Brown's power-grab plot, but Nicol Stephen was persuaded enough to avoid any talk of an SNP coalition. Stephen would eventually be rewarded for his 'services' to Scottish politics with a peerage.

With only the Scottish Greens willing to agree to any form of partnership, the fledgling SNP Government undertook its first term of office knowing it would have to compromise in key areas if it was to survive.

A BBC Scotland reporter named Glenn Campbell reported this unavoidable fact by theatrically ripping up the SNP's manifesto on the BBC's evening news programme Reporting Scotland. The outrageous act on live TV demonstrated a brazen hostility to the SNP that the reporter would display time and again. Campbell would come to personify what many would claim was an anti-SNP sentiment at the heart of the BBC's operation in Scotland.

Claims of an institutional anti-independence/anti-SNP bias at the heart of the BBC had been growing steadily. One month after the SNP won the 2007 Scottish election Alex Salmond appeared on the UK wide current affairs programme Newsnight where he was interviewed by presenter Kirsty Wark. The new First Minister was there to explain his anger at a secret deal that had been hatched between Labour Prime Minister Tony Blair and Libyan Dictator Colonel Gaddafi.

Blair had met the Libyan Dictator in a Bedouin tent outside Tripoli on Wednesday March 24 2004 and offered what he called “the hand of friendship” to Gaddafi. The Labour leader visited Gaddafi again in May 2007, the same month as the Scottish election. After the second meeting, it emerged Libya and BP had signed a deal which would see the oil-giant invest \$900m in order to explore Libyan oil fields.

The 'Deal in the Desert' as it came to be known also saw the UK Government agree to the repatriation back to Libya of prisoners held in the UK. At the time of the secret deal there was only one Libyan the Gaddafi regime was interested in repatriating, the prisoner known as the Lockerbie Bomber, Abdel Basset al-Megrahi. However in making such a deal, the Labour leader had violated a memorandum of understanding that existed between the UK and Scottish governments. That memorandum required the UK Government to consult the devolved Scottish government prior to any decision or agreement that would impact on Scots Law.

The 'Deal in the Desert', which would have led to the repatriation of Megrahi, had violated this agreement. It was weeks into the tenure of the new SNP administration and an incensed Alex Salmond had called an emergency sitting of the Scottish parliament where he had expressed his disappointment at the move by the UK Labour Government. When the First Minister appeared on Newsnight that evening, he was met with unbridled hostility from the BBC presenter.



Kirsty Wark took the side of the Westminster Labour Government and proceeded to call into question the motives of the SNP Leader. Wark adopted a confrontational stance from the outset, hectoring Salmond and refusing to accept his arguments. At one point the BBC presenter openly accused the First Minister of using the situation as an excuse to "pick a fight" with Westminster. The interview was ended abruptly by Wark with the First Minister in mid-sentence.

The tone adopted by Wark throughout the interview led to complaints being lodged with the BBC. The corporation responded by issuing an apology.

We've had a lot of complaints about Kirsty's interview last night with the Scottish First Minister Alex Salmond. Some questioned the premise of the interview - that the new SNP government appeared to be picking a fight with London - others thought that Kirsty's line of questioning was too aggressive and therefore discourteous. But all agreed that the way the interview ended was, to say the very least, unfortunate.

The encounter was indeed intense and at times tetchy - Mr Salmond is always a robust and challenging interviewee - but for most of the interview I don't think we strayed outside the boundaries of what viewers expect or find acceptable in a Newsnight interview.

In the last minute, however, that changed. As the programme producer tried to wind up the interview because of time pressure we cut off Mr Salmond in a way that came across as rude and dismissive. We have apologised to Mr Salmond for that.

There was little doubt that Kirsty Wark had displayed what many felt was an inappropriate level of hostility towards Alex Salmond. The BBC statement suggested the corporation felt it had to respond to the many complaints from viewers. But what had prompted Wark's aggressive stance? The presenter's links to the Labour party were openly questioned. Of particular focus was her friendship with the man Salmond had defeated weeks earlier ... Jack McConnell.

In January 2005 Wark had become embroiled in a row over links to the Labour party when it emerged she had holidayed with the then Labour First Minister. The BBC presenter had shared a villa with McConnell and his wife Bridget after inviting the couple to join her whilst on holiday. Wark was subsequently put on probation by the BBC over fears her links to McConnell could compromise the broadcaster's impartiality. Her actions saw her axed as the anchor for BBC Scotland's coverage of the 2007 Holyrood election.

But McConnell was not the only Labour First Minister to be counted as a friend by the BBC presenter. Wark had also a long-standing friendship with the late Donald Dewar. The friendship led to the BBC presenter being given a central role in the Holyrood project when she took part in a panel which helped select the architect for the new Scottish Parliament building.

Her involvement in the selection process also led to controversy and an unfortunate entanglement in the resulting Holyrood fiasco when it emerged she was working on a BBC documentary called 'The Gathering Place' at the same time. Wark's own media company, Wark Clements, was making the documentary on the Holyrood building for the BBC.

Why had the BBC allowed Wark to interview the First Minister on such a delicate issue? The corporation itself had axed her from anchoring the Scottish election night programme due to her links with Labour. Yet here she was grilling the man who had ousted her friend Jack McConnell.

The BBC's treatment of the subject matter of the interview was telling. The corporation had not considered Blair's attempt to expatriate Megrahi to be particularly newsworthy. Wark had spent her time trying to portray Salmond as someone trying to push a politically motivated grievance. The Labour Prime Minister's deal in the desert with Gaddafi and the possibility of Abdel Basset al-Megrahi being flown home to Libya was treated with remarkable indifference by the BBC. In two years' time the BBC would adopt an altogether different approach to Megrahi, but it wouldn't be Blair in the BBC cross-hairs.

It was becoming apparent to a growing number of people that the UK state broadcaster wasn't going to meekly accept a Nationalist government in Scotland. Interviews were being conducted in an openly hostile manner. SNP politicians were regularly hectorated and interrupted. There was also a growing reliance of politically motivated smears and baseless attacks.

The smear is one of the oldest and most effective ways in which to undermine political opponents. In extreme circumstances a smear will propagate an untruth in order to destroy a reputation. In 2009, Gordon Brown's spin doctor was sacked after he was accused of trying to launch such a smear campaign against political opponents. The Labour party advisor sent emails containing sexual allegations against several Conservative MPs including David Cameron. Damian McBride admitted to having routinely attempted to discredit Brown's rivals by leaking stories about them to the press.

An effective smear can also involve the manipulation of something that is true in order to imply something that is untrue. One of the most notorious examples of the truth-and-lie smear happened in the USA in 1960. John F. Kennedy coveted the presidency of the United States, but to become the Democrat candidate he had to overcome his Democrat rival Hubert Humphrey.

The Kennedy campaign launched a smear campaign against Humphrey that trashed their rival's reputation. Humphrey had been unable to serve with the US forces during the war due to illness. The fact was used by the Kennedy campaign in order to portray Humphrey as a cowardly draft dodger. It was a lie, and a decent and respectable man who had fought against corruption, organised crime and racism was eventually crushed by the damage the smear caused. He lost the contest as a result.

The SNP would be subjected to many smears throughout their first term in office. One of the earliest smear attempts against the fledgling SNP administration involved the American tycoon Donald Trump and his plan to build a golf resort in the North East of Scotland.

The American billionaire, whose mother Mary MacLeod was born in Stornoway in the Western Isles, had earmarked Aberdeenshire's Menie Estate for the development. On Friday March 30th 2007 the Trump organisation lodged a full application with Aberdeenshire Council seeking backing for the project.

The application was expected to be a mere formality. The previous Labour administration had given its backing for the project which was expected to see one billion pounds invested in the local area and local politicians from all main parties had backed the proposal.

However on Thursday November 29th 2007, in a surprise move Aberdeenshire Council's infrastructure committee rejected the plans on the chairman's casting vote. There was widespread disbelief at the decision and fears grew that Scotland's reputation as a place to do business could be harmed.

On December 4th the Scottish government called in the application. A Scottish government statement said:

“Ministers recognise that the application raises issues of importance that require consideration at a national level.

Calling the application in allows ministers the opportunity to give full scrutiny to all aspects of this proposal before reaching a final decision.”

It was the catalyst for Alex Salmond's political opponents to launch a full scale attack on the SNP leader. It was also the first co-ordinated media smear against Salmond since he became First Minister. Trumpgate was born and kicking off the smear was ... the BBC.

In news bulletins on Sunday December 9th, five days after the Scottish government had called the decision in, BBC Scotland reported it had “learned” of a meeting between Mr Salmond and Donald Trump's organisation days earlier. The tone and wording of the news broadcasts which dominated the news that day gave the impression of impropriety and of something secret. It led to a string of unsubstantiated allegations being levelled against Mr Salmond.

Labour MSP Johann Lamont appearing on BBC Scotland's Sunday Politics Show on the day the BBC broke the news said:

“This feels very uncomfortable and says something very odd about Alex Salmond's trumpeted new relationship with local government.”

The Tory parliamentary business spokesman, the late David McLetchie said people would "smell a rat". Lib Dem Aberdeenshire MSP Mike Rumbles said "There are a huge number of questions here and it does smell,"

Newspapers too leapt on the revelation.

The day after the BBC ran the story the Scotsman newspaper bellowed:

Salmond is urged to 'come clean' over meeting Trump aides about golf complex

A headline in the Herald headline read:

Row erupts over Salmond meeting with Trump organisation

Each article was based on comments from Alex Salmond's political opponents, and these politicians were basing their attacks on the BBC's portrayal of the First Minister's meeting with representatives of the Trump organisation as clandestine. A mutual circle of confirmation involving the BBC, pro-Union politicians and newspapers was being cultivated.

It wasn't long before wildly fabricated claims began merging with the original story. Unremarkable factoids would also be introduced which, when re-worked by journalists, appeared to strengthen the case against Salmond.

But there was one critical element of the story that the BBC had missed out - the meeting between Salmond and representatives from the Trump organisation wasn't a secret at all. Immediately after the meeting, fully five days before the BBC 'revealed' it had taken place, a press statement had been sent on behalf of Mr Salmond to the Aberdeen Evening Express informing the local paper that Mr Salmond had met with Mr Trump's representatives. Indeed, responding to the political attacks spawned by the BBC, Mr Salmond revealed he had also met opponents of Mr Trump.

In a statement, Salmond said:

"As the constituency MSP, not only am I absolutely entitled but I have a bounden duty under the parliamentary code to meet people on all issues of importance to my constituency.

I have met people on both sides of the debate."

In other words, Alex Salmond had no choice but to meet with the interested parties. The irony was that he would have been acting inappropriately only if he had *not* met with both sides.

So why hadn't the BBC mentioned the press statement to the local newspaper in its news reports? Had the broadcaster done so it would have significantly undermined the narrative that was being cultivated, namely that Salmond's meeting with Trump officials was clandestine, that it was inappropriate and shady.

The story grew arms and legs. The Daily Record on December 11th sought to embellish the smear by reporting that Salmond had arrived at the meeting in a ministerial car.

Salmond In Trump Meeting Car Row – screamed the headline in the newspaper.

Labour MSP Jackie Baillie accused Salmond of having breached ministerial code.

In a letter to the First Minister she wrote:

“I'm concerned there may be a breach of the ministerial code.”

In fact the First Minister had been conducting government business in the area and had travelled on to the hotel for the meeting.

Anything that could keep the story alive was used. ***Swinney Was At Donald Trump Golf Resort*** – screamed another Daily Record headline days later.

Finance Secretary John Swinney had attended a Scottish-American business conference at Westchester, New York State. The resort was owned by the Trump organisation and, like many complexes, had a golf course for guests. Mr Swinney was there attending the first regional conference of the Globalscot network in New York – a pre-arranged event that the media outlets should have been aware of. He had met no representatives from the Trump organisation.

Undeterred, Labour MSP Jackie Baillie said:

“The fact that the minister visited a resort owned by Trump days before the application was called in, for a decision to be taken by the same minister, beggars belief.”

The smear was now firmly embedded and Unionist politicians were having a field day concocting accusations that were then fast-tracked as headlines by the pro-Union media. It didn't matter what accusations were levelled, they were picked up and promoted as the smear campaign acquired momentum.

Four days after it started the smear, BBC Scotland headlined a demonstrably false political attack on the First Minister. Scottish Lib Dem leader Nicol Stephen stood up in the Holyrood chamber on December 13th and said:

“Every step of the way there is contradiction, concealment and cleverness from his government on this issue. It smells of sleaze.”

The word 'smell' had been used by Lib Dem MSP Mike Rumbles and Conservative MSP David McLetchie, but here was the former Deputy First Minister upping the ante with the addition of the word 'sleaze'. Stephen would give no clarification of what he was implying by suggesting Salmond was involved in sleaze, nor did he provide any evidence to back his claim. It was a thoroughly obnoxious and reckless remark from someone who had once held the office of Deputy First Minister.

By alleging sleaze on the part of Salmond, the Lib Dem MSP was implying that the Trump organisation itself, which stood ready to invest up to £1bn in the north east of Scotland, was corrupt. But instead of pressing Stephen to justify his outrageous comments, the BBC responded by filling its news bulletins and headlines with the attack. BBC Scotland's online article was headlined: **SNP Trump move 'smells of sleaze'**.



Two more BBC online articles were published, both treating Nicol Stephen's sleaze allegation as credible. One article - **Rough times over 'sleaze' jibes** - written by BBC Scotland political reporter John Knox, told readers:

"It smells of sleaze." It's the most difficult allegation for a politician to handle. Like a slippery fish, the smell remains long after the fish has been disposed of. For the first time, Alex Salmond looked a whiter shade of pale. We're talking about the Trump affair, which has been the talk of Holyrood all week.

[...] So people, in opposition parties at least, are left wondering just how close is the relationship between the Trump camp and the SNP government?

In the space of just five days we had moved from [false] claims of a 'secret' meeting to non-specific allegations of sleaze. Newspapers were accepting politically motivated innuendo as the basis for articles which were calling into question the integrity of Scotland's First Minister. The fact that Salmond's meeting with members of the Trump team was not just in order but was something he was duty-bound to accept as the local MSP, was simply ignored. His meeting with opponents of Trump's plans was similarly airbrushed out of media coverage.

Claims that the Salmond was being unfairly targeted by the BBC and that wider elements of the Scottish media were using the Trump issue in order to pursue their own anti-SNP agenda, were dismissed. Salmond's party, said media apologists, was in government and it was the role of a free media to provide this level of scrutiny.

A free media is critical to maintaining a healthy democracy. Journalists and reporters must be allowed to question and scrutinise elected representatives. For without the constant scrutiny by the fourth estate, political corruption will take root. However here was a case where the fourth estate itself appeared to have succumbed to the very practices that were a threat to democracy. Instead of exposing corrupt politicians, the media appeared intent on creating the illusion of corruption where none existed - or at least none was proven. Indeed a later inquiry into the Scottish government's handling of the issue would find no wrongdoing.

But were media claims that they were not singling out Salmond and the SNP for 'special treatment' true? Would the BBC have pursued the Labour party in a similar fashion? The answer was a resounding no. Few were aware, but controversy over Donald Trump's proposals for a golf resort in the North East of Scotland did not emerge with the election of the SNP in May 2007.

The issue had first hit the headlines in January 12th 2006 when it emerged Donald Trump's aides and officials at Aberdeenshire Council had held discussions over the creation of a 'major leisure development' in the area. The meeting had followed a visit to New York in October 2005 by Labour First Minister Jack McConnell who met with Trump. Prior to his departure, Mr McConnell had said it was "absolutely essential" for Scottish ministers to engage with big business around the world. "If we are to compete effectively against other countries then it requires political leaders to play their part," Jack argued.

During the 2005 meeting in New York, McConnell invited Trump over to Scotland, an invitation the tycoon had accepted.

McConnell said at the time:

"We had a very interesting discussion about some options he has for investments in Europe that he would like to fulfil in Scotland,...

He knows that we are ambitious and want to be recognised internationally."

Trump's response at the same meeting was clear:

"It's possible we will go to Scotland and do something."

Within three months Trump representatives were holding discussions with officials at Aberdeenshire Council. On March 31st 2006 Donald Trump announced plans to build a world class golfing complex in Aberdeenshire. The project would be sited at the Menie Estate, close to the North Sea coast between Balmedie and Ellon. Hailing the news, Jack McConnell said:

“When I met Mr Trump last October I was impressed by his enthusiasm for Scotland - so I am not surprised he is keen to invest here.

I know he is very excited about this project. His proposals recognise that Scotland is indeed the home of golf.

We offer the most special golf experience in the world, with some of the world's best courses.”

But Trump had been offered much more than a golf experience. It later emerged that, months before the McConnell visit to New York, officials from Scottish Enterprise had flown members of the Trump organisation around Scotland in a helicopter as they surveyed potential sites for the project.

Emails released under freedom of information also revealed that Scottish Enterprise had relayed a request by Trump to meet McConnell in order to discuss the project. On September 2005, Lorna Jack, American director of Scottish Development International, an arm of Scottish Enterprise, met Trump and in an email said:

“Mr Trump expressed an interest in meeting with the First Minister...to discuss how this project could be brought forward,”

In an email sent back to the Scottish HQ, she added.

“Could you please ask the minister's team if they would view this as a favourable meeting.”

On October 14th, Lorna Jack indicated that the meeting had been agreed to, telling Ashley Cooper, Trump's golfing director,

“[The meeting] will provide both Scotland and the Trump organisation with some public profile that can be tapped into ... in the crucial months ahead and will give you a direct line into the government in Scotland.

I suggest I link the First Minister's head of public relations up directly with the Trump organisation's equivalent.”

A direct line into the government of Scotland and a suggestion that McConnell's advisor should be in direct contact with Trump's man. Eleven days later Jack McConnell visited Donald Trump in New York.

But that wasn't all, for the emails also revealed that the Aberdeenshire project was discussed but that there was to be no mention it in the news release which would merely state that that McConnell and Trump had met to:

“discuss Trump's interest in and connection with Scotland [the fact that his mother is from Stornoway].”

An email dated October 14, 2005, from Scottish Enterprise to Trump's company, stated:

“Clearly the precise content of the meeting (including all details of the proposed Golf project) would remain in complete confidence – your concerns with regard to anything that might prejudice the deal are shared!”

That the meeting had been set up in order to discuss the project was confirmed in another email which explained the meeting was:

“to discuss Mr Trump's proposal for entry into the UK golf resort market via a project in Aberdeenshire he has been working on with SDI.”

In an email sent the day after the two men met, Lorna Jack told Ashley Cooper at the Trump organisation:

“I hope you were reassured at the highest level possible through both Jack McConnell, Scotland's First Minister, and Jack Perry, our CEO's involvement in today's meeting, that we are committed to the partnership that will deliver this project.”

In January 2006, four months *before* the emails were released under Freedom of Information an article appeared in the local press which made mention of McConnell's support for the Trump project.

However it was rubbished by McConnell's chief press officer, Susan Dalgety who briefed colleagues and said:

“The journalist has paraphrased our response very badly, to wrongly suggest there has been further conversations between Trump and FM since they met in NY.

Which of course is not true, and that FM is not aware of any firm plans,”

Dalgety added:

“If asked if First Minister is aware of Mr Trump's plans, we should repeat that the Scottish government is aware of a number of potential investors at any one time, but will not discuss/disclose details.”

McConnell himself had also dismissed suggestions that he had discussed the project when he met Trump in October 2005. Responding to the claims he said:

“If anybody thinks that I would be daft enough to discuss the details of a planning application with an international investor in advance of its consideration by the appropriate authorities, they are living in cloud-cuckoo land,”

On 23rd April a spokesman for the Labour/Lib Dem coalition had said:

“The bottom line is that the first minister has met Donald Trump on a couple of occasions and there's nothing unusual about that, as he meets leading businessmen all the time.

The discussions have been general, about Scotland and clearly Mr Trump is very enthusiastic about Scotland because his mother is Scottish.”

Yet the emails indicated that he had indeed discussed the project and had given his backing. Another email from McConnell's private office revealed the Labour First Minister was keen to meet up with Trump again in April 2006 during the annual Tartan Week celebrations.

“He [McConnell] would like consideration to be given to setting up a photo shoot with FM and Trump in NYC during Tartan Week,”

The revelations were indisputable. Jack McConnell had agreed to a request from the Trump team to meet in New York, the agenda included the Aberdeenshire golf project, discussion of the project was not to be released to the media. McConnell's support for the project was relayed back to Trump along with an offer of a direct line to the Scottish Executive.

The McConnell story had everything the Salmond smear did not. Unlike Salmond, McConnell had met with only one side in the controversy. Unlike Salmond there was what appeared to be an attempt to hide significant details about the meeting with Trump from the media. Unlike Salmond, there was evidence to suggest McConnell had been lying when he denied discussing the project with Trump. Unlike Salmond, McConnell had no legitimate reason to meet with Trump or his representatives in order to discuss the project.

Most important of all is that unlike Salmond, Jack McConnell did not find himself the target of a media frenzy with opposition politicians providing helpful headlines in the shape of near defamatory claims. In contrast to what Salmond would be subjected to in late 2007, there was an almost muted reaction to the far more credible, and more serious, allegations against McConnell.

On planning, the ministerial code of conduct says that ministers "must do nothing which might be seen as prejudicial to that process, particularly in advance of the decision being taken".

It adds: "Action that might be viewed as being prejudicial includes meeting the developer or objectors to discuss the proposal, but not meeting all parties with an interest in the decision."

One MSP demanded an investigation into McConnell's alleged breach of ministerial code - Patrick Harvie of the Scottish Green party.

In 2006 in a letter to Jack McConnell, Patrick Harvie wrote:

Dear First Minister,

Following the recent media coverage surrounding your meetings with Mr Donald Trump, the suggestion was made that the Ministerial Code had been breached. I remind you of Section 6 of the Code, including the requirement that Ministers do nothing which might be seen as prejudicial to the planning process.

It was reported that your spokesperson had denied that you had discussed Mr Trump's proposal for a golf resort in Aberdeenshire with him, and that you "had been very careful not to say or do anything on the planning application".

Since this project is at an early stage and no planning application has yet been lodged, these words would be taken by any reasonable person as a denial that you had discussed the resort proposal itself. Clearly there is no reason why you should not discuss general issues about Scotland with Mr Trump, however any discussion about the golf resort proposal, even at pre-application stage, could obviously prejudice the planning process.

I write now because it has been brought to my attention that at least one of your meetings with Mr Trump was organised specifically "to discuss Mr Trump's proposals for entry into the UK golf resort market via a project in Aberdeenshire he has been working on with SDI". This is disturbing information to anyone who takes your responsibilities under the Ministerial Code seriously.

Harvie letter continued...

It has also been brought to my attention that Trump Golf Properties have been given reassurance "□at the highest level possible"□ that support will be forthcoming for their project. Furthermore it appears that a deliberate decision was taken that "the precise content of the meeting (including all details of the proposed Golf project) would remain in complete confidence"□. This would seem to confirm that the project was indeed discussed at your meeting with Mr Trump.

Given that the Executive's Planning Bill which is coming up for its stage 1 debate on Wednesday 17th May is intended to restore public trust in the planning system, it does seem astonishing that you would appear to have such little regard for your own responsibilities under the planning section of the Ministerial Code. I cannot imagine how you intend to restore public trust in the planning system if you as First Minister are prepared to lend your weight to controversial proposals before they have been considered by the relevant planning authority.

I would urge you to respond urgently to this letter, and specifically:

- ~ to confirm or deny the objective, as stated above, of your meeting with Mr Trump on October 25th 2005;*
- ~ to confirm or deny that the golf resort project was indeed discussed at the meeting;*
- ~ to explain your apparent breach of the Ministerial code;*
- ~ to agree that this matter should be referred to an independent body for investigation, given that enforcement of the Ministerial Code is normally your own responsibility and it would be unacceptable for you to investigate yourself.*

Yours sincerely,

Patrick Harvie MSP

The BBC reported the Green MSP's concerns in a single online article published one day after the Scotland on Sunday newspaper revealed the contents of the emails. Despite Harvie's letter including the most damning contents of the email communications, the BBC article contained only the briefest mention of them. The BBC's interest in the McConnell/Trump emails waned almost immediately.

The Salmond smear, by contrast, ran for months fuelled by the most ridiculous and baseless of allegations. On December 13th 2007 the BBC itself accused the Scottish government of having provided false information in response to questions the corporation had asked in relation to a phone call to the chief executive of Aberdeenshire Council.

An online article '**Trump government lines questioned**' published by BBC Scotland said:

BBC Scotland asked the Scottish government a series of questions surrounding phone conversations between its chief planner and the chief executive of Aberdeenshire Council over the Trump application.

Those government responses, received in an e-mail three minutes after the start of first minister's question time, stated that members of the Trump team were not in the room with the chief planner.

However, Aberdeenshire Council later said they had been.

The Scottish government then admitted that members of the Trump organisation were in the room with the chief planner at the start of the first of two phone call conversations, but not when the discussion took place.

The Labour party, as expected, jumped on the BBC claims and on December 20th challenged the SNP to apologise for any "inaccuracies in briefings to the media".

The response revealed that all was not as had been reported by the BBC. In an official reply, Finance Secretary John Swinney said:

"The BBC approached government officials on 12 December with questions about the chief planner's telephone contacts with Aberdeenshire Council. Those were answered correctly on 12 December.

On 13 December, the BBC refined its question by changing a limited number of words. During the course of a busy day, officials did not realise the question had been changed slightly and repeated the answer given the previous evening.

Once the mistake was identified, officials clarified the position to the media at the earliest opportunity. I regret this unfortunate, but easily understood error occurred."

An error had indeed been made, but the BBC had submitted two sets of questions with subtle differences. It was clear that unlike the McConnell episode where the BBC had simply reported Patrick Harvie's concerns and left it at that, the corporation took an altogether different approach when it came to Salmond. The BBC was taking a far more inquisitorial stance and submitting the First Minister to an almost forensic examination.

There was no explanation for the different approach.

The BBC questioning had centred on the Scottish government's chief planner, Jim Mackinnon, who had allegedly made a call to the chief executive of Aberdeenshire Council while members of the Trump team were in the room with him. Mr Salmond's opponents had claimed that Mackinnon had been there after a request from the First Minister, something that Salmond denied. According to the First Minister it was the Scottish government's chief planner himself who had requested and arranged the meeting.

In an official response to the Labour party attacks, Alex Salmond said:

"The permanent secretary writes that he has unambiguous confirmation from the chief planner that at no time has he been instructed by any party to act improperly."

There was an unexpected sting in the tail for his detractors when Salmond revealed Mackinnon had indeed once been asked to take part in a meeting with the Trump team:

"The chief planner was once requested to participate in a discussion with the Trump organisation. The date was January 2006, the First Minister was Jack McConnell and the deputy first minister was Nicol Stephen."

The attack had rebounded back on Labour and the Lib Dems. Nicol Stephen had of course accused Salmond of sleaze after the First Minister had met Trump in his capacity as the local MSP. Yet it had now emerged that Stephen himself had tried to set up a meeting that was contrary to ministerial regulations. There were also more questions over the behaviour of Jack McConnell when in office. On December 7th 2007 in a communication to Donald Trump, Scottish Enterprise chief Jack Perry confirmed that Jack McConnell had indeed discussed Trump's plans for the Menie Estate when the two had met in October 2005.

Perry wrote:

"Dear Mr Trump

You may or may not recall that I had the pleasure in October 2005 of joining you for lunch in the Trump Tower with the then First Minister, Mr Jack McConnell. At that time, you shared with us your vision for the development for the Menie Estate."

It was bizarre and surreal. The BBC had allocated considerable resource in its pursuit of Alex Salmond despite having not one shred of evidence of impropriety aside from circumstantial tales and politically motivated smears. Yet almost exactly one year earlier McConnell had failed to attract the same attention despite solid evidence suggesting impropriety.

The Scottish media's promotion of the 'Trump Smear' and its targeting of Alex Salmond was beneficial to the Labour party in more ways than one. It had diverted from a very real scandal involving the then Scottish Labour leader Wendy Alexander.

Alexander had replaced Jack McConnell as leader of the Holyrood Labour group in September 2007. However on Sunday November 25th she became embroiled in controversy after it emerged she may have broken the law by accepting an illegal donation to her leadership campaign. Within two days of the story breaking Labour MSP Charlie Gordon announced his resignation as the party's transport spokesman.

On Friday November 30th the Electoral Commission announced its intention to investigate the matter. Alexander herself was legally liable for the donation and had, according to the man who donated the cash, written a letter to him at his Jersey address thanking him. In February the Commission said there was insufficient evidence proving an offence had been committed and the Labour MSP escaped prosecution.

Crucially it had not cleared Alexander, but merely said she had taken "significant" steps to comply with the law. The BBC however reported that the Labour MSP was 'in the clear' over the donation.



The image is a screenshot of a BBC News website page. At the top left, the BBC News logo is visible. To its right, there is a 'LIVE' indicator and the text 'BBC NEWS CHANNEL'. Below this, a red globe icon is partially visible. The main content area shows a news article. The article's title is 'Alexander in clear over donation'. Below the title, the text reads: 'Wendy Alexander will not be reported to prosecutors after her Scottish Labour leadership campaign received an illegal donation, election watchdogs have said.' To the right of this text is a small photograph of Wendy Alexander. On the left side of the page, there is a navigation menu with links for 'News Front Page', 'World', 'UK', 'England', 'Northern Ireland', 'Scotland', 'Scotland politics', 'Wales', 'Business', 'Politics', and 'Health'. The 'Scotland' link is highlighted. Above the article title, there is a timestamp: 'Last Updated: Thursday, 7 February 2008, 20:22 GMT'. Below the timestamp, there are two links: 'E-mail this to a friend' and 'Printable version'.

However her position was to become untenable after Holyrood's standards committee recommended she should be banned from parliament for a day for breaking the rules. On Saturday June 28th, Wendy Alexander resigned as the leader of Scottish Labour.

The smear campaign against Alex Salmond over Trump had diverted from Wendy Alexander's woes at a time when it looked set to engulf the Labour party. There's no doubt that Labour benefited from the diversion just at a time when the donation issue was gaining momentum.

In March 2008 Salmond was himself officially cleared after a parliamentary inquiry found the decision by the Scottish government to call in the Trump plan was “competent”. However in keeping with its questionable approach and in contrast to its coverage of Wendy Alexander, the BBC refused to highlight the fact he had been cleared. The broadcaster instead focussed on yet another politically motivated attack from the Labour chair of the committee that had taken evidence on the issue.

Salmond's Trump action 'cavalier', reported the BBC in its news broadcasts and online coverage of the verdict.



The ‘cavalier’ claim had come from the committee convenor, Labour MSP Duncan McNeil who had said:

“The committee believes that, far from taking a precautionary approach, the first minister was cavalier in his actions and displayed, at best, exceptionally poor judgement and a worrying lack of awareness about the consequence of his actions,”

Even when reporting Salmond had been cleared of wrongdoing, the BBC had contrived to suggest impropriety on behalf of the First Minister. Labour and Lib Dem members on Holyrood's Local Government Committee had tried to push for a full public enquiry but had failed after the Scottish Conservatives failed to back the call.

Over at the Herald, its Political Editor Douglas Fraser wrote on his blog:

“Is there any hole out of which the Tories will not dig their Nationalist chums?”

Fraser would later be recruited by BBC Scotland and installed as Business and Economy Editor, but not before labelling his legion of pro-independence critics over at the Herald 'vermin'.

But what of Patrick Harvie's calls for an inquiry into the conduct of Jack McConnell in his dealings with Trump? Well no inquiry ever took place. Jack McConnell, like his Deputy Nicol Stephen at the time McConnell met Trump, never had their actions scrutinised. Both are now members of the House of Lords.