

# Big Polluters vs Scotland: an Investigation

Ric Lander, 2<sup>nd</sup> July 2025



## Context: Friends of the Earth Scotland seeking a just transition from fossil fuels

Protecting workers and communities



Public transport Help stop Scotland's biggest climate polluter getting even worse.

Peterhead gas campaign





# Why focus on lobbying?

"People of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public"

Adam Smith, Wealth of Nations (1776) bk. 1, ch. 10





## Our key sources

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1	Nelcome to the Lobbying Register   Clàr-Coiteachaidh
n	The Register provides details of <u>regulated lobbying</u> undertaken since <b>12 March 2018</b> , when it became a legal equirement to register and submit information returns in line with the provisions set out in <u>The Lobbying (Scotland) Act</u> 1016.
P	s such, the Register lists regulated lobbying undertaken face-to-face (including by video conference) of the following:
	a member of the Scottish Parliament (MSP)
	<ul> <li>a member of the Scottish Government (Cabinet Secretaries and Scottish Law Officers)</li> <li>a junior Scottish Minister</li> </ul>
	a Scottish Government Special Adviser or the Scottish Government's Permanent Secretary (aside from Special Advisers, the only civil septent covered by regulated lobbying within the Act)





# 2023 Findings

# **790**

Fossil fuel industry lobbying engagements with MSPs



**295** Ministers inc. the First Minister





# Lobbying patterns

- Lobbying appeared to be intensifying
- Official records showed that oil lobbyists were increasingly adopting cover stories, stating they simply wanted to talk about 'net zero'
- Registered lobbying took place mostly in the Scottish Parliament but business and cultural venues were important as were party conferenced



## Lobbying examples

- 'Doors wide open' at the SNP conference
- Oil companies attend a banquet at Edinburgh Castle
- Kate Forbes meets Equinor inside the UN climate talks



Hugely exciting to be here at #COP26. There is such a buzz as delegations from around the globe arrive this morning.







#### Call for ban on 'irresponsible' lobbying by oil and gas firms

Anter a series of the section of the





Sanctions on Scots companies for aiding Kremlin 1100 long The Scottis

**BLUE FUNK** 

Oil and gas lobbyists in

100 talks with government

Climate campaigner: hit out at meetings to discuss controversial blue, green and grey hydrogen

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The

Sunday Newspaper O

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#### Ministerial Code Complaint, Friends of the Earth Scotland

Dear John Swinney MSP,

Breaches of ministerial code regarding SSE and Equinor's application for new gas-fired power station at Peterhead, Aberdeenshire

This is a complaint regarding breaches of the Scottish Ministerial Code (2023 edition - 'the Ministerial Code')  $\underline{1}$ 

It is based on a review of monthly "Ministerial engagements, travel and <u>gifts"<sup>2</sup></u> reports and the Scottish Parliament Lobbying Register<sup>3</sup> conducted using data available as of 28<sup>th</sup> March 2024.

This complaint arises from the conduct of several Ministers of the Scottish Government in relation to the application made by SSE and Equinor ('the developers') under Section 36 of the Electricity Act 1989 for consent to build a gas-fired power station and carbon capture plant at Peterhead ('the Peterhead application').

The Peterhead application was received by the Scottish Ministers on 18<sup>th</sup> February 2022 and is under consideration by the Energy Consents Unit (reference: ECU00003433).

This complaint alleges that:

A. Actions by individual Ministers have prejudiced the energy consents process. (10 breaches)

## $\equiv \qquad THE SCOTSMAN$

#### Environment

**Exclusive:** Scottish Government accused of dozens of ministerial code breaches over controversial fossil fuel plant plans



**A C O D** 



## **First Minister rejects claims**

**Rt Hon John Swinney MSP** First Minister of Scotland

St Andrew's House, Regent Road, Edinburgh EH1 3DG T: 0300 244 4000

Florence Garabedian Interim CEO Friends of the Earth Scotland

21 August 2024

Aware

I received correspondence from yourself and your colleagues at Friends of the Earth Scotland on 19 July 2024 that alleges that a number of current and former Ministers have acted in such a way as to prejudice the energy consents process and in doing so to have breached the Scottish Ministerial Code ("the Code").

### **Press work**

Scottish Government Riaghaltas na h-Alba

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Scottish News

#### **Formal complaint**

made



5th September 2024 Friends of the Earth Scotland

5 Rose St.

Edinburgh

EH2 2PR info@foe.scot

Dear First Minister.

Thank you for your letter of 21st August 2024 responding to the complaint we made regarding the Scottish Government's handling of the Section 36 planning application by SSE and Equinor for a new gas-fired power station and carbon capture plant at Peterhead, Aberdeenshire.

In our original complaint of 19th July 2024 we alleged 28 individual breaches of the Ministerial Code. After careful consideration of your response, we have decided to proceed with 27 of those allegations.

We remain unsatisfied as to whether the Scottish Government has adhered to both the spirit Ministerial Code and as such request a formal investigation, as set out in

plaints procedure web page.1

## **MSPs briefed**

## Webpage and e-news for supporters



www.foe.scot

THE SCOTSMAN

John Swinney accused of 'absurd'

defence as ministerial code

breach claims intensify

By Martyn McLaughlin

Published 9th Sep 2024, 06:00 GMT

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Comments



Then what?

First Minister rejects claims again but...

> ...plant not yet approved and...

> > ...SSE having to rewrite environmental assessment

## World Health Organisation Framework Convention on Tobacco



'Decision-makers should interact with the tobacco industry only when and to the extent strictly necessary to enable them to effectively regulate the tobacco industry and tobacco products... where interactions with the tobacco industry are necessary, Parties should ensure that such interactions are conducted transparently.'



## How much work is all this?

3 months of work over 9 months: data collection → verification → FOIs → review → complaint → response



Coordinated effort of **research**, **advocacy** and **press/comms** 





# **Big Polluters vs Scotland**

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