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From: THOMAS MINOGUE <tomminogue@btinternet.com>

To: "spice@scottish.parliament.uk" <spice@scottish.parliament.uk>

Sent: Monday, 18 November 2013, 18:41

Subject: Scottish Parliament Information or Disinformation Centre?

For the attention of the manager of the Scottish Parliament Information Centre, (SPICe)

Dear Sir/Madam, I am aware that you are not allowed to discuss SPICe briefing papers with petitioners, but think that you should read my comments on your briefing papers for my petition [LINK](#) and also subsequent comments from me in an e-mail to the Clerk and Convener of the PPC [LINK](#).

Simply put, I would say that based on your performance with PE01491 the title of your group is a misnomer, any you might better be known by the acronym, SPDCe, Scottish Parliament Disinformation Centre?

I have come to this conclusion reluctantly, but there is no other choice for me, particularly after having had time to consider, and take legal advice on your statement about Jack Straw, Home Secretary's unilateral decision to end the policy of mandating new judges and asking existing judges in England and Wales to register membership of the Freemasons, about which you state:

*The policy was abandoned for the judiciary and magistracy in **2007** as a result of concerns that it breached the right to freedom of association guaranteed in the **Human Rights Act 1998** (which gives the European Convention on Human Rights force of law in the UK courts) [My emphasis]*

Your above statement is factually inaccurate on two counts. Firstly, the policy was abandoned in 2009 with an election looming. Secondly Jack Straw's statement to the House on the 5th November, 2009, makes it quite

clear that the policy regarding judges registration of membership of the Freemasons was abandoned "**as a result of a review**" of the policy about which Jack Straw stated to the House:

*The review of the policy operating since 1998 has shown **no evidence of impropriety or malpractice within the judiciary as a result of a judge being a freemason and in my judgement, therefore, it would be disproportionate to continue the collection or retention of this information.** [My emphasis]*

It is quite clear from his statement that Jack Straw has had a review of a government policy and has, as a result of that review abandoned the secret societies register for judges, not because it breached ECHR freedom of association laws, but because he found no evidence of criminality among Masonic judges.

As it is clearly the case that you have misled the members of the Scottish Parliament's Public Petitions Committee on the reasons why Jack Straw abandoned the policy are you prepared to correct this error?

Furthermore, are you prepared to make the Scottish Parliament's Public Petitions Committee aware of the terms of a tribunal case that is entirely relevant to the matters at hand?

A case that is with the parliament and has been with the parliament since March 2003, namely the Social Security Commissioners Case No CSI/36/02, which features a court user's right under Article 6 of the ECHR to have confidence in the court that decides their civil rights and obligations, and for the court to check whether it is an "impartial tribunal" in accordance with Article 6(1) where the point is raised [Remli v France (1996)]. This being the very objective of my petition. This S.S.C. case also has reference to the report of my own case Stott v Minogue, which is supportive of my petition, and is another, publicly reported, and relevant case that you have chosen to post as a footnote but without giving a http link to the SLR article on the case?

Yet you do give http links to the cases you prefer to quote; that is the two spurious cases quoted by the Grand Lodges of England and Scotland.

The first of which deals with a ruling against a regional government in Italy because it practiced job discrimination against members of the Freemasons, which had the effect of debarring them from employment

and – as I am not calling for any such discrimination – is not relevant to my petition's aims.

And the second of which, states that it was found the same regional government in Italy, had failed to offer any justification or evidence that might have proved that it had every right to deny employment in certain cases, where political parties or groups advocating racist or xenophobic ideas, or for sects or associations with a military-type internal structure or those that established a rigid and incompressible bond of solidarity between their members or pursued an ideology that ran counter to the rules of democracy.

In this second Italian case the ECHR found that in these particular circumstances it could not be justifiable to single out only one organisation, the Freemasons.

Of course my petition does not single out the Freemasons, and does include the BNP and the fellow travellers of Freemasonry in Scotland, the Orange Order, or any other groups that fall into the description that the ECHR found as being valid reason for registration of membership, or restriction of employment, and consequently the Second Italian case does not have any relevance to my petition.

Leaving aside the two cases that were only mentioned “en passant” by Jack Straw when addressing the House to advise them of his unilateral ruling, and turning to your failure to cite the letter to me from the Domstol, Norwegian Courts Administration Service, which quoted their rules for judges who are members of the freemasons; did you not find my letter to the Justice 2 Committee in 2003 relevant?

And what about the reference made by SPICe to the Speculative Society of Edinburgh as coming to the public's attention via the press in 2003. Did you not consider my correspondence to the Justice 2 Committee in 2002 and discussion of it by the committee and the Justice Minister in connection with my petition in March 2003 worth mentioning?

Thanking you in anticipation of your prompt response to my questions, which I am fully aware you are not obliged to answer under the rules of the parliament, but which, under the spirit of the ethos of the parliament you are surely bound to make?

Yours sincerely,

Tom Minogue, petitioner to the Scottish Parliament.