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Dr Peter Anderson
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Dear Mr Anderson

100-Year Closure Order - Files COM21/4/105/1 and COM21/4/105/2

With reference to your letter dated 4 March 2004 in response to my letters of both 31 March and 27 February 2004 *re* the above embargoed files, I would like you to know that you did indeed provide the “answers my questions”.

Before I proceed further, I will first begin by thanking you for being so helpful in the past by tidying up previously inaccurate descriptions of the above embargoed files and demystifying other distinguishing characteristics.

The answers you provided, however adequate, nevertheless evoked further complexities that I believe, as an interested party, require additional clarification. I would be much obliged, therefore, if you could provide answers to the following:

- 1.1 Why has all the correspondence filed in COM21/4/105/2 not been itemised individually and given a description individually, similar to the correspondence pertaining to me, filed at COM21/4/105/1?
- 2.1 Why has two entirely dissimilar, unconnected files, COM21/4/105/1 and COM21/4/105/2, been yoked together to become one file, COM21/4/105/1-2?
- 3.1 (*My embargoed letter to the Clerk of the Cullen Inquiry of 11 April 1996*) Who, on 18 April 1996, annotated my letter of 11 April 1996 - or felt there was a need to annotate it?
- 3.2 What is the exact wording of this annotation, keeping in mind that it refers to either my correspondence or to the dialogue in which I took part?
- 3.3 At the first of the two “nd” items, *re* that same segment of COM21/4/105/1, do the excerpts from the quoted pages of the Inquiry transcript, in actuality, relate to “questioning of links of witnesses on subjects relating to possible links with Freemasonry”, given that the transcript page numbers do not bear this out?

- 3.4 At the second of the two “nd” items, the handwritten note referred to is contained within my embargoed correspondence, filed at COM21/4/105/1, yet it is being linked to the completely unconnected file COM21/4/105/2, so why has that item been denied a sufficient description of what it represents and of what relevance it has to my letters?
- 4.1 (*My embargoed letter to Lord Cullen of 30 June 1996*) The attachments to that letter in relation to a police investigation of links between Thomas Hamilton and Freemasonry and a police witness statement of the Grand Secretary of the Grand Lodge of Scotland, again raises understandable concerns. If these investigations and statements occurred contemporaneously with my letter of 30 June 1996, does it not seem odd that the Clerk to the Cullen Inquiry did not refer to them in any of her responses to my letters, thereby allaying my worst suspicions and fears at that critical period of time?
- 4.2 For similar reasons, does it not seem odd that there are no references to that police investigation either in the Inquiry transcript or in the Cullen Report, or anywhere else for that matter?
- 4.3 Does it not seem odd that there are no references to the police witness statement that even alludes to the Grand Secretary of the Grand Lodge of Scotland - not in the Inquiry transcript, not in the Cullen Report, nor anywhere else for that matter?
- 4.4 In fact, the section in Lord Cullen’s Report that does refer to aspects of Freemasonry (i.e. section 5.6) makes no mention whatsoever of this police investigation or of the statement from Grand Lodge. So it must be asked: did the name or names of the police officer/s who conducted the investigation appear on the “List of Witnesses” at appendix 2 of the Report? And if not, why not?
- 4.5 Did the statement by the Grand Secretary of Grand Lodge’s to the police witness appear in the “List of Submissions” at appendix 4 of the Lord Cullen’s Report? And if not, why not?
- 5.1 Staying with Lord Cullen’s findings at section 5.6 of his Report, he states that there was a recurring theme in Thomas Hamilton’s assertion that the police were biased in favour of the "brotherhood of masons" and that there was a "brotherhood" link between the Scouts and the police. Lord Cullen also stated that, in passing it may be noted that this together with evidence given by Mr Deuchars indicated that Thomas Hamilton had never been a Freemason and that he (Lord Cullen) is satisfied that Hamilton was not a member of the masons. Can you discern the incongruity here? Who better than a Mason is qualified to make assertions about bias favourable to the “brotherhood of masons”, keeping in mind that Hamilton, hitherto, had regularly taken advantage of that bias to the full!
- 5.2 (*Embargoed letter to me from the Clerk of the Cullen Inquiry of 15 July 1996*) This letter concurred with the claim made in section 5.6 of Lord Cullen’s Report, in that evidence (given by Mr R C H Deuchars) indicated that Thomas Hamilton had never been a Freemason and that he (Lord Cullen) is satisfied that Hamilton was not a member of the masons. Could you, Mr Anderson, see anything in Mr Deuchars’ evidence that warranted such a declaration from a trained legal operative like Lord Cullen?

5.3 I ask this because there was absolutely no satisfactory evidence to "show" that Thomas Hamilton was not a Mason. It is extremely misleading to claim otherwise, particularly in a legal process. Only one witness to the Inquiry was asked about Thomas Hamilton's Masonic affiliation and that produced only uncorroborated, uncertain conjecture from him, which is a lesser standard of confirmation than even hearsay evidence. Does it not seem strange to you that a law lord set store by such flimsy and vague supposition?

On the 4th day of the Inquiry on the afternoon of Monday, 3 June 1996, witness Robert C H Deuchars was asked by Mr J C Lake, Advocate for the Crown, "Did you ever socialise with Hamilton?" Mr Deuchars answered, "No!" "Are you in a position to say whether or not Hamilton was a Mason?" Answer: - "I don't think he was!"

Cross-examined by Mr C M Campbell QC, R C H Deuchars was asked, "When you were asked by my learned friend, Mr Lake, as to whether or not Mr Thomas Hamilton was a Mason, I think you made some reference to remarks by Jimmy Hamilton [Thomas Hamilton's grandfather] in giving your answer that in your view he was not a Mason. What did Jimmy Hamilton say that caused you to be of that opinion?" Answer: - "I wouldn't like to say - I don't know!"

6.1 Do you think that this tentative guesswork can be properly claimed by Lord Cullen as evidence to "indicate" Hamilton was not a Mason? Evidence, which in law is not corroboration, cannot be accorded an enhanced status akin to corroboration. In this instance, however, there is nothing to corroborate because the mere supposition of one man has no meaning whatsoever in law or in fact - especially the supposition of a man who, according to his own evidence, had never even socialised with Thomas Hamilton. Would you not agree that one does not have to be practised in law, or have the analytical adroitness of a judge, to grasp such mundane aspects of the legal process?

7.1 (*Embargoed letter to me from the Clerk to the Cullen Inquiry dated 23 August 1996*) The description of this letter states that a cutting from *The Scotsman* of 20 August 1996 of a letter written by me was attached to it. The published letter was on the subject of an outright ban on guns. Could you advise me why a letter of mine printed in *The Scotsman* was attached to that letter of the Clerk to the Inquiry?

7.2 Could you advise why *The Scotsman* letter was included in the 100-year embargo?

Just for the record, there is a letter missing from the correspondence from Mrs Glynis McKeand, Clerk to the Dunblane Inquiry. It was the first letter I received from her, dated 18 June 1996, which stated, simply: "Thank you for your further letter of 12 June 1996. Lord Cullen has read it and asked me to acknowledge it."

As an interested party in this confounding affair, I hope I can depend on you to address all the points I raised. I am truly grateful for your help in the past and I look forward to receiving your further assistance in future.

Yours sincerely

William Burns