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F.A.O. The Dean,
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Monday 18th July 2005

Dear Sir,

Complaint to the Dean of the Faculty regarding the conduct of Donald Findlay QC.

On 9th June 2005 I e-mailed a letter of complaint to you regarding the conduct of Donald Findlay QC. I stated in the first paragraph of the letter that I considered Mr Findlay's conduct brought the Scottish legal profession and in particular the Faculty of Advocates into disrepute. The cause of my complaint was the latest revelations about Mr Findlay's misconduct at a function in Larne. Mr Findlay's misconduct on that occasion was but the latest in a long line of incidents, which I viewed as a whole to determine whether Mr Findlay's actions were an aberration, or a true representation of his character. I concluded that the latter was the case and that is why I complained to you.

I wish to apologise for criticising the Faculty in my letter by stating that I was dissatisfied with their treatment of Mr Findlay in the past when they had fined him £3,500.00. My letter was written in haste and in anger at Mr Findlay's actions, but this should not have allowed me to deviate from the cause of my complaint, namely the conduct of Mr Findlay in Larne. Mr Findlay has been punished for the previous incident in which he was said to have brought the Faculty into disrepute and I accept that this matter was dealt with properly.

Having received a copy of Mr Findlay's response to Mr Brownridge regarding my complaint to you I note that he states that he: *"is not clear what material forms the complaint and what is general criticism of me"*. Mr Findlay also states that he is: *"unclear as to what title and interest Mr Minogue has to raise this matter"*. I would reiterate that I accept that my emotions were running high when I wrote to you, and as a result the exact nature of my complaint might have been less clear than it should have been. I apologise to you and to Mr Findlay for any inconvenience this has caused and I would take the opportunity to clarify my position below. Furthermore as Mr Findlay seems to doubt my right to complain I would also take the opportunity to clarify my position regarding what I consider to be my entitlement and interest in making a complaint.

On a separate matter, I note that Mr Findlay goes further than addressing the points made by me in my letter and comments on me personally as someone who *"over a period of some years" ... "has complained on a regular basis about the legal*

profession.” This is of course nonsense. I have petitioned the Parliament (PE 306) to introduce legislation to require members of the judiciary to be obliged to register membership of secret societies. This process could hardly be described as complaining. In my researches for public petition PE306 calling for a register of freemasons in the judiciary I wrote to all 440 Practising Advocates and several Advocates asked me to remove them from my mailing list and this was done. Mr Findlay did e-mail me to ask that he be removed from my mailing list “*as he saw no merit in my argument*”. Mr Findlay did not state that he found my letters offensive. Moreover in excess of 10% of the Advocates I wrote to responded in a positive manner, took an active role in my research, and completed a questionnaire sent by me, indicating by a ratio of over two to one that they agreed with the terms of my petition.

Mr Findlay, in maintaining that I am a complainer over a number of years on a regular basis about the legal profession is, presumably, attempting to portray me as someone who is anti-lawyer and so alienate me from the Complaints Committee. Mr Findlay should be called on to substantiate his allegations or withdraw them as I am not the subject of a complaint—he is. Even if Mr Findlay’s allegations were true, which they are not, it would not be relevant to the matter at hand, which is the determination by the Faculty of a complaint by a member of the public against the conduct of a Senior Member of the Faculty. Ultimately however, the question of whether it is appropriate that a complainer should be subject to an examination of their activities for a number of years prior to their complaint is a matter for you to decide.

Whatever you decide, as Mr Findlay makes me out as a person with a grudge against the legal profession it is necessary for me to set out a rebuttal of this assertion below.

My personal experience of the Faculty.

I would not pretend that there are not practices within the Faculty that I do not admire, however the wearing of wigs and the failure to declare non-pecuniary interests apart, I am convinced that in the main the Faculty of Advocates is an admirable establishment. It is one to which I am a returning customer. I have not been tempted to shop elsewhere and have instructed my solicitor to engage counsel as recently as December of 2004. I would invite the Faculty to contact any of the following Members who I have had dealings with for a reference to my antipathy or otherwise to the legal profession in general and the Faculty in particular. John D Campbell QC; Derek Ogg QC; Brian Fitzpatrick; Kate Phillips, and Christopher Kelly can all speak with personal knowledge of me.

There has also been one occasion recently when I instructed my solicitor, Stephen Cotton, to seek an Arrestment Order in the High Court against a company that my company had been sub-contractor to. Though this Order was not for a huge sum of money (in the region of £30,000.00 was owed) it was a matter of great importance to me and more importantly to the fine reputation of my company, Kingdom Engineering (Fife) Ltd. that it be recovered. In the event my solicitor through counsel successfully obtained an Arrestment Order as well as an award for costs and expenses. In what was a vitally important matter for my company I placed blind faith in the propriety of Members of the Faculty of Advocates. I did not meet counsel and I could not say to this day who he/she was. Such arms-length arrangements require the public trust and illustrate precisely why all citizens are entitled to have confidence in the total professionalism, integrity, and impartiality of Members of the Faculty of

Advocates. I would not consider having a solicitor or a member of any other profession, such as a Solicitor Advocate act in my interest without first meeting and vetting that person, yet I am expected to have faith in whoever represents my interests when I deal (in taxi-rank fashion) with Members of the Faculty. I have done so in the past with confidence.

.....

Turning now to Mr Findlay's statement that he is unclear as to what title and interest I have in the way he conducts himself. I will attempt to provide clarification for the enlightenment of Mr Findlay and your good self in this regard. As a member of the public and someone who has availed himself of the services of Members of the Faculty in the past and with a potential for future involvement with the Faculty I say that I am entitled to have confidence in the propriety of the Members of that body.

As I might at some stage in the future have to rely on services of a Member of the Faculty, it is in my interest and indeed in the public interest in a democratic society that the Members of the College of Justice should have my/the public's confidence. I regret to say that I would have serious misgivings about the level of justice I might receive if Donald Findlay QC were to defend me in a criminal trial as I perceive him to be anti-Irish and anti-Catholic. It was as a result of my concerns in this regard that I complained to you as Dean of the Faculty regarding Mr Findlay's conduct, which in my view damages the image of the justice system and brings the Faculty into disrepute.

It is accepted that citizens coming before the Commercial or Criminal Courts are entitled to have complete confidence in the impartiality of Senators of the College of Justice who will determine the merits of their case or their innocence or guilt. It follows from this that citizens are also entitled to have similar confidence in the impartiality of Members of the College of Justice. It is the case that Practising Advocates are from time to time called on to take on the duties of Part-Time Judges and Sheriffs and in my opinion they must be seen to be beyond reproach to a degree equal to Judges or Sheriffs. Mr Findlay does not convince me that he meets the high standards of conduct expected of a Member of the Faculty and as a result he causes me, to some extent at least, to lose confidence in the Faculty. I would opine that many more might share my view if they knew more about Mr Findlay.

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My understanding of the role of the Advocate.

At the time I wrote to you to complain my understanding of the Faculty of Advocates and its members was limited by my personal dealings with Advocates and Queen's Counsels. This amounted to the six or so occasions that I have instructed my solicitor to engage counsel for complex legal matters. I must admit that I was at first confused by the role of counsel who seemed to remain aloof from my concerns and did not take instructions from me (as my solicitor did) but instead took an overview of my concerns as expressed through my solicitor and then decided on the best course of action as he or she saw it independently.

I was puzzled by this independent role of the Advocate who appeared to be immune from blame and could not be sued, or called to account for incompetence or bad advice in a court of law, as could my legal adviser. I was aware that, while I could

complain about the professional conduct of an Advocate my complaint could only be made by way of a self-regulatory process through the Faculty of Advocates. These practices seemed to place an Advocate in a very privileged position.

Other differences I noticed between dealing with a counsel and dealing with a solicitor were that counsel did not criticise the opposing legal team or the arbitrator/sheriff or judge and there was a noticeable reciprocation of this respect towards counsel--despite the fact that all were players on different teams, in disputes which were by their very nature emotion-charged events. On several occasions during court/arbitration hearings my emotions were strained to breaking point but the cool professionalism, mutual respect, and courtesy of the Practicing and Non-Practicing Members of the Faculty of Advocates pertained. I saw this as testimony of the professionalism of that body. Overall I have gained a healthy respect and trust for the members of the Faculty who represented me because of the professionalism and dignity displayed by the Advocates who acted for, against, and in judgement of me.

My overall impression of Members of the Faculty can best be described in an incident that, to me, typified the respect between members of the Faculty and judges. In this example the judge was English: Some ten or more years ago I had attended the Commercial Court in London for an Appeal Hearing arising out of an Arbitration my company were involved in. At the hearing my company was represented by Mr John D Campbell who had tendered pleas that were under consideration by the judge, Mr Justice Havery QC. Mr Justice Havery had announced his intention to issue a ruling at a date to be decided. Later that day as Mr Campbell and I were boarding the aeroplane for the return journey to Scotland Mr Campbell was advised by a stewardess at the door of the plane that there was an important telephone call for him. The telephone call was from Mr Justice Havery QC who, conscious of the distance travelled by Mr Campbell was working late so as to have his decision ready for the following day in order that Mr Campbell might not have the inconvenience of travelling to London at a later date for a two-minute hearing. Mr Campbell advised me of this and we returned to London and to the court the next morning where Mr Justice Havery dealt with the matter as soon as the court convened so that Mr Campbell and I might not be overly inconvenienced. I was impressed by what I perceived to be the gentlemanly and professional way that members of the Bar behaved not only to each other, but also to me--the court user.

Having now had a further opportunity to consider the role of members of the Faculty of Advocates it is obvious to me that as well as the privileges enjoyed by Advocates such as those listed above, there are also obligations that go with these benefits. In addition to the mutual respect that I observed between Practicing Members and Non-Practicing Members of the Faculty there is an obligation among all Members of the Faculty to engender respect among members of the public. If such respect were absent members of the public might well challenge the privileged status of Members of the Faculty. Furthermore, if there were a public perception that Members of the Faculty were racist or sectarian then the Scottish Executive, which is committed to a justice system that represents a modern multi-cultural Scotland, would be obliged to intervene.

At present there is no suggestion that the Scottish Executive is dissatisfied with the regulation of the conduct of Members of the Faculty of Advocates as it is presently carried out, on a self-regulatory basis overseen by you, the Dean. To date, with one or two exceptions, this has satisfied the public and the public watchdog, the Legal Ombudsman as well as the Scottish Executive. However, in a democracy, if the public lost confidence in the efficacy of this self-regulation process there would no doubt be calls for the introduction of a statutory framework to regulate the actions of Members of the Faculty of Advocates. I am sure you would agree that this is why it is essential for the Faculty to have, and be seen to have the most exacting standards of professional conduct as well as a rigorous policing of these standards.

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The Code of Conduct and the Disciplinary Rules of the Faculty of Advocates.

Since I wrote to you on 9th June 05, I have been advised by Mr Scott Brownridge on 13th June that guidance is available regarding complaints on the Faculty's website. I have made myself familiar with the Faculty's Code of Conduct for Advocates and the Disciplinary Rules and have amended my complaint accordingly.

The Code of Conduct is entitled "Guide to the Professional Conduct of Advocates" and in the Preface it is made clear that the "Guide" is aimed primarily at *"the young advocate starting on his <sic> career"*, adding that the conscience of the advocate and *"the advice of his seniors, is more likely to tell him how to behave better than any book of rules"*

Section 1 of the Guide defines the unique status of an advocate and then goes on to define the legal rights and obligations that go with the unique status. Section 1.2.1 quotes a previous Lord President as stating the advocate's position as follows:

*"An advocate in undertaking the conduct of a cause in this court enters into no contract with his client, but takes on himself an office in the performance of which he owes a duty, not to his client only, but also to the court, to the members of his own profession, **and to the public.**"* [emphasis added]

Section 2 of the Guide defines the "cardinal principle" of professional conduct as follows:

2.1 *"The proper performance of a lawyer's function cannot be achieved without the complete trust of **everyone concerned.*** [emphasis added] *All professional rules are based from the onset upon the need to be worthy of that trust."* (Declaration of Perugia, paragraph II) adopted by the Advocate-General in *Gulling v. Barreau de Colmar* 292/86, paragraph 14.

2.2 *"An advocate must, at all times, show himself to be worthy of the trust of those who deal with him: his client, his instructing solicitor, judges, other members of the legal profession (especially those who act for an opposing party) **and the public generally.*** [emphasis added] *This is the cardinal principle of professional conduct and is almost always the surest guide in cases of doubt."*

2.3 *“The principle applies generally, not only in courts where advocates have exclusive right of audience, but also in other tribunals, and in advisory work. It may also apply to an advocate’s non-professional activities since his conduct there may affect the trust which others have in him in his professional capacity.”* [emphasis added]

The following sections of the Guide deal with the conduct of an advocate in Court until Section 10, which deals with the guidelines for an advocate regarding advertising, publicity, touting and relations with the media. 10.1 states:

“The basic rule is that an advocate may not, in any way or form, tout for professional work or do anything to draw attention to himself in his professional capacity which would be liable to impair public trust in himself or his profession.” [emphasis added]

Section 10.6 of the Guide gives the advocate a three question check list with regard to determining the propriety or otherwise of using the titles “Advocate” or “Queen’s Counsel” to prevent giving the impression of touting. The three tests are:

- (a) is it useful or relevant to the recipient or hearer to know that I am an advocate or Queen’s Counsel;
- (b) is the use of those titles liable to be interpreted as a form of touting, even if I do not intend it so; and
- (c) would members of other professions use equivalent titles in similar circumstances?

Having considered the above guidelines for advocates it is my opinion that Mr Donald Findlay QC has brought the Faculty of Advocates into disrepute on several counts.

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Clarification of my complaint against Mr Findlay:

That Donald Findlay QC has acted in a manner that brings the Faculty of Advocates into disrepute in that he has:

- A/ Behaved in a manner likely to destroy the trust that the public have in the Faculty by his sectarian behaviour at a Rangers Supporters Club in Larne.
- B/ Used his position as Queen’s Counsel to tout for non-professional work.
- C/ Used his position as Queen’s Counsel to tout for professional work.

A/ That Donald Findlay QC, by his sectarian behaviour at a Rangers Supporters Club in Larne has acted in a manner likely to erode the trust the public have in the Faculty.

The latest report of Mr Findlay’s behaviour in Larne is of itself a cause for concern among members of the public, despite the attempts by Mr Findlay to trivialise the matter. Mr Findlay had made a joke about the death of a Pope and another about Nuns and turnips, which he justified to The Herald*¹ as follows:

“I do after-dinner speeches and my act consists of swearing and dirty jokes. People do not have to listen to it. I tell jokes about all sorts of things so this is all bullshit.”

Mr Findlay seems to be missing the point when arguing that his jokes were all part of his routine as an actor <sic>. Mr Findlay states in his letter of response that when he appears on his after dinner comedy circuit he is performing an act, and as such is an actor and he “*lies from start to finish*”. Later in his letter he admits that he is a comic. As well as being a senior Member of the Faculty Mr Findlay is a well-known after-dinner speaker, in other words a stand-up comic. Stand-up comics do not have a responsibility to engender the confidence of the general public--Mr Findlay as a QC does, even when he acts in a non-professional capacity. Even so a stand-up comic, let alone a QC would be unwise to tell jokes at the expense of one section of a divided community to an audience coming exclusively from the other part of that community. It is also unlikely that a reputable stand-up comic would appear with Andy Goram who is well-known for his admiration of, and links to, Loyalist^{*2} paramilitary groups, especially in town that is riven by sectarian strife.

With regard to the venue of Mr Findlay’s performance I am reliably informed that the Rangers Supporters Club in Larne is the home of a musical group called “The Platoon”^{*3}, this group perform sectarian songs while dressed in UVF paramilitary uniforms. The Roman Catholic minority population in the town of Larne is a beleaguered minority that has been the subject of many sectarian attacks^{*4} by Loyalist mobs to such an extent that the Irish Foreign Minister, Brian Cowan had high-level talks with the Secretary of State for Northern Ireland on this matter in 2001. Taking these factors together it was foolish of Mr Findlay to appear in Larne.

The acts of Messrs Findlay and Goram at a Rangers Supporters Club in Larne cannot be compared to some new-age comedians at the Edinburgh Festival. Even if neither of these two comedians had any past history of sectarian behaviour their conduct would be debatable given the venue at which they appeared. The case for a Senior Member of the Faculty of Advocates telling anti-Catholic jokes in such a venue cannot be made and calls into question the trust that members of the Faculty of Advocates must engender in all sections of the community. These perceptions are not mine alone, but are shared by many media commentators, the Directors of Faculty Services Ltd, and other organisations^{*5} as well as members of the general public.

A. In my submission Mr Findlay by his actions in Larne brings the Faculty of Advocates into disrepute.

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Notwithstanding my submission above I would argue that Mr Findlay’s conduct in Larne cannot be fairly viewed in isolation and has to be considered against a background of his repeated misbehaviour over a number of years. Whilst I am aware that you, the Dean, will normally only consider complaints relating to the conduct of an Advocate during a 6-month period preceding the complaint I would submit that it is necessary to examine Mr Findlay’s conduct over a longer period. I do not ask you to take action on his conduct over this period but I ask you to take account of it. After all Mr Findlay asks you to consider my past record of “*complaints*” against the legal profession over a number of years. I believe that examining the evidence of Mr Findlay’s conduct from a variety of sources over a period of years will corroborate my

very serious charge that Mr Findlay is a racist and/or sectarian bigot. I would argue that Mr Findlay's conduct should be examined in much the same way as the Moorov doctrine is applied in court cases. For this purpose I set out below 8 examples of Mr Findlay's behaviour, some of which were not known by me at the time of my original complaint. I have only become aware of the full extent of Mr Findlay's misconduct while researching his background as part of my original complaint. I would submit that it is necessary to examine these examples in order to fully understand Mr Findlay's true character.

1/ **In May 1999** at a post-match party to celebrate Rangers winning the Scottish Cup Mr Findlay sang a version of the fans anthem "Follow, Follow" which leads into the "Billy Boys" a song which pays homage to the Bridgeton Billy Boys. Although this song has modern connotations it specifically shows reverence to a gang led by a razor thug named Billy Fullerton^{*6}. "King" Billy Fullerton as he was known was based in the Bridgeton area of Glasgow and in the 1930's he and his gang of anti-Catholics ran protection rackets and attacked with open razors Celtic fans who strayed into their territory. Fullerton was also renowned for forming the first branch of the Ku Klux Klan in Scotland as well as being a member of Oswald Moseley's British Union of Fascists.

In the "Billy Boys", the song that Mr Findlay belted out, the lyrics tell of members of the Billy Boys being "*up to our knees in Fenian blood*". Mr Findlay has a profound knowledge of Bridgeton and Fenian blood, as three years earlier, in 1996, he had defended Jason Campbell^{*7}, a Rangers fan with connections to Ulster Loyalist paramilitaries who in an unprovoked knife attack had killed (by cutting his throat) a young Celtic fan on his way home from a Celtic match through Bridgeton. In the event the fan, Mark Scott was not an Irishman, nor Catholic (he was in fact a Protestant), but his support for Celtic made him a Fenian in bigoted eyes. Mark Scott lost his life as a result of sectarian, bigoted violence that was identical to the attacks carried out by the Billy Boys. Are we to believe that Mr Findlay was not aware of these facts when, his face flushed with excitement, he belted out his anthem of hate in glory of the Bridgeton Billy Boys?

2/ **In October 1999**, Mr Findlay gave a TV interview to Kirsty Wark^{*8}. He bared his soul in this interview with tear-jerking revelations of a personal nature. This interview was contrived to portray a contrite man who had contemplated suicide and was genuinely remorseful for his offensive behaviour in being caught singing of being up to his knees in Fenian blood. Mr Findlay stated that he did not take on board that the words he sang would be offensive. Mr Findlay's stated remorse however is not for the "Fenians" he offended but for the fear that his actions would damage his beloved football club. Even in his act of contrition Mr Findlay is careful not to apologise to those he has offended. Even so most people, myself included, would forgive the penitent if he were genuine in his remorse and mended his ways.

3/ **In January 2001** the Scottish Executive issued statistics^{*9} proving that Roman Catholics made up a disproportionately high percentage (30% for a group which makes up 15% of the population of Scotland) of the prison population of Scotland. In several press reports^{*10} and on T.V. Mr Findlay speculated that the cause of such an imbalance was not due to religious prejudice in the Justice System but was due to the

fact that the Catholics in prison were of Irish or Catholic origin, thereby suggesting that the Irish or Catholics were a lawless race/religion. Mr Findlay stated his racist/sectarian theories as follows:

“It would be interesting to compare figures for the east and west of Scotland. My own suspicion is that it is nothing to do with religion at all but more to do with the higher percentage of population in the west of Irish or Catholic origin” Pg. 4 The Herald (Glasgow) January 22, 2001.

“Leading defence lawyer Donald Findlay, who was secretly filmed singing sectarian songs at a Rangers supporters party, said he doubted whether any of his clients were religious. “I would guess any distortion has less to do with religion than with the strong presence in the west of Scotland of people with Irish roots.”” Home News, Sunday Times (London) January 21, 2001.

I believe that Mr Findlay is an anti-Irish racist and I note that in response to my letter of complaint he does not deal directly with my allegations of his anti-Irish bigotry. Instead, he chooses the rather narrow view of racism when he states that my views are deeply resented by his many black and Asian friends. I do not share Mr Findlay’s apparent limitation of race as being confined to the three or four groups recognisable by observable physical characteristics; i.e. Caucasoid, Mongoloid, Negroid, and Australoid. Furthermore I did not accuse Mr Findlay of being an anti-black or anti-Asian racist. I accuse Mr Findlay of being an anti-Irish racist.

I take the wide view of race, one shared by many anthropologists, academics, and the Commission for Racial Equality. This view is that race can be defined as being more of a social or mental construct such as that found in a group of people united by nationality, geographic distribution, common history, religion or culture. I maintain that Mr Findlay is racist in his attitude towards Irish and Irish descended people and his repeated derogatory references to Fenians, and Irish Catholics is racial prejudice in that he draws an unfavourable distinction between this group (Fenians) and Scots of Protestant ancestry or other Irish people such as Ulster Scots Protestants. Mr Findlay’s “*we are the people*” attitude indicates that he believes his race is superior to others and in particular the Irish.

Anti-Irish views such as those aired by Mr Findlay in song and public statement have a long history in Scotland^{*11}. By ignoring my specific claims in this regard I feel that Mr Findlay is rejecting by omission, my claim that his anti-Irish sentiments are racist. Mr Findlay’s silence on anti-Irish racism necessitates a brief examination of it.

Anti-Irish racism as I understand it originated in England as part of a British Imperial strategy^{*12} that was brought to Scotland in the mid-late-nineteenth century to act as a bulwark against home rule being imported into Scotland by Irish immigrants. In Scotland it was seized on by people such as the Rev. Jacob Primmer, a Church of Scotland minister of Townhill parish in Fife. Primmer who preached in the Dunfermline and Cowdenbeath area was the author of works such as: “*Which is the Greater Evil—Rome or Rum? —And a cure for both*”. Mr Primmer might have been the inspiration for Mr Findlay’s comments on the reason for the high numbers of Catholics in prison as Primmer used the same flawed logic to explain criminal convictions for drunkenness in Scotland. On 14th March 1897 at a public debate Primmer was recorded as follows:

“At the Mass the priest took precious good care that the people got none of the drink. He approached the altar, stood before it, consecrated the wine, and then turned his back on the audience. He raised the cup containing the wine between his finger and thumb, and over went every drop, down his own throat. (laughter.) For every real Scotchman who was a drunkard there were four Irish Papists. About three-fourths or two-thirds of the whisky distilled in Scotland was drunk by Papists. Mr Primmer referred to a copy of the Scotsman, dated September 20th, 1895, in which were statistics showing the number of persons convicted in the Police Courts of offences attributable to drunkenness on the 31st of March of that year. The figures showed that one-fourth of the whole were Roman Catholics, a percentage far in excess of what it ought to have been had it not been the case that for most of the drunkenness which had disgraced the fair name of Scotland Irish Papists were responsible”

“Mr Primmer proceeded to speak on the connection between Popery and crime. Of the total number of male criminals in England, 9 out of 10 were Papists, and of the total number of female criminals, 16 percent were Papists.”

Messrs Primmer and Findlay are not alone in their illogical prejudice regarding the Irish being an inferior, criminal race. Further evidence of anti-Irish racism is to be found in the series of reports commissioned by the Church of Scotland's Church & Nation Committee in the period between 1923 and 1934. The best known of these reports is the one entitled *“The Menace of the Irish Race to our Scottish Nationality”*. It is only in recent times that the Church of Scotland has apologised for their *“racism”* and their *“sectarian”* behaviour in respect of these reports. This apology was made in a Report to the General Assembly in 2002 entitled: *“The demon in our society: Sectarianism in Scotland”*

The fact that Irish racial origins were considered openly by the Established Church in Scotland to be a threat, or indeed a menace, to Scottish racial purity as recently as 1934 (or arguably until the apology in 2002), makes it less surprising that in places such as Cowdenbeath anti-Irish racism can be acceptable to this day. I say this as someone who was a Principal in a business in Cowdenbeath, Kingdom Engineering, which over a 24-year period employed hundreds if not thousands of local people. Many good, otherwise decent people were unashamedly anti-Irish and anti-Catholic because they had inherited their bigotry from parents and grandparents who had been taught this at their local church.

When one considers the following extracts from Church of Scotland Reports of the era between the wars is it any wonder that this is the case:

The Overtures on which the General Assembly took action show that the alarm and anxiety which prompted them have been occasioned by the incursion into Scotland of a large Irish Roman Catholic population within recent years. The question of the Scottish Roman Catholic population has not arisen, nor is there any reason why it should arise. They have a right to call Scotland their country, in common with their fellow-countrymen of the Protestant Faith. Nor is there any complaint of the presence of an Orange population in Scotland. They are the same race as ourselves and of the same Faith, and are readily

assimilated to the Scottish population. The Committee, therefore, interpret the Remit from the General Assembly as being an instruction to consider and to report on the problem of the Irish Roman Catholic population in Scotland. They cannot be assimilated and absorbed into the Scottish race. They remain a people by themselves, segregated by reason of their race, their customs, their traditions, and above all, by their loyalty to their Church, and gradually and inevitably dividing Scotland, racially, socially, and ecclesiastically.”

“It was not until large numbers of Irish Roman Catholics came over from Ireland that the Roman Catholic Church began to grow, to feel her power, and to assert her influence, and this was the beginning of the destruction of the unity and homogeneity of the Scottish people.”

“Meanwhile there was going on a great exodus of the Scottish race. They wished for better conditions of life, higher wages, and wider prospects. Compelled by the economic pressure of the Irish race, young Scottish men and women—the flower of the nation—left their native land, and sought to build up their fortunes in America and the Dominions. It was certainly to the advantage of countries to which they went that the best of our Scottish people should have gone there, but it is a grievous loss to the land of their fathers. Their places were taken by a people of a different race and a different Faith, and Scotland has been divided into two camps—a Scottish and an Irish.

It is, in my submission, well established that Scotland has a long and inglorious history of anti-Catholic sectarianism and anti-Irish racism and it is within my personal knowledge that pockets of this racism, which was partly born out of fear and ignorance in the 19th and 20th centuries still exist in Fife. It certainly is present, if not prevalent, in towns such as Cowdenbeath where there is a strong Orange movement. I can understand and sympathise with those people of low intelligence who still cling to such beliefs but find it difficult to figure how an educated and supposedly intelligent person such as Mr Findlay can help perpetuate the myth of Irish racial inferiority and Scottish racial supremacy. Nonetheless that is what he appears to do.

My understanding of what constitutes racism is supported by London Judge, Fabian Heyes^{*13} who jailed three Rangers supporters from East Kilbride for “racially abusing” an Irish couple who were wearing green on a tube train in London on St Patrick’s Day 2003. The couple were called “Fenian bastards” and “Irish scum”.

Mr Findlay’s apparently narrow interpretation of race would have us believe that the Nazi dogma that Germans were the “Herrenrasse”, “Herrenvolk” or Master Race, and that the Jews were an inferior race were not in fact racist beliefs at all.

Mr Findlay’s comments to the press regarding the high numbers of Catholics in Scotland’s prisons are unashamedly anti-Irish, racist, and anti-Catholic. This calls into question the high standards of conduct and professionalism associated with the Faculty of Advocates. I would have little confidence in being defended by a QC who had a pre-conceived notion that I was a lawless character because I am an Irish descended, or Catholic.

4/ **In November of 2003** Mr Findlay gave an interview to the Sunday Times^{*14} for an article entitled: “*His orange flame still burns*”. In this interview Mr Findlay makes it clear that his remorse for his bigoted singing has disappeared and he now does not give a jot for what anyone thinks of him nor does he care what he says. The article includes the following:

Recently, as Donald Findlay QC walked through Paddy’s Market in Glasgow on his way to work at the High Court building in the Saltmarket, a Celtic supporter greeted him with the cry “You fat old orange bastard.” Findlay replied “Oy! Less of the old, pal.”

He says: “They are never short of a word. Ninety-five per cent of it is jovial. Five per cent of it is unpleasant. There was a time when I was so sensitive that I had lost sight of the fact that before the events of four years ago happened I was still an orange bastard. I was an orange bastard then and I’m an orange bastard now. I took it personally for a while. Now it doesn’t bother me.”

“I’m in the fortunate position of being completely at ease with myself and completely at ease with my world. I miss very much my involvement with the football club, the people. But you can’t turn the clock back. I suppose one product that has come of it is that I don’t give a damn any more. If I have something to say then I say it and if people don’t like it, I don’t care.”

I would submit that Mr Findlay should care about how he is perceived by members of the public. The Faculty demand that he be aware that he should do nothing to draw attention to himself in his professional capacity that might impair the public trust in him or his profession. Mr Findlay’s disregard for the public’s opinion of the views he airs and his cavalier attitude to the fact that he is perceived as an “*orange bastard*” show that he either does not understand the high standards of conduct expected from a Member of the Faculty of Advocates, or he does not care about these standards. It could be the case of course that Mr Findlay is deliberately cultivating a devil-may-care Orange image and I deal with this possibility in my second and third complaints.

5/ **On 16th November 2003 (to be confirmed)**

My late brother Joe, related to me of how on the morning of the 16th November 2003 he was told of a sportsmen’s event the previous evening (Saturday 15th November) in Kelty ex-servicemen’s club at which Donald Findlay, QC and Jim Leishman had entertained a ticket-only, capacity crowd with all sort of anti-Catholic and anti-Irish patter. All harmless stuff you may think. Not as far as my brother was concerned. He confided in me that the club he loved and the community he lived in would never seem the same again. Joe was appalled to think that even a small minority of his community saw him and his ilk as figures to be mocked and ridiculed.

Making matters worse for Joe was the fact that the sponsors of the dinner were Kelty Hearts Junior Football Club. “The Hearts” is a club that Joe, myself and my company, Kingdom Engineering had helped to build up when they had to comply with Scottish Junior Football’s governing body’s regulations regarding safety barriers, goalposts etc. On many a Saturday morning, Kingdom Engineering made available their Cowdenbeath works, plant, material and labour (without charge) to assist the Hearts in their quest for full Junior status. Kingdom Engineering were long-time sponsors of this club.

Joe was not angry—he was hurt—and bemused that such divisive bigotry was prospering in Scotland in the twenty first century.

Apologists for Mr Findlay will say that he was attending a private function and people didn't have to attend etc. etc. I see it differently. On that Saturday in Kelty there had been a parade by the local Orange Order who had been joined by another Lodge from Glasgow. Both groups had made arrangements to have lunch in the ex-servicemen's club followed by a sportsman's dinner for which the visiting busload of Orangemen and their local brethren had obtained tickets.

The sectarian influx into Kelty club that day, plus the fact that the main attraction in the way of entertainment <sic> at this dinner was provided by Mr Donald Findlay QC (famous for his bigoted singing and jokes) from Cowdenbeath, ensured that local Catholics would give the club a very wide berth if they valued their health. Mr Findlay who was the main speaker had another after-dinner speaker as a supporting act. This was the well-known football manager Mr Jim Leishman, from Kelty.

Fife Council's Spokesperson on Arts & Leisure, Jim Brennan, who is also the local councillor for Kelty and a Catholic received an invitation in his official capacity and attended the dinner. It is assumed that it was in his capacity as a Leisure Spokesperson as he left before Mr Findlay started his act. There is little doubt the councillor by his premature departure considered that what he was about to hear from Mr Findlay was not going to be Art. Mr Findlay's reputation for bigoted patter preceded him. In the event I am reliably informed Mr Findlay engaged in the same anti-Catholic, anti-Irish rabble rousing in Kelty that he later did in Larne.

I note that in Mr Findlay's letter of comment to Mr Brownridge on my complaint to you he denies that he was in attendance at the event I describe. Mr Findlay is welcome to dispute the contents of this letter, or my website article detailing this event, in a court of law if he wishes to do so. However in the first instance I would ask you as Dean of the Faculty to appoint a Committee of Investigation to look into this and other allegations made by me and the other allegations that are disputed by Mr Findlay. Given time, I can provide further confirmation of dates etc, if it will assist Mr Findlay's memory of this event. I would be happy to do so.

I also note that Mr Findlay in his letter suggests that "*parts of the contents of this complaint have been published on a website citing Mr Minogue as the source*". This assumption by Mr Findlay is mistaken. Before I complained to you as Dean of the Faculty I placed an article^{*15} entitled "Bigotry in Fife" on the Dunfermline Web Portal, a local website. This article made serious allegations some of which I repeated in my complaint to you as the Dean. It is not true to say that I used parts of the complaint to the Dean on the web, the opposite is the case--I used part of the "Bigotry in Fife" article in my complaint to you as the Dean.

While I find it particularly distasteful that a man holding a legal commission from her Majesty the Queen is entertaining the camp followers of Orange Walks. I find it equally distressing that a club in Scotland intended for ex-servicemen of all religions and nationalities should be taken over by members of a sectarian organisation and the hangers-on of that organisation. This in effect places that club out of bounds to

members of the Catholic faith and Irish service personnel many of whom have served UK with distinction. I will of course be complaining to the British Legion regarding the sectarian nature of their Kelty Club, which is no doubt due to the fact that the Chairman of that club is also the local Orange Lodge chief.

6/ **On December 7th 2003** Mr Findlay gave an interview to an American writer Franklin Foer for his book “How Soccer Explains the World”, published in 2004. The interview which features in a chapter entitled “How Soccer Explains the Pornography of Sects”,^{*16} gives an interesting insight into Mr Findlay’s views on many topics the least of which is football. On the punishment he received from the Faculty he states:

“about the tapes: I should have put up a fight. I would try to challenge them [the Faculty?] to provide one human being who’d been adversely affected by me because of religion, color or anything else.” [emphasis added]

On the Roman Catholic faith, idolatry, the confessional, the Pope, and bejewelled priests he states:

“The one absolute barrier is that you must never prejudice a man for his religion. If I wanted to hire a black, lesbian, Catholic, great. But you are not entitled to say that you have no time for the Catholic religion, that it involves the worship of idols?” The statement is structured rhetorically, like a law school professor’s hypothetical. With his academic tone, I expect the defamations of the Catholic faith to stop after he has made his point but they don’t. “Why can’t you be forgiven for thinking that confessing to a priest who is confessing to God is ridiculous and offensive? Or that the Pope is a man of perdition?” A bit later he suggests that Scots have the right to say “that priests immerse themselves in jewels and wealth while they live amid poverty.”

On disparaging the Scottish Catholic affection for the Irish motherland he states:

“If a troop carrying the Queen’s colors doesn’t bring a tear to your eyes, then fuck off!”

I find Mr Findlay’s published views deeply offensive. I am not an apologist for the Catholic faith having parted company with that faith some 40-odd years ago on grounds of dogma but even a lapsed Catholic like myself cannot recognise the idol-worshipping faith, presided over by jewel-immersed priests, and headed by a “hellish” or “devilish” Pope, described by Mr Findlay. I know as a matter of fact that relatives and friends of mine who are practicing Catholics find these views shocking and insulting.

I also find Mr Findlay’s tone in describing the test for “*British citizenship*” as being, in effect a call for Scots Catholics of Irish descent to *fuck off* (presumably back to Ireland) as deeply offensive. Many of my relatives have fought and died in the Queen’s colours but this does not necessarily mean that I should have a tear in my eye for the colours, as opposed to my relatives’ sacrifices. Nor should a failure to worship the Queen’s colours debar me from having affection for Ireland, the land of my forefathers, nor should it deprive me of UK citizenship. I need no lectures on citizenship from the likes of Mr Findlay.

Because of Mr Findlay's public utterances I feel compelled to set out some facts about myself in response to his derogation of people of Irish ancestry. It is a fact that when the Queen was accosted in her bedroom at Buckingham Palace by a drunken vagrant, it was to my company that the palace turned to execute urgent, emergency, personal security measures for the monarch at the Palace of Holyrood. I was proud to supervise this considerable task personally. I was also invited to lunch as the guest of the Queen when she opened the Mossmorran Petrochemical complex at Cowdenbeath, Fife because of my company's major contribution to that project (Kingdom Engineering provided over 200 skilled personnel for the commissioning of the plant). I see Mr Findlay's disparaging comments regarding a test for British citizenship as little more than a thinly veiled, anti-Irish rant.

Mr Findlay states in his letter of response to my complaint:

"I find it difficult to understand why he (myself) calls me a bigot. I am, in effect, a life long atheist and as far as I am concerned all religion is incomprehensible to me."

Mr Findlay is a highly educated man whereas I left school at 15-years of age without a single qualification of any sort, yet I understood that the definition of bigot was a: *"prejudiced person who is intolerant of the beliefs of others, or views/opinions differing from their own"*. For the avoidance of doubt I firmly believe that Mr Findlay is a sectarian bigot who is prejudiced against Roman Catholics. This must be self-evident by this, small selection, of his publicly repeated, derogatory references to Catholics, the "hellish" or "devilish" Pope, Catholic Priests and Nuns. This from a man who claims to be indifferent to any religion is clear evidence of his bias against Catholics. I am not aware that Mr Findlay sings or rants about Jews, Muslims, Protestants, Rabbis, Mullahs, or Ministers in a similar manner to his anti-Catholic songs and stories.

It is apparent to me that Mr Findlay again repeats the ravings of the nineteenth century bigot Jacob Primmer (whom I quoted above as evidence of the history of anti-Irish racism) whose comments below could equally have been attributed to Mr Findlay some 100 and more years later. E.g.:

Primmer on Idolatry:

"There was also the black image of St Bridget in Naples. Everybody on approaching this image bowed before it, kissed it, and paid homage to it. What was the only inference to be drawn from this? Was it not simply a question of people being taught to worship the image rather than Christ?"

Primmer on the confessional:

"Let the priest once get his victim into the confessional. Let him succeed in worming out of the unfortunate one the secrets of his heart, and that one was a slave of the priest ever afterwards. The confessional had in times past come between husband and wife."

Primmer on prosperous priests and poor parishioners.

"Let them go to Ireland, and what did they find? Why in the most degraded neighbourhoods they found beautiful temples erected with the fools pence of the misguided Papists. What of the priests who officiated in these temples? Did they share the general poverty and misery of the neighbourhood? No! They lived in excellent houses and fed on the most choice of everything."

Primmer on Nuns and the Pope as a man of perdition.

"He held up instruments of awful torture used by Nuns. God has denounced the system as Antichrist, the Pope was the Man of Sin, and the Son of Perdition."

I find it literally incredible that in the twenty first century, Mr Findlay, a highly intelligent man who is a prominent figure in Scottish life can echo the sentiments of a nineteenth century bigoted preacher on a variety of serious religious topics. I find it pathetic that the only defence that Mr Findlay offers against allegations of his bigotry is to call those who make these allegations bigots. In an article for The Scotsman of 31st May, entitled "*The two faces of Donald Findlay QC*" Mr Findlay is quoted as saying that Scotland is a "*miserably twisted and at times a bigoted media-driven country*" and insisted that anyone who accused him of such behaviour was themselves as bigot.

Jacob Primmer was censured by the General Assembly of the Church of Scotland on 22nd May 1899 for disrespectful conduct in St Giles Cathedral. Mr Findlay should not escape censure for his bigoted views some 106 years later.

7/ **In January 2004** Mr Findlay was reported in The Herald on Sunday^{*17} as follows:
"Helena Kennedy is a Bolshevik feminist, and I am a nice guy who offends no-one."

I disagree with Mr Findlay's reported statement. It is a matter of fact that he offends me, and it is my contention that he offends many more with his provocative statements, of which this is but one example. I would go further and say that if the public knew more of Mr Findlay's views the he would be generally held in contempt. From the above quote, I assume that Helena Kennedy QC, is singled out by Mr Findlay because of her Catholic upbringing, Irish ancestry and feminism. These factors, to me at least, are the only reasons that I can think of to explain Mr Findlay's departure from the normal rules of mutual respect between Advocates.

8/ **In March 2004** Mr Findlay gave an interview to The Herald for an article^{*18} entitled: "This is not a peace pipe." The once remorseful, but now cocky Mr Findlay, is described as follows by Graham Spiers:

Findlay was once famous for the contempt he showed towards the home of Celtic. And his antics were all part of a complex debate about bigotry, sectarianism, and what is right and wrong in human behaviour in such situations.

"Oh, I used to love going to Celtic Park," Findlay confirmed. "They used to have this lovely mahogany fascia at the front of the directors box, and I'd walk in, my hands in my pockets, looking around as if to say, "God, here we are in this place again" and then put my feet up on the fascia. The Celtic punters in front of the box would go nuts. It was all great fun. A total wind-up."

Yes, but what about the chain of cause-and-effect in all this? Findlay says he enjoyed these "wind-ups" in the hostile atmosphere of the Old Firm, that they were merely fun. We know, however, that down the line these wind-ups lead to aggression, and aggression to harm, and harm - too often to contemplate in recent years - has meant stabbings and killings in Glasgow. In such a context, is any "wind-up" ever justified?

"I don't think there's an easy answer to that," he replied. "The two issues [healthy rivalry and dire consequences] are linked and yet they are also separate. I still adhere to the position that, at the end of it all, it is just a bloody game, and that if you can't have fun and wind-ups at matches, then what is the point in the game at all?"

Well, in the past 12 years, I told him, there are estimated to have been as many as nine or 10 fatalities, linked directly or indirectly, to an Old Firm game. Indeed, on the same night that Findlay was filmed singing The Sash after the Rangers Scottish Cup win over Celtic in May, 1999, a Celtic supporter, Thomas McFadden, was killed in a fight involving Rangers supporters.

This is certainly the argument of the anti-bigotry group Nil By Mouth: that the idiom of bigotry is inextricably linked down the line to tragedy. Seeming to soften even more, Findlay added: "Both clubs do have a responsibility to take out of the rivalry anything that is encouraging of violence, however indirect it might be." Tellingly, he added: "That's why today, if I were to go back to Celtic Park, would I put my feet up on the mahogany fascia? No."

Mr Findlay makes a minor concession to his past behaviour in lording it over the supporters of Celtic at their ground—he will keep his feet off the host's furniture in future.

Mr Findlay's arrogant and contemptuous behaviour as a guest of his Glasgow football rivals would appear to confirm the statement of Catherine Deveney when she interviewed him for an article in Scotland on Sunday^{*19} later repeated for a Grampian TV religious chat show entitled "Eye to Eye" in September 2003:

"He was a self-confessed "bluenose" a man who seemed comfortable with what the former Rangers manager Walter Smith once uneasily described in private conversation as "the Protestant superiority syndrome" that existed at the club."

Some would say that on the face of it, the type of "wind up" described by Mr Findlay is harmless. Mr Findlay himself argues that there is no proven causal link between his arrogant and contemptuous behaviour towards (mainly Catholic) Celtic supporters, which by his own admission is inflammatory, and violence arising from Old Firm games. I disagree strongly with this assertion. While I am unable to prove it I am firmly of the opinion that prominent public figures like Mr Findlay behaving in an arrogant and ignorant manner is seized on by the worst elements of football supporters as an indication that provocative, contemptuous, inflammatory, and by extension violent behaviour is acceptable. Mr Findlay's jokes might leave others in stitches! Mr Findlay using his full title of Queen's Counsel broadcasts his own ill-judged misbehaviour to the media as if it were a matter of some merit.

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B/ That Donald Findlay QC has used his position as Queen's Counsel to tout for non-professional work.

In the final paragraph of his letter of response to my complaint Mr Findlay states:

“If I speak at a dinner such as the recent Edinburgh Bar Association, I am introduced as Donald Findlay QC. When I appear at a show in Glasgow, Liverpool, Moscow or Jakarta, I am Donald Findlay the comic.”

Mr Findlay deliberately misleads you the Dean, and the Faculty with this statement. It is a matter of fact that Mr Findlay is advertised^{*20} by various theatrical agencies as Donald Findlay QC. These agencies not only tout Donald Findlay QC for “*any dinner*”, that is, they do not differentiate between legal and sporting events but they make a selling point of his eccentricity and notoriety by stating that he is “*in even greater demand*” having been fined by the Faculty for “*singing rather politically incorrect songs in 1999*”. Mr Findlay must be aware of these facts and it shows his complete contempt for you and the Faculty that he pretends otherwise.

Not surprisingly, as Mr Findlay allows himself to be touted as the (*up to his knees in Fenian blood*) singing QC, his events are seen by a sectarian clientele as such^{*21}. The Londonderry True Blue Rangers Supporters Club for instance advertises Andy Goram, Willie Henderson and Donald Findlay QC as appearing at the Larne Rangers Supporters Club on Friday 20th May 2005. Those assembled presumably did not pay £22.00 per head to debate the latest developments in the law as interpreted by Messrs Goram and company. This poses the question as to whether the assembled Ulster Rangers Supporters needed to know if Mr Findlay was a Queen’s Counsel? The answer is obviously no.

Mr Findlay is touting for non-professional work as a stand up comic targeting a Rangers supporting and Ulster Loyalist market by using his title of Queen’s Counsel and his notoriety in singing sectarian songs for which the Faculty punished him as a commercial attraction—come see the singing QC who defies censure and is in even greater demand as a result.

B. It is my submission that Mr Findlay brings the Faculty of Advocates into disrepute by touting his professional position for non-professional financial gain.

.....
C/ That Donald Findlay QC used his position as Queen’s Counsel to tout for professional work.

It is my perception at least that Mr Findlay attracts a disproportionately high number of clients from a Rangers supporting, Ulster Loyalist, and racist background. More than one would normally expect a criminal defence QC to have. I would argue that Mr Findlay by his public antipathy towards, the Catholic Church, Celtic FC, The Pope, and the Irish, is in effect making a pitch for the business of the not insignificant ultra-Protestant/Orange population in Scotland. That this section of the community would see Mr Findlay as one of their own kind and seek to have their solicitors instruct him might explain his participation in the following^{*22} cases:

Jason Campbell jailed for life for the murderer of Celtic supporter Mark Scott.
Thomas Longstaff jailed for 10 years for attacking another Celtic supporter.
Lindsey Robb jailed for 10 years for conspiracy to procure arms for the UVF.
William Beggs from Northern Ireland jailed for life for murder.
Brian Beattie appealing his life sentence for murdering a young Celtic footballer.

The perception of some on the Rangers/Ulster Loyalist side of the Old Firm is that Mr Findlay is one of theirs^{*23}, just as the perception of those on the Celtic/Irish

Republican side see Mr Findlay as someone who will go out of his way to defend anyone accused of sectarian or racist attacks against Catholics or Irish people^{*24}. Mr Findlay would no doubt argue that he has no say in how he is perceived, but I would dispute any such assertion by pointing to the numerous occasions when, as Mr Donald Findlay QC, he deliberately sets out in public, to make controversial, derogatory, sectarian and racist references to Catholics and people of Irish descent. The Runnymede Trust^{*25} has portrayed Mr Findlay as being in denial of racism in Scotland and I would concur with this view.

I would submit that the vast amounts of material of a sectarian nature regarding Mr Findlay on the Internet damage the good reputation of the Faculty of Advocates and the legal establishment in Scotland. Some of this material is fanciful but much of it has its genesis in Mr Findlay.

Mr Donald Findlay QC by publicly expressing racist and sectarian views is touting for criminal defence work for clients accused of racist or sectarian attacks or sectarian clients who wish to employ one of their own kind. The Orange notoriety that accounts for Mr Findlay being in “*even greater demand*” on the after-dinner circuit can presumably make him in even greater demand as a QC among a certain, bigoted clientele.

C. It is my submission that Mr Findlay by his widely reported inappropriate conduct is attempting to tout for the business of a particular minority clientele to the detriment of himself and the professional reputation of the Faculty of Advocates

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Finally I would address other matters referred to by Mr Findlay in his letter of response to my complaint and general comments.

Confidentiality.

Mr Findlay expresses a desire that I keep his letter confidential. I note that the Faculty is bound to keep complaints confidential and while my complaint is with the Faculty I will give a similar undertaking. I do so without accepting any obligation of confidentiality and my decision is a voluntary one in the interests of fair play.

Humour.

Mr Findlay attempts to make light of his behaviour in Larne with Andy Gorum by reference to some of the well-known comedians he has appeared with and cites Jim Davidson and Bernard Manning as being two examples of reputable comedians he has appeared with. I do not understand this reference, as both comics quoted are racist.

Mr Findlay also makes the point about Dave Allen making a living out of making fun of religion. I understand the point Mr Findlay is trying to make as I have attended both Dave Allen’s and Pamela Stevenson’s shows in Edinburgh where Allen was scathing on Catholicism and the Pope and Stevenson dressed as a Nun did likewise. On both occasions I was the guest of my solicitor, Stephen Cotton and his wife (not bad for someone with an antipathy for the legal profession) and I enjoyed the shows as far as it went, though this is not my favourite humour. Both shows were in Edinburgh at Festival time with audiences from all walks of life and after the show we all went for a nice Italian meal and a taxi home to bed. The difference between this type of show and Mr Findlay’s routine in a smoky Rangers club in Larne, where at

closing time I am told the drunken audience head out into the night to seek out Catholic heads and windows to smash, must be apparent to Mr Findlay.

Reasoned decision.

I would make it clear that in the event I am dissatisfied with the decision of the Committee of the Faculty in dealing with my complaint I shall consider appealing their decision. With this in mind I request that any decision made in relation to my complaint be made as a reasoned decision with detailed written reasoning?

Supporting documentation.

I have listed the documents that will be accompanying my complaint when it is heard. Given the short period of notice given for the hearing, which according to Mr Brownridge will take place in early August I would appreciate a firm date for the hearing to be declared as soon as possible so that I may make arrangements to have 6? bound copies of supporting documentation ready for the hearing.

Trusting you find this in order but should you require clarification on any points please do not hesitate to contact me.

Yours sincerely,

Thomas Minogue.

Appendix 1.

APPENDIX 1: INDEX OF SUPPORTING DOCUMENTATION

- *1 The Herald, 31-5-05
- *2 Various newspaper articles
- *3 The Platoon C.D. etc.
- *4 Statement from Irish Dept. Foreign Affairs, various newspaper articles and TV reports.
- *5 Various reports on Larne incident.
- *6 Various articles on Billy Fullerton.
- *7 Various newspaper reports on Jason Campbell.
- *8 Transcript of Wark/Findlay interview.
- *9 Prison statistics, Radmore, Scottish Exec.
- *10 Herald 22-1-01, Sunday Times 21-1-01.
- *11 Church & Nation Reports 1923-2002, various reports, Primmer, J; Tilki, M; Bradley, J; Hickman, M; & Walters, B; Devine, T; CRE, etc.
- *12 Curtis, L; “Nothing but the same old story”-The roots of anti-Irish racism. Uni.papers,etc.
- *13 The Scotsman, 8-3-04.
- *14 Sunday Times, 16-11-03.
- *15 “Bigotry in Fife”, Minogue, T.
- *16 Foer, F; “How soccer explains the World-Ch.2-the pornography of sects”.
- *17 Sunday Herald, 25-1-04
- *18 The Herald, 6-3-04.
- *19 Scotland on Sunday, “The Man behind the man”; 11-11-00.
- *20 Speakers, UK; Horizon Event, UK; web pages, etc.
- *21 Londonderry True Blue RSC web pages; Lodge Union 244 web page.
- *22 Various newspaper reports.
- *23 Various websites and Blogs, (Loyalist/Rangers)
- *24 Various websites and Blogs, (Republican/Celtic)
- *25 Kelly, Dr. E; Runnymede Trust Report: “Racism, Police and Courts in Scotland”.
- * 26 Various Internet articles.