Briefing for the Public Petitions Committee

Petition Number: PE1350

Main Petitioner: Nick Brand

Subject: Return of the Wallace Safe Conduct

Calling on the Parliament to urge the Scottish Government to make a formal loan request to the National Archive at Kew to return the Wallace Safe Conduct to Scotland under a permanent loan agreement.

Background

The document known as the “Wallace Safe Conduct” is held in the National Archives. In March 2009 George MacKenzie, Keeper of the Records of Scotland, answered a written parliamentary question from Christine Grahame MSP, (SW3-21935) on whether the Scottish Executive would make representations to The National Archives in Surrey for the permanent return to Scotland of the William Wallace safe conduct letter.

Mr MacKenzie said:

The Scottish Government has no plans to request The National Archives (TNA) to transfer the William Wallace document it possesses to The National Archives of Scotland (NAS). To make a successful claim, NAS would need to demonstrate that the document belonged to Wallace in an official capacity and was therefore a record of the early Scottish state. Experts in NAS do not believe that it is a safe conduct, nor is there clear evidence that it was taken from Wallace on his capture. It does not follow the form of a safe conduct, it does not say what a safe conduct of that time would have said, and it does not have an authenticating seal.

Any request for return of a document to Scotland must be based on clear evidence about its provenance. The 1297 Lubeck letter was created in Scotland but was addressed to the city of Lubeck and it is correct that it remains there. In the case of the Wallace document in TNA, NAS genuinely does not have enough evidence to substantiate a claim that it should be returned to Scotland.

The Wallace document is well looked after in TNA and there is a digital image on their website for anyone to view.
Translation
Philip by the grace of God, king of the French, to his beloved and loyal agents appointed at the Roman Court, greetings and favour. We command you that you ask the Supreme Pontiff to consider with favour our beloved William le Wallace of Scotland, knight, with regard to those things which concern him that he has to expedite.
Dated at Pierrefonds on the Monday after the feast of All Saints [7 November 1300].
[Endorsed]: Fourth letter of the King of France

Scottish Parliament Action

In addition to her parliamentary question Ms Grahame also lodged a motion, S3M-03697, in March 2009. The motion called for the return to Scotland of the Safe Conduct Letter from the King of France, Philip IV, which was carried by William Wallace on his capture at Robroyston on 3 August 1305; noted with regret that this important historical artefact continues to be stored in a closed drawer at the UK National Archives in Surrey, and urged the Scottish Government to back calls for its return and permanent display in the National Museum of Scotland in Edinburgh.

In the second session of the Parliament Jim Mather MSP had lodged a similar motion, S2M-03470.
Scottish Government Action

The Culture Minister Fiona Hyslop announced on the 14 June 2010 that she has asked the Keeper of the NAS to assemble a group of experts to establish exactly where and why the letter was produced.

The medieval history experts - from Scotland, England and France - will meet for the first time in August and will report to UK and Scottish Ministers in Spring 2011.

Francesca McGrath
Senior Research Specialist
14 June 2010

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