



PUBLIC PETITION NO.

PE01491

Name of petitioner

Tom Minogue

Petition title

Secret society membership declaration by decision makers.

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to amend the law or codes of practice to make it compulsory for decision makers such as sheriffs, judges, and juries at their courts, arbiters, and all panel members of tribunals that are convened and held in Scotland and governed by devolved legislation, custom and practice, to declare if they have ever been members of organisations, such as the Masons, that demand fraternal preference to their brethren over non-brethren, or organisations which have constitutions or aims that are biased against any particular sect, religion or race.

That a register of such membership is held by the various bodies that supervise such judicial and quasi-judicial tribunals and that access to these registers is given on demand to the defendant, litigant, or plaintiff wishing to exercise their rights to a fair hearing in accordance with Article 6 of the ECHR.

Action taken to resolve issues of concern before submitting the petition

In 2000 I petitioned the Scottish Parliament with PE 306 which was in a similar vein to this petition. Then, after having been under consideration for over three years with the parliament the petition was dismissed without reason.

The Public Petitions Committee summary of the petition showed that the committee had closed the petition in December 2002 when in fact the terms of the petition were considered by the Justice 2 Committee on 04 March and the Public Petitions Committee on 18 March 2003. The latter anomaly has recently been corrected and the meeting of 04 March can be found here:

<http://archive.scottish.parliament.uk/business/committees/historic/justice1/mop-03/j2mop0304.htm>

The meeting of the Justice 2 Committee, of 4th March, was not insignificant. The Justice Minister Jim Wallace was questioned by the committee on my submissions regarding membership of the Speculative Society of Edinburgh and the Masons among the judiciary. The Minister said he had not had time to read my submissions but he would do and revert to the committee. There is no record of this having happened.

Furthermore despite the fact that the committee had asked me to provide examples of cases where there was a perception that freemasonry had influenced a court or tribunal the committee did not publish the submissions I made in this regard.

I believe that this censorship was draconian given that details of own case, Stott v

Minogue 2000 SLT (Sh Ct) 25, & GWD 36-1386, - which spawned the petition – and the decision by the Social Security Commissioner, Ref: CS1/136/02. are in part matters of public record, or have been reported widely in the press and legal journals and are the two most important Scottish cases that deal with the influence of freemasonry in the justice system.

Having sought to determine my rights to challenge the existing law which allows non-disclosure of (secret) membership of fraternal organisations by decision makers by the courts, my elected representatives, and the previous government (which subverted the public petitions process), I am now attempting to resolve this anomaly with a new government, which claims to be open and accountable to the people of Scotland.

Petition background information

This public petition is similar to my Petition 306 but it's terms have been broadened to encompass more of the decision makers whose roles may affect our lives. These now include jurors as since my original petition there have been some very high profile cases where there has been a perception among many, including high profile members of the legal profession, that the interests of justice have not been served and there is a need to know more about the background of those called for jury duty.

However the general terms are similar to PE 306, which had its genesis in a court case held at Dunfermline Sheriff Court between 1999 and 2000. The case is now known as Stott v Minogue. At a preliminary hearing before Sheriff Stuart Forbes I addressed him with my concerns that the charges of housebreaking and theft that were brought against me were motivated out of malice by a competitor who had used Masonic influence to have me charged in what was nothing more than a commercial dispute.

The sheriff after initially refusing to hear my submission that I wished a declaration of Masonic membership/status from the judge who would hear my case relented and after hearing me allocated this issue to another sheriff at a later date.

In another preliminary hearing convened to settle the question of my objection to a Mason hearing my case the Sheriff, Isobella McColl, at her discretion gave me the assurances I had sought, but said that the principle of the question of whether or not such assurances should be given on demand from a litigant was one for the Scottish Parliament.

This satisfied my immediate concerns as to my rights, but left the principle involved undetermined. With this in mind and so that others may not have to go through what I had to I decided to take the sheriff's advice and before the outcome of my trial – which resulted in me being found not guilty of any offence – I petitioned the Parliament with my public petition PE 306.

As my trial was still ongoing I did not give details of the case but dealt instead with the principles involved.

The Public Petitions Committee website shows a brief synopsis of the main events in the life of PE 306 between 19 Dec 2000 and 28 Jan 2003. However it does not include the consideration of my petition by the Justice Minister at a meeting of the Justice 2 Committee on 04 March 2004.

My own website: <http://www.tomminogue.com/blog7.php> has copies of the official transcript of all the meetings at which PE 306 was considered between 19 Dec 2000 and 18 Mar 2004.

In a nutshell the petition is aimed at a court or tribunal user having the right to know if the person deciding their rights - or innocence or guilt – is a member of an organisation that has a sworn obligation to prefer their brethren over non-brethren, if such membership might be seen by a reasonable observer as possibly having an impact on the result of the court or tribunal.

Unique web address

<http://www.scottish.parliament.uk/GettingInvolved/Petitions/judgesmasonregister>

Related information for petition

My own website LINK which gives access to the official minutes of all meetings at which PE 306 which was referred to in Background Information is:

<http://www.saveourglen.com/wp-content/uploads/2012/10/Transcripts-of-Meetings-re-PE-3061.pdf>

Do you wish your petition to be hosted on the Parliament's website to collect signatures online?

YES

How many signatures have you collected so far?

0

Closing date for collecting signatures online

29 / 10 / 2013

Comments to stimulate online discussion

If anyone has experienced what they believe to be Masonic or similar fraternal bias acting against the public interest in courts or tribunals which may have been avoided if the terms of this petition become law could they please briefly describe them?