

## Corrupt Scotland: John Swinney and the Crown Office



by David Scott  
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Scottish public life is currently mired in [corruption](#) [2]. Comparisons are being made to [tin-pot](#) [3], third-world dictatorships and [banana republics](#) [4]. There are calls to drain the swamp.

Deputy First Minister [John Swinney](#) [5] has faced, and will again face, a [vote of no confidence](#) [6] in the Scottish Parliament over his decision to block the release to the Salmond Inquiry of information embarrassing to the regime.

The present Lord Advocate, [James Wolffe QC](#) [7], the most senior law officer in Scotland, has been called upon to "consider his position", which means to resign, by the former First Minister [Alex Salmond](#) [8], due to the failure of his leadership in the Crown Office — Scotland's state prosecutor.

Against this background, we feel compelled to release the following item of information into the public domain. It forms part of a large, vitally important case which involved a good man and loving father having his disabled son removed from his care by state officials in what we can only describe as an abduction. The details of this case are currently the subject of discussions with Police Scotland and other state agencies and must remain, for the moment at least, out of the public eye.

As Mr Swinney had been involved for many years in the case and had previously assured the family of his support, they called him as a witness in the guardianship case concerning the young man.

Mr Swinney refused to attend.

The family therefore cited him to attend and had the necessary notice served on him at his parliamentary premises, Holyrood.

The following is their description of the events in court on the day when John Swinney, Member of the Scottish Parliament, Education Secretary for Scotland and Deputy First Minister, was due to give evidence as a witness for a family fighting to keep their son.

At the opening of the Case, on the morning of the 3rd December 2015, Mr. Adam Heath (Solicitor for Perth and Kinross Council) called for a "Point of Order", which was approved by Sheriff Wood. Mr Heath stated that he had received a phone call from a third party asking him if he could **assist in getting one of the witnesses out of giving evidence**. When asked who this witness was, he said he was one of the witnesses for the parent attempting to recover the son.

When asked who the third party was, [the solicitor] stated that it was the Lord Advocate for Scotland, Mr Frank Mulholland. Finally, when asked a second time who the witness was, Mr Heath said it was Mr John Swinney, Deputy First Minister of Scotland.

The Sheriff stated that this action would not be allowed in his Court **but also prevented the recording of the Point of Order by the Verbatim Reporter**.

What can we conclude from this courtroom drama?

Frank Mulholland, when Lord Advocate, contacted the lawyer representing a local government body in a civil case. He then attempted to alter the witness list for the applicant in this case, without that party's knowledge or consent. This interference in a court case seems to have been undertaken to satisfy the wishes of a fellow cabinet minister, John Swinney. After all, the Lord Advocate is not just the Scottish Government's chief legal officer but is also a member of the executive that runs the country.

This is disturbing and leaves us with further questions.

Does Frank Mulholland (now Judge Lord Mulholland) make a habit of interfering with court cases and tampering with witness lists?

Does John Swinney, or for that matter Nicola Sturgeon or any other Scottish cabinet minister, routinely use the Lord Advocate to influence the conduct of court cases which they feel to be inconvenient, bothersome or personally threatening?

Just what is the relationship between the present and previous Lords Advocate and the Scottish National Party administration? How close is it? Is there any separation of powers at all?

And finally, just how corrupt is Scottish public life [9]?

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[3] <https://www.heraldscotland.com/news/19115802.fox-salmond-row-making-snp-govt-look-like-second-rate-tin-pot-dictatorship/>

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[5] <https://www.johnswinney.scot/>

[6] <https://www.bbc.co.uk/news/uk-scotland-scotland-politics-56311384>

[7] <https://justice.org.uk/james-wolffe-qc/>

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[9] <https://www.youtube.com/playlist?list=PLQiXb8GI4ucVErtZRLGzsl4JM01DPTqH1>

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