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Date: 31 July 2020  
Our ref: MUR005-0002/DH  
Your ref: DCA/CM

Dear Sirs,

**CRAIG MURRAY  
PETITION AND COMPLAINT BY HMA (HCA/2020-06/XM)**

We act for Craig Murray. Our client is the respondent in the petition and complaint presented to the High Court of Justiciary by Her Majesty's Advocate (case number HCA/2020-06/XM). In that petition, the Lord Advocate asserts, in short, that certain actions said to have been carried out by our client amount to contempt of court. Our client strongly denies any contempt of court. The petition founds on a number of articles published by our client on his website where he expressed his belief that the criminal charges against Alex Salmond were the result of orchestration by, amongst others, senior members of the Scottish Government and the Scottish National Party. Reference to these various articles is made throughout both the petition and the petitioner's written submissions. They thus form the foundation of a large part of the case against our client.

Our client believes that the Crown holds certain documents recovered in preparation for the trial of Mr. Salmond which show that the statements made by our client in these various articles are true. If our client's belief is right, then the terms of these documents materially weaken or undermine the case against him, and materially strengthen his case and fall to be disclosed to him.

For example, the Lord Advocate argues (see paragraphs 39 and 40 of his written submissions) that, in the articles referred to, our client stated an intention to publish the names of the accusers in the trial of Mr Salmond, contrary to the order of court preventing such publication. In fact, none of the individuals to whom our client was referring in that context were complainers in the trial of Mr. Salmond; they were, rather, other individuals who had been involved in the wider orchestration of the campaign against Mr Salmond.



Our client believes that this is evidenced in documents held by the Crown and that these documents are therefore essential to this part of his defence because they demonstrate that there were other individuals to whom he was referring. Hence, they rebut the inference that the Lord Advocate invites the Court to draw that our client could only have been referring to the complainers.

Similarly, the Lord Advocate avers that our client published information likely to identify the individual referred to as Woman A. In fact, our client maintains that, although he knew who this woman was, he had no idea that she was a complainer. In his articles he said nothing to suggest that she was a complainer; he was concerned only with her actions in orchestrating complaints. He believes that these actions of Woman A are specifically evidenced in the material held by the Crown. Therefore, they too are essential to his defence in this petition.

Accordingly, we are instructed by our client to request copies of the following specific documents (all of which were alluded to in the criminal case against Mr. Salmond or in the judicial review proceedings which preceded it, *Salmond v Scottish Ministers*):

- a) The text exchange between two complainers containing the phrase "*I have a plan...*" referred to during the trial, including any messages tending to show that this exchange may have been part of a wider orchestration of the criminal proceedings against Mr Salmond;
- b) The WhatsApp exchange on the day judicial review proceedings concluded to the effect that "*We have lost the battle but we will win the war*", an exchange referred to in the first preliminary hearing in the *HMA v Salmond* case and widely reported at the conclusion of the trial.
- c) The email from the witness Ann Harvie alleging a "witch hunt" and the series of emails on this subject she referred to in her evidence at the trial;
- d) The Scottish Government documents that were disclosed during the judicial review proceedings which supported the contention made on behalf of Mr. Salmond that conduct on the part of Scottish Government officials "*bordered on encouragement*". These documents were referred to in open court on 8 January 2019 and include the relevant "One Notes" of the Scottish Government Investigating Officer.
- e) The messages exchanged among the members of an SNP WhatsApp group which were referred to in the second preliminary hearing of the criminal case against Mr. Salmond in February of this year and which were reported after the trial. Our client understands that this WhatsApp group was co-ordinated by a senior SNP official. During Mr. Salmond's trial, reference was made to a message from one complainer to this SNP official, indicating that the sender would refuse a meeting if the Chief of Staff to the First Minister was present because the sender felt "*pressured rather than supported*".
- f) Documents disclosing the circumstances in which details of a Scottish Government complaint was leaked to the Daily Record newspaper in August 2018.
- g) Documents disclosing the circumstances in which Scottish Government sources briefed the *Sunday Post* newspaper in August 2018 that matters had been referred to the police on the advice of the Lord Advocate and demonstrating that such advice was also provided to complainers by Scottish Government officials or others.

- h) All other documents in the possession of the Crown which disclose or tend to suggest the existence of the conspiracy referred to in the articles published by our client and proffered by the Lord Advocate as instances of contempt of court.
- i) Any WhatsApp message or other communication to or from Peter Murrell or Sue Ruddick, which refers directly or indirectly to investigation of Mr. Salmond or to Police Scotland.

For the reasons set out above, our client is firmly of the view that this material has become relevant to the present case against him because of the Lord Advocate's averments in the petition and subsequent written submissions in this case. Evidence which tends to show that the allegations against Mr Salmond could have been the result of orchestration by senior Government and SNP officials materially weakens or undermines the case against our client and materially strengthens his case, because it supports his claim that his intention was not to reveal the identities of any of the complainers but only the names of those Government/SNP officials orchestrating the allegations.

Our client believes that Mr Salmond's solicitors may have some of the material which he requests. We have asked them if they would be willing to produce copies and we understand that, in principle, they are willing to do so, but they consider that they would require permission from the Crown to comply with that request.

Accordingly, on behalf of our client, we ask either that you disclose to us any of the material requested or that you give permission to Mr. Salmond's solicitors to do so.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Halliday Campbell', with a stylized, cursive script.

**Halliday Campbell**