



The Scottish Parliament  
Pàrlamaid na h-Alba

To All Members

Clerk/Chief Executive  
Edinburgh  
EH99 1SP

Tel: 0131-348-5255

paul.grice@scottish.parliament.uk

Text Relay: 0800 092 7100

(for Scottish Parliament information use the  
Textphone No: 0845 270 0152

8 December 2015

*Dear Member,*

I am writing to update you on the Corporate Body's action and next steps in relation to the protesters who are occupying part of the Parliament's estate to the exclusion of others.

Over the last week we have seen a gradual increase in the size and scale of the camp with the arrival of a caravan, cars and the use of petrol/diesel generators, lighting and fire braziers. The protesters have made it clear that they intend to camp indefinitely on Parliament land without permission and will not consider alternative options such as the organisation of a series of one day protests outside the building.


There are many ways groups and individuals can engage with the Parliament and make their views known. However the occupation of a public space on an exclusive basis and to the exclusion of others is not a precedent that the Corporate Body wishes to see established. In addition, the presence of a permanent camp advocating a particular position is at odds with our policy on the use of parliamentary resources under which we aim to maintain a politically neutral position.

While our strong preference was to resolve the issue through mutual agreement it is clear that we must consider alternative routes to return this land to public use. We have been in discussions with our legal advisers and now believe we have sufficient grounds to pursue a legal remedy to the situation.

As a first step therefore we have this afternoon issued the protesters with a formal letter (attached) asking them to vacate the Parliament's grounds, together with their possessions, within 48 hours. We very much hope the protesters will comply with this request and Parliament staff remain open to discussing alternative options with the group to enable them to express their views while ensuring the land remains available for the use of others. However should the protesters refuse to comply within the time period provided, we will seek a remedy through the courts to remove the camp.

The Corporate Body considers it essential that we protect the rights of all those who wish to access and use Parliament land and it is a matter of regret that we have been forced to take this action.

I will update Members further on this situation in due course.

yours sincerely  


**P E GRICE**  
Clerk/Chief Executive

BY SHERIFF OFFICERS  
Unauthorised occupiers of the 'Independence Camp'  
At the Scottish Parliament, Holyrood, Edinburgh

8 December 2015

Dear Sirs

**SCOTTISH PARLIAMENTARY CORPORATE BODY ("SPCB")  
YOUR UNAUTHORISED OCCUPATION OF SUBJECTS ON THE SCOTTISH PARLIAMENT ESTATE**

We act on behalf of the SPCB, the registered proprietors of the Scottish Parliamentary estate, forming the Scottish Parliament and the surrounding areas at Holyrood, Edinburgh (the "Property").

We have been informed that you have taken up occupation of part of the Property without our client's consent. You have set up a camp, comprising a number of tents, a caravan, a trailer and a power generator, on the landscaped area near the public entrance to the Scottish Parliament. You currently have no right or title to occupy the Property. The area you have occupied is used for a variety of recreational and other public purposes.

We understand that the SPCB has previously made contact with you to advise that camping on the Parliamentary estate is not permitted. An invitation was extended to you to discuss an alternative which would still allow you to express your views publicly at the Property, but we understand that you have declined to speak further with the SPCB representatives at this juncture. You have indicated that you intend to remain at the Property indefinitely and without the SPCB's permission.

Recognising the importance of the rights to freedom of expression and assembly in a democratic society, the SPCB has in place material which it makes available to those wishing to assemble on the Property, setting out its approach to protests on the Property. In particular, it has prepared a code of conduct regulating the approval and conduct of protests on the Parliamentary estate, designed to ensure that the land can be used safely and fairly by a range of different groups. To date, we are advised that you have refused to have regard to the code of conduct. The SPCB does not authorise camping under any circumstances.

The SPCB has a duty as landowner to manage its land in such a way as to secure safe and effective access for all of the public. While recognising your rights to express your views outside the Scottish Parliament, the SPCB considers that the rights of other people who may wish to demonstrate about other causes in the open space or

exercise their right to use the Property for recreational purposes are of equal importance. Your continuous presence at the Property is preventing other members of the public from using the public space you occupy for other, lawful purposes, and is therefore infringing on the rights and freedoms of others. Your appropriation of this area for your personal use also risks inhibiting or restricting the legitimate public use of the rest of the Property.

The SPCB has also explained to you that your ongoing presence at the Property is at odds with its policy of maintaining the political neutrality of the Parliamentary estate. The SPCB is concerned about the risk of a public perception of a loss of such neutrality should you remain. In particular, it appears to have been reported in the press that campaign material is in evidence. The campsite is, in general terms, incompatible with the role and function of the Scottish Parliament and also with the character and proper management of the Parliamentary estate.

For these reasons, on behalf of and as instructed by our client, you are hereby notified that you are required to remove yourself and all your goods, gear and effects from the Property by no later than **5pm on Thursday 10 December 2015**.

If you fail to do so, we are instructed to raise court proceedings for an order to remove you and the camp from the Property, without any further notice or warning to you whatsoever. Our client would prefer to reach an amicable resolution to this matter but consider that the ongoing situation cannot be allowed to continue. In the event of legal action being required and court orders being granted in its favour, our client will also have the ability to seek to recover payment of its legal expenses from you.

This letter shall be relied upon in any court action that may follow, particularly in relation to the question of expenses. We strongly recommend that you should seek independent legal advice on the terms of this letter.

Yours faithfully

On behalf of Brodies LLP