

Common Law Court
By email to info@commonlawcourt.com

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OUR REF JXG/SCR0059.0164/SZF

YOUR REF

6 July 2018

Dear Sirs

Our client: Scottish Children's Reporter Administration

We are the solicitors who act on behalf of the Scottish Children's Reporter Administration.

Our client has notified us that envelopes containing "Common Law Court Writ of Public Summons" and "Common Law Court Book of Deeds Extract Court Order" were sent special delivery to our client's Edinburgh office addressed to one of their employees and three Children's Hearing panel members. Further, three individuals, two of whom claimed to be "court officers" of the Common Law Court attended at our client's Edinburgh office on 3 July 2018 accusing their staff of breaking the law. Subsequently, similar documents were sent to our client's Chief Executive/Principal Reporter at our client's Stirling office.

We also note that information related to the documents sent to our client's employees is posted publicly on your website at <https://www.commonlawcourt.com/court-no-7>.

Our client takes the intimidation of their staff very seriously. It is a criminal offence in terms of section 38 of the Criminal Justice and Licensing (Scotland) Act 2010 for a person to behave in a threatening or abusive manner likely to cause a reasonable person to suffer fear or alarm.

Your actions have been reported to the Police to investigate.

We note from your website you intend to post further information "in the coming days", which includes the documents sent to our client's employees and Children's Hearing panel members. Those documents identify a child, which you refer to as the property of the plaintiff. It is a criminal offence in terms of section 182 of the Children's Hearings (Scotland) Act 2011, to publish any information either intended or likely to identify any child concerned or connected with Children's Hearing proceedings. It is also a criminal offence to identify the child's address or school.

We have advised our client that the documentation stating their employees and Children's Hearing panel members are guilty of criminal offences is defamatory. We have also advised our client that your use and publication of their employees personal data in this way without consent is contrary to the General Data Protection Regulation (GDPR).

We are advising our client in relation to the remedies available to them, including:

- Their right to raise court proceedings to require removal of your online publications and prevent further defamatory statements and misuse of our client's employees' personal data. We are also advising them in relation to their right to recover damages in light of the statements already made.
- Court proceedings to obtain a non-harassment order or interdict to prevent further harassment from you and individuals acting on your behalf.
- Reporting your misuse of personal data to the Information Commissioner's Office to take appropriate action.

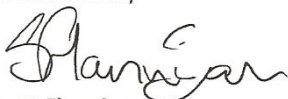
In order to prevent civil action being taken by our client, they are willing to afford you an opportunity to bring an end to this matter. We require that you:

1. Immediately remove this and all other defamatory publications about our client's employees and their Children's Hearing panel members, and cease making further defamatory statements (whether online or otherwise) relating to our client and their employees;
2. Cease contacting, or attempting to contact, our client's staff or Children's Hearing panel members by any means.

If you fail to remove the information by 5pm on Friday 13 July 2018 and/or make further contact of this nature we shall have no alternative but to take our client's instructions in relation to raising proceedings against you seeking a court order to compel you to remove the publication on your website, interdict from further conduct of this nature, and payment of damages and our client's legal expenses.

This letter is written without prejudice to our client's whole rights and pleas and may not be founded upon in any proceedings, except at our client's own instance or with their written consent.

Yours sincerely



Scott Flannigan

Associate

Anderson Strathern LLP