

Scottish Socialist Party ensures conviction of former leader Tommy Sheridan

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The conviction of Tommy Sheridan for perjury is the result of a political vendetta, waged by Rupert Murdoch's News International in a de facto alliance with the Lothian and Borders Police and the Scottish Socialist Party (SSP).

It leaves Sheridan facing a prison sentence of several years, threats of prosecution by News International to seek costs, and a number of Sheridan's supporters facing possible charges of perjury.

The trial has occasioned legal comment on its implications, with respect to the extraordinary power and influence of the Murdoch media empire. In 2006, Sheridan won a record £200,000 damages after suing the *News of the World* (*NoW*) over salacious allegations about his sex life, including that he visited Cupid's swingers' club in Manchester and had a number of affairs.

The verdict took News International by surprise, and it immediately said it intended to appeal the jury's verdict. In an unprecedented move, this appeal was preempted by the Scottish state, which decided to launch a four-year police investigation into alleged lies about someone's sexual activities with consenting adults. The investigation and subsequent perjury trial—itself historic—are estimated to have cost £4 million to £5 million.

There is no conceivable public interest justification for the state's decision. Ian Hamilton QC, one of Scotland's leading jurists, described the case as a "prostitution of Scots law. The Lord Advocate is a member of the Scottish government and the government was the pimp. The aim was not to seek justice but to placate Rupert Murdoch and the *News of the World*."

He noted, "In all my years as a lawyer I have never known a case where the successful side in a civil action was prosecuted for perjury. If anyone had to be prosecuted it was the side held to have lied under oath."

There is "no doubt the Lord Advocate was leant on by Rupert Murdoch's employees", Hamilton continued.

Sheridan's legal case alleged collaboration between the police and News International in both deciding to mount an investigation and in the manner in which it was conducted. Sheridan's family home was raided by 15 officers. Sheridan's wife, Gail, was then charged with theft over a collection of whisky miniatures that her then employer, British Airways, found were not stolen only after they had suspended her. During police questioning, Gail Sheridan was accused of acting like an IRA terrorist because she exercised her right to silence. Tapes of the interview were then leaked to the BBC and broadcast on December 23, the evening Tommy Sheridan was found guilty.

However, even with the Murdoch media empire's power and influence, a successful prosecution of Sheridan was only possible thanks to the SSP. The *NoW*'s defence in 2006 relied heavily on the testimony of Sheridan's factional opponents in the SSP led by Alan McCombes. But the impression given was that this had been forced upon them by Sheridan insisting on taking the libel action.

At an executive meeting of the SSP on November 9, 2004, his decision

was opposed and a deal was agreed whereby Sheridan stood down as party convenor, citing family reasons, to pursue libel action on his own. There were then leaks from within the SSP related to the November 9 meeting and the existence of minutes of it, prompting the May 23 arrest of McCombes for 12 days after he publicly refused to surrender the minutes.

Events surrounding the 2010 perjury trial have revealed the SSP's official policy of "non-compliance" with the initial prosecution as a fraud. From the beginning, McCombes and the SSP leadership have collaborated with News International and the police in order to secure Sheridan's imprisonment.

On Monday, August 7, 2006, Lothian and Borders Police reported that they had received two complaints of perjury against Sheridan, one from the former Conservative Member of the Scottish Parliament, Brian Monteith, and the other from the SSP's minutes-secretary, Barbara Scott.

Scott was employed as a parliamentary assistant to Carolyn Leckie, who was at the time having an affair with McCombes and is now his partner. Only days after the libel case concluded, Scott, in the company of Leckie and former SSP MSP Rosemary Kane, handed over the minutes to officers in Fettes police station in Edinburgh and told the police she had evidence of perjury. TV cameras accompanied them.

Lothian and Borders Police were instructed to start a criminal investigation that led to Sheridan, his wife Gail, father-in-law Angus Healey, former SSP MSP Rosemary Byrne, and former members of the SSP Executive Committee, Patricia Smith, Graeme McIver and Jock Penman, being charged with perjury.

The SSP publicly endorsed a prosecution and the imprisonment of Sheridan. McCombes wrote, "Like Jeffrey Archer and Jonathan Aitken, two top Tory politicians who served lengthy jail sentences for their actions, Tommy Sheridan took out a libel action based on a fraud: at least some of the material published in the trashy tabloid *News of the World* was substantially true."

The September 28, 2010, indictment issued against Sheridan relied overwhelmingly on testimony provided by the SSP leadership, with the disputed minutes of the November 9 meeting being repeatedly referenced regarding his allegedly admitting attending Cupid's Healthclub with *NoW* reporter Anvar Begum Khan. The other significant raft of charges involved denying being present at a supposed sex party on June 14, 2002—"or at any other time"—at the Moathouse Hotel, Glasgow, denying having an affair with Khan in late 1992, and denying "a sexual relationship" with Katrine Trolle, an SSP member.

Of the 42 prosecution witnesses in the ensuing trial, 24 were members of the SSP, including 16 former members of the Executive Committee.

The testimony of many key witnesses was discredited. Khan was found to have made up much of her account of relations with Sheridan while negotiating a contract with the *News of the World*. Matt McColl, the man the prosecution relied on to make its allegations regarding sex parties at the Moat House Hotel, repeatedly changed his story after being presented by the defence with evidence that he was lying and refused to answer

questions. This forced the court to delete all charges relating to the Moathouse Hotel from the indictment. All charges were also dropped against Gail Sheridan and her father.

Questioning of the SSP confirmed that its members were not brought to court in 2006 because of a rash decision by Sheridan, or a few individual members leaking information, but by its own initiative.

Handing the minutes to the police was only the final move in efforts ongoing since 2006 to ensure that details of the November 9 meeting were made public. Immediately following that meeting, Duncan Rowan, an SSP organiser, had told the *NoW* that Sheridan had attended an orgy with Katrine Trolle and not his girlfriend, Fiona McGuire, as the newspaper had claimed. Rowan testified against Sheridan during the first libel trial, before leaving Scotland for England. Before he left for England, the SSP paid him £17,000 for “fees and expenses” incurred during that year. This later led the Electoral Commission to question the SSP over its failure to explain this payment.

News of the World Scottish Editor Bob Bird confirmed that Fiona McGuire was paid £20,000, plus further money for loss of earnings and other expenses, after she was interviewed before the 2006 trial. She was given flying lessons and a holiday in Dubai and put up in a hotel during the trial. She was only one of a number of SSP members paid by Murdoch.

The 2010 trial revealed that McCombes, following the November 9, 2004, meeting, had in fact submitted an affidavit to the *Sunday Herald* revealing that Sheridan had not resigned, but been forced to quit after a unanimous vote was passed by the SSP’s executive committee and confirming that minutes were taken of the meeting. The *Sunday Herald* printed a report to this effect on May 28, 2006, shortly before Sheridan’s libel case and during the period that McCombes was in jail for refusing to hand over minutes of the November 9 meeting!

This was done behind the backs of the SSP membership. McCombes said in court that he had consulted with “senior party members” before handing the document to the *Sunday Herald*, accompanied by Eddie Truman, the SSP’s press officer. The only “senior member” he named was Leckie. McCombes kept this affidavit secret for six years. At the time of the *Sunday Herald* article, a national aggregate of the SSP had voted that the person responsible for the leak should be expelled from the party.

Without the activities of Rowan, McCombes, Leckie, et al., the SSP’s meeting would have remained an internal affair, and there would have been no basis for them being called to testify against Sheridan in 2006.

In addition, Barbara Scott revealed that the purported minutes of the meeting consisted of a handwritten contemporaneous copy that no one had vetted and a typed version that had been specifically requested by Alan Green, the SSP’s then national secretary. The handwritten minutes contain the lines, “Two visits 1996, 2002, mistake, reckless etc. Publication of book by someone, two other MSPs named.” These had been handed over to Green. Scott asked for them back, she claimed, during the libel trial. They were handed to her by McCombes and were supposedly in her handbag when she was testifying under oath. The typed version of the minutes, produced according to Scott sometime around November 16, 2004 was drawn up, she admitted, under the “guidance” of Green.

The biggest beneficiary from the *News of the World*’s largesse is George McNeilage, a best man at Sheridan’s wedding. In 2004, McNeilage claimed that he was so incensed by Sheridan’s denials of the truth that on November 18 of that year he videoed Sheridan admitting to affairs and other exploits. He held on to the tape until after the libel trial and then sold it to Bob Bird for £200,000. Like Rowan and McGuire, McNeilage remained an SSP member. His tape has never been authenticated.

Katrine Trolle, Sheridan’s alleged former mistress, did not accept money from Murdoch, though it was offered. But an e-mail from her was

presented to the court, offering her bank account details to Lothian and Borders Detective Constable Grant Wilson and thanking him for the “coffee and muffins”. Other e-mails indicated Trolle enjoying friendly relations with Wilson.

More could have been revealed, but News International witnesses Bird, journalist Douglas Wight and the paper’s editor, Andrew Coulson—now Prime Minister David Cameron’s chief media adviser—testified that a large number of e-mails had been “lost” when News International moved its e-mail storage to India. There were also other e-mails between Trolle and Lothian and Borders Police, which were also lost after a change of storage facilities. In addition, Fiona McGuire was given leave not to attend the trial on health grounds.

Thanks to the SSP, Sheridan faces prison and possible bankruptcy and five people who testified in his defence could face charges of perverting the course of justice. Sheridan is putting together an appeal against the conviction. There are grounds for doing so, including the tainting of witnesses, missing e-mails and the redacting of a *News of the World* document, titled “Sheridan expenses”, listing payments to witnesses, travel and accommodation costs in which the majority of the entries were blacked out.

Sheridan may also question the reluctance of the Court to take seriously the possibility that his phone was bugged by Glen Mulcaire, a private eye employed by the *NoW*. Two notebooks of Mulcaire’s from 2004 contained Sheridan’s personal details including his mobile phone number, bank account and a personal identification number (PIN) for accessing his voicemails. Mulcaire’s documents naming Sheridan only came to light after his solicitor, Aamer Anwar, won a court order instructing the Metropolitan police to release them in December 2009. Mulcaire’s contract with the *News of the World* was worth £105,000 a year and had been signed by Greg Miskiw, then assistant editor of the *NoW*, but Miskiw had not even been interviewed by the police. Andrew Coulson had also not been interviewed.

Sheridan has said he intends to take legal action against News International and the Metropolitan Police.

An additional issue of possible challenge is that, of the original 19 charges, only 6 charges were in the end put to the jury and one of those was modified to show different dates. For 12 weeks, all of these issues had been discussed before the jury.

In the SSP’s cursory statement on the Sheridan conviction, it writes, “We now draw a line under this sorry saga and move on. The Scottish Socialist Party has been tested to the limit over the past six years and has proven it is a party of principles and integrity.”

The SSP must not be allowed to “move on”. In the first instance, its part in the proceedings against Sheridan damns the SSP as an organisation led by individuals who are, in some cases, police informers and in the pay of Rupert Murdoch. The party as a whole has, moreover, established intimate relations with the police and the media. Should SSP members attempt to attend a workers’ meeting or picket line, it would be entirely right and proper to bar them. Frankly, there is no way of knowing precisely who one would be speaking to or to whom they would in turn relay information.

Secondly, it is essential to draw political conclusions from this sordid affair. At least in one respect, Sheridan is as guilty as McCombes in that he bears joint responsibility for creating and shaping the character of the SSP, whose leadership turned against him to such devastating effect.

When the SSP was established by former Militant Tendency members in 1998, its embrace of Scottish separatism, a central orientation to winning seats in Holyrood and readiness to accept into membership various Stalinists, Greens, anarchists and feminists was hailed as the path to “success”. Instead, this toxic brew of rampant political opportunism and nationalist demagoguery has created one of the most right-wing formations to have emerged from the decayed milieu of what once passed itself off as

the “radical left”.

For whatever remains of the SSP’s inevitably short life span, it will function as an instrument for staging political provocations while dividing the working class through invoking a hatred of everything “British”.

It is worth noting that last month the SSP replicated its moralising over Sheridan’s sex life into an embrace of the efforts to target WikiLeaks founder Julian Assange for trumped-up charges of sexual misconduct. Just as it turned a blind eye to the fact that Sheridan was being targeted by News International, an article on the web site of the Scottish Socialist Youth declared, “Do not let the fact that WikiLeaks has got the right ideas about freedom of information blind us to the fact that rape is one of the most reprehensible crimes someone can commit, and that violence (sexual, physical, psychological, emotional) against women (which the overwhelming majority of the time goes unpunished) should be opposed in all its forms—and perpetrators brought to justice where it has been committed.”

There is no line that the SSP will not cross. It must be treated with utmost suspicion.



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