



The Sovereign Nation of Shetland



Official Residence, Ocracuoy, Cunningsburgh, Shetland, Near but outwith UK.
Tel: 01950 477829, Email: info@sovereignshetland.com, website: sovereignshetland.com

20 November, 2023

Rt. Hon.Lord Carloway
Scottish Courts and Tribunals Service
Saughton House
Broomhouse Drive
Edinburgh
EH11 3XD

**By Royal Mail Signed For Service
No. KL131046654GB**

Dear Lord Carloway,

Report of events at Lerwick Sheriff Court concerning Stuart Hill and others

- A) This brings to your attention irregular activity in the Lerwick Sheriff Court and the Orkney Sheriff Court over both of which you have authority. You already know, or should know, both from those above and below you, that the matter of the sovereignty of the Crown in Orkney and Shetland has been challenged and no proof of its existence has been shown. It is our assertion that such sovereignty does not exist and cannot exist because the allodial ownership of Orkney and Shetland, the fundamental requirement for sovereignty, is in the hands of the udal land owners. Scotland and the UK exercise power here, but that power is maintained by force and coercion, not by any legal or lawful means. It is in the courts that that power is enforced.
- B) Most of my remarks are confined to Shetland. I write as authorised representative of The Sovereign Nation of Shetland. This letter is in two parts. The first deals with general matters of jurisdiction, the second, with particular cases illustrative of conduct in the Lerwick Sheriff Court, starts on page 4.
- C) Since 2011 we have been trying to find out how Scotland and the UK derive their authority in Shetland, but without success. No court in the Scottish system, right up to the Supreme Court in London, has been able to show, or have shown to it, proof of the Crown's sovereignty here in Shetland. In the absence of that sovereignty, the position of the Scottish Courts and Tribunal Service is untenable in Shetland and we are driven to radical measures to seek justice. Please note that we are not asking for adjudication on this matter, but we are asking for those who purport to exercise the authority of Scotland and the UK in Shetland to show proof of that authority, in the absence of which they act at their own personal liability.

Leaving aside the history, the legal position regarding **territorial jurisdiction** seems to be:

- D) *The Laws of Scotland, Stair Memorial Encyclopaedia* states at para. (1) of Volume 4:
“The authority of the court derives from the **sovereign power**”. (My emphasis)
It is my presumption that “sovereign power” is the same as “sovereignty”
- E) *Stair* at Volume 18(42):

“The Crown's **sovereignty** and its *dominium eminens*, its ultimate tenurial superiority, were

the same thing, were identical concepts”.

This statement is made in the past tense, but the following shows that it still applies:

Note 4 on that page, which says:

“the Crown cannot dispone, but can only feu, for to dispone would, in the feudal scheme of things, be to alienate not only **land** but also **sovereignty**.”

And *Stair* at Volume 18 (47):

“The *dominium eminens* or ultimate superiority of the Crown is **allodial** because not held of a higher lord, except of God.”

The Crown’s sovereignty is the same as its allodial ownership. They are identical concepts.

F) *Stair*, Vol. 18 (47):

“But to this rule that all land is feudal, there are some exceptions. The first is udal land in Orkney and Shetland which is, as the name indicates, allodial”

G) Sasines Manual, S17.17

(<https://rosdev.atlassian.net/wiki/spaces/GRS/pages/76155720/S17.17+Udal+Tenure>):

“The nature of udal tenure is that it is allodial. A udal landowner holds an absolute title, free of any interest of the Crown or any intervening superior. Udal law had no concept of feudal grant or feudal relationship, and probably did not include a concept of title burdens”.

H) Green’s Encyclopaedia of the Law of Scotland, Vol. XV, Para. 702:

“All lands in Orkney and Shetland remain udal, excepting such as have been feudalised by a charter emanating directly from the Crown, or indirectly through earldom or bishopric title”.

As far as we are aware, there is no possibility of a charter emanating directly from the Crown because the Crown has never had allodial ownership of Shetland and reference to earldom and bishopric lands applies only to Orkney.

I) Members of The Sovereign Nation of Shetland are udal land owners. Udal land is allodial. The nature of land held allodially is that there is no lord or superior except God. The Crown has no right in our land, whether or not that land is periodically or continuously covered by the sea. By definition, allodial ownership of our land means that we have sovereignty over that land, just as the Crown has over its allodial land.

J) Allodial ownership is ownership under God. There can be no statute above God.

We, members of The Sovereign Nation of Shetland, sovereign in our own right, reject the presumption that the Crown has any property rights or rights of any kind whatsoever over our land, foreshore or seas and seabed.

K) In October 2015, The Sovereign Nation of Shetland made an allodial claim of the Lerwick Sheriff Court, Lerwick Police Station and the land on which they stand. (Exhibit G) This claim was a

particular instance of our claim of 27 November 2013 for allodial ownership of the whole of Shetland and the surrounding seas and seabed out to 200 miles (Exhibit H), made to the Scottish and UK governments. Both claims remain unrebutted. There is nothing superior to allodial ownership. This is not a challenge to the jurisdiction of the Lerwick Sheriff Court because the court **is the sheriff** sitting as a court of summary jurisdiction (see §2] in Exhibit I). However, our allodial ownership does give us sovereignty and jurisdiction in the court buildings.

- L) As we say in the 31 October 2023 letter (Exhibit J), we grant permission for Scottish summary courts to operate in our building for those who wish to submit to the jurisdiction of such courts after giving their fully informed consent.

Personal jurisdiction:

- M) It is my observation that personal jurisdiction in courts of summary jurisdiction is obtained by completely fraudulent means (see Exhibit K).
- N) The sheriff, as a legal fiction, cannot have jurisdiction over a man or woman.
- O) There may have been presumptions made at or before the point at which the man or woman enters the dock, but express consent to act as a legal fiction must be given before jurisdiction is established. It is my observation that jurisdiction is established at the moment of consent.
- P) This is done by a simple trick question: “Are you (in my case) Stuart Alan Hill?”
- Q) The court will interpret “Yes” as giving consent to act as the legal fiction STUART ALAN HILL on the complaint. Consent would be given and jurisdiction established. Members of The Sovereign Nation of Shetland claim allodial ownership of their legal fiction entities.
- R) There can be no communication between a legal fiction and a man. We therefore presume that any communication between the man on the bench and the man in the dock is between the men, not any legal fiction.
- S) Nothing a member of The Sovereign Nation of Shetland may say or do, or omit to say or do may be construed as consent to act as any kind of legal fiction. This may not be overridden by anything a court officer says or does, or omits to say or do.
- T) The Scottish judiciary has jurisdiction in Shetland only over those who:
- 1) consent to act as a legal fiction, and/or
 - 2) blindly accept the false territorial jurisdiction of Scottish courts in Shetland.

We, members of The Sovereign Nation of Shetland do not give our consent to submit to the jurisdiction, whether territorial or personal, of Scottish courts in Shetland.

- U) However, as we point out in Exhibit J, Scottish courts and their officers may continue to have jurisdiction over those (the vast majority in Shetland) who consent to submit to that jurisdiction. On the surface, nothing changes.

Two recent cases:

- V) As an illustration of the increasingly desperate measures adopted by both the Crown and the judiciary, I can do no better than to give details of a recent case, a charge of contempt of court against me, (Case No. PP23003058), connected with a case against one of our members (Case No. LE22000337) attempting to protect her land. Members of The Sovereign Nation of Shetland represent themselves in court.
- W) It is a fundamental requirement in a criminal court that the procurator fiscal shows that the court has jurisdiction. This duty is not to be found in the COPFS manual as far as we can see, but it is on the HSE website:
https://www.hse.gov.uk/enforce/enforcementguidesc/report/process.htm#_The_decision_to_ :

“The decision to prosecute:

The decision whether or not to prosecute is one entirely for the Procurator Fiscal. Before proceeding with a case the Procurator Fiscal must be satisfied by way of corroborated evidence

- that the case is within the jurisdiction of the court;
- that an offence has been committed;
- that the alleged offender committed that offence and is therefore liable to prosecution; and
- that there is sufficient evidence to prove beyond reasonable doubt both that the offence was committed, and by whom.”

- X) In this instance we have been able to find no evidence that any of these four requirements has been satisfied.
- Y) Sandra Irvine’s attempts to protect her allodial rights against so-called birdwatchers, the Shetland Islands Council, the police and the courts had resulted in a charge of abusive behaviour against her. Having previously had arguments dismissed, we went to extraordinary lengths to ensure the court followed due process, but were again defeated by the secret processes of summary jurisdiction. Summary jurisdiction invites abuses by the prosecution and judiciary. The lack of any record means that abuses of due process can be executed in plain sight, with the help of compliant media. In order to bring these injustices to light, we took the decision to make our own recordings of the proceedings.
- Z) Sandra made a conditional acceptance of the various court officers’ offers to act in their capacities (see example, Exhibit A). A prime condition was that they show proof of their authority, which they were unable to do. (See Plain Statement of Facts at page 6 of folder). Failure to do so makes them

personally liable under the resulting Contract.

- AA) Sandra issued a Statement of Uncontroversial Facts by Form 21.1-A under Section 258 Of the 1995 Act (see Exhibit B, page 20 of folder). Because of past experience it was felt necessary to insert extra conditions, which were ignored. It has been our experience that it appears to be COPFS policy to issue a blanket challenge to the Statement of Uncontroversial Facts with Form 21.2. While appearing to be within the letter of Section 258, such a blanket challenge seems to be an attempt to stymie the next stage, which is a challenge to their challenge on Form 21.2-A and submission of all 3 documents to the sheriff. This appears to us to be an obstruction of justice, which was supported by Ian Cruickshank (see [4] of Exhibit M on Page 68 of folder, which we dispute). If not rebutted, those Uncontroversial Facts are deemed conclusively proved, leaving the court with no jurisdiction.
- BB) It has also been our experience that a sheriff will allow the procurator fiscal to make an oral challenge at the hearing, which is specifically not allowed under the legislation. We have also had a case where we had used Form 21.1-A, had the blanket response from the procurator fiscal, but had elected not to present the bundle of 3 documents to the sheriff. Despite that, the sheriff harangued our member with information from the Statement of Uncontroversial Facts, which can only have come into his possession if there had been behind the scenes contact between procurator fiscal and sheriff.
- CC) In this instance the procurator fiscal ignored Form 21.1-A. By Section 258(3), all facts stated are “deemed to have been conclusively proved”. They include:
1. Truth makes a statement uncontroversial; and
 2. SANDRA JANE IRVINE and Sandra are two different entities; and
 3. the procurator fiscal depute accuses SANDRA JANE IRVINE of an offence; and
 4. SANDRA JANE IRVINE is a legal fiction and is not capable of committing the offence; and
 5. the position of procurator fiscal depute derives from Scottish legislation; and
 6. the complaint is made under Scottish legislation; and
 7. the authority of the court derives from the sovereign power, (see D above); and
 8. the Crown's sovereign power and its *dominium eminens*, its ultimate tenurial superiority were (and are) the same thing (see E above); and
 9. the Crown's *dominium eminens* is allodial, because not held of a higher power, except of God (see E above); and
 10. allodial ownership is the same as sovereignty, they are identical concepts (see E above); and
 11. without allodial ownership, there can be no sovereignty; and
 12. without sovereignty, there is no jurisdiction, exhibit C: Stair, Vol 18, para. 42; and
 13. the Crown does not have allodial ownership of SANDRA JANE IRVINE; and
 14. the Crown does not have allodial ownership of Sandra; and
 15. the Crown does not have allodial ownership of Sandra’s land; and
 16. the Court therefore does not have jurisdiction over SANDRA JANE IRVINE or Sandra ; and

17. the procurator fiscal has no authority to bring SANDRA JANE IRVINE or Sandra to a Scottish court; and
18. by the definition in *Stair*, Sandra, having allodial ownership of her land and her body, is sovereign in her own right; and
19. by the evidence, it appears that Shetland Islands Council exceeded its powers in entering on Sandra's allodial land and removing her property from it; and
20. by evidence available to Sandra, it appears that Procurator Fiscal Duncan Mackenzie is concerned with others in operating false courts and fraud connected therewith, which they do not deny; and

DD) As conclusively proved, these facts leave SCTS in an untenable position.

EE) In the current instance, the citation was issued on 23 January, was preceded by a police warning on 28 November 2022 (Exhibit F) and a report to the procurator fiscal at some date between. Sandra responded immediately with her Statement of Uncontroversial Facts (Exhibit B). Although admittedly early, it was still within the period described in Section 258(2)(b), being not less than seven days before the intermediate diet. These facts also belie the procurator fiscal's assertion that the section 258 documents were issued before proceedings started (Exhibit E and para. HH below).

FF) On 1 March, Sandra issued a Pre-Action Protocol (PAP) letter (see Exhibit C) to Ian Cruickshank, summarising the agreement between them as a result of the contract started by the conditional acceptance of offer (Exhibit A). **This letter by itself completely undermines Ian Cruickshank's position and that of SCTS.**

GG) There had meanwhile been issued a Notice of Fault and Notice of Default, which are not included here. The PAP letter makes it clear that there can be no possible means for Sandra to be involved in any legal proceedings in the Lerwick Sheriff Court.

HH) The procurator fiscal had failed to answer at all to the Section 258 Statement of Uncontroversial Facts, so Sandra wrote to Ian Cruickshank on 10 March 2023. By the legislation, the Statement of Uncontroversial Facts stood as conclusively proved because unrebutted, again making it clear that there was no possible means for Sandra to be involved in any legal proceedings in the Lerwick Sheriff Court. Sandra sent a copy of the legal fiction SANDRA JANE IRVINE to appear at the court as required on the complaint. The facts in the Statement of Uncontroversial Facts having been conclusively proved, there was no need for her to attend the court on 15 March (see Exhibit D).

II) The hearing went ahead in Sandra's absence. Ian Cruickshank, acting as sheriff, described the Section 258 documents as "unusual paperwork", but did not dispute their legality. Duncan Mackenzie, acting as procurator fiscal dismissed them as "pseudo-legal drivel", seemingly deliberately misleading the court by saying they had been issued before proceedings had been commenced (see Exhibit E). Para. EE above shows the procurator fiscal to be wrong in his comment about timing. Sheriff and procurator fiscal apparently conspired to bury and ignore the proper process.

JJ) Sandra was arrested, brought to the court, then released on bail. Further hearings followed.

Our increasing insistence on proper answers has been met with further bad treatment. We could include examples here, but the videos and the account of Sandra's case will give sufficient idea of how unlevel the playing field is and how little we can rely on a fair hearing when there are underlying political considerations.

Contempt of court hearings.

1. Sandra had been found guilty of abusive behaviour (in proceedings beset with their own problems) and had been sentenced to provide a £500 caution for her 'good behaviour' for the next twelve months. She had agreed to pay the money as soon as the court showed proof of its authority to ask for it. A hearing was fixed for 2 August 2023 to enquire into the matter.
2. I submitted a Statement of Truth to the court on Monday 31 July 2023 (Exhibit K), the truth of which is not challenged. It contains a number of statements, which although true, would have been very uncomfortable for the sheriff to read. For instance, Ian Cruickshank, acting as sheriff, does not deny *inter alia* being in contempt of court and operating false courts and fraud connected therewith.
3. I came to the court on Wednesday, 2 August to observe the proceedings. Sandra was called. Having ascertained that she would rely on the Statement of Truth in any proceedings against her (as is stated in the Statement of Truth), Ian Cruickshank asked her to return to the public gallery and called me forward to the well of the court. (on what authority, I am not sure). I foolishly allowed myself to be ushered into the dock.
4. There was no formal identification. Jurisdiction was not established.
5. Ian Cruickshank proceeded to quote parts of the Statement of Truth as the basis of a charge of contempt. I was given no chance to respond. Although he did not question the truth of the statements quoted, they were presented as accusations. No contempt was alleged relating events to that day.
6. Ian Cruickshank, as the 'first court' under Section 29B of the rules then remanded me in custody until a hearing by the 'other court' fixed for Monday, 7 August. There are some problems concerning procedure:
7. Chapter 29B of the Act of Adjournal (Criminal Procedure Rules) 1996 S1 1996/513 Schedule 2, Part VII, Miscellaneous Procedures, Chapter 29B Contempt of Court refers throughout to 'persons'.
My Statement of Truth (Exhibit C), the truth of which remains unchallenged, explains why I do not admit or consent to being, or acting as a 'person'. I reject the presumption that Chapter 29B applies to me as a man.
8. I was not asked if I had legal representation. At no time was I formally identified, nor did I consent to be or act as any kind of legal fiction over which the court might have jurisdiction. In the absence of jurisdiction there is no court. At the end of the 'proceedings' I was immediately arrested and taken

to police cells, ready for transport to Peterhead Prison.

9. Although he stated that the alleged contempt occurred on 2 August 2023, Ian Cruickshank does not report this in his statement of facts. Nothing in his statement of facts suggests any alleged contempt on 2 August 2023.
10. §29B.4(2) states that “The diet shall be fixed to take place no later than the third court day following the date on which the alleged contempt occurred”. The alleged contempt occurred on Monday 31 July 2023, when Ian Cruickshank received the Statement of Truth (see exhibit L). The diet was fixed for Monday 7 August, which was outwith the time period. It was later brought forward to Friday 4 August, which was still too late to comply with the requirements of §29B.4(2). The hearing was *ultra vires* §29B.4(2).
11. §29B.4(3): “at the same time as fixing the diet for the contempt hearing, the first court shall -- (c)
 - (1) ordain the relevant person to appear at the contempt hearing; or
 - (2) exercise its power to remand that person in custody until that hearing”.

Bail was not an option in §29B.4(3), as Ian Cruickshank points out at [24] in his 2 August 2023 Statement of Facts (Exhibit M), but I was required to sign bail papers (Exhibit N) after my 50 hours incarceration in police cells. Even if a court existed, it was *ultra vires* for bail papers to be issued.

12. It is submitted that Ian Cruickshank violated §204 of the 1995 Act, which prohibits a sentence of imprisonment on anyone who does not have legal representation. Although it is a further condition that the accused has not been subject to previous detention or imprisonment, it is well known that I always represent myself and that therefore any previous imprisonment was also in violation of §204 of the 1995 Act. A legal act cannot be founded upon an illegal one.
13. I refused to leave the cells to be taken to prison and was kept in the police cell - insanitary conditions with food served on the floor and having to write on the floor to prepare my case as best I could.
14. If arrested by police, the maximum time for custody would be 12 hours, or a further 12 hours with the approval of a senior officer.
15. I was not identified at any time during my time in custody. If there is a record of my being in police cells, it was fabricated in my absence.
16. Whether in jail or police cells, being held in custody effectively prevented my access to papers to prepare my defence.
17. Late morning on Friday 4 August, I was told there was to be a hearing at about an hour’s notice. In the expectation of a hearing on Monday 7 August, I was hardly prepared, but hastily scribbled some notes.
18. The ‘hearing’ was in Lerwick Sheriff Court with Derek C W Pyle remotely on a laptop on the bench,

while I sat at the table in front of the bench, next to the clerk.

19. It was my genuine belief that, as sheriff principal, Derek C W Pyle would be interested in what was happening in the Lerwick court and might wish to take some action. I was sadly mistaken.

20. §29B.9 states that:

“The clerk of the court shall record all proceedings relating to the alleged contempt of court in the court minutes.”

No such record was made and I have no means of checking the veracity of Derek C W Pyle’s Note, at least parts of which I know to be erroneous.

21. Once again I was not asked to identify myself.

22. In his Note (Exhibit O), Derek C W Pyle says at [1]:

“The proceedings before the sheriff were as narrated in his statement of facts”.

He simply took the statement of facts on trust. He was not present and could have only made this statement with certainty if he been provided with a recording - something the court has steadfastly denied doing.

23. I deny, as stated at [5] of Derek C W Pyle’s Note, and in violation of §29B.6(1), that I was asked if I agreed with Ian Cruickshank’s account of the 2 August events.

24. §29B.6(5) states:

“To the extent that the statement of facts is not denied by the relevant person, the other court shall take it to be accurate”.

Since I was not asked, the statement of facts was taken as read.

25. Derek C W Pyle says at [5] of his Note:

“As is required by Chapter 29B of the Criminal Procedure Rules 1996, I asked Mr Hill if he admitted or denied the facts contained in the statement of facts. He did not address that directly, but instead proceeded to make his now well known - at least in this court - assertions about the sovereignty of the Shetland Isles and the provenance and status of Udal Law.”

I reject the assertion that I was asked to admit or deny anything. I can categorically state that no assertion was made “about the sovereignty of the Shetland Isles and the provenance and status of Udal Law.” Such matters are not within the competency of the court and I do not ask it to adjudicate on them. However, officials of the court are still required to show proof of their authority.

26. At no time was I invited to apologise for any contempt in accordance with §29B.7(a)

27. At §29B.7(b), the words “after hearing the relevant person, determine the disposal” seem to indicate that sentence should be determined immediately at the ‘hearing’, instead of which it was delayed for

three months, during which time I had the prospect of “severe punishment” hanging over me.

28. At [6] in his note Derek C W Pyle says:

“I invited him to address me on any other matters before determining whether a contempt of court had taken place. He declined to do so.

I reject this statement. What I can give is a quote from the statement I prepared in the cells, which I read at the ‘hearing’, but which is not recorded in Derek C W Pyle’s Note:

“In order for there to be a contempt of court, there needs to be both a contempt and a court. If either is absent, there can be no contempt of court. The document concerned is a Statement of Truth. If a statement is true, it is self-evident that it cannot be contemptuous, no matter how uncomfortable for the recipient.

In order to challenge a Statement of Truth, you must challenge the truth of the statement. The first court does not challenge the truth of the statement. Maxim: He who does not deny admits.

I have been called a ‘stupid old man’ in this court, but I am not so stupid as to make and publish statements I cannot substantiate.

The statement at the top of page 23 (page 62 of folder) is a standard format statement of truth. It says:

“I believe that the facts stated in pages 1-21 of this statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.”

I have more than an honest belief. I can substantiate by documents or by observation and logic every statement in this document. The document is true and it raises serious questions for the Scottish legal system.

The most serious is that a number of high-profile people, including Ian Cruickshank, acting as sheriff; Duncan Mackenzie, acting as procurator fiscal depute; Janet Hunter, acting as sheriff clerk; Stuart Clemenson, acting as area commander, Police Scotland; four police officers and others, are involved in operating false courts and fraud connected therewith”.

29. It seems that Derek C W Pyle was more interested in a whitewash than an investigation into these allegations.

30. Although not denying the truth of individual statements, Derek C W Pyle considered that as a whole they constituted a contempt of court.

31. Derek C W Pyle considered the contempt to be “a grave contempt deserving of severe punishment”.

32. I was found guilty of “a grave contempt deserving of severe punishment” on the strength of a true statement and a fair and accurate record of summary proceedings. I was required not to enter the court and to be ‘of good behaviour’ until sentenced on 1 November 2023.
33. Derek C W Pyle makes a threat of psychiatric assessment at the end of his Note. Together with contempt of court, this seems to be the ultimate intimidatory threat in summary proceedings.
34. Coincidentally or otherwise, Sandra and I both had hearings scheduled for 1 November 2023. Mine was originally fixed for 3pm, then brought forward to 9:15. Hers was for 10am. We both entered the public gallery at 9am, she to observe my case, me to observe hers if able to do so. We were accompanied by a friend to observe both.
35. I was called to be told by Ian Cruickshank that Derek C W Pyle was unavailable for my hearing, which was continued until the next day.
36. I returned to my seat, where I was approached by a police officer (presumably on instructions from the court) who told me I was breaking my ‘bail conditions’ if I stayed. I left, but then returned, having recollected that there were no bail conditions and that any conditions had expired anyway. A little later the officer invited me outside the court room, where I have no doubt he had colleagues ready to handcuff me and take me away. I politely refused and was left alone.
37. Sandra’s case was then called. As is the case with all members of The Sovereign Nation of Shetland, she represents herself. She had been found guilty and ordered to find caution in the sum of £500, which she had agreed to pay as soon as the court showed proof of its jurisdiction. She was sentenced, in violation of Section 204 of the 1995 Act, to 14 days imprisonment. She had not consented to act as a legal fiction in the court and was not identified as such in the police station. She refused to leave the cell to go into the prison van and was kept there for around 30 hours. The police repeatedly phoned her husband saying she could be released immediately if he paid the £500, but he would not do so until instructed by her. We do not know on what authority this offer was made, but presume it must have come from the court. Eventually a 4-person squad came up from Scotland to take her to Peterhead prison.
38. I attended the court on 2 November for the delayed hearing. When called, I went to sit at the desk as previously (see 18 above), but Derek Pyle (remotely on screen) told me that if I did not go into the dock, the police would put me in. If it was a legal requirement for me to enter the dock on that day, clearly the 4 August hearing did not comply with that requirement.

I was not allowed to speak at the hearing. Having laid the blame for Sandra’s unlawful imprisonment by Ian Cruickshank at my feet, Derek C W Pyle said little more than words to the effect:

“You are here to be sentenced. The sentence is that you are admonished. There is nothing

more to be said. Thank you. Goodbye”. (See Exhibit P)

Severe punishment suddenly had evaporated.

39. Apart from the Statement of Truth, I issued three documents immediately before the 1 November hearing, which may have had some bearing on Derek C W Pyle’s rush at the 4 August ‘hearing’.
40. The first was a Notice of Fault resulting from his inability to show that he was **not** operating false courts and fraud connected therewith. Exhibit Q is the originating document for the Notice of Fault.
41. The second was a list of presumptions (Exhibit R), outlining various presumptions we perceive to be operating in the Lerwick Sheriff Court. They describe a number of fundamental defects rendering the hearings and any resulting orders void.
42. The third was the 31 October 2023 letter (Exhibit J) with 2 October 2015 allodial claim (Exhibit G).
43. Derek C W Pyle was right to be nervous about any of these coming to light in open court.
44. After my release, I went to the police station in an attempt to find out if Sandra was still there and managed to ascertain that she was. I was not allowed to see her in exercise of my power of attorney. She also refused to leave the police cells, but a team was sent up from Scotland to get her and she was taken to Peterhead.
45. To give an idea of the desperate and inept measures adopted by the judiciary in Lerwick in their efforts to conceal their lack of authority, see the video at www.sovereignshetland.com/judiciary.
46. I was given similar treatment in Orkney Sheriff Court during a case that ran over 20 hearings over a three year period. For a video of the Orkney case, see www.sovereignshetland.com/Orkney.mp4.
47. These videos are not available for public view until we release the links, which will be done on 1 January 2024 if a satisfactory outcome is not by then achieved.
48. What is described is typical of our encounters with the Scottish legal system. In the knowledge of their lack of jurisdiction there is palpable nervousness on the part of the sheriff and court officers.

In Summary:

Ian Cruickshank:

- a) Made no formal identification in order to establish jurisdiction, and
- b) brought charges of alleged contempt of court on the basis of a Statement of Truth, the truth of which he does not deny, including that:
 - i) he was in contempt of court, and
 - ii) he does not deny operating false courts and fraud connected therewith, and
 - iii) he had no jurisdiction, and
 - iv) he was culpable of impersonating a sheriff, and

- v) he allowed political considerations to override due process, and
 - vi) I posed the question of who required a psychiatric assessment when a man in a wig holds a conversation with someone he can neither see nor hear, and
 - vii) he had no authority to act as sheriff, and
 - viii) all his actions on 12 July [and since] had been contrary to law, and
 - ix) he acted at his own personal liability, and
 - x) the case against Sandra had been conducted without authority, and
 - xi) he acted outside of the law by not having the procurator fiscal show the court how it had jurisdiction when the competency of the court was challenged, and
 - xii) he appeared to be practising law from the bench, and
 - xiii) he provoked, barracked and bullied Sandra, and
 - xiv) he subjected Sandra to unlawful imprisonment and coercion, and
 - xv) he ensured, contrary to Section 157(2) of the Criminal Procedure (Scotland) Act 1995, that no record was made of his activities, and
 - xvi) he claimed he could force Sandra into a psychiatric assessment, and
 - xvii) he made unlawful bail conditions, which were later dropped, and
- c) brought charges of contempt of court without establishing that I was a ‘person’ to which Chapter 29B applies, and
- d) ordered my unlawful arrest and imprisonment, and
- e) failed to fix a diet within the time allotted by Chapter §29B.4(2), and
- f) appears to have authorised bail where none is allowed under §29B.4(3)(c), and
- g) violated §204 of the 1995 Act by attempting to send to prison a man who was representing himself, and
- h) had me held in police cells for around 50 hours, and
- i) prevented my properly preparing my defence, and
- j) on 2 November 2023 apparently ordered a police officer to require my removal from the court room in line with non-existent bail conditions, and
- k) on 1 November 2023 conducted two hearings with Sandra without establishing jurisdiction, and
- l) sentenced Sandra to 14 days imprisonment in violation of Section 204 of the 1995 Act, and

Derek C W Pyle:

- m) on 4 August 2023, made no formal identification in order to establish jurisdiction, and
- n) failed to have me stand in the dock, and
- o) made statements he was unable to verify in his 4 August 2023 Note, and
- p) made false statements in his 4 August 2023 Note, and
- q) in violation of §29B(9), failed to ensure a record of proceedings was made, and
- r) did not ask me to apologise under §29B.7(a), and
- s) asserted the there was “a grave contempt deserving of severe punishment”, and
- t) contrary to §29B.7(b) delayed sentence for three months, and
- u) on 2 November 2023 required me to stand in the dock, when it had not apparently been necessary on 4 August, and
- v) blamed me for Ian Cruickshank’s unlawful imprisonment of Sandra, and
- w) without giving me an opportunity to speak, passed a sentence of admonishment on this “grave contempt deserving of severe punishment” in the briefest possible terms and left.

- 49. Additionally, on three occasions during Sandra’s proceedings, Ian Cruickshank conspired with Duncan Mackenzie, acting as procurator fiscal to pervert the course of justice by preventing an application under Section 258 of the 1995 Act from being determined, and
- 50. Ian Cruickshank gave spurious reasons for excluding me from acting under Sandra’s power of attorney, and
- 51. Sandra, in common with all members of The Sovereign Nation of Shetland has claimed allodial ownership of the legal fiction with which the court wishes to engage, and
- 52. Ian Cruickshank ignored evidence of such allodial ownership when presented by Sandra.
- 53. In the most charitable terms, Lerwick Sheriff Court could be said to be in disorder. Its officers could be said to be in malfeasance in public office at the very least.
- 54. I quote from Lord Diplock in *Attorney General v Times Newspapers 1973* in the House of Lords:

“The due administration of justice requires:

first that all citizens should have unhindered access to the constitutionally established courts of criminal or civil jurisdiction for the determination of disputes as to their legal rights and liabilities;

secondly, that they should be able to rely on obtaining in the courts the arbitrament of

a tribunal which is **free from bias against any party** and whose decision will be **based on those facts only that have been proved in evidence adduced before** it in accordance with the procedure adopted in courts of law; and

thirdly that, once the dispute has been submitted to a court of law, they should be able to rely on there being **no usurpation by any other person of the function of that court** to decide it according to law. **Conduct which is calculated to prejudice any of these requirements or to undermine public confidence that they will be observed is contempt of court."**

55. We, the members of The Sovereign Nation of Shetland believe that the conduct of the sheriffs we have encountered is calculated to prejudice these requirements and does undermine public confidence that they will be observed and that they are therefore in contempt of court. We believe the position of SCTS in Shetland to be untenable. We do not submit to its jurisdiction. We do not find justice in your courts. Threats of prison and psychiatric assessment hold no fear for us.

56. It is clear that:

56.1 in the absence of proof of sovereignty over Shetland, the Crown has no authority here and the court has no jurisdiction over those who do not wish to submit to that jurisdiction, and

56.2 in the absence of proof of jurisdiction in Shetland, all those exercising the authority of the Scottish judiciary here are impersonating their offices, and

56.3 officers are prepared to break the law in order and conspire with others to cover up their lack of jurisdiction.

Remedy sought:

56.4 We require immunity for all our members from any interaction with Scottish law enforcement. A valid membership card will be sufficient to identify our members. We have no intention of living other than peacefully and lawfully, and

56.5 We require rent to be paid for our building. We have allowed SCTS use of the Lerwick Sheriff Court buildings since October 2015, but now believe that it is time to put things on a more formal footing. We estimate that a monthly rental of £5,000 would not be unreasonable for that part of the building used by SCTS. Monthly rent for the period plus 8% annual compound interest results in a figure of £671,544.63. We would be prepared to give a 50% discount on that outstanding balance if paid by 1 January 2024. That discount will reduce by 10% for every month thereafter that the balance remains outstanding until it reaches zero. After 1 January 2024 the outstanding balance will increase by 5% per month and the discount will be calculated after that 5% is added. Please find enclosed invoice and statement, and

56.6 We require adequate compensation for the harm inflicted by officers of the court and others.

57. If you have any dispute with anything in the above, please let us know with specificity within 14 days of your receipt of this communication. After that period it will be reasonable for us to presume your acquiescence to these terms.
58. You may rest assured that we do not wish to cause any chaos in Shetland society. We will remain discreet about any arrangements made because mass publicity is not in our best interests. That is not to say that we will relax in our efforts toward the changes we have outlined. To that end we will continue a strategy of education of the public and ridicule and challenge of 'authority' by whatever means we see fit until we come to agreement.
59. We would appreciate your early response as an indication of good faith in an attempt to reach a mutually satisfactory outcome.

By our hand and seal



The man commonly known as Stuart, sovereign in my own right, authorised representative.

The word of a sovereign needs no corroboration.

Invoice and statement enclosed in folder