

REQUEST FOR CLARIFICATION OF THE EXACT NATURE OF MY 'CRIME':

I respectfully request the relevant authority in this case to inform me of the following:

- 1) Precisely how did I exceed my human right of freedom of expression? (Article 10, European Convention on Human Rights)
- 2) Given that the charge of 'causing fear & alarm' was dropped, what exactly constituted my alleged Breach of the Peace? (In many cases, 'causing fear & alarm' seems to be a prerequisite for Breach of the Peace.)
- 3) What law did I actually break?

Having hitherto been a law-abiding citizen, I obviously had no intention of breaking the law.

Although I also have no intention of putting myself in such a situation ever again, in order to avoid any possibility of inadvertently breaking this law, I do need clarification on these matters (1, 2, 3).

Please note, the language I speak is plain English not Legalese.

I find it difficult to understand why I am in this predicament. My trouble with all this is that I didn't actually do the things I am accused of, so it would be dishonest of me to admit guilt or show remorse. I do deeply regret having followed what I took to be an entirely innocent & legal Carnival procession, as it has landed me in such extreme difficulty (see the document, 'Extent to Which I have Already Been Punished') But my 'crime', apart from being in the wrong place at the wrong time, is by no means clear to me.

I trust this is considered reasonable. It is sincerely meant to be.

David King

3rd September 2006

Postscript:

In these concluding remarks, I am aware that Scots Law is different from English Law, even though we live in the United Kingdom. Incidentally, the majority of the riot police on duty in the Canning Street Cordon were from English constabularies, I was arrested by English officers, & the 2 police 'witnesses' who committed perjury in a Scottish court by lying about me were also English.

Now, I am a non-violent pacifist (I'm actually heard to say as much in the police video), & someone of fairly diminutive stature to boot. Few could credibly argue that I'm intimidating in person. Even the police witnesses & the Sheriff conceded that I did NOT cause "fear & alarm." I do not act like some lairy lager lout or boorish bovver boy trying to pick a fight.

Yet, I WAS arrested.

I live in a country where vociferous Muslim protestors carrying placards calling for BOMBINGS & BEHEADINGS, & threateningly shouting the same, are neither arrested nor convicted of Breach of the Peace.

There seems to be a double standard of policing in force.

More ironic still, a mere 3 days after I was arrested on trumped up charges, during a massively expensive police operation involving forces drawn from all over the country including London, bombs exploded in London on 7/7/06.

The hundreds of arrests, of which mine was but one, in Edinburgh on 4th July were caused not by a sudden increase in the level of crime but by police over-reaction. Legitimate dissent was effectively criminalized.

If, as the first police witness alleged (mistakenly as shown by the video & as he later admitted), the crowd had been given a chance to disperse, or indeed if my individual request to leave the cordon had been allowed, I would not have been arrested.

I may be confused about the law, but the law on Breach of the Peace (in Scotland) is also confused, as is the way it's applied. There seems to be no consistency. It's as if some robbers /murderers / pick-your-crime will get arrested & others won't.

Even in the case of a Breach of the Peace, some will be warned to stop (as is required under Section 5 of the Public Order Act), others like me are arrested without any warning. Obviously, if I had been told or warned to stop what I was doing, I would have.

[Also, the senior officer, by invoking Section 14 of the P.O.A. to impose the police cordon, applied the wrong law. Not only does Section 14 not authorize the use of a cordon, it does not even apply to processions. But if Section 14 is in force, then is it not reasonable & indeed logical to assume that Section 5 of the same Act, requiring a warning to be issued before arrest, should also apply?]

I was arrested in an arbitrary way under a catch-all so-called 'Common' law that is itself in real need of more rigorous definition & certainly more consistent & fairer enforcement.

David King

3rd September 2006