

CAUSE FOR CONCERN

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PART ONE

“SOME SLIMY JUDGE”

**The rule of law?
or the rule of lawyers!**

PART TWO

PERJURY

**BY
PEOPLE
WITH
POWER**

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[Note: The title of Part One is borrowed from words used by Judge Sir Stephen Tumim on TV's 'Breakfast With Frost', on retiring as Her Majesty's Chief Inspector of Prisons].

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There may be hundreds of honest lawyers.

I do know one.

He gave me 3 volumes of Stone's Justices' Manuals.

This book is dedicated to him.

AND

To one of my law tutors, who,
on being told that I was going to be a Kamikaze pilot said
"About time somebody did".

"Bon Voyage"

"Fasten your seat belt"

[? What did she mean?]

THE JUDICIAL OATH

"I DO SWEAR BY ALMIGHTY GOD, THAT I WILL WELL & TRULY SERVE OUR SOVEREIGN LADY QUEEN ELIZABETH THE SECOND, IN THE OFFICE OF JUDGE, AND I WILL DO RIGHT TO ALL MANNER OF PEOPLE, AFTER THE LAWS & USAGES OF THIS REALM WITHOUT FEAR OR FAVOUR, AFFECTION OR ILL WILL"



(and those who had their fingers crossed when they swore it).

FOREWORD

My allotted span having been used up [not to any great effect], it is surprising that Opportunity chooses this time to knock on my door. I am grateful to her, though doubt my ability to fulfil her expectations, bearing in mind my own limitations, AND the size of the task she has presented to me. It is an opportunity to put the world to rights, - or at least to expose a small but important part of it which certainly NEEDS putting to rights. This book is my attempt to do just that.

We have all been reared to believe that the legal profession, & particularly the judiciary, is composed of people of the highest intellect & integrity. I have recently come across much evidence to the contrary.

Complaint is often made about the faults of 'The Legal System'. Faults it may have, but 'the system' can only be as good as the people running it.

This book is written to expose those lawyers & judges who are incompetent, ignorant of the law, arrogant, dishonest, without integrity or conscience, & who abuse the power given to them.

I am conscious that nothing & nobody in the world can be perfect, least of all me. Nevertheless, I have seen & have evidence of, sufficient examples of all the faults listed above to cause grave disquiet to anyone who has concern for the standards of the profession & the quality of the justice which they dispense.

Chapter 1. SETTING THE SCENE

The Main Characters.

FOULMOUTH STUD LTD; PITT, BULL, TURRIER & CO, Solicitors: DISTRICT JUDGE THICKO: CIRCUIT JUDGE AL CAPONE: MR.RECODER SOZZLED: THE KRAY TWINS, [LORD JUSTICE OF APPEAL RONNIE & LORD JUSTICE OF APPEAL REGGIE]; PENNY TWO-FACE [Stipendiary Magistrate]; SLIMY STUART de SADE [Another 'Stipe']; DISTRICT JUDGE BAGSNATCHA; Mr JUSTICE [Sir] ANDREW DAVID KARNT-REED; Mr. JUSTICE NO-NOSE; BARRISTER CHEAP; and CHIEF MAGISTRATE'S CLERK Mr. P. BLACKFOOT, [as choice a bunch of shysters as you could find anywhere] on one side,

AND

OUR HERO, a 'LIP' [Litigant In Person], on the other.

You will also read of Mr. Mare-Owner, Miss Snappily [young solicitor]; and others.

[NOTE: IF YOU ARE IMPATIENT TO LEARN THE REAL NAMES OF THE CHARACTERS, JUST TURN TO THE 'CAST LIST' ON PAGE 40].

There have always been thugs, thieves, swindlers & cheats, & there always will be, to a greater or lesser degree. It could, & should, be lesser, if those with power & influence would do something about it.

There have always been shyster lawyers, no doubt there always will be.

But what about judges? For 69 years I believed the propaganda that English judges were men & women of high intellect; of integrity & insight; of honour & honesty; of competence & conscience. I WAS LIVING IN FAIRYLAND, & SO ARE YOU IF YOU BELIEVE AS I DID! That there should be one rotten apple in a barrel is worrying. That there should be several is frightening. Are there ANY honest judges? I am beginning to doubt it! This little book is my puny attempt to expose a rotten canker in this nation. Pure chance, & their carelessness born of arrogance, has caused me to stumble into knowledge of it.

No trade or profession, be it motor repairing, plumbing, dressmaking or building, is particularly fond of the amateur [he is after all doing what should be their work], but if the task is a simple one, if it is within his capabilities, & particularly if his pocket is not a deep one, there is no reason why he shouldn't do it. The professionals may not like it, but they aren't going to beat him up. Except for ONE set of professionals. They can, - they will, - and they have got the boys to do it!

How many simple souls have thought or said "I wouldn't need a lawyer to be able to tell the truth in court". If only they knew! Speaking without a lawyer means that they are depriving the legal profession of lovely dosh, & THAT is most definitely 'AGAINST THE LAW'! That is the one profession which CAN make you regret your decision to 'Do It Your-self', - whether from choice or necessity. You may not NEED a lawyer, but you do without one at your peril! It matters not that your case is simple, or you are not blessed with wealth, the boot will go in just the same! Believe me, I know, - and I've got the scars to prove it!

This is my tale. You will find it hard to believe. I didn't believe it at first, - but it's true! Some people have said "You should have had a good lawyer". Maybe so. Maybe all this would not have happened. In which case this whole can of worms would not have been exposed. That would have been a pity.

The plot will be familiar to those of you who have ever seen a George Formby or Norman Wisdom

film. The little man, happily going about his mundane little life, suddenly finds himself targeted by The Nazis, The Mafia, or some other gang of villains. Unable to believe it at first, he then realises it is serious, & tries to tell 'The Authorities', but they turn out to be members of the gang. He suffers much misfortune, but finally triumphs with, of course, the help of a nice young lady [who is of course rather cleverer than he is]. Does this story have a happy ending? Who knows? This is no fairy tale – it's a horror story. It's not finished yet, - and where's the nice young lady?

Copy letters & documents which prove the story are in the appendices.

Chapter 2. GREAT BRITAIN IN THE NINETIES

At Sunday school 60 years ago, I learned that there were two kinds of people, [apart from robbers of course]. There were the Pharisees, who, on seeing the robber's victim in the gutter, would pass by on the other side. Then there were the Samaritans, good people, who would cross the road to the victim, tend his wounds & succour him.

Nowadays it's different. Now there are three kinds of people. There are still the Pharisees, & there are still the Samaritans. But now there is the third kind. They too will cross the road to the victim, but they don't go over to succour him. No, they go over to put the boot in – just for the sheer pleasure of doing so!

It's the new National Sport, "PUT THE BOOT INTO THE VICTIM". Among the supporters are high ranking police officers & MPs. "Motorists who have their cars stolen should be prosecuted!" Put the boot into the victim! Of course.

76 year old pensioner Ted Newbery successfully defended himself against two burglars. The Crown Prosecution Service decided to put the boot in, - not to the burglars, - but to Mr. Newbery! They charged him with 'Wounding With Intent To Cause GBH'. Had he been found guilty he could have been sentenced to life imprisonment! Thanks to a good jury with a sense of justice & common sense, Mr. Newbery was acquitted [he should have been awarded a medal]. But the law hadn't finished with him yet. Foiled by the jury, they found a judge, Mr. Justice Rougier, willing to put the boot in. He did so by ordering the victim to pay £4,000 to one of the burglars!

And the new National Motto? "DON'T HAVE A GO". What a nation of wimps we are! Neville Chamberlain acquired the reputation of being a weak prime minister, & an appeaser, - a 'wimp' in today's terms. Even so, when Hitler attacked Poland he didn't say "don't have a go". He DID have a go, & so did the rest of us! The reward? To read in the papers, day after day after day, headlines like those which follow on page 5.



"GREAT BRITAIN IN THE NINETIES"



"Third attack in a year on 87 yr. old disabled pensioner":

"Woman of 88 in car theft ordeal":

"Two 80 yr. old women pensioners attacked & mugged in same area within 2 days, one needs hip operation":

"90 yr. old couple, one blind, one deaf, robbed twice in 4 weeks in their own home":

"Car thief who killed man of 77 receives slap on wrist":

"Woman of 98, almost blind, partly deaf, attacked by intruder":

"92 year old woman killed in her own home":

"83 yr. old man robbed & savagely beaten in own home":

"86 yr. old blind pensioner hurled to ground, bag, purse, & white stick stolen":

"Petty burglar murdered widow of 99":

"18 yr. old attacks & robs 2 sisters, 84 & 88 yrs old, kills one. Earlier on the same day he had been arrested in another pensioner's home. Claimed he was 13, bailed 'into care'. Went off & violently robbed elderly man, then went on to commit the murder. Since the age of 12 he had 'with gratuitous violence' attacked & robbed 'at least' 60 victims":

"83 yr. old man, feeding the pigeons, robbed & killed. Killer gets 3 years probation":

19 yr. old with history of burglary, 'joy riding', arson, criminal damage & assault had cost Wandsworth Social Services £500,000 over 8 years. Killed father of 3 by stabbing. Walks free from court. 'Not Guilty' [of anything]:

"Pensioner beaten to death":

"5 youths charged with murder of disabled OAP":

"Fatal stabbing of blind pensioner. Teenager arrested":

"Elderly couple found strangled":

"Teenager arrested for murder of one legged almost blind pensioner, who had cancer & diabetes. Had previously suffered a series of burglaries":

"83 yr. old woman dies after attack & robbery at home. 13 yr old boy & girl charged":

"Couple in their seventies & paralysed son found battered to death in their own home":

"98 yr. old woman killed by 2 women burglars":

And so it goes on, week in week out. Everyone wrings their hands & says "Isn't it awful!", but nobody does a thing about it. People under 40 accept it as an unfortunate part of life. Those of us who are older remember a time when these sorts of crimes were virtually unheard of. They didn't just develop slowly. This national disgrace was triggered off by a specific happening on a specific date in a specific part of the country.

About midnight on the 11th/12th of February 1962 a hurricane hit Leeds & Bradford area. 20,000 houses were damaged in Leeds alone. Roofs were blown off, chimney pots & stacks sent crashing. Old ladies rang the fire brigade for help. "We've no-one to send, they're all out, get in touch with your landlord". "But I AM the landlord" they would say. In the aftermath, with all the roof repairs that needed doing, cowboy roofers soon discovered that many old folks, desperate for help, had sums of money tucked away, & could be persuaded to part with it. And so began this unhappy state of affairs, with bogus officials following on behind the cowboy roofers, & burglars & muggers behind them.

What do the pundits & commentators tell us? "There is no need to be frightened of these sorts of crimes. They very rarely happen! The 'FEAR OF CRIME' is the real problem, & the fear is not really justified by the statistics!" Who are they trying to kid, - and why? Nowhere have I ever seen a list even such as the very incomplete one which I now produce. Many hundreds more stories could be added.

Why do I bring up this subject? Well, it's important, & those who SHOULD be doing something, Members of Parliament in particular, ignore the matter completely.

Apart from that, I too am a victim. I too have been swindled, cheated & mugged, but my attackers have not been the usual kind. They wear smart suits, - yes, & wigs & robes too, - but they are thugs just the same. But this old age pensioner isn't an easy victim, - he gets up & fights back. In my wartime Royal Navy days I learned the tradition that being outgunned & outnumbered was no good reason to run away. I remember that tradition, & try to follow it. I am outgunned & outnumbered to some tune, but I am not going to run away. [Some might say the tradition I follow is more that of the Kamikaze pilot!]

People have said "Is it worth the hassle?" YES, in spite of all the trouble to me it most certainly is! I did not choose this role, the short straw has been thrust upon me, but I will not shirk it. It is my little bit to try & arrest the frighteningly speedy decline of this once honourable nation.

The present day wimps, cowards, brainwashed sheep, & whiners, are no match for the villains, thugs, & scoundrels, who, along with the shysters, con-men, self seekers, word twisters, & manipulators of thought, have taken over the country. There are men & women of integrity & courage. Are there enough to reverse the trend? Unbelievably, this trivial little affair has exposed enough evidence to help do that, if only it can see the light of day.

Bear this in mind as you read what follows: It is a tale about the legal profession, the intellectual elite of the country. A profession which prides itself on its precise use of language, where a person's fate may depend on the position of a comma. A profession in which 5 Law Lords [Wilberforce, Russell of Killowen, Keith of Kinkel, Scarman, & Bridge of Harwich], spent 3 days debating the meaning of the word "whereby". [House of Lords. 1981. Inland Revenue v Garvin].

That such a profession should use the English language [& the law] as carelessly as this lot have done would be bad enough if it were only incompetence. There is more to it than just incompetence.

Lord Justice Atkin's judgment, given in 1941, could well apply to this affair. [See Page 20, last paragraph].

Chapter 3. A HORROR STORY

It is hard work trying to convince people that this can really happen, - except for those who have experienced the same. They will say "No need to convince us, we know, we've been there!"

Having used up my allotted span, to no great effect, I can look back on a good life, a life of many opportunities [most of them missed], a life in which I enjoyed the love of a good woman for 30 years, a life of many, many mistakes, but most of them forgiven, forgotten, or known only to me. ALL in all a life at least as good as I have deserved.

I fought in the war, have worked hard ever since, & have at least TRIED to do right by my fellow man, - though my conscience tells me that I have not always succeeded. Who was it said "In order to enjoy old age one needs good health & a bad memory"?

Being blessed with that necessary good health, I was enjoying a happy semi-retirement, suddenly, - BANG! Somehow or other I attracted the hatred of some extremely malicious & vindictive people. I STILL don't know what I ever did wrong to them.

To indulge their hatred they have spent several thousand pounds on lawyers to hound me round Yorkshire with 3 sets of bailiffs, [& to find judges willing to seize every last penny of my old age pension, including the pensioner's £10 Christmas bonus. "But they can't DO that!" people have said]. They have ended my career & way of life, they have taken action to have me bankrupted, & taken action to have me committed to prison. For what? For a completely bogus debt of £697. [You want cast iron documentary proof? I've got it.]

And these are people who themselves make a habit of going bankrupt for hundreds of thousands of pounds, but nevertheless manage to live in a luxury home, & run a show place stud farm to indulge the youngest daughter. To attract such hatred does little for one's ego. It stimulates one's memory to remember all those words & actions which one would like to forget, & to resurrect them into one's conscience, "Maybe I deserve it" one thinks.

However, most of us learn at an early age that the whole world doesn't love us as we would wish. It's part of life, like it or lump it. With all my faults I don't think I deserve what these people have done.

What about solicitors? That malicious & vindictive people should be able to find a firm of solicitors willing to take on such work, a firm without conscience or concern for ethics or the Law Society's own code of practice, who are prepared to break the law if necessary, is worrying. Even THAT serious state of affairs however, pales into insignificance compared to the REAL can of worms which has been exposed to my eyes [& I hope to yours, if you will believe me].

THAT MALICIOUS PEOPLE & SHYSTER LAWYERS, SHOULD BE ABLE SO EASILY TO FIND JUDGES PREPARED [& PLEASED] TO CARRY OUT THEIR DIRTY WORK FOR THEM, IS FRIGHTENING. NOW THAT IS IMPORTANT!

There are some 3,000 or so judges. They can't ALL be dishonest can they? You must forgive me if I am beginning to think they are. One after the other, they have been queuing up to put the boot into me. Nine of them so far. [I'm losing count]. But, you may well ask, WHY? And why me? The malice of my original attackers, [& the lengths to which they are prepared to go to indulge it], is hard to explain, but then, 'love' or 'hate', who can explain either? The animosity of the legal

profession is easier to explain, but the extent of it is difficult to comprehend.

Another question you may ask is HOW? “Surely they can’t DO that?” people have said to me. Oh but they can, - shyster lawyers & dishonest judges can do ANYTHING, - & if the people of Great Britain don’t wake up they will keep on doing it!

Whatever about dishonesty, the incompetence of the whole legal profession, judges & all, is beyond belief. You want proof? I’ve got it!

The deliberate obstruction of the ‘Litigant in Person’, by many court staff, from the top to the bottom, is a disgrace. It is a routine part of ‘the system’. You want proof? I’ve got it!

Chapter 3a. LEGAL AID

At the time of writing [4/7/96], Lord Mackay of Clashkern, the Lord Chancellor, has just made an important speech on the subject of THE LEGAL AID FUND. There is much brouhaha going on about it on the radio, TV, & in the press. Apparently the cost is spiralling out of control. There is fear that the lawyers' gravy train is going to hit the buffers. ALL the pundits have been arguing about the cause, & the remedy. Some blame the clients. Some blame the lawyers.

NONE of the pundits blame the judges. They should do. They are after all only jumped up lawyers, & the lawyer's inborn hatred for the 'Litigant In Person' does not disappear when he swears the judicial oath. It increases, & he has the power to indulge it. Many people, rich or poor, might be happy to take their own case to court, but they dare not. We have in our courts an 'Adversarial System'. To face a hostile opponent is one thing, to face a hostile judge as well is hopeless.

Some who have sympathised with me have said "You need a good lawyer". With all respect to them I must say "No, I need justice", or more accurately in this case, "Protection against injustice". That is the trouble. If you do not employ a lawyer you will NOT get justice – the judge will see to that. The fact that a few LIPS are occasionally allowed to win is window dressing.

THE GREEN FORM SCHEME. Some 5 or 6 times recently I have gone into a solicitor's office to ask a simple question. Poor people can get legal advice up to a cost of eighty odd pounds by signing a 'Green Form'. Obviously my appearance is that of a 'poor person' so almost invariably they have said "If you sign this green form we can give you advice free" - & they get their 80 quid out of the fund for expanding a simple question into a complicated one. And the cost of the fund spirals upwards!

Chapter 4. A FEW DETAILS

Mr. Mare-Owner enters into a contract with FOULMOUTH STUD LTD. The contract is completed. FOULMOUTH STUD LTD. send an invoice for £697 to Mr. Mare-Owner, who sends payment in full by return. End of story.

End of story? It should be, but you don't know Foulmouth. A few days later they send an identical invoice to OUR HERO. He writes back, "Debt not mine, it's not a debt anyway as it has been paid, please explain". No explanation forthcoming, just a threat of "unpleasantness". The threat fails. Next thing, a County Court Summons.

Our Hero is surprised & puzzled, but not worried. He knows that Foulmouth's own documents [the invoice to Mr. Mare-Owner, & the cheque in full payment] prove all that is necessary.

A Preliminary Hearing, presided over by District Judge Thicko. Foulmouth failed to turn up. Thicko has a statement from Foulmouth & obviously has read it. Our Hero is not allowed to do so. Thicko refuses to allow Our Hero to produce his own documents, or even to say what they are. The instigators of the action having failed to turn up, Our Hero asks for the action to be struck out. "I have the power to do so, but prefer not to", says Thicko. Strange? A date is set for the hearing. It is to be in the Small Claims Court, is to be in private, & one is not expected to use a solicitor.

When eventually a copy of the Foulmouth statement comes into Our Hero's hands, he sees it to contain many untruths. Accordingly he makes application for the hearing to be in open court, [the Notice of Hearing specifically invites him to do so], & for evidence to be given on oath. There is a hearing for this application. Foulmouth, who failed to turn up at all to the Preliminary Hearing, send TWO people to object to the hearing being in open court, & evidence on oath. Wonder why?? Thicko refuses application. The hearing WILL be in secret, & evidence will NOT be on oath.

This is quite contrary to ARTICLE 6 of THE EUROPEAN CONVENTION ON HUMAN RIGHTS, to which Great Britain is a signatory. Article 6 says: "IN THE DETERMINATION OF HIS CIVIL RIGHTS AND OBLIGATIONS EVERYONE IS ENTITLED TO A FAIR AND PUBLIC HEARING"

The hearing takes place before Thicko, Our Hero again asked that evidence be on oath. Again he was refused. The plaintiffs FOULMOUTH were allowed to present their case without interruption. Our Hero started to present his defence. It was simple, & wasn't going to take long. He had barely got started when Thicko interrupted, & would not allow him to go further. From then on he conducted the hearing like Rob Wilton or Russ Abbott would have done, - but it wasn't as funny.

Mr. Mare-Owner had volunteered to give evidence on Our Hero's behalf. [Our Hero didn't think his presence really necessary, as there was ample documentary proof, but felt it would have been churlish to refuse the kind offer]. He confirmed that the contract was with him, & that he had sent a cheque in full payment. That was all that was needed. Unfortunately, Mr. Mare-Owner is a very self-important chap.

He saw himself as very much the social & intellectual superior of Our Hero, & had come along to rescue this poor peasant. He saw himself as Good King Wenceslaus, St. George, Kavanagh QC, George Washington, Perry Mason & the Seventh Cavalry all rolled into one. He decided that he was the star of the show, that the judge could not fail to be impressed, took over centre stage, & launched pompously into his long-winded life story, contradicting himself, & confusing poor Thicko.

Mare-Owner didn't help one bit, but even so, the evidence was there to be seen. But not by poor Thicko. He was lost in the fog. It was a blindingly simple case, & could have been decided there & then, but it took Thicko 15 days to arrive at his judgement, & eight un-numbered pages to write it. Judgement was against Our Hero.

Prior to the hearing Our Hero had requested that Foulmouth should produce in court their invoices, including the one to Mare-Owner, Number 0649, which proved his case completely. At the hearing they admitted that they had destroyed this vital piece of evidence. As it happens Our Hero had obtained copies of all these invoices from the invoicees, including Mr. Mare-Owner. He had not intended to produce them, intending to rely on Foulmouth's own copies. However, their copy having been destroyed, Thicko asked our Hero to hand over. He did so. In spite of the cockeyed way Thicko ran the hearing Our Hero still had no fears for the end result, after all Foulmouth had admitted they had received payment from Mr. Mare-Owner. It was quite a shock when 'The Judgement' arrived 18 days later [2nd class post]. "Pay £762 in 14 days". Whatever about the verdict, it was quite wrong in law to make the order to pay in 14 days without enquiry as to Our Hero's means. [See Regina v Bingley Magistrates Court, Ex Parte Hornby, 1993, for ruling].

I break off now from the chronological detail to give a more general picture of that which I seek to expose.

Chapter 5. THE GANG

THE PLAINTIFFS; A family of four, liars, swindlers & cheats, who make a habit of going bankrupt for hundreds of thousands of pounds.

THE SOLICITORS: With the ethics & conscience of a pack of pit bull terriers

THE JUDGES: Who swore the judicial oath, - but had their fingers crossed when they swore it. And

THE VICTIM: 71 yr. old homeless pensioner. That is just a statement of fact. It is most definitely NOT a whining plea for sympathy, leniency or special gentle treatment! He can take anything this gang can throw at him.

I am THE VICTIM mentioned above. I have suffered unbelievable hostility from THE PLAINTIFFS & I do NOT know the reason why. I have suffered unbelievable hostility from the legal profession [including the judiciary], but in their case I DO know the reason why!

The Mafia in Sicily, Al Capone in Chicago, the Kray twins in London, all had their protection rackets, & anyone who failed to pay "insurance" would be taught a lesson. Fail to pay your protection money to the legal profession, by failing to hire a lawyer, & you too will certainly be 'taught a lesson'. It matters not that your case is so blindingly simple that you don't NEED a lawyer, or can't afford one. Many people think that the legal profession is a 'club', an 'old boys' network'. It is much worse. Believe me, I know, - I've got the scars to prove it, - & evidence! Sadly, 'evidence', good as it may be, is worthless before a hostile judge. Every single dot & comma will count if it can possibly be construed against you, but the rule book will be thrown out of the window if it is to your advantage. The judge is GOD, & nobody knows it better than he. The arrogance of the whole profession is matched only by their incompetence. Sweeping statements I know. See my evidence first, before you say of me "Methinks he doth protest too much".

Diplomatic understatement has its place, - but not here!

The story now divides in to three.

A MY NAIVE BELIEF IN BRITISH JUSTICE STILL INTACT: After all, there may be ONE idiot judge, but surely there couldn't be MORE than one? District Judge Thicko, [the lowest level of judge], was incompetent beyond belief. [Was he ONLY incompetent I now wonder]. His judgment was against me. This part relates to my attempts to have that perverse judgment set aside via the usual channels.

B THE HOUNDING: by THE PLAINTIFFS & their Pit Bull Terriers for the bogus debt.

C MY COUNTER ATTACK: in the criminal court.

A. In my attempts to have the judgment SET ASIDE I have come before 5 different judges, up to The Appeal Court. The hostility was beyond belief. I cannot prove it, AS EACH HEARING WAS BEHIND CLOSED DOORS, IN SECRET. [See page 10 re. ARTICLE 6 of THE EUROPEAN CONVENTION ON HUMAN RIGHTS], So, I cannot prove the hostility, - but I COULD prove incompetence, - given the chance! [See p 19 onwards.]

B. The hounding. THE PLAINTIFFS ordered the Pit Bull Terriers to pursue me into the gutter, &

have spent several thousand pounds trying to achieve this. [The bogus 'debt' was only £697]. But they have picked on the wrong victim this time. The PBTs attacked on command without question as they are bred to do, but they will find that old Royal Navy men are not easy victims, & may yet rue the day they took on the task. I have been fighting back single handed, & will continue to do so. Help would be welcome, but I do not ask for it. ALL I can say is "WAKE UP BRITAIN!" [See Page 7, para 4 for more detail of the hounding].

C. My counter attack. Under SECTION 40 [1][a] of the ADMINISTRATION OF JUSTICE ACT [1970] it is a criminal offence "TO HARASS A DEBTOR IN SUCH A MANNER AS TO CAUSE HIM ALARM, DISTRESS OR HUMILIATION". Not many people know that. The Stipendiary Magistrate who granted me the private prosecutions didn't. She complimented me on finding 'This obscure Statute'. Obscure it may be, but crime it certainly is, & never more than as in this case. It is still a crime even if the debt is genuine. How much more so if the debt is bogus, as this one is?

So, I took out criminal prosecutions against those who had been hounding me. Having by now come to realise that I would never stand a chance before a judge, I did feel I might have a squeak of a chance before 3 lay magistrates. It was not to be. There was dirty work behind the scenes. See P33, para 6 & 7..

I have always admired the title of Spike Milligan's autobiography "HITLER, - MY PART IN HIS DOWNFALL". My part was very small indeed, but it is true nevertheless, that more than 50 years ago I did risk my life to defend the British institutions & way of life. I denounce the scoundrels who now infest those institutions. Maybe it was always thus. I wouldn't know. But I DO know of their existence now.

I publish the names, & denounce, those dishonest judges who swore that oath with their fingers crossed. It is a criminal offence to DEFAME a judge. Is it a criminal offence to DENOUNCE one? We shall find out.

Five judges have displayed their hostility to me personally, and, being in secret, made no attempt to disguise it; Two others have jumped in & seized my old age pension [behind my back] as soon as THE SOLICITORS said "jump"; Two Stipendiary Magistrates have joined in the fun. How brave they are. There isn't one of them fit to lick my boots, - & I'm nothing special!

Even some judges admit that their profession is not as wholesome as it should be. Judge Sir Stephen Tumim, one time Her Majesty's Chief Inspector of prisons, recently referred to "SOME SLIMY JUDGE OR MAGISTRATE". He didn't name them, - I do.

Keith Evans MA[Cantab] giving advice to young barristers in his book "ADVOCACY AT THE BAR" says:

"We have been believing our own propaganda for a long time now. British Justice is the best in the world, isn't it? The English Judge is scrupulously impartial, isn't he? Well, you who are about to set out as young advocates will find out for yourselves. But a few gritty thoughts about what goes on in our courts may PREVENT YOU FROM CRYING OUT IN DISBELIEF when you first encounter reality".

"Many barristers feel that good judges are outnumbered" "It is an open topic of conversation at the bar. It is not written about in the press, nor discussed on television. No Parliamentary inquiry or debate This bias is frightening A SILENT ROTTING AGENT THAT IS WEAKENING THE

FOUNDATIONS OF OUR WHOLE SYSTEM". [My emphasis]

So says ONE lawyer. He says 'bias'. I say that is a euphemism. And then he is speaking to young lawyers, - members of the club. What chance the non-member?

Many people have commiserated with me in my 'misfortune'. It was. It is no longer. It is an opportunity. An opportunity to rouse this nation. Unfortunately I am no Montgomery or Churchill, & will almost certainly fail, for 3 reasons. ONE, my own limitations; TWO, the power of those I seek to expose; THREE, the apathy which I fear is endemic, particularly among those who are supposed to be our watchdogs. Later I will give a list, - a long list, - of those 'watchdogs' that I have tried to rouse.

How to cleanse this unsavoury can of worms I know not, but it won't stop me trying. I now learn that many others have suffered as I have. Possibly our tiny voices, raised in concert, may be heard & heeded.

One thing I must be grateful for, I have had the great good fortune that this has happened to me at the best possible time of my life, a time when I am able to fight back for the sake of those unable to do so. Most people have either a wife, a husband, a family, a job, a business, a career, a house, or a home, & any, or all, may be at risk if they dare to fight back. I have none of these. My decks are 'cleared for action'.

Chapter 6. THE SYSTEM?

Many people complain of 'The System', - the legal system. I don't. I complain of the people who run that system. Who was it said "Better a bad system run by good people, than the other way round"? For 69 years I believed the propaganda that we had a good system, run by good people; that our judges were the finest in the world.

If they did make mistakes, well, they were honest mistakes, - after all they are only human [though their demeanour would suggest that they think otherwise]. Late in life I have learnt differently. Certainly the 'mistakes' that I have been victim of have not been mistakes at all – they have been intentional & deliberate. If our judges truly are the best in the world, I can only say 'God help the rest of the world'.

People have said "Is it worth the hassle?" Yes, it is. SOMEBODY has to fight back against the muggers, con men & shysters, - whoever they are! Seems that fate has 'volunteered' me for the job.

What now? Do I go into more detail, with the risk of boring you? You are entitled to the details, having stuck with me so far, & you will have them, but perhaps a taste of the meat in the sandwich might keep your appetite sharp.

Chapter 7. THE MEAT IN THE SANDWICH

I charge every single member of the judiciary involved in this matter with dishonesty, in that they swore that Judicial Oath, & then deliberately, blatantly & arrogantly disregarded it, disregarded the evidence, & disregarded Supreme Court Rules. Each of them is guilty of misfeasance, some are guilty of malfeasance and oppression.

I charge THICKO, SOZZLED, & LJ RONNIE KRAY with conspiracy to pervert the course of justice.

I charge PITT,BULL,TURRIER & CO, barrister CHEEP, & BLACKFOOT with the same offence in separate circumstances.

I charge SLIMY STUART de SADE with being incompetent, a thug & a sadist.

I charge Mrs. TWOFACE with incompetence & deliberate obstruction.

I charge PITT,BULL,TURRIER, & FOULMOUTH with criminal activities.

I charge most of them, & many of the court staff, with gross incompetence.

I have documentary evidence of all I say.

I have already published a leaflet denouncing PITT,BULL,TURRIER, & FOULMOUTH Ltd. [using their real names], & invited them to take action against me for defamation. They have not done so, nor even taken out an injunction to stop me. What are they afraid of?

Very late in life I have taken up a new career, & have become a law student, albeit a very low level one. I learn there are several forms of 'CONTEMPT OF COURT'. There is 'CONTEMPT IN THE FACE OF THE COURT', ie: being insulting or disrespectful in court. There is 'PREJUDICIAL COMMENTS ON MATTERS WHICH ARE SUB-JUDICE', such as newspapers need always to bear in mind. There is 'SCANDALISING THE COURT'.

Scandalising a court or judge is a common law offence defined as follows: 'Any act done or writing published calculated to bring a court or judge of the court into contempt, or to lower his authority'.

The imputation of improper motives, partiality, or corruption is barred, as are 'scurrilous attacks'. The Philimore Committee [1975] recommended that truth alone should not be a defence, but it could be if it was also 'in the public interest'. I do not know what the present position is. Perhaps we shall find out.

An odd snippet.

[I stick this bit in here to make use of space available before the next chapter].

Obviously you are now only reading one side of the story – my side. A tale like mine is often met with the charge "You criticise the judge because you lost, - if you had won you would have said he was brilliant, - you are a bad loser". However, I LIKE to think that I can see both sides of an argument. As evidence of this I tell you a little tale about myself.

A few years ago I was charged with a minor motoring offence. I was acquitted. I thought the verdict was wrong, & said that I would like to appeal. The Clerk of the Court was bewildered, & said that I couldn't. I'm not sure that he was right, but I didn't take it any further. Would it have

made legal history? I don't know, but it does show that I am not only concerned about 'winning'. [It also shows that I am rather difficult to please!] Why was I displeased at being acquitted? That's another story.

Chapter 8. FOULMOUTH'S CASE

You will feel that Foulmouth must have had at least SOME peg on which to hang their case. They did. It was an incredibly flimsy one, but it was enough for stupid Thicko. It is only fair that I tell it to you. This is it;

Mr. Mare-Owner entered into a contract with Foulmouth Stud. The contract was that the stud would keep some mares & foals belonging to Mr. Mare-Owner for a period. At the end of the period Foulmouth delivered the animals back to Mr. Mare-Owner's premises, & with them a Foulmouth invoice [No. 0649 dated 19/8/94] for £697, made out to Mr. Mare-Owner. [See page 54]

Mare-Owner was not present when they arrived, but Our Hero was. John Harrison of Foulmouth, who had delivered the animals said to Our Hero "If he [Mare-Owner] is not here to pay, then YOU will have to, or I take the animals back. This put Our Hero under some pressure. He was concerned for the welfare of the animals. He had seen the ignorance, incompetence & brutality at Foulmouth Stud. He had heard John Harrison boasting "I hate x!*+x!x horses!" Accordingly he gave Harrison his cheque for the amount involved. It was ransom money.

On 22/8/94 Mare-Owner sent a cheque in full payment to Foulmouth, who were now in possession of TWO cheques in payment of the same invoice [& they do make a habit of going bankrupt!] Accordingly, Our Hero cancelled his cheque, believing this to be a perfectly proper end to the matter.

It should have been. Plain common sense said it should have been. Legal precedent said it should have been. In July 1990 Mr. Justice Kenny in Slough County Court dismissed a similar claim, saying "The defendant was a volunteer, who was entitled to change her mind & stop the cheque. There was no legal basis for enforcement proceedings".

In the Court of Appeal, 15/12/92, [AEG UK LTD v Lewis] Lord Justice of Appeal Nourse & Lord Justice of Appeal McCowan confirmed Judge Kenny's decision. The claim against Our Hero had infinitely less justification than the one just quoted, but that didn't matter to Thicko, & so began the tale you are now reading about.

Chapter 9. MY FAITH IN JUSTICE BEGINS TO WAVER

I now pick up where I left off on page 11. [Please forgive the chopping & changing of style – if style there be! I am no Jeffrey Archer].

Why the hostility? I have said that I do not know the reason for it from FOULMOUTH Ltd. Maybe I am just easy to hate. Neither do I know the reason for the original hostility from District Judge THICKO. The reason for the later hostility from him, & from those who followed him, became blindingly obvious. It was the lawyers' ingrained animosity towards the 'Litigant in Person', & the preservation of their closed shop protection racket, but that didn't apply early on. The matter was in the 'Small Claims Court', & one is not expected to use a solicitor.

So, that could not be the reason for his conduct at the 'Preliminary Hearing', his refusal to strike the case out when the instigators didn't turn up, his refusal of a hearing in open court etc. etc. etc., which I have detailed earlier. That is still a mystery. I had never met him before. Could it be that I had unknowingly offended a friend of his? I just don't know. Part Two of this book may suggest a possible, but unlikely reason.

There is no APPEAL against a District Judge's judgment, his verdict is final. However, it is possible to have it SET ASIDE on the grounds of his 'misconduct', or 'errors of law'. There were many such grounds. Our Hero decides to make 'Application to Set Aside'.

To do so he needed his documents. They had not been sent back with the judgment. He wrote asking for them. The reply came back 'you can't have them, they have been confiscated by the court'. Essential documents, needed for the application, confiscated by the court? How was Our Hero to prepare or present his case? Non-plussed at first, he writes to the Lord Chancellor's Office, who take 6.5 weeks simply to pass to the appropriate dept., who take a further 2 weeks to reply [too late for the Set Aside Application].

In asking for 'stay of execution', & to make slightly 'out of time' APPLICATION TO SET ASIDE, Our Hero finds to his dismay that he is before Judge Thicko [the man of whom he complains 'on at least 15 counts']. Surprised & relieved to find that judge is quite affable, & grants his application without hesitation, despite FOULMOUTH solicitor objection. Little does Our Hero know that THICKO is inwardly chortling with glee, - he knows he only needs to pass the word to the big boys, & Our Hero will be really clobbered when he comes before them.

There is a leaflet published by the courts specifically for the benefit of 'Litigants In Person' who are making 'Set Aside Application'. A copy SHOULD have been given to Our Hero at this stage. It wasn't. [More about this later. See page 22].

Date for Set Aside Application hearing is set. No reply from Lord Chancellor re. Documents, so Our Hero writes to ask for hearing to be adjourned. Foulmouth solicitors object. Highly affronted, they say "he chooses to appear in person, without the benefit of legal representation". [A cardinal sin, surely!] Adjournment refused, must apply at the hearing. It will be at York County Court.

Our Hero does so, before Circuit Judge Al Capone. "What ARE these documents?" says he, implying that he doubted their existence. His hostility could have been lit with a match. "Are these the ones?" searching irritably through the papers. "No Your Honour". "Well are THESE them, then?" "No, Your Honour". "THESE?" "Yes, Your Honour". "Right, you've got them, - get on with it!" Our Hero protests that he needs time to consider, & possibly take advice. "Right. We'll adjourn for

lunch, back at 2pm". Our Hero protests that this is hardly time to take advice. "Hard lines" came the rejoinder.

It so happens that another case takes up time, & Our Hero is not in court until 4.30pm. "No time now" says learned judge, "you've got your adjournment, - but NOT for your reasons, adjourned for 10 days". [Hearing has again been in closed court, even 'Mackenzie Friend' was barred access]. ['Mackenzie Friend' is a legal term, & means a lay supporter, assistant, or adviser. It is laid down in law that a Litigant In Person MUST be allowed such a person if he wishes. {See Mackenzie v Mackenzie 1973 AER}].

Astonished at the hostility, without even a pretence of impartiality, Our Hero writes to various journalists. No response. He speaks about missing documents to MP. Very sympathetic until Lord Chancellor is mentioned, then back pedals madly. Our Hero is on his own. He squares his shoulders & determines to confront Judge Capone when next they meet. He expected to defend against the plaintiff, he didn't expect to have to fight the judge as well, - but will if he has to.

It turns out to be a different judge. Our Hero not sure what to expect. Mr. Recorder Sozzled seems less obviously hostile – to begin with! Our Hero mentions the Preliminary Hearing: "Did you appeal against the decision?" asks Sozzled. "No". "Then you accepted it", says he with a smirk, "move on". The refusal of a public hearing: "Did you appeal against that decision?" "No". "Then you accepted it!" he says triumphantly, "Move on".

Our Hero refers to NOTICE OF ARBITRATION HEARING N18A, which says: 'District Judge Directions' [What you should do].

[i] NOT LESS THAN 14 DAYS BEFORE THE HEARING you must send the other party a copy of all the documents which you are going to use to prove your case.

[ii] NOT LESS THAN 7 DAYS BEFORE THE HEARING, you must send the court & the other party:

[b] The name[s] & address[es] of any witness[es] you intend to use.

Our Hero submits that Thicko has ignored both these rules. He allows a document which Our Hero has never seen, [& gives great weight to it in his written judgment]. He allows 2 hearsay witnesses of whom Our Hero has never been given notice, & again gives great weight to their evidence in his written judgment. Thicko has ignored the court's own rules, & thus has been guilty of 'misconduct' [apart from many other counts of unfairness].

Foulmouth's solicitor jumps up. "Yes, we agree there WAS misconduct by the judge, but it was only TECHNICAL misconduct". Sozzled concurs with this view. When the only legal grounds to "SET ASIDE" are the technical ones of 'misconduct' & 'errors of law' then it is quite incongruous to find that these technical errors were 'only technical' [& therefore don't count]. "Surely" says Our Hero, "a judge must abide by his own rules?" "A judge can do whatever he likes in his own court" says the learned Recorder, the inference being that as he can do as he likes he cannot therefore be guilty of misconduct! This is surely illogical, & makes a nonsense of the County Court Rule Book. Our Hero says to the learned Recorder "You mean he can act like Russ Abbott in Court?" Sozzled smirks & nods. He is saying "Yes, just like Russ Abbott, if he wants to".

One is brought to mind of Lord Justice Atkin's dissenting judgment in the House Of Lords in 1941. "I know of only one authority which could justify such a construction upon words. It was Humpty Dumpty in Lewis Carroll's 'Through The Looking Glass', who said 'When I use a word, it

means just what I choose it to mean, neither more nor less'." Lord Chancellor Simon tried to censor Lord Atkin's statement, but failed.

Those peers who had outvoted Lord Atkin ostracised him from then on. It is now generally accepted that Lord Atkin was right, as acknowledged by Lord Justice Diplock in 1979. [Source: 'JUDGES', by David Pannick; Oxford University Press].

Sozzled asks Our Hero to look at page 4 of the District Judge's 'Notes of Judgment'. Our Hero finds this difficult, as the 7 pages of his copy of The Notes are un-numbered. He is searching through when Sozzled gives a little laugh & says "Oh, of course, you haven't got a copy of THESE notes have you?" It seem that he has a different, PRIVATE, set of notes! He has, rather stupidly, let the cat out of the bag.

It is beginning to dawn on Our Hero that he hasn't a chance of a fair hearing, & never did have. "Anything more?" "No, Your Honour". Judgment against the defendant. "He defended on a narrow point". [That was rich, Our Hero tried to defend on numerous points, but was shot down whenever he opened his mouth]. "He could have issued Third Party Proceedings to join in Mr. Happytopay. He chose not to do so". [What does the man in the street know about 'Third Party Proceedings?' It was a 'Small Claim' remember, supposed to be simple]. "This case should never have been brought to court". Exactly what Our Hero had been saying from the very start, - but it wasn't HIM that had brought it to court! Didn't Sozzled know ANYTHING? There was a smile of satisfaction on his face as he awarded costs of some £1,200 against the defendant.

The smile plainly said "That'll teach him to criticise a judge". A Parthian Shaft from his elevated position; "Next time you had better employ a solicitor". Daylight began to penetrate Our Hero's dim brain. AGAIN the hearing had been behind closed doors, - AGAIN Our Hero's Mackenzie Friend had been denied access.

A ray of hope. Our Hero had made APPLICATION TO SET ASIDE. Sozzled spoke throughout of THE APPEAL, referred to THE APPELLANT, & in his judgment said THE APPEAL IS DISMISSED. How could the appeal be dismissed, if there WAS no appeal, there COULD be no appeal, there IS no appeal against a District Judge's judgment? If the learned Recorder didn't know the difference between 'Set Aside' & 'Appeal', then what did he know? He got EVERYTHING completely upside down. The only excuse for such incompetence was that he truly WAS 'sozzled'!

What to do? Our Hero does as George Formby & Norman Wisdom used to do at this stage, - he dithers about in a panic. He rings advice centres, solicitors etc., to no avail. 11 days pass, & conscious that time may be running out if he wishes to appeal, decides to make a 30 mile journey to York County Court office.

Remembers that in same town is a solicitor partner who owes Our Hero a very big favour. Rings to arrange 'Fixed Fee Interview'. Partner not available. Sees Young Lady Solicitor at 1pm. "What is my avenue of appeal, & what time limit". "Ooo, it's very complicated" says YLS, & starts to question Our Hero, who says "I don't [at this stage] want opinion or advice, just information". "I need to know a lot more, it will take a lot of research" says YLS & persuades Our Hero to sign Green Form. "Can you not tell me anything now, before I call at the court office, I've made a special journey?" "Little Man, no I can't" says YLS [earning her new name 'Miss Snappily'], I've done you a big favour granting you an interview, taking my valuable time, at short notice, I'll ring you by 5 o-clock".

Our Hero goes to court office. "What is my avenue of appeal, & what time limit?" Senior member of staff brought who says, "Might be days, might be more, & IT'S LONDON!". No address or phone number, just "IT'S LONDON" [said with great awe].

She hands over a leaflet. A leaflet which SHOULD have been given to Our Hero when making application to set aside. It hadn't been [see Page 19 para 7]. Completely irrelevant for present situation.

No word from YLS by 5pm. Rings her. "I've still got my head buried in 'The Green Book' searching, I'll ring you tomorrow. Oh, by the way, I had to get information & advice from another source". What source did she go to? Why, Foulmouth's solicitor of course. Our Hero had thought his business confidential, & says so. "Oh, I did it without prejudice" says YLS, whatever that means. Following day 4.30pm, still no word from YLS. Our Hero telephones senior partner & asks for explanation. Will investigate. Does so, rings back & says "You appeal, & you've got 28 days, it's very complicated, I shouldn't bother if I were you. The appeal court is for cases involving millions". Our Hero is made to feel very small by his one time friend. Queries YLS's conduct, "Couldn't she have been truthful, & said she didn't know". "Clients don't like it if we say we don't know" says partner. Our Hero demands retraction of Green Form.

Chronological note: By this time Our Hero's letter to the Lord Chancellor had taken belated effect. His office had written to Scarborough County Court Office [Thicko's court], instructing that court to return the confiscated documents. & also wrote to Our Hero apologising for the 'difficulties & inconvenience' caused to him.

After receiving the instructions, Scarborough Court Office wrote to Our Hero saying, "As it's all over now, do you still want your documents back?" Do you think they were joking?

A few days later Our Hero arranges another Fixed Fee Interview with another, nearer, solicitor, & asks usual question. Again, "It's very complicated, I need to know a lot more". Wearying a little, Our Hero says "At the moment then your answer is that you don't know?" He pays his £5 Fixed Fee for this information.

Frustrated & at a loss at his inability to obtain simple information, he eventually enquires at another county court office. He is immediately handed a leaflet "I WANT TO APPEAL, WHAT SHOULD I DO?" Full marks to the County Court Office in the little market town of Otley. The leaflet contains all that he needs.

Chapter 10. LEAVE TO APPEAL

Though the judgments were completely perverse, Our Hero's main complaint is that the hearings were conducted quite improperly, glaringly so at York. In such cases a Judicial Review is the proper remedy, & Our Hero writes to The Royal Courts Of Justice with that in mind. Reply comes back "No, you must appeal". Our Hero believes Judicial Review might have been best, but who is he to argue? Appeal is put in motion.

An affidavit is needed to give reasons for slight delay [as detailed in pages 21/22]. Our Hero prepares own affidavit, & swears it before a solicitor, without any problem. [This is quite pleasing; a few years earlier Our Hero had been thrown out of a solicitor's office when he took his own typed affidavit to swear].

In due course, date for hearing of APPLICATION FOR LEAVE TO APPEAL arrives, with it a form, 92HS ALP.ORD [c02.10.95], giving instructions, part of which says:

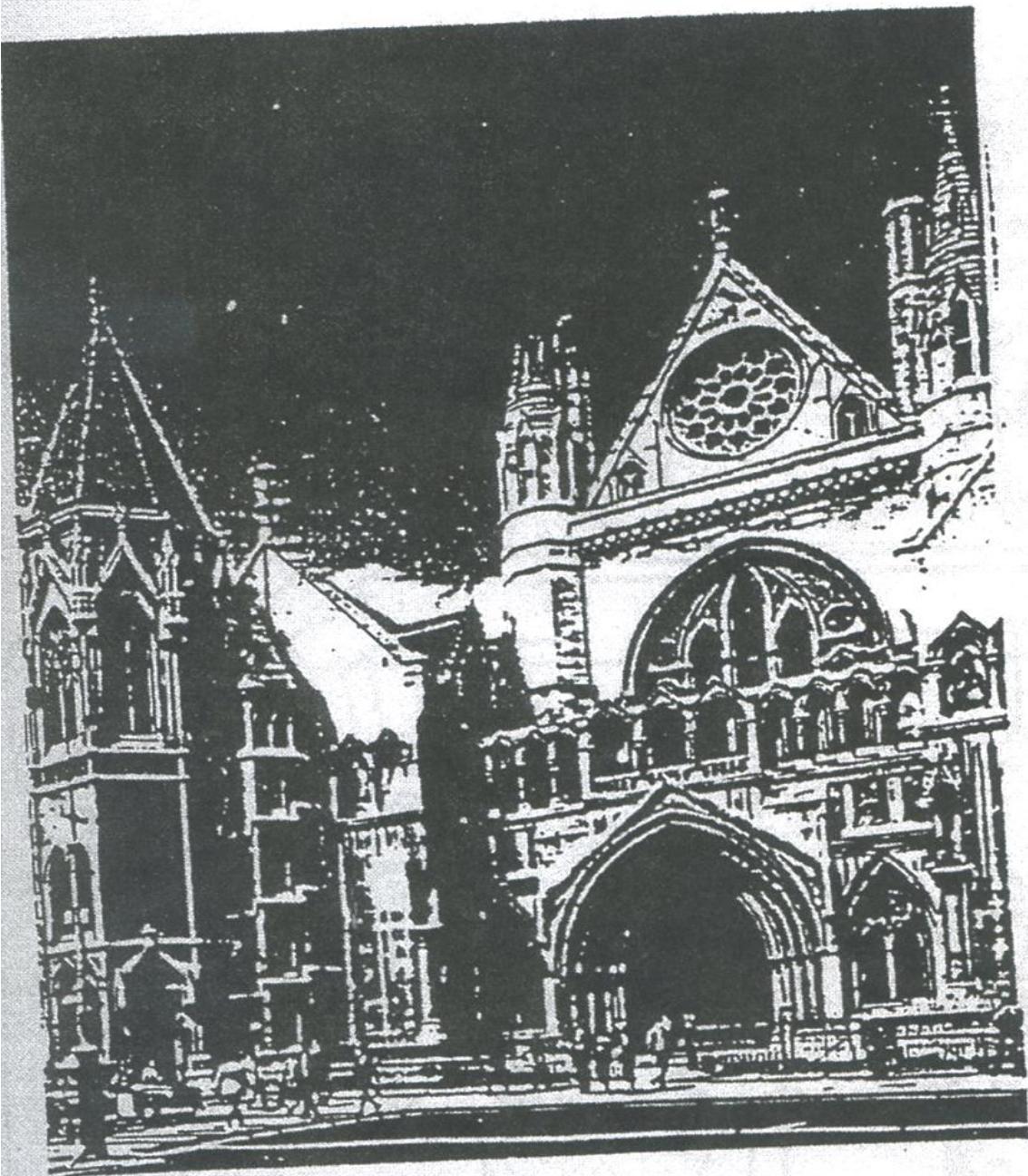
"SCHEDULE"

There have been recent changes in the Court's practice when dealing with an application for leave to appeal, the Court looks in broad terms lengthy argument is not required you should come prepared to complete your argument in no more than 20 minutes."

[Our Hero's opinion of the competence of the legal profession is not enhanced when he sees elsewhere in these official instructions a reference to "AN AURAL HEARING". They MEANT 'oral'! Worse than another official court document, which referred to 'Council's' Opinion!]

Our Hero prepared a statement [outlining the broad grounds], which he would present well within the time limit. Prepared thus, he walked alone into the great vaulted court room at the Royal Courts Of Justice. As he walked in, a gaggle, half a dozen or so, of be-wigged & be-robed barristers were leaving. One of them, intrigued to see this solitary figure, looking so out of place in this setting, asked in friendly fashion "What have you been up to then?" On being told briefly said "Oh, you'll find them [The Kray Twins] very friendly chaps!" Our Hero was re-assured.

The Royal Courts of Justice
The Strand, London.



(Thinks) "I wonder if she's at home?"





"??? Gulp!!!"



He should have known better. Friendly chaps to barristers no doubt, but certainly they didn't look it to the 'Litigant In Person' as they glowered down upon him. He metaphorically 'whistled a happy tune' in that solemn & intimidating place as he faced those two powerful men. The Court Clerk, quite friendly when the Twins were not present, & the usher, as hostile as the judges, [she even refused a request for a glass of water – within arm's reach] were the only others there.

The 5 earlier hearings had been in secret. This was the first to be 'in open court' – in theory. In effect, it was another closed hearing in private. Our Hero was on his own, 200 miles from home, not a single observer present to see fair play, - or the lack of it!

He was quite taken aback when Lord Justice Ronnie Kray would not allow him to present the 'broad grounds' of his case as he had intended [& been INSTRUCTED to do], but instead interrogated him at length on the details of the case. He was quite unprepared for this, & as a result was in some disarray. He had been instructed to prepare to run 100 yards, instead found himself expected to run 10 miles – in 20 minutes!

It would appear Their Lordships had not been informed that "There have been recent changes etc", or, if they HAD been informed, they had forgotten [or ignored] those changes.

As part of the earlier fun & games, & before going to the Court Of Appeal, Our Hero had met one judge, who seemed to know what was going on, & was disturbed by it. He was not involved with the decisions, but was obviously unhappy, & seized an opportunity to give Our Hero a private word of advice. "Forget about the other grounds for complaint which you have, & find out about ARTICLE 6 of the EUROPEAN CONVENTION ON HUMAN RIGHTS. Concentrate on that".

Our Hero didn't forget about the other grounds, but he did study ARTICLE 6, & brought it into his appeal. Lord Justice Ronnie Kray dismissed ARTICLE 6 contemptuously, [though it does in fact have its parallel in English law]. [Our Hero has since written to the judge who gave the advice, saying "As a law student with an interest in ARTICLE 6, which I believe you share, I would be most grateful for the chance of a few minutes of your time for an academic discussion", but he has not responded].

Still rather naive, Our Hero had thought that the natural animosity of judges towards the amateur would lessen as they progressed higher. Not so it seems. Anyway, Our Hero had certainly fuelled that of the Kray Twins by the affidavit which he had been required to send to them. See Page 23, para 2. It was completely factual, but was a fair catalogue of incompetence in a large part of the profession. Added to the complaints about the judges, it is not surprising that The Twins did not like it. Ronnie was the boss of this outfit, Reggie was very much the sidekick, his only contribution was to ask one daft question.

Eventually Our Hero did protest that there appeared to have been a 'change of rules' of the hearing, & that he was disadvantaged by this. The Twins took offence, retired immediately, & did not return for some time. The application for leave to appeal was refused.

In his spoken & written judgment Ronnie Kray referred to ".... [this] already over lengthy judgment". Our Hero agreed with him. It WAS over lengthy. It was also garbled, & filled with irrelevant matters, - which is WHY it was over lengthy! Their Lordships had concentrated on the Arbitration Hearing, which, strictly speaking was only background, & was not the issue before them. There IS no 'appeal' against a District Judge's award! Didn't the Twins know that? They virtually ignored

the serious errors made at the Application To Set Aside, at York, which SHOULD have been their main concern.

We now come to a rather important bit. You already know that the supposed 'debt' was for the keep of some mares & foals belonging to Mr. Mare-Owner, who, as stated earlier, had paid the debt in full – a fact acknowledged by Foulmouth. [Lewis Carroll should have written this book]. It so happens that Our Hero was the owner of a stallion, but this was nothing to do with the debt. So to the rather important bit, brief, but worthy of a chapter on its own.

Chapter 11. CONSPIRACY BEHIND THE SCENES

IN HIS SPOKEN JUDGMENT RONNIE KRAY REFERRED TO THE STUD FEE FOR THE STALLION: £100 ON BOOKING, PLUS A FURTHER £100 WHEN THE MARE WAS 'SCANNED IN FOAL'. THIS WAS NOTHING WHATSOEVER TO DO WITH THE MATTER BEFORE HIM [proof enough of his complete incompetence],

BUT NEITHER WAS IT MENTIONED IN ANY OF THE DOCUMENTS BEFORE HIM!

Where had he obtained this information from? There MUST have been something going on behind the scenes!

The earlier private notes from Thicko to Sozzled, & now this! What had been going on? Our Hero was bewildered, - he didn't think himself important enough to warrant this kind of attention. It seems that the legal Mafia have the same slogan as many tradesmen, "No job too big or too small". A bit like those generals who put the private soldier before a firing squad, ---- 'to encourage the others'!

There was certainly evidence of dirty work, - but nobody had heard it except Our Hero. Ronnie Kray had already proved his stupidity, could it be that he would be stupid enough to allow the damning evidence of his own tricks to go into the written judgment? Our Hero asked about obtaining a transcript. He was told where to write to, & that it would be 'about 17 days'. The hearing had been on 9/11/95. On 15/11/95 Our Hero wrote to John Larking Verbatim Reporters asking for a transcript. In the letter he said "I would be grateful if this could be as soon as possible, as it is intended that there shall be an application for Judicial Review, the transcript is needed for this purpose, & there is of course a time limit". [In fact Judicial Review would not have been the remedy, but the letter no doubt alerted Ronnie Kray].

On 1/12/95, not having received the transcript, Our Hero telephoned. Told it would be despatched within 14 days. Telephoned again just before or just after Christmas; told it would not be until early January. Wrote again 10/1/96 asking the reason for the delay.

No reply or acknowledgement. Telephoned again 29/2/96. Told there were problems, but would do their best, & to give reference 9/11/95-029 in any future enquiries. Wrote again 5/4/96 with a written note on the bottom saying "I suspect deliberate delay. Please reassure me". No reply or acknowledgment. A couple more months went by.

Our Hero decided to try a little test. He asked a solicitor to write for the transcript, without giving Our Hero's name. She did so on 21/6/96. John Larking Verbatim Reporters despatched the transcript by return of post. Our Hero had been trying to get a copy for 7 months. The solicitor got it in days. The test had proved worthwhile, - more evidence of the deliberate obstruction of the 'Litigant in Person', - though it had cost an unnecessary £35 for the solicitor's letter.

The transcript also showed something else, - that it had been doctored. Lord Justice Ronnie Kray

must have been alerted, mention of the stud fee had been deleted. [See pages 75/76/77]

Chapter 12. THE COUNTER ATTACK

As mentioned on pages 12/13. Our Hero, having discovered the 1970 Act which makes it a criminal offence 'to harass a debtor etc' decides to take action. He notices that there is a time limit. That time has passed but he makes complaint at Leeds Magistrates Court intending to ask for extension of time if necessary. Not necessary it seems. He hopes to take action against the limited company & the individual director who had been harassing him. It did cause quite a kerfuffle in the court office "We've never had one of these before".

After a lot of to-ing & fro-ing a summons was issued, but only against the individual, not the company. After the bother, Our Hero did not want to start all over again, so left it at that. The summons was presented before Stipendiary Magistrate Mrs. Penny Twoface for her approval, which was granted without fuss. She even complimented our Hero on finding "This obscure statute", of which she had never heard.

At the first hearing, the defendant appeared, & said that Pitt Bull Turrier had advised her to plead not guilty. She did so, & another date was set. It had all gone quite nicely for our Hero, so he thought it might be a good idea now to take out that summons against the limited company too, as had been intended. He tried to do so, expecting it to be easy with the earlier model to copy. Not so. There was a much bigger kerfuffle than before, & after a long long wait, back came the word "There's a problem, Mrs. Twoface wants to see you, in court". She was full of apologies. It seems that the original summons, being out of time, was faulty.

The original court staff hadn't noticed, Mrs Twoface hadn't noticed, Pitt Bull Turrier hadn't noticed, but in asking for a second helping Our Hero had slipped up. Some sharp eyed person had noticed. "It's my fault" said Penny "I'm very sorry, I should have noticed. Mr Clerk, can we pay Mr. Hero anything out of court funds as recompense for his trouble?" "Sorry, no" was the answer. Our Hero ventured to Penny that there was more to the story than she knew. "I'm sure there is" said she, "I wish you well in whatever action you take", & on being told that it might be the House of Lords next, exclaimed "Wow!"

What a lovely, warm, human person she was, & such a refreshing change from those who had featured in the saga so far. It was disappointing to Our Hero that his counter attack had come to a halt, but it turned out to be all to the good. The harassing was resumed [with increased ferocity], which brought it all back within the time limit, so Our Hero, with some experience under his belt now, was able to start again.

Two of Pit Bull Turrier's team had been very active in the harassment, so Our Hero started action against them, against Foulmouth Ltd. & the director. The four summonses went before Penny Twoface again. She read through the documents. One of the lawyers summoned had a rather unusual double barrelled name. On reaching that name Penny's eyes narrowed, & there was an ever so slight drawing back. She obviously recognised the name as that of a member of her own profession, though it didn't say so on the document.

Outwardly calm, no doubt her mind was racing as to how she could frustrate this action. She couldn't do so on the grounds that the man named was a solicitor, so mentally flailing around, she grabbed at the only straw she could reach. "You can't prosecute a Limited Company" said she. Even Our Hero, little that he knew, was quite sure that you can, but Penny was adamant. He came away with 3 summonses.

He goes to the law library, does a little research, & in due course sends to Penny a photo copy of "HALSBURY'S STATUTES, 4th. Edition, Vol.12, 1994 Re-issue", pages 544/5, & other authorities, which say 'Yes, you can prosecute a Limited Company'. One didn't need to be a Queen's Counsel to know that. [See pages 65/66]

Several days & several frustrating phone calls to the court later, Our Hero achieves audience before Penny again. She grudgingly grants the 4th summons. Frowning, she warns "You might end up being declared a 'vexatious litigant'." That was preposterous. These people had been MIS-USING the law for the purpose of hounding an innocent pensioner to penury, bankruptcy & prison, & when the victim dares to fight back HE is threatened with being declared a vexatious litigant!

Penny Twoface probably is the lovely warm person that she appeared to be at first, but that part of her had to be submerged, & the lawyer in her took over when a member of her profession was threatened.

The saga of deliberate obstruction by the courts to the 'Litigant In Person' continues. Our Hero wants to call 2 Foulmouth directors as witnesses. The court hearing is due to take place on 29/3/96. Below is an extract from his letter to the court.

[Note: I'm getting a bit fed up with 'Our Hero' – as no doubt you are. I'll call him O.H. from now on.]

From O.H. Sat.16/3/96

To: Mr.P.Blackfoot.

.... I have been in touch with the solicitors for the defendants who you tell me that the witnesses are not prepared to attend

On 14/3/96 I telephoned your court office about the matter, & was told that nothing could be done until the hearing. If the witnesses THEN failed to turn up the hearing would have to be adjourned & steps taken to bring them before the court. I found this very strange & said so. It was repeated. I asked for the name of the person giving me this information, but she refused to say, despite several requests.

On 15/3/96 I telephoned the court again. This time I was told that I needed to make an application in writing & that there was a fee of £30. There appeared to be some uncertainty as to whether it was a total of £30, or £30 for each summons.

FOR THE PERSONAL ATTENTION OF THE CHIEF CLERK

1. I hope you are as concerned as I am at the conflicting information emanating from your office.
2. I am a little surprised at the demand for a fee.Should you insist that a fee be paid, I would be grateful if you could telephone I would ask that you treat this as urgent, as time is passing .

End of extract.

At 11.45am on the Monday O.H. telephones to ask for a decision. Told it was being dealt with. At

12.30pm Miss Helen Flaherty phones to say no fee is needed, & apologising for the wrong information.

O.H. applies at the court for 2 witness summons. It's Penny again. "HAVE YOU WRITTEN TO THE WITNESSES?" "No, I've written to their solicitor & they've refused to come." "WELL, YOU MUST WRITE TO THEM PERSONALLY". "What if they don't reply?" "IF THEY HAVEN'T REPLIED BY THURSDAY [the hearing is on Friday] COME & ASK FOR A SUMMONS THEN." "That's hardly fair to me or the witnesses." "OH ALRIGHT, IF THEY HAVEN'T REPLIED BY TUESDAY THEN." O. H. decides to be bold & asks Penny "Is the name [of double-barrelled solicitor] familiar to you?" "CERTAINLY NOT!" says Penny. She answers much too quickly.

O.H. writes as told, no response from recipients, & he is eventually granted the summonses. He has been running backwards & forwards to that court nearly every day for over a week. He suggests to a member of the court staff that a solicitor or his clerk would have been granted them immediately without hesitation, & that a justices clerk would have issued them without the need for a magistrate. "Oh yes, it's only because you are an outsider!"

It had been a long hard frustrating task to launch the counter attack, much more than it should have been, but it was now under way. Completely single-handed up till now, O.H. was acutely aware that he was in need of help to stand any chance of completing the job. In court he would have to be 3 people; the prosecutor, the victim of the crime, & a witness. Not easy. No legal aid was available, but having already done much of the work himself, he thought he might be able to scrape together, or beg, borrow, or steal enough money to pay a solicitor to take one of the parts in court. He approached one which gave the solicitor a chance to bring in the Green Form & get his £80. He had never heard of the 'harassment of a debtor' statute. "We do that sort of thing all the time" said he. Did he now? O.H. was not terribly impressed by his grasp of things, or enthusiasm. Seemed there was nothing else but continue to 'go it alone'.

Came the first hearing, before 3 lay magistrates. The defendants pleaded 'Not Guilty'. O.H. outlined the case. The defendant's solicitor jumped up & asked for a declaration of 'no case to answer'. The magistrates refused, & decided that there WAS a case to answer. A date was set for the hearing proper. As stated on page 13, O.H. was mildly hopeful that he may get a fair hearing before 3 lay magistrates.

Picture the situation. Our Hero [who left school at 13], trying single handed to topple 2 lawyers. Was the legal profession going to allow this to happen? The question doesn't need an answer. The defendants are represented by 2 more lawyers [barrister & solicitor] who approach the Chief Clerk of the Court [another lawyer], & say "Please can we have a lawyer as magistrate?"

Their request was granted. Collusion, conspiracy, or just a prime example of "THE OLD BOYS' NETWORK" in operation?

How did O.H. learn about this? Purely by chance, mischance, or possibly a deliberate leak by an unknown well wisher, a document came into his hands. It was a copy of the letter from the 2 lawyers to the Chief Clerk! That letter was shown to several ordinary citizens. They all uttered the same two words – "IT STINKS"! [SEE PAGE 68].

You will not be surprised to learn that O.H.'s prosecution failed. The Stipendiary Magistrate who had been selected for the job [Slimy Stuart de Sade], not content just to dismiss the case, decided to put the boot in savagely to this upstart barrack-room lawyer with big ideas. After the case was

dismissed, barrister Cheap, speaking for the defendants, [those who had been doing the hounding] said "We do not ask for costs, as we know he has nothing". This was not good enough for de Sade, he wanted his 4 penn'orth of fun. "He will pay £250 to the central fund, at £4 per week". Put the boot into the victim, - again!

O.H. is no Rumpole, but whatever his failings in court [he was trying to do 3 jobs], the ample documentary evidence was there to be seen. One letter alone, & one sentence in that letter should have been enough. It was a letter from Pitt Bull Turrier dated 15/1/96, signed by ELIZABETH BEAL for T.CONYERS-KELLY. It said: [see page 64]

"HAD THAT CHEQUE [from Mare-Owner to Foulmouth] BEEN HANDED TO OUR CLIENT, ENFORCEMENT PROCEEDINGS WOULD NOT HAVE BEEN NECESSARY"

That cheque HAD been handed over, on 22/8/94, just 3 days after the invoice had been issued, - PROVED by Falmouth documents – noted by Thicko in his written judgment! What MORE did any court need?

Read that quoted sentence again, slowly; "HAD THAT CHEQUE BEEN HANDED TO OUR CLIENTS, ENFORCEMENT PROCEEDINGS WOULD NOT HAVE BEEN NECESSARY"!

So, the 'enforcement proceedings' ['Hounding' is a better word] were completely unnecessary, by Pit Bull Turrier's own admission!

That cheque had been handed over BEFORE the summons, BEFORE any of the court hearings, BEFORE the 3 sets of bailiffs hounded O.H. round Yorkshire to seize his horse, BEFORE the seizing of his old age pension, BEFORE the application to commit him to prison, BEFORE the application to make him bankrupt. Before ANY of the hounding started.

Read that sentence again, & ask yourself what on earth has been happening. That evidence, & more, was there to be seen, but it was never going to be enough before a Stipendiary Magistrate, a professional lawyer, - nor would a thousand times as much.

Other evidence before him included an admission by Foulmouth that O.H. never did owe the money, [in spite of which he had been forced to make an offer of monthly payments, - which was spurned contemptuously]. If all the above does not constitute harassment, then what on earth does?

O.H. decided to make application for a Judicial Review & a re-trial on grounds of the collusion [& other improprieties at the hearing]. What would Their Lordships say about 'That letter'? Would they say 'IT STINKS'? He had no great hopes, but was still clinging to the fond notion that maybe, just maybe, there might be a judge of integrity somewhere.

In applying for a judicial review one first states the grounds in a written application which goes before a single judge in chambers. It went before Mr. Justice [Sir] Andrew David Karnt-Reed, who dismissed it. In doing so he referred only to the secondary grounds given, completely ignoring the main grounds of collusion. Was he blind? Couldn't he read? None so blind as they who will not see. [see pages 78/79]

However, the applicant does get a second bite at the cherry. If the first judge refuses, he can then go for an oral hearing before two judges at the Royal Courts of Justice. Still anxious to give them one last chance [they didn't deserve it], O.H. makes the 400 mile round trip to invite them to say the same 2 words as members of the public.

He expected it to be a waste of time. It was. It wasn't the two eminent judges expected, but The Honourable Mr. Justice David No-Nose, on his own. In spite of all that had gone before, O.H. still had the whimsical notion that the hearing might for once be before a clean, fresh, uncontaminated brain & pair of eyes. It wasn't. No-Nose had got Karnt-Reed's decision right there before him but he didn't let on.

Neither did he let on that the pair of them had been chums for more than 20 years in the same barrister's chambers, 4-5, Gray's Inn Square, Temple, London. Was the one who couldn't smell likely to reverse the decision of his pal who couldn't read?

In fact No-Nose had really done O.H. a favour. Had he granted the application it would have meant another £100 fee, more months of delay & another trip to London, with not a cat in hell's chance of success. It was time to forget about playing the game by THEIR rules. Time for O.H. to play by his own.

There were in fact other grounds for judicial review. One was the Order by Thicko to pay the sum of money in 14 days [see page 11 par.2]. Another was the highly illegal plundering of the old age pension by District Judge Bagsnatcha. Either of these would have automatically resulted in quashing or annulment in any court with any pretensions to justice, law or conscience. No-Nose had finally convinced O.H. that such a court would be hard to find.

One legal avenue was left unexplored by O.H. Perhaps he should have made an 'Appeal By Way Of Case Stated', in which Slimy Stuart could have been asked to give his reasons for ignoring the documentary evidence. What the heck, - would it have made the slightest bit of difference?

You may be wondering about the bankruptcy & prison which was mentioned earlier. Action was taken by Foulmouth & PBT to inflict this fate upon O.H. but they do not appear to be doing anything to take it to fulfilment. You can be sure their restraint is not from any feelings of compassion or conscience, they obviously prefer to leave the threat as an instrument of mental torture hanging over their victim's head. [See pages 63&84].

Chapter 13. "WHO BELLS THE CAT?"

After my 'Counter Attack' failed, I felt the urge to tell the tale in allegorical style. This is it.

I have 'borrowed' the name of my old ship

URGENT SIGNAL:
0700 hours 29/3/96

From: Destroyer **HMS MATCHLESS**
To: **ALL ROYAL NAVY FORCES IN THE AREA.**

"AM GOING IN TO ATTACK HEAVY ENEMY BATTLE SQUADRON.

Request you steam at full speed to assist [or pick up survivors, if any]"

[Any vessel near enough to offer [moral] support please telephone LEEDS [0113] 2620 449]

End of message.

RADIO NEWS BULLETIN.

10pm. 29/3/96

"The Admiralty regrets to announce that one of our destroyers, attacking vastly superior enemy forces, was blown out of the water by another enemy ship, who was flying a neutral flag".

"However, two 'Dunkirk boats', "LIPS" & "CASIA", having heard the sound of gunfire, had raced towards it. Too late to join in the battle, they were in time to pick up the one survivor, who has recovered. He has joined this tiny fleet, & they are all anxious to join in battle again with the powerful enemy".

Perhaps it might now be best to end this particular allegorical style, & continue with another, that of the fable.

The humans were having a wonderful party. It had been going on for years. Reared on a diet of Family Allowances they were able to concentrate on the really important things in life, - 'East Enders', 'The Lottery', & 'The Colour of Footballer's Shirts'. They kept A Cat. His job was to kill all the rats.

But he didn't bother with the rats, they were big, & had been known to fight back! Instead, he gobbled up mice instead. He grew big, fat & powerful, so big & powerful that The Humans would have been afraid of him if they weren't so engrossed in having a wonderful time.

A Rather Ancient Little Mouse was toddling innocently along, eating a few grass seeds now & then. He was satisfied. He didn't ask a lot of life. He was content, enjoying a reasonably happy semi-retirement. The cat **POUNCED!**

"Teeth & claws are sharp, but not sharp enough,
Our Hero's skin, being old, is also tough,
Stuff like it comes not nowadays to hand,
The saying is, 'there's no demand'."

Escaping from those vicious claws our wounded little mouse runs to tell The Humans

"Your cat neglects the work for which you pay,
Mark my words, he'll surely swallow you one day"

"Listen to those squeaking mice", say The Humans, "they get on my nerves, we must get Another Cat".

Eventually looking for somewhere to rest, & tend his wounds, the Rather Ancient Little Mouse finds a cave. Thinking himself completely alone, he is surprised to find himself amongst a little colony of wounded mice such as himself. They gather strength from each other, tend each other's wounds and, tiny though they are, talk of fighting back. **SOMEBODY** has to do it they say. How? Discussion goes on. Finally one little mouse pipes up "I know", says he, "if we tie a bell round The Cat's neck we'll be able to hear him coming, & he'll never catch us!"

The mice were full of joy, and had a party to celebrate this marvellous new strategy, which was going to solve all their problems. One little mouse didn't join in the fun. He was thinking. At the height of the party he spoke, & in a puzzled voice said "**WHO BELLS THE CAT?**"

Oh dear, nobody had thought of that. Gloom set in. "**WHO BELLS THE CAT?**" The question went round the company. "I can't", said one, "I've got a wife". "I can't" said another, "I've got a husband". Said another "I can't, I've got children". And so it went on. All brave little mice they were, but they all had obligations & duties to others.

Steps forward Rather Ancient Little Mouse, says he:

"tis true that I alone do have no house,
equally true, I have no spouse,
[some would say I have no nous],
my lack of these no cause for grouse.

Paradoxically, as a mouse of straw '.....**I'M FIREPROOF, I'LL BELL THE CAT!**"

"It's **MIGHTY MOUSE**" they all do cry,
[he doesn't look it, not to the eye].

And so OUR HERO doth sally forth,

"Come out you scoundrel, & fight" says he,
"Big as you are, you don't scare me!"

End of fable.

Another Snippet.

Legal Aid & Me.

I am ashamed that at the end of a lifetime's work I have so little to show for it, but Heigh Ho, as already stated I have had a good life, - been a successful racehorse owner & successful inventor – though neither brought me lasting wealth!

Apart from my own failings however, one reason for my present lack of funds is that in 1994 I suffered a gross breach of contract. It happened shortly before the story in this book. It is not directly connected with the matters in the book, but the party concerned is in collusion with Pitt Bull Turrier & Foulmouth. I did decide to take action for the breach of contract, & was granted legal aid. Counsel's Opinion was that I had a very good case. Pitt Bull Turrier snapped their fingers, gave their orders & got my legal aid revoked – just like that! Clever aren't they?

Not only have they got judges in their pocket, they've got the Legal Aid Board as well. It seems every crook in England is entitled to legal aid – but not me. [At the time I was living in a hostel for single homeless men].

Chapter 14. TO SUM UP

There is much more that could be said – of the hounding, the plundering etc. etc., but time is pressing. It may be tagged on the end.

Foulmouth have spent some £4,000 or so to hound their victim [without success] for a debt of £697. Bad enough if the debt were genuine, much worse when it is bogus. Bogus or not, if a stupid District Judge says it is a debt, then a debt it is. This being so I asked Foulmouth to state a figure acceptable for monthly payments. This was spurned contemptuously. Obviously [confirmed by the amount they were prepared to spend], they didn't want money, they wanted blood.

Pitt Bull Turrier were doing alright though, despite their failure to achieve anything for their client. They had of course grabbed my pension but that had gone straight into THEIR pockets. They were still into Foulmouth for several thousand quid more, doing harm all the way round, - except to their own pockets! Successful lawyers yes, from that point of view.

Malicious though Foulmouth are, it was many times more wicked for lawyers & judges to join in. Though Foulmouth were the instigators of it all, they are now of little consequence. It may actually turn out that they have done decent people a favour by causing the real villains to show their hand, & thus to find that they are not as impregnable in their positions of power as they arrogantly thought.

Lawyers are of course expected to be partisan, though one should be able to expect a degree of competence, conscience & honesty, qualities lacked by Pitt Bull Turrier.

But the real villains are the judiciary. You have read this tale. English judges have not only ALLOWED it to happen. They have taken an active part, & thoroughly enjoyed doing so. They are supposed to be impartial. They swear on oath to be impartial, & are paid handsomely to be so. They are taking money under false pretences.

If you still have any doubts about the truth of this matter I ask you to look at Page 54, a copy of the invoice from Foulmouth to Mare-Owner, then read again the sentence quoted on page 34, para 3 & the paragraphs which follow it.

The retired Lord Chancellor, Lord Hailsham made an illuminating remark when interviewed on TV in autumn 1995. Asked about how judges should conduct themselves, he said that the most important thing was that they should obey the 11th Commandment "Thou shalt not be found out". This lot have been found out.

If there ARE any judges of honesty, integrity, & with concern for the reputation of their profession, then it is time they stood up & spoke out. Like Judge Stephen Tumim, they MUST know what goes on.

I am as selfish, & concerned about my own affairs as the next man, & in PART ONE I have been exposing the dishonesty of the legal profession because of the injustice suffered by me [I wouldn't have known it could happen otherwise]. Not that exposing it will do ME the slightest bit of good. On the contrary, it will almost certainly do me much harm. But maybe, just maybe, my voice, along with the many others who have suffered the same, will cause people to realise what does happen.

I have also put effort into fighting injustice when I saw it happening to others, as you will see if you read on.

For 'CAST LIST' see below.

For Addendum to PART ONE see page 41

For Appendices & further addenda to PART ONE see page 52 onwards.

'CAST LIST'

FALMOUTH STUD LTD BRADLEY GRANGE Stud LTD., Rufforth Nr. York, run by John Norton Harrison, wife Sheila, & daughters Susan & Julie.

PITT BULL TURRIER & co DENISON TILL solicitors, of Leeds & York, "We specialise in ecclesiastical matters!" [Toby Conyers-Kelly, partner, of 6, Beech St. Strensall, York. & Elizabeth Beal, employee].

DISTRICT JUDGE THICKO District Judge A.R.Elliott, of Scarborough.

CIRCUIT JUDGE AL CAPONE Circuit Judge Cotton, of York.

MR.RECORDER SOZZLED Recorder [ex] A.J. Healey, of York & Pontefract.

LORD JUSTICES OF APPEAL

RONNIE KRAY The Rt. Hon. Sir Robert Andrew Morritt, CVO, QC. [Eton; Magdalene; Scots Guards; Attorney General to the Prince of Wales; etc; etc;]

& REGGIE KRAY The Rt. Hon. Sir Konrad Hermann Theodor Schiemann, QC.

MRS. PENNY TWOFACE Mrs. Penelope A Hewitt, Leeds Stipendiary Magistrate, of Bolton.

SLIMY STUART de SADE Stuart Carter LL.B Hons [1977] Solicitor, of Easingwold & Bradford, Deputy 'Stipe'.

DISTRICT JUDGE BAGSNATCHA District Judge Grills, of York.

MR. JUSTICE KARNT-REED Hon. Mr. Justice [Sir] Andrew David Collins, QC.

Mr. Justice NO-NOSE Hon. Mr. Justice David Wolfe Keene, QC.

BARRISTER CHEAP Gerrard Miles Heap BA [Cantab], 25, Park Square, Leeds.

CHIEF MAGISTRATES CLERK

P.BLACKFOOT P.Whitehead, Chief Clerk to the Leeds Justices.

MISS SNAPPILY Miss Lapsley, Young Lady Solicitor, employed by Drivers of York.

Mr. Mare-Owner Gerald Dale, of Gristhorpe, wealthy businessman & land owner. He was on our side [I THINK he was on our side], & he meant well [I THINK he meant well].

ADDENDUM

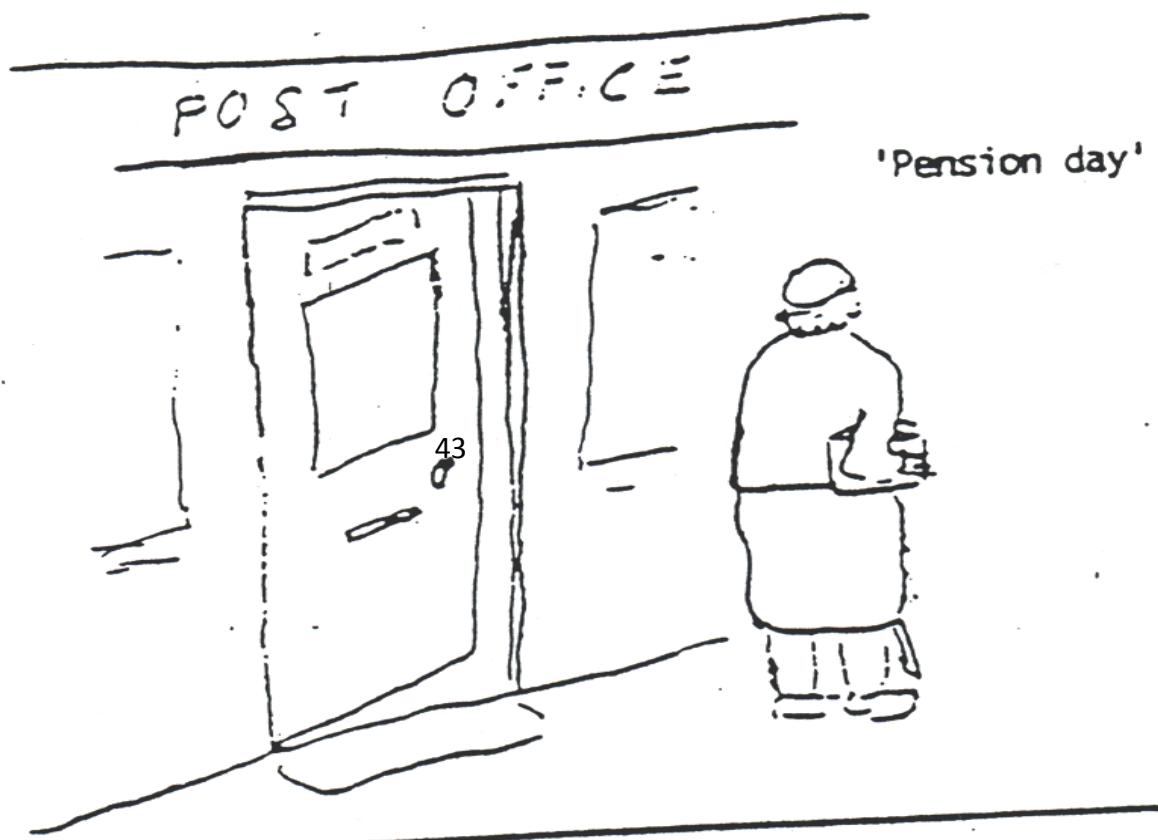
THE TECHNIQUES OF BAG-SNATCHING.

Old age pensioners are at particular risk of this despicable crime after collecting their pension from the Post Office. Clever villains pair up & use a motor bike. The driver whizzes on to the pavement, the pillion passenger grabs the hand bag & they roar away, often leaving the victim on the ground with broken bones. My own sister has been a victim of just such a robbery.

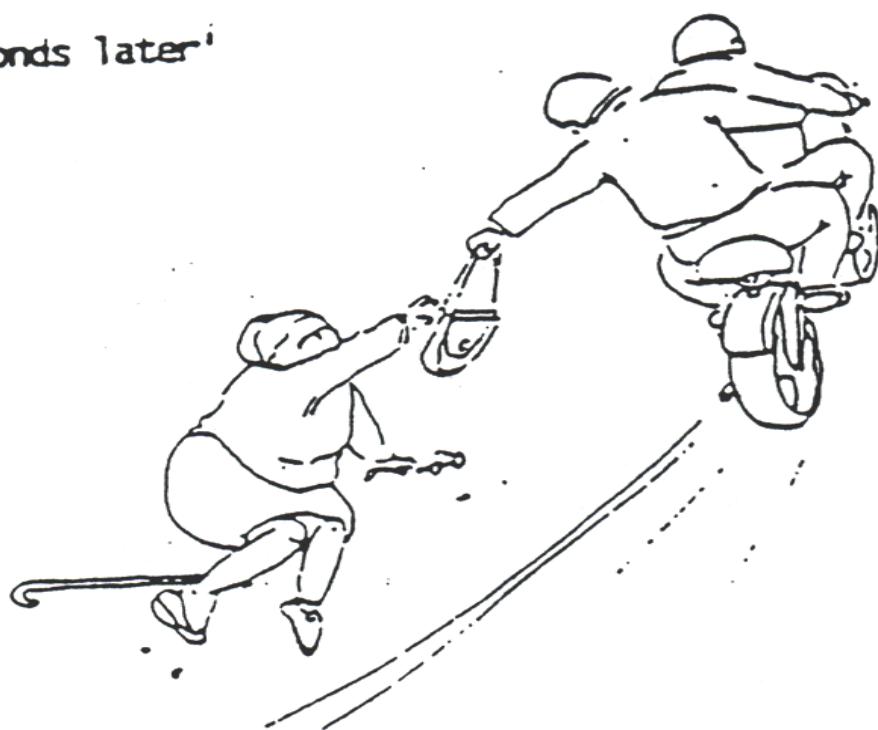
The risk of this particular type of crime can be minimised to a certain degree by having the pension paid in to a bank account, as I do. It's safer that way. Well, it may protect against a motor bike pair, but not against a slimy pair of thieves like District Judge Elliot & District Judge Grills, working together.

Elliot made a 'Garnishee Order' [10/1/96] to my bank to seize all the money in my account, mostly my old age pension. This is a 'Garnishee Nisi', & means the money is seized but not handed over. A month later there should be a hearing to decide whether the Order should be made 'Absolute'. If so, the money is handed over to the plaintiff's solicitor. The 9th. of February was set for the hearing. Without warning to me Grills brought the 'hearing' forward to 24/1/96. Knowing that I would not be there, & KNOWING FULL WELL that he was taking every last penny of my old age pension, he nevertheless made that Order 'Absolute'. Please – don't try & tell me that such disgusting trickery was legal! What a brave & honourable pair they are.

Perhaps I should mention that the 'GARNISHEE ORDER ABSOLUTE' had not been 'Sealed' by the court, & thus was quite invalid. Gross incompetence, but they don't worry about little things like that. As I have said before, every dot & comma will count if it can be construed against the likes of me, but the rule book will be thrown out of the window if it suits them.



'10 seconds later'



'District Judge Elliot & District Judge Grills
demonstrate their skill & bravery.'

**AND SO ON TO
PART TWO,**

**WHICH HAS ABSOLUTELY
NO CONNECTION WITH
PART ONE.**

[*OR HAS IT?*]

Part Two

‘PERJURY & THE RSPCA’

It gives me no pleasure to criticise the RSPCA. They are a worthy organisation, they do much good, & the country would be much the poorer without them. They are held in high esteem by the public, & perceived by the nation, quite rightly, as a force for good. All the more reason why their officers should be beyond reproach.

Foreword

IS PERJURY A CRIME?

It is supposed to be.

HOW SERIOUS?

The penalty can be up to 7 years in prison, so the law says it is serious. My own feeling is that there can be great variation in degree. How many of us could claim to be as honest as George Washington? How many of us would NOT be 'economical with the truth' if it could get us out of trouble, if we would not be found out, & if it would do no harm to anyone else?

Such a dilemma faced John & Anne Bosomworth after a mishap with their Range Rover in September 1994. They had demolished someone's wall. I'm sure they would have been happy to pay for it. Other than that they had done no harm to anyone else. However, John had been driving, he was over the drink limit, & he was a magistrate. So, at a court hearing afterwards he & his wife both said that the wife had been driving. They were found out, & in due course were each sent to prison for perjury, he for 15 months, & she for 9 months.

A similar but lesser situation occurred early in 1996. A Hampshire couple, the Whiteheads, finished up in jail for being 'inaccurate' in answering a policeman's questions about a minor traffic incident [which may not even have been an offence]. This WASN'T perjury, it wasn't even in court, & the husband had not been drinking at the time.

I do not minimise the actions of either party, & if perjury IS a serious crime then it is right that it should be punished. However, I would submit that even the first example is at the lower end of the scale compared to what you will read of in the story to follow.

To tell an untruth to get oneself OUT of bother is one thing. For members of a powerful, wealthy organisation held in high public esteem to conspire deliberately, blatantly & repeatedly to commit perjury, in order to inflict ruin on another is at the other end of the scale. Am I the only one to see it so? Read on.

Chapter 1. THE CHARACTERS

No pussyfooting around this time with facetious, satirical nick-names, just real names from the start.

Leeds based RSPCA Inspector Carol Neale; Veterinary surgeon R.S.Duggal for the RSPCA; Bradford Council Officer Andrew Measley, solicitor Martin Simpson, barrister Stephen Wood, & their victim Miss Margaret Harvey, who warrants quite a few paragraphs to herself.

She could fairly be described as 'a character', but unlike most, who only become characters as they become older, Margaret has been a character all her life, 'a local legend' as someone put it. Born in 1927 [I think] she was 'presented at court' [a debutante] in 1947, & would most surely have knocked the eye out. Still very smart when booted & breeched, she looks like a dowager duchess on the rare occasions when she wears tweed jacket & skirt. At other times, particularly when trudging the fields in winter, she looks like [to use her own words] some old farmer chap.

She trained at the National Riding School, run by the Institute of the Horse, forerunner of The Horse Society. The school was headed by Col. V.D.S Williams, father of Dorian Williams of TV fame. She also trained in Ireland with Col. Hume Dudgeon. She has never married [yet], but not from lack of opportunity I'm sure. Most men would have been left trailing in her wake.

A very good rider herself, she was also a very good riding instructress. Her home bred animals have competed with success at The Royal Show, Great Yorkshire, Hickstead, Wembley etc. She opened a riding school in Menston, & was one of the first to start the now popular pony trekking. Many trekkers were enchanted to be housed in her tiny little Snow White & the Seven Dwarfs cottage at Pateley Bridge. Others, expecting something more like Gleneagles were not enchanted.

Everyone could tell tales about Miss Harvey & her exploits. She is liked & loved by many. In the interests of biographical honesty, perhaps it should also be said that there are some who do not love her. Some who have been inveigled into her wonderful schemes prefer not to be inveigled again. Ah well, can't win 'em all.

Her indomitable spirit has enabled her to fight cancer since 1979, [a double mastectomy involved]. Many more pages could be written about the lady, but that is not the purpose of this book.

Her main stables, at Menston, are in a built up area in the centre of the village. Some would say they are in the wrong place. Certainly planning permission would not be granted in that place at the present time. She has been there a long time now, but there are some who would like her to move, That could have a bearing on what is to follow.

Chapter 2. THE STORY

This story started a few months before the tale in Part One, but they did overlap. In June or July 1994 I received a telephone call from Margaret Harvey. "I am in trouble. I am being prosecuted by the RSPCA on 10 charges of cruelty to my horses & ponies by starving them. Can you help?"

I had known Margaret for more than 30 years. We shared a common interest, - a lifetime passion for horses. I kept stallions, & a horse box. She had been an occasional client of mine over the years. We were on friendly terms, we liked & respected each other, & attended the same horsey functions. We were friends, but not bosom pals. Had I thought her to be in the wrong I would have advised her, as a friend, to accept the fact, & act accordingly.

I went over to see her, & she showed me round all the animals. Each & every one looked a picture of health, including some quite old ones. They were a credit to her.

She showed me the RSPCA vet's report. It struck me as a very dodgy document. It failed even by what it did say, but even more by what it did not say. I felt it not worthy of being put forward as that of an expert professional man. Either Mr. Duggal was lacking in experience with the class of stock involved, or he was struggling to find words to fit in with those required of him by the RSPCA.

Miss Harvey asked me if I would call & see her solicitor, Colin Brown in York. His advice had been to plead guilty to the charges relating to the 2 oldest ponies, & hope the RSPCA would drop the others. 2 or 10, the result would have been the same. It would still have meant her riding school licence being revoked, her reputation destroyed, along with her livelihood & her life's work.

I rang Colin Brown to make an appointment. "Did you see the animals in March, at the time of the alleged offences?" "No". "Sorry, then you are no help to me". I told him that I knew Miss Harvey well, & had seen her animals recently. I told him that I had seen the vet's report, & could demolish it. He still refused to see me but suggested I write to him. I did so. He was impressed by what I wrote, & began to waver from his earlier view, as held by many, that the RSPCA must always be right.

Came the trial, after 8 months of torture for Miss Harvey, at Bingley magistrates court, & due to last 3 days. The RSPCA were represented by solicitor Martin Simpson & barrister Stephen Wood. Miss Harvey was represented by Colin Brown, & barrister David DeJehan. Prior to the hearing Margaret's barrister had indicated that he didn't want any criticism of the RSPCA, "they are all lovely people, but just happen to be making a mistake this time." That was the way the defence was going to play it.

I was to be called as an 'expert witness' [not a witness of fact], & as such was asked to sit in on the hearing from the start. Good job too. The RSPCA spent the whole of the first day retailing a horror story of animals which were not only denied food, but water as well. This made dramatic headlines in the local press.

Statements had of course been exchanged between the two parties, but the RSPCA [& their lawyers] played a dirty trick by 'Springing An Ambush', that is, bringing in [supposed] evidence of which the defence had not been given notice, & thus denying them the opportunity to prepare a defence or rebuttal. An 'Ambush' is against all legal ethics, & should not have been allowed. It was not challenged by the defence lawyers. It was a dirty trick, but it was to prove their undoing.

"These poor animals were not only without food, they were even denied water!" Not only was it said, - it was hammered home mercilessly, again & again! Mention was made of "The Gorse Field". 24 year old Inspector Neale stood there in her uniform giving evidence, a worthy member of a worthy organisation. I suspect that the RSPCA is held in higher regard than the police.

RSPCA inspector Neale: "There was no water in the field, except for a muddy stream, quite unfit to drink. The only receptacle was a bath which was turned upside down. A fortnight later I visited again & it was STILL upside down!" [Meaning, of course, that the animals had been without water for at least a fortnight].

RSPCA vet Duggal, on being asked what would have happened to the animals had they drunk the 'muddy water, not fit to drink' said: "It would have given them colic!" [ie: It would have had them rolling around in agony].

Council Officer Measely was asked by Stephen Wood: "Did you see any water receptacle in that field?" Came the reply in a firm, clear voice "No I did not!" His bearing, his delivery, was that of a man of obvious honesty & integrity, & put one in mind of Oliver North. But he didn't say, as a truly honest man might have done "I didn't look". Obviously he hadn't looked or he would have seen the upturned bath. Obviously he hadn't looked, or he would have seen much more than the bath. Or maybe he had looked, & seen, but ignored what he had seen. A lie is an intention to deceive, whatever the words.

Two teenage girls had also been coached to give similar evidence. Vet Duggal also said in his evidence that the mare Pandora "had an almost complete loss of teeth". Pandora had NO loss of teeth whatsoever!

I knew The Gorse Field, & had passed it many times. I didn't know for sure if there was water in it, but knowing the area would have been surprised if there hadn't been natural water of some kind.

So, while everyone else went off for lunch I made my way the 4 or 5 miles to the field to look. In that field I saw a beautiful bubbling stream of sparkling clear water, coming off Rombolds [Ilkley] Moor, & running the full length of the field. No-one in that field could have missed it. I estimated the flow at about 100,000 gallons a day. There WAS an upturned bath in the field. It was there in case the stream should dry up in a hot summer, & was upside down to keep it clean.

I collected a bottle of that beautiful water, took it back with me, & handed it to David DeJehan. Came my turn in the witness box. Though defence counsel had said we mustn't criticise the RSPCA, I felt that I could not ignore that which I had heard from their witnesses. I spoke up, & said that perjury had been committed in court.

The response of the lady chairman of the bench astonished me. She jumped down my throat as though I had been using obscenities. "We don't want to hear that sort of talk in here!" I was flabbergasted! Perjury committed in that very court room, & she wasn't interested? The proper course of action would have been for the magistrates to go up to that field, & see for themselves, as I had done. The credibility of the RSPCA witnesses would have been destroyed. The prosecution would have had no option but to withdraw their case. It didn't happen, & Margaret had to endure another 24 hours of mental torture.

I gave my evidence. As some of you may know, giving evidence can make one's throat very dry. I

asked for a glass, & refusing the carafe proffered with it, poured from the 'Exhibit A' bottle of water, which sparkled beautifully when held up to the light. It was of course 'Gorse Field Water' [chlorine & fluoride free]. The chairman appeared to dislike me. Giving evidence is VERY thirsty work, & when I asked for a second glass she was testily impatient with me.

When the magistrates retired Colin Brown whispered a recrimination "Why did you mention perjury?" I didn't feel the need to apologise. It needed to be said. I asked the court clerk where to report perjury. She was at a loss.

After the joyous & deserved acquittal, I asked David DeJehan & Colin Brown what they intended to do about the perjury. "All's well that ends well" was their reaction. Not only had there been an 'ambush', blatant, deliberate & repeated perjury, but there had been CONSPIRACY to commit perjury, & to pervert the course of justice.

Still puzzled at the lack of interest in a serious crime, I enquired at the police station next door. "Report it to the court" said the PC. "I have done, they're not interested". The PC, bewildered, said "Sounds a very funny court to me. Well report it to the defence lawyers then". "I have done, they're not interested either". We parted, each of us scratching our heads in puzzlement.

I rang the Crown Prosecution Service: "Is it a crime, where do I report it?" "Yes it is, report it to the police". I called at Chapeltown Police Station, in Leeds. "I don't want to report it now, I just want to know WHERE to report it".

The plain clothes lady asked a few questions & said "Report it to the employer". I demurred, & said that if I saw a Gas Board employee robbing a bank I would hardly report it to the Gas Board. She had to agree it was hardly the right course. She didn't really know the right course, but would find out & let me know. She hasn't done as yet. Before I left a male uniformed officer intervened, & started to question me. He too was out of his depth, but at the end he inferred that I was wasting police time. HE had been wasting mine!

I asked at Scarborough Magistrates Court. They told me to write to the Chief Clerk at the court where it happened [Bingley]. I did so. There was much correspondence from then on. I will summarise.

Bingley Chief Clerk wrote back to say that the magistrates had heard the evidence, had made their decision, & that was the end of the matter as far as the court was concerned. The police were the people to investigate. Having tried the police already I wrote to the Lord Chancellor, whose office wrote back 5 weeks later. They suggested I write to the Chief Constable.

I did so, he passed it on to Chapeltown Police Station, who wrote to say that they had passed it to Calder Valley Police. Why Calder Valley I know not, its miles away. Eventually my letter did reach Bingley Police Station, & I made a statement to DC Pickering. In due course Inspector Hennigan wrote to say that after great deliberation they had decided not to pursue the matter. In his penultimate paragraph he said "You might feel that justice was done with the subsequent 'Not guilty' verdict". The same view expressed by others, "All's well that ends well".

This puzzles me. If perjury was such a serious crime for the people mentioned on Page 45, why not in this case? I draw an analogy. In a wages snatch a security guard is badly battered, but the robbers drop the swag as they run away. The police know who they are, but decide not to prosecute. The robbers didn't succeed, the security guard is recovering, - so all's well that ends well.

Sorry but it isn't. Margaret Harvey suffered greatly for 8 months, & her business was ruined by the adverse publicity. People remember those first day headlines better than they remember the acquittal.

The best that could be said about the prosecution was that it was brought by misguided people, with very little knowledge or experience of the class of stock involved, whose excessive zeal caused them to make untrue statements. The worst that could be said was that it was brought by vindictive people, with money & power behind them, who lied in the witness box for ulterior motives.

Since the matter ended I hear that someone has said of me "He has gone down in my opinion by supporting Margaret Harvey". [I did say there were some who did not love her.] They fail to understand. I saw an injustice happening, & did what I could to prevent it. I would do the same for anyone, whoever they were.

After the acquittal it was ordered that the defence costs be paid out of Central Funds, ie: the taxpayer, & not by the RSPCA as I would suggest should have been the case. Compare that with Slimy Stuart's treatment of me [page 34 para 1].

Chapter 3.

A FEW WORDS ON THE NUTRITIONAL MANAGEMENT OF COBS & PONIES OF THE NATIVE BREEDS.

The natural habitat of these animals are the dales & the fells, the mountains & the moors, hard country, where grazing is sparse, even at its best. Reared for centuries in these conditions, they have developed constitutions to make the best of what is available. Living as nature intended they will lose weight through the winter, but come the spring they will put on weight, thrive, produce young, - & milk, even on the comparatively poor grazing in those areas.

When these same animals live in the softer parts of the country they are at risk of an exceptionally distressing condition known as laminitis, which causes great pain, suffering, & often premature slaughter. Believe me, there is nothing worse. It is likely to occur if this type of animal comes out of the winter in 'good' condition. They then put on more weight very quickly, & become over-weight, the usual cause of laminitis.

Knowledgeable owners are aware of this risk, & act accordingly. It is commonly said of such animals "They would put weight on in a concrete field". I have often advised owners of animals I judged to be at risk "You MUST take advantage of the winter to get some weight off your animal. Turn it away on a mountain & forget it".

I do not expect the last sentence to be taken literally. I say it because it can be difficult to overcome the vanity of some owners who love to see their animal fat & bonny at all times. Anyone who has seen a pony suffering the agony of laminitis would understand my concern. Margaret Harvey understands the above. Neale, Duggal, & Co. do not.

FOOTNOTE

I would not claim to be more honest than the next man – though that depends on who the next man is! Nevertheless, I do try to be honest. One little piece of honesty on my part did cause me 24 hours of worry.

I have told you of the water in The Gorse Field. There was no doubt in my mind [nor would there be in yours] that it was perfectly safe for those animals to drink. However, knowing that we human beings are delicate creatures, I did just wonder ?

I intended to drink that water in court. It crossed my mind that cattle, sheep, or 'the lone hiker' could well be walking [or worse] in that stream higher up! So I bought a packet of water purifying tablets – better be safe than sorry. But conscience, that troublesome thing prevailed. I did not use the tablets. The untreated, chlorine & fluoride free water that I drank in court was exactly the same as that drunk by the animals. For the next 24 hours though, I did listen to my stomach very carefully for any signs of queasiness. The defence DEPENDED on my remaining in good health! My being carted off to hospital would have confirmed the prosecution case. No need to worry, I remained in robust good health. [I do have a cast iron stomach].

I did feel a priggish self-satisfaction at having demonstrated my honesty so nobly. Trouble was, nobody knew, except me. So, on the principle that one should not hide one's light under a bushel, I now tell you.

ANOTHER FOOTNOTE

Margaret Harvey's barrister said something before the hearing which was a sad reflection on the likelihood of justice. He asked Margaret "Do you know any famous television stars or personalities who would speak up for you? It could help". Was he being insulting about magistrates, or is that really the sort of thing which decides whether one is guilty or not?

LIST OF APPENDICES

You may not feel like wading through these copy documents, but they do confirm what I have written. I submit that some of them are very important indeed. Some are less so individually, but taken as a whole they are a catalogue of disgrace.

Page

- 54 The very first document; the invoice to G.Dale
- 55 ARTICLE 6
- 55 Law Society Guide
- 56 Other extracts from Guide
- 57 'Notice of Arbitration'
- 58 Application for open court
- 59 Thicko's refusal
- 60 Application to 'SET ASIDE'
- 61 Sozzled's 'APPEAL DISMISSED'
- 62 Appeal Court 'SCHEDULE'
- 62 Ronnie Kray's Judgment
- 63 PBT re prison & my comments
- 64 "Had that cheque
- 65 Admin of Justice Act
- 66 My letter to Hewitt
- 67 Reply
- 68 Cripwell to Whitehead
- 69 My letter to Whitehead
- 70 His reply
- 71 My letter re signalling
- 72 My letter of complaint
- 73 Daft reply
- 74 "CRASSUS DUPLEX BREVIS PLANCUS"
- 75 My letter to Larking
- 76 Emsley letter to Larking
- 77 Larking invoice
- 78 Application for JR
- 79 Ditto
- 80 Collins' decision [Hopeless]
- 81 Collins & the Scott Report [page typed]
- 81 "Why not try the ECHR?"
- 82 Ditto
- 83 Ditto. Copy letter to ECHR
- 84 Bankruptcy. 18 days to put letter in envelope

- 85 Letter to Heap. 'Truth' 'Integrity' etc.
- 86 Letter to Whitehead
- 87 Lewthwaite's reply
- 88 Letter to Lewthwaite
- 89 THE MEDIA, OUR WATCHDOGS?
plus further thoughts & happenings to be added on as they occur.

My big mistake. I over-estimated the intellect & integrity of the judiciary.

STOP PRESS 13/8/97

The correspondence [pages 86/87/88] may amuse you, if you still have a sense of humour. [I have though hysterical laughter might be more appropriate!] Page 86 brought a quick reply, but not so page 88. No confirmation yet that it has been seen by the Leeds Magistrates Court committee, nor response to my offer to act as consultant to improve efficiency.

Continuation: P91, More about the ECHR. P92, Fred Hill, P93, The Guardian.

BRADLEY GRANGE STUD LTD

Mr. G. Dale *

.....
.....
.....

BRADLEY LANE
RUFFORTH, YORK
YO2 3QW
Tel. No. 0904 - 83 651
0904 - 83 707
Fax No. 0904 - 83 659

DATE 19.5.94

INVOICE No. 0649

Feet for Queen, Duchess, Countess

- Pencils. For 156 items.
plus Feathers for 55 items.

497 00

Box. Hix 26 NO 1000 200 00

VAT

TOTAL

697

* I AM NOT MR G. DALE!



This one document on it's own, the first in this whole affair, (it was paid within 3 days!) should have been enough for anyone with a scrap of intelligence to say "This is ridiculous, something very fishy is going on!", & dismiss the claim without further ado.

But not enough, it seems, for the intellectual giants of the English Judiciary. Instead they prefer to generate mountains of paper, which in turn generates mountains of lovely money for their profession -- but had they some other motive as well? I don't know, it's beyond me.

Appendix 2

ARTICLE 6

Great Britain is a signatory to the EUROPEAN CONVENTION ON HUMAN RIGHTS. [Nothing to do with the European Union].

ARTICLE 6 of the Convention says “IN THE DETERMINATION OF HIS CIVIL RIGHTS & OBLIGATIONS EVERYONE IS ENTITLED TO A FAIR & PUBLIC HEARING”

ARTICLE 10 of United Nations Declaration says the same.

No need to rely on the European Convention, or the United Nations, English law also says so.

In 1860 Chief Justice Cockburn ruled that “ENGLISH COURTS OF JUSTICE ARE OPEN TO THE PUBLIC IN THE FULLEST SENSE, & I TRUST THEY WILL ALWAYS REMAIN SO”.

In 1913 Lord Chancellor Haldane & 4 other Law Lords [Earl of Halsbury, Earl Loreburn, Lord Atkinson & Lord Shaw] ruled “AS A BROAD PRINCIPAL COURTS OF JUSTICE HAVE NO POWER TO HEAR CASES IN CAMERA, EVEN BY CONSENT OF THE PARTIES EXCEPT IN [VERY] SPECIAL CASES” [House of Lords, *Scott v Scott*].

In 1931 this was re-affirmed by Lord Justice Lawrence, who ruled “A JUDGE OF A COURT OF JUSTICE IN ENGLAND [SAVE IN A FEW EXCEPTIONAL CASES] HAS NO DISCRETION WHETHER HE WILL SIT IN PRIVATE OR PUBLIC”. [*Hearts of oak Assurance v Attorney General*] [1931]

And yet Thicko, Capone & Sozzled were able to act as they did, & Lord Justice [Ronnie Kray] Morritt was able to dismiss the Convention & those rulings as of no consequence. So now you know. Those of you who fondly thought you were entitled to a fair hearing, & a public hearing were mistaken. You are not.

Extracts from the Law Society's

“GUIDE TO THE PROFESSIONAL CONDUCT OF SOLICITORS” 6th. edition

12.09 Client's malice

Principle PAGE 261

A solicitor MUST [my emphasis] refuse to take action which he or she believes is solely intended to gratify a client's malice or vindictiveness.

Apart from the great harm Denison Till have done to me by their criminal & unethical conduct, they have betrayed their own clients by incompetence, & have broken the Law Society's Code of Conduct on several other counts. They were engaged to recover a 'debt' of £697. They have failed to do so. Instead they have extracted several thousand pounds in fees from their client.

Duties owed by a solicitor during retainer

12.11 Care and skill

PAGE 262

Principle

A solicitor who has accepted instructions on behalf of a client is bound to carry out those instructions with diligence and must exercise reasonable care and skill. [My emphasis].

Even if the debt had been genuine, any tyro solicitor or legal clerk with any pretence to competence would have advised their clients at the outset to apply for an 'ORAL EXAMINATION', which would have cost about £30. Instead they embarked on the expensive & fruitless course of action which you have just read about, doing no good to anyone except their own pockets.

More Extracts

12.13 Observation of principles of conduct.

Principle PAGE 263

It is an implied term of the retainer that a solicitor is under a duty, at all times, to observe the principles of professional conduct.

Commentary

1. This means that there will be limitations upon the freedom of a solicitor to do what the client wants him or her to do. A solicitor must not breach the principles of professional conduct in order to benefit the client.

12.02 When instructions must [my emphasis] be refused.

Principle

A solicitor must not act or, where relevant, must cease acting further where the instructions would involve the solicitor in a breach of the law or a breach of the principles of professional conduct, unless the client is prepared to change his or her instructions appropriately.

Commentary PAGE 258

A solicitor who has accepted instructions to act is under a duty to observe the rules of professional conduct and a client must accept the limitations imposed by such rules.

Notice of Arbitration Hearing
Small Claims Procedure

Plaintiff

BRADLEY GRANGE LTD

Defendant

NEILMAN SCARTH

In the

SCARBOROUGH

County Court

Case No. Always
use this

Y0404519

Plaintiff's Ref.

Date: 15-11-94

To the plaintiff and defendant

1. Details of Hearing

This case is to be dealt with by arbitration under the small claims procedure. The notes overleaf tell you more about the hearing and what you need to do before it takes place.

The arbitration hearing will take place at 9 NORTHWAY, SCARBOROUGH

on Monday 16 January 1995 at 12.00 o'clock

The time allowed for the arbitration is 1 hours — minutes

If you do not attend, the district judge (the arbitrator) may make decisions in your absence.

If you do not wish your case to be dealt with under the informal small claims procedure, you may apply to the court. You should use form N244 which you can get free from the court office. You must say why you object to your case being dealt with as a small claims case.

The court will give you an appointment at which the district judge will consider your objections. If your case is not dealt with under the small claims procedure, costs may be allowed. That means, if you lose the case you may have to pay the other party's costs which may include the costs of help from a legal representative.

2. District Judge's Directions (What you should do)

- (i) Not less than 14 days before the hearing, you must send the other party a copy of all the documents you have which you are going to use to prove your case.
- (ii) Not less than 7 days before the hearing, you must send the court and the other party:
 - (a) a copy of any expert report you are going to use to prove your case and
 - (b) the name(s) and address(es) of any witness(es) you intend to use.

"IF YOU DO NOT WISH YOUR CASE TO BE DEALT
UNDER THE SMALL CLAIMS PROCEDURE
YOU MAY APPLY TO THE COURT".

In the SCARBOROUGH County Court

BETWEEN BRADLEY GRANGE STUD PLAINTIFF
 AND NORMAN SCARTH. DEFENDANT
 CASE No. Y04 04519

(1) State nature and grounds of application
 I wish to apply for " the case to be heard in open court, & not to be dealt with under the informal small claims procedure. My reasons for this request are

- A. That this is vexatious litigation. It is an abuse of the process of the law, and is completely without grounds.
- B. That the plaintiff failed to turn up at the earlier Preliminary Appointment
- C. The plaintiff sent to the court an undated & unsigned letter, but failed to send me a copy as I understand should have been done.
- D. I would prefer that evidence should be given on oath. DATED & I believe this does not happen in the small claims procedure.

12/12/94.

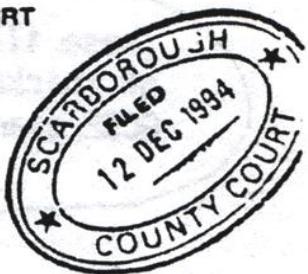
Signed N. Scarth Plaintiff/Defendant
 Address for C/o. Cumboots Dairy Farm, Scalby, SCARBOROUGH. Y013 0PQ

service _____

THIS SECTION TO BE COMPLETED BY THE COURT

To the Plaintiff/Defendant .

TAKE NOTICE that this application will be heard by the District Judge
 at
 9 NORTHWAY, SCARBOROUGH.



TUESDAY
 on 30th day of JANUARY 1995 at 3.00 o'clock

IF YOU DO NOT ATTEND THE COURT WILL MAKE SUCH ORDER AS IT THINKS FIT.

Address all communications to the Chief Clerk AND QUOTE THE ABOVE CASE NUMBER

THE COURT OFFICE AT

9 NORTHWAY, SCARBOROUGH. Telephone: (0723) 366361

is open from 10 a.m. to 4 p.m. Monday to Friday.

N.264-Notice of application. Order 13 Rule 1(2).

(2)

4

MCR 861CP

General Form of
judgment or order

Plaintiff's address

BRUNN COTTAGE SNT
BRUNN LANE
RUGBRIDGE
LYDDEN TEL 321

SCARBOROUGH	
County Court	
Case No.	45404519
Plaintiff	BRUNN COTTAGE SNT
Defendant	Norman Scorn
Plaintiff's ref.	—
Defendant's ref.	—



UPON HEARING THE REPRESENTATION
FOR THE PLAINTIFF AND THE
DEFENDANT IN PERSON

IT IS ORDERED THAT THE DEFENDANT'S
APPLICATION TO HAVE THE CASE HEARD
IN OPEN COURT BE AND THE SAME IS
HEREBY DISMISSED.

A. E. HULL
District Judge

Dated 3.1.95

These illegible garbled hieroglyphics are an example
of Thicko's work. If a 16 year old submitted this for
GCSE exam. how many marks would they get?

Defendant's address

Norman Scorn
c/o Consultant Dentist London

Dated

Scorn
Subs. 7-13-95

(3)

89

M O S T U R G E N T.

In the SCARBOROUGH County Court

BETWEEN ~~BRADLEY GRANGE LTD LTD.~~

PLAINTIFF

AND ~~JOSEPH BOWMAN SCARSTE~~

CASE No.

DEFENDANT

~~111 St. John
Street and
Courts of~~I wish to apply for CASE NUMBER DIXEYXXVXX 2000 TO 10 19 95JUDGEMENT FOR PLAINTIFF.SET
ASIDE

I wish to apply for the above judgement order to be set aside. My grounds for doing so are as follows:

That there was misconduct by the arbitrator, in that he ignored, disregarded, and acted contradictory to, the courts own rules. This happened on at least ~~PIFTEEN~~ counts. Apart from being contradictory to the courts own rules these ~~counts~~ matters were at complete variance to the issue of natural justice. I am ~~having~~ having advice on the matter, but trust that this application will suffice to grant a stay of enforcement.

DATED 21/2/95.

Signed

W. Scott

Plaintiff/Defendant

Address for C/o. 59, Gleashow Park Avenue, 17XNS

557 444

service

THIS SECTION TO BE COMPLETED BY THE COURT

To the Plaintiff/Defendant

TAKE NOTICE that this application will be heard by the District Judge
at
1 NORTHWAY, SCARBOROUGH.

on

at

o'clock

IF YOU DO NOT ATTEND THE COURT WILL MAKE SUCH ORDER AS IT THINKS FIT.

Address all communications to the Chief Clerk AND QUOTE THE ABOVE CASE NUMBER

THE COURT OFFICE AT

9 NORTHWAY, SCARBOROUGH. Telephone: (0723) 366381

is open from 10 a.m. to 4 p.m. Monday to Friday.

Please quote case number. Order 13 Rule 11(2).

MCR 001200 7/94

Judgment or order

Plaintiff's address

1120 LITTLE ST.
16117
1120 LITTLE ST.
16117
1120 LITTLE ST.
16117

County Court	
Case No.	16117
Plaintiff	PROFESSIONAL SERVICE STUDIO
Defendant	ROBERT SMITH
Plaintiff's ref.	16117-12573
Defendant's ref.	

Visa
mar
mar
bureau

BEFORE MR. REEDERER HERALD, SITTING AT
WICKE COUNTY COURT THIS 1st MARCH

UPON HEARING, THE COURT FOR THE PLAINTIFF
AND THE DEFENDANT IN PERSON.

IT IS ORDERED THAT -

APPEAL!

1. The Appeal be dismissed
2. The Defendant pay the Plaintiff costs
of the Appeal on secured bonds to be
taxed on issue if necessary

More hieroglyphics,
this time from Sozzled
How could The Appeal be dismissed?
There WAS no appeal!

Defendant's address

1120 LITTLE ST.
16117
1120 LITTLE ST.
16117
1120 LITTLE ST.
16117

5

The Court Office is

open from 10 am to 4 pm Monday to Friday. When corresponding with the courts please address forms or letters to the Chief Clerk and quote the case number.

N24 General form of judgment or order

SCHEDULE

There have been recent changes in the Court's practice and you are advised that the Court of Appeal now sets a limit on the length of time allowed for oral argument on applications. The time limit applies whether the applicant is represented by a lawyer or is acting in person. The applicant's lawyer, or the applicant in person, is expected to complete his or her arguments within no more than 20 minutes.

If the application is for leave to appeal, you should note that the purpose of leave to appeal is to sort out which cases are fit to go forward to a full appeal hearing and which are not. Therefore, when dealing with an application for leave to appeal, the Court of Appeal looks in broad terms at what [my emphasis] the proposed appeal is about in order to decide whether or not the grounds of appeal are strong enough to merit a full appeal hearing. For that purpose lengthy argument is not required [my emphasis].

The 20-minute time limit will not be extended unless the Court decides that it is one of those exceptional cases where longer argument really is necessary. Since such extensions of the time limit will only rarely be granted, you should come to the hearing prepared to complete your arguments in no more than 20 minutes.

If you feel nervous or uneasy about standing up in court and putting your arguments to the Judge[s] orally, you can, instead, put your arguments on paper, provided that they are typed [not hand-written] and are no longer than five A4-sized pages. If you decide to do that, bring 3 [or if it is an inter partes hearing, 4] good clear photocopies of your typed submissions to the hearing. Give 2 copies to the court usher to hand up to the bench, keep one for your own use, and, if it is an inter partes hearing, give one to the other side's lawyer [or to the respondent, if he or she is acting in person].

[INSTRUCTIONS FROM THE APPEAL COURT - my note].

Morritts Judgment

I wrote on page 27 of his complaint of the 'over lengthy judgment', [& told you I agreed with him]. Compare that with Collins' Judgment, page 80. They will find fault whatever you do.

If you provide detail they complain as above. If you mention, but not in detail [it being only an 'application' & not the hearing proper] they say as Collins does "... you have produced no material to support your suggestion" So, your attempts to be brief & save the judges' time go against you. They are determined to trip you up whatever you do.

DENISON
TILL

SOLICITORS

1 Peacock Street - York YO1 1SG - Telephone: (01904) 611411

Fax: (01904) 611458

Messrs Ralph C Yablon Temple Miles & Carr
 Solicitors
 Sunbridge House
 80 Kirkgate
 BRADFORD BD1 1TH

DX: 51515 YORK

RB

your ref:

EB/LR/25673

our ref:

28th December 1995.

For the attention of Rachel Barber

Dear Sirs

OUR CLIENT - BRADLEY GRANGE STUD LTD
YOUR CLIENT - NORMAN SCARTH

We refer to our recent telephone conversation, during which we informed you that we acted for the above named Plaintiffs, namely Bradley Grange Stud Limited.

We enclose as a matter of courtesy a copy of a Notice of Application submitted to the Scarborough County Court which you will see asks for your client's committal to prison regarding the breach of an ~~*~~ undertaking given by him on the 27th February 1995.

As soon as we have received a sealed copy of the Notice of Application we shall arrange for personal service upon your client. We are, however, not sure of your client's present whereabouts and wonder if it would be possible for you to provide us with your client's address in an effort to save unnecessary costs.

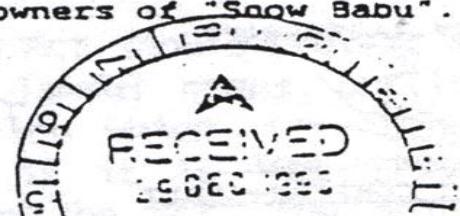
In addition, we presume your client has received the proceeds of sale of "Snow Babu" and we shall inform the Legal Aid Board of this once we have received the details from the present owners of "Snow Babu".

Yours faithfully

DENISON TILL

~~*~~ THERE WAS
NO BREACH!

ON SEEING THIS LETTER I
 IMMEDIATELY WROTE TO DENISON TILL
 OFFERING TO MEET. THEY HAVE ~~REPLIED~~
STILL NOT REPLIED! THEY PREFER TO LEAVE THE
THREAT DANGLING, AS MENTAL TORTURE.



DENISON
TILL

SOLICITORS

1 Peckill Street, York YO1 1SG. Telephone: 01904 611458

Fax: 01904 611458

Mr N Scarth
C/o 59 Gledhow Park Avenue
Leeds
LS7 4JL

DX: 5115 YORK

Your ref:

Your ref:

EB/LML/25673

15 January 1996

Dear Mr Scarth

BRADLEY GRANGE STUD

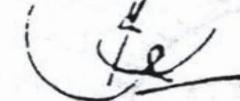
We thank you for your letters of 3 January 1996 and 10 January 1996, the contents of which are noted.

We served upon you, by way of recorded delivery post, to 59 Gledhow Park Avenue, Leeds, a Statutory Demand.

In relation to paragraph - we would state that letter of 5 January 1996, at York County Court, 'Had that cheque been handed to our clients for the sum owing to us to obtain the monies for the enforcement proceedings would not have been necessary'. It may be as a client, is as a result of enforcement proceedings would not be under the jurisdiction of the court. We are available to

The name of the writer is Miss Elizabeth Beal, whom you have met on at least two occasions, at the Scarborough County Court.

Yours sincerely


ELIZABETH BEAL
FOR T CONYERS-KELLY

IT HAD BEEN HANDED

OVER!! SEE PAGE 40,
LAST PARAGRAPH.

ARE THEY ALL GOING MAD
- OR IS IT ME?

Extract from:

Administration of Justice act [1970]

PART V

MISCELLANEOUS PROVISIONS

40 Punishment for unlawful harassment of debtors

[1] A person commits an offence if, with the object of coercing another person to pay money claimed from the other as a debt due under a contract, he –

[a] harasses the other with demands for payment which, in respect of their frequency or the manner or occasion of making any such demand, or of any threat or publicity by which such demand is accompanied, are calculated to subject him or members of his family or household to alarm, distress or humiliation;

[2] A person may be guilty of an offence by virtue of subsection [1] [a] above if he concert with others in the taking of such action as is described in that paragraph, notwithstanding that his own course of conduct does not by itself amount to harassment.

Obviously it is not intended that the Act should prevent anyone trying to recover a legitimate debt by lawful means, but it does go on to state specifically that action which is “otherwise permissible in law” becomes unlawful if it is “unreasonable”.

In the Parliamentary debate preceding the Act, the point was made that it was intended to curb the activities of ‘shyster solicitors’.

The actions you have been reading about?

Have they been ‘reasonable’?

From: N. Scarth, 59, Gledhow Park Avenue, LEEDS LS7 4JL
Tel: 2620 449.

TO: The Chief Clerk, and/or The Legal Advisor

11/2/96

Leeds Magistrates Court,
Westgate, LEEDS LS1 3JP

Dear Sir or Madam,

On 26/1/96 I attended Leeds Magistrates Court for the purpose of taking out 4 private prosecutions under the ADMINISTRATION OF JUSTICE ACT, 1970, Sac. 40(l)(a).

I appeared before the stipendiary magistrate Her Worship Mrs P. Hewitt, who granted three of the prosecutions against three named individuals. However, she refused the fourth, on the grounds that it was against a Limited Company, and thus was not allowed

I have taken advice on the matter, & opinion is that it is quite in order that such a prosecution should go forward

I enclose copies of extracts from the following authorities:-

1. "HALSBURY'S STATUTES, 4th Edition, Vol.12. 1994 Re-issue"
Pages 544/545.
2. "MAYSON FRENCH & RYAN ON COMPANY LAW" 1992/93 Edition
Pages 616/617/618. Published by Blackstone Press Ltd
3. "CIMA (CHARTERED INSTITUTE OF MANAGEMENT & ACCOUNTANCY)"
Study Text Stage 2 Business & Company Law 2nd Edition
July 1995. Pages 249/250 Published by BPP Publishing Limited

Relevant words or phrases are marked in red

I would be grateful if you would inform me if you agree with the authorities quoted, & if so, could you please telephone me to suggest a time when I may call to take the matter further

Yours Faithfully,



LEEDS DISTRICT MAGISTRATES' COURTS

PO BOX 97
WESTGATE
LEEDS LS1 3JP

Telephone: 0113-245-9653
Fax: 0113-244-4700
DX 706961 (Leeds Park Square)

Justices' Chief Executive & Clerk to the Justices: P Whitehead, LLB, Solicitor
Deputy Clerk (Administration & Outer Courts): L Lewthwaite, MIMgt
Deputy Clerk (Legal): Mrs H J Gill, LLB (Hons), Solicitor

Mr N Scarton
59 Gledhow Park Avenue
Leeds
LS7 4JL

My ref: CF/AH

Please reply to:

Your ref:

Date:

15th February 1996

FRI

POST MARK 19/2/96 TUES

Dear Sir

I acknowledge receipt of your letter dated 11th February 1996 regarding a further application to issue proceedings against a limited company.

Having spoken with the Stipendiary Magistrate Mrs Hewitt and shown her the extracts which you provided regarding this matter, please attend Court any weekday at 9.30 a.m. for the application to be heard.

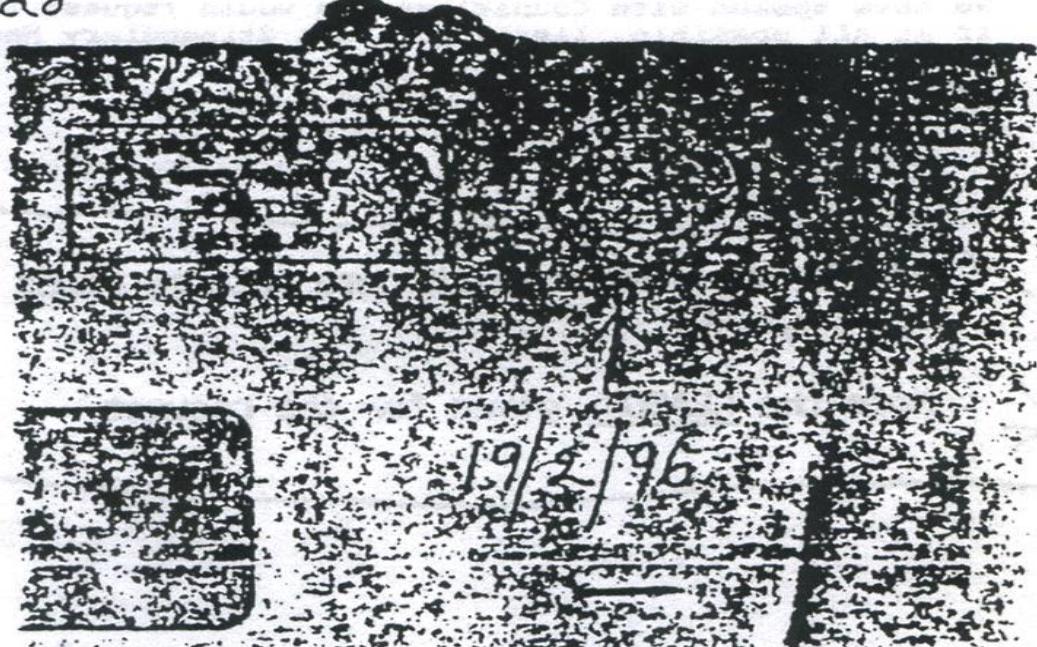
Yours faithfully

P Whitehead

Clerk to the Justices

Received

20/2/96



COPY OF LETTER
FROM DENISON TILL
TO,

Mr P Whitehead,
Clerk to the Justices,
Leeds Magistrates Court,
Westgate,
LEEDS. LS1 3JP

JPC/SC/29148

15 March 1996

Dear Sir,

RE: PRIVATE PROSECUTION: N SCARTH -v- BRADLEY GRANGE STUD, SHEILA HARRISON, TOBY CONYERS-KELLY AND ELIZABETH BEAL LEEDS MAGISTRATES COURT: 29TH MARCH 1996

PROSECUTION PURSUANT TO SECTION 10 (1) (A) OF THE ADMINISTRATION OF JUSTICE ACT 1970

We act on behalf of the four Defendants in this matter which is listed for trial on 29th February 1996.

Mr Conyers-Kelly is a Solicitor and partner in this practice and Miss Beal is an employee and Legal Executive again of this practice.

Given that this prosecution alleges wrongdoing by a Solicitor and Legal Executive which puts in issue their respective professional reputations we have instructed Counsel in this matter, namely Garry Heap of 25 Park Square, Leeds who will represent the Defendants at the trial of this matter.

We have spoken with Counsel and we would request that this matter is, if at all possible, listed before a Stipendiary Magistrate.

Yours faithfully,

DENISON TILL

This is the letter which came into my hands by accident.
(See page 40)

Note the REASON given for the request

COPY

From: N.Scarth, 59.Gledhow Park Avenue,
LEEDS LS7 4JL Tel.2620 449.

To: Mr.P.Whitehead,
Clerk to the Justices,
Leeds Magistrates Court,
Westgate, LEEDS.

20/3/96

Dear Sir,

Re: N.Scarth v Bradley Grange Stud Ltd: S.Harrison:
T.Conyers-Kelly: & E.Beal.

I am given to understand that Denison Till, solicitors for the above defendants, have made application to the court to have the matter heard before a Stipendiary Magistrates & not by lay magistrates. I regard this as a highly improper request, tantamount to asking if they may bring there own referee.

I object to the request, & object even more to the fact that you have granted the request.

If I may use the well worn phrase (a very true one nevertheless), "Justice must not only be done, but must be seen to be done".

On making protest in court I was told that it was because the hearing, likely to be a full day, might run into two days, & this could cause problems about availability.

If this should indeed be the reason, then I give an undertaking that I will complete the prosecution case by lunchtime.

I therefore ask that it be re-scheduled to be held before lay magistrates. Should this not be possible on 29/3/96, then I ask that it be listed for another day.

Yours faithfully,



LEEDS DISTRICT MAGISTRATES' COURTS

PO BOX 97
WESTGATE
LEEDS LS1 3JP

Telephone: 0113-245-9653
Fax: 0113-244-4700
DX 706961 (Leeds Park Square)

Justices' Chief Executive & Clerk to the Justices:
Deputy Clerk (Administration & Outer Courts):
Deputy Clerk (Legal):

P Whitehead, LLB, Solicitor
L Lewthwaite, MIMgt
Mrs H J Gill, LLB (Honst), Solicitor

Mr N Scarth
59 Gladhow Park Avenue
Leeds
LS7 4JL

COPY.

My ref: HJG/MAK

Please reply to:

Your ref:

Date: 21 March 1996

Dear Sir

YOURSELF -v- BRADLEY GRANGE STUD LTD:
S HARRISON, T CONYERS-KELLY, E BEAL
Date of Hearing: 29 March 1996

Thank you for your letter of 20 March 1996. Let us be quite clear that no party is ever permitted to choose the bench which will adjudicate on a case. That is a decision for the court administration taking proper account of factors such as:

- a. The complexity of a case
- b. The likely length of the hearing
- c. Whether the issues are of fact or law, or a mixture of the two
- d. The availability of magistrates
- e. The availability of a suitable courtroom venue.

Parties are entitled to draw the clerk's attention to any pertinent matters but it is entirely the decision of the clerk. Lay and Stipendiary Magistrates have identical powers and jurisdiction. Both have the benefit of a court clerk to advise on matters of law and procedure. Stipendiary Magistrates are qualified solicitors or barristers and are salaried professionals adjudicating in court on a daily basis. Lay magistrates are individuals drawn from all walks of life, trained to act judicially and who are unpaid volunteers. The quality of decision-making by the two tribunals does not vary. There are two resident Stipendiary Magistrates in Leeds but it will not necessarily be one of them who hears your case as we also have a panel of Deputy Stipendiary Magistrates. You may be assured that the bench which determines your case will be absolutely impartial and will give you every opportunity to present your case fully. You are not subject to any time constraints but simply asked to limit your representations and the evidence which you call to the relevant issues to be decided by the court. You have no need to give any undertaking to keep your presentation of your case short.

I note that you anticipate that there may be public interest in your case and will ensure that it is listed in one of our largest courtrooms.

For the reasons stated, I am not prepared to agree to adjourn the case and you must come prepared to proceed on 29 March 1996.

Yours faithfully

Mrs H J Gill
Deputy Clerk (Legal)

* THESE ARE NOT THE
REASONS GIVEN BY D.T.
SEE APPENDIX 17

Appendix 20

From: N.Scarth, 59, Gledhow Park Avenue,
LEEDS LS7 4JL

To: Mr. P.Whitehead,
Chief Clerk to the Justices,
Leeds Magistrates Court,
Westgate, LEEDS.

3/4/96

Dear Sir,

Re: Court No.2, Friday 29/3/96
N.Scarth v S.Harrison; Bradley Grange Stud Ltd; E.BeaI;
& T. Conyers-Kelly

It has been drawn to my attention by several members of the public who were in court as above, that one of the defendants was signalling to a witness giving evidence in the witness box. This was seen by the court usher, Mr. B.McManus, but he made no attempt to bring this to the attention of the magistrate.

I would be grateful for your observations on this.

Yours Faithfully,

Cirby

Dear Mr. Whitehead, I hope you will accept my apologies for the letter which you will no doubt have received from my solicitor, Mr. J. C. Conyers-Kelly, concerning my wife and myself's application for a stay of proceedings in this case. I would like to assure you that we have no personal animosity towards Mr. McManus and I am happy to answer your questions in full.

More seriously, I hope you will accept my apologies for the letter which you will no doubt have received from my solicitor, Mr. J. C. Conyers-Kelly, concerning my wife and myself's application for a stay of proceedings in this case. I would like to assure you that we have no personal animosity towards Mr. McManus and I am happy to answer your questions in full.

Yours sincerely

John Cirby

From: N.Scarth, C/o.59,Gledhow Park Avenue,
LEEDS LS7 4JL

To: The Chief Clerk,
Leeds Magistrates Court,
PO Box 97
Westgate, LEEDS. LS1 3JP

9/4/96

Dear Sir,

Re: MY LETTER OF 16/3/96

SEE PAGE 38

I wish to make a formal complaint to the Courts Administrator regarding the matters in that letter. To provide full information to the Administrator I need information from you.

In paragraph 4 of my letter (Beginning "On 14/3/96 ..."), I stated that I had been given information which turned turned out to be false. I had in fact asked the person who spoke for her name. She refused to give it. Would you please provide me with that name.

In the next paragraph I referred to contradictory information given to me the next day. This information also turned out to be false. I did not in this instance ask for the person's name. I ask to be informed of that name also please. (It was in fact, a different voice)

On 19/3/96 Miss Helen Flaherty did telephone me to say that the earlier information was false, & she apologised. Would you please convey my thanks to her.

I would also complain that when delivering a letter by hand to the court (with a vehicle waiting outside) one is not allowed to hand it in to the 'Enquiry Desk'. Instead, one has to go through the rigmarole of the security check, emptying pockets etc., & then climb 2 flights of stairs. Is there a reason for this please?

Yours Faithfully,



LEEDS DISTRICT MAGISTRATES' COURTS

PO BOX 97
WESTGATE
LEEDS LS1 3JP

Telephone: 0113-245-9653
Fax: 0113-244-4700
DX 706961 (Leeds Park Square)

Justices' Chief Executive & Clerk to the Justices: P Whitehead, LLB, Solicitor
Deputy Clerk (Administration & Outer Courts): L Lewthwaite, MIMgt
Deputy Clerk (Legal): Mrs H J Gill, LLB (Hons), Solicitor

Mr N Scarth
c/o 59 Gledhow Park Avenue
Leeds
LS7 4JL

My ref: HJG/WMB

Please reply to:

Your ref:

Date: April 12 1996

Dear Mr Scarth

YOURSELF V S HARRISON, BRADLEY GRANGE STUD & OTHERS
Date of Hearing 29.3.96

Thank you for your letters dated 3 April 1996 and 9 April 1996.

Your first letter explains your concerns about a defendant's action whilst a witness gave evidence. If the 'signalling' had been noticed by the magistrate then no doubt he would have taken appropriate action, however in the circumstances it is unlikely that it would have been anything other than telling the defendant to desist.

Your second letter seeks details which I have some difficulty in supplying. You request the names of two members of staff who spoke to you on 14 March 1996 and on the following day, but unfortunately I am unable to identify the individuals from amongst the one hundred and seventy staff working in this building on the basis of the brief details you give me. I note however that you did receive corrected information and an apology from Miss Flaherty and I am happy to convey your thanks to her.

Hand delivered letters are not accepted at the Enquiry Desk because the security officers are not in a position to deal with correspondence appropriately: Level 4 Administration Reception receive and process promptly all correspondence received. A lift is available for your use. I am sure that you understand the need for security checks in a potentially vulnerable public building which deals with all manner of people and cases.

I trust that this assists.

Yours sincerely

H J GILL (Mrs)
Deputy Clerk (Legal)

"CRASSUS DUPLEX BREVIS PLANCUS"

My reaction to Mrs. Gill's letter can best be summed up with the Latin tag quoted above. I'm sure you don't need me to translate.

My comments:

"If the signalling had been noticed by the magistrate"

It should be obvious that it would NEVER be noticed by the magistrate, as he would be looking in the opposite direction, towards the witness being questioned. I submit that it was the duty of the usher to draw it to the attention of the magistrate.

"... it is unlikely that it would have been anything other than telling the defendant to desist."

I think he would (or should) ALSO view the witness's evidence in a different light!

Or am I still being naive?

Re the last paragraph; 'CRASSUS DUPLEX ' again! She should see the security flap that goes on when a vehicle is stopped outside longer than necessary, just to deliver a letter!

From: N. Scarth, 59, Gledhow Park Avenue,
Leeds LS7 4 JL

To:

John Larking Verbatim Reporters
First Floor,
Chancery House,
Chancery Lane,
LONDON WC2A

P
8/4/96

Dear Sir/Madam,

RE. BRADLEY GRANGE STUD LTD v N. SCARTH
LTA 95/6316/G, & CA 3756/95
9/11/95

On 9/11/95 I asked about a transcript of the above hearing, I was told it would be about 17 days before one was available.

On 15/11/95 I wrote to you asking for a transcript. I made a telephone enquiry on 1/12/95, & was told it would be a further 14 days.

I rang again either just before or just after Christmas & was told it would not be until early January.

I rang again, some time in February I believe, & was told that there was a little difficulty, but that it should not be much longer. I have still not received it. Could you please advise me what is happening.

Yours Faithfully,

N. Scarth

PS. I suspect deliberate delay.

Please reassure me.

NS

(I had also written on 10/1/96)



S O L I C I T O R S

Messrs John Larking Verbatim Reporters
 1st floor, Chancery House
 Chancery Lane
 LONDON WC2A

267 Roundhay Road, Headingley,
 Leeds LS8 4HG.
 Tel. (0113) 249 4999
 Fax. (0113) 249 5101
 Or No. 17942 Leeds/Roundhay

21 June 1996 (FRIDAY)

CC SDC

Dear Sirs

Bradley Grange Stud Ltd v N Scarth
 LTA 95/6316/G
 CA 3756/95 9/11/95 029

We are acting for an undisclosed principal and shall be grateful if you will kindly arrange to forward to us a transcript of the judgment in respect of the hearing on the 9th November 1995 within the course of the next fourteen days.

If, for any reason, you are unable to supply the transcript within that period then please contact the writer.

Yours faithfully

Partners - Ernest O'Brien, John Fleet, Paul Widdup, Howard Serr, Andrew Greenwood, Steven Edwards
 Associates - Alan Butler, Chris Charles, Steve Bannister, Roger Evans, Michael Lister, Gordon Parkinson
 Costs Branch - Howard Davies, Christopher Butler, Michael Lister, Gordon Parkinson, Andrew Greenwood

This document is confidential. It is the property of the solicitors and may not be disclosed outside their office.

**John Larking
Verbatim Reporters**

Chancery House
53/64 Chancery Lane
London WC2A 1QX
Tel : 0171 404 7464
Fax : 0171 404 7443

Emsleys Solicitors
267 Roundhay Road
Harehills
Leeds
LS8 4HS

Date : 25/06/96

Invoice No : 29081

Your Ref : CC SDC

Our Ref:

VAT Reg No : 503 6842 58

INVOICE

Invoice in respect of supplying transcripts of the following Judgments:

09/11/95 Bradley Grange Stud Ltd v Scarth	0 copy	0.00
	Postage Charge	0.38
	Minimum Charge	15.00
	Sub-Total	15.38
	VAT	2.69
	Total	£18.07

Please make cheques payable to John Larking and send to the above address by return of post.

quoting invoice number 29081

If you require a receipt please enclose a stamped addressed envelope.



In the High Court of Justice
 Queens Bench Division
 Crown Office List

CO

In the matter of an application for Judicial Review

The Queen - v - LEEDS MAGISTRATES Court

Ex parte Norman SCARTH

Notice of application for leave to apply for Judicial Review
 Order 53 rule 3(2)

This form must be read together with Notes for Guidance obtainable from the
 Crown Office

To the Master of the Crown Office, Royal Courts of Justice, Strand, London WC2A 2LL

The Applicant :

Name

Address

Description

Norman SCARTH
 59, Gledhow Park Avenue, LEEDS LS7 4JL

Old age pensioner, & victim of the alleged
 criminal activities.

Judgment, order,
 decision or other
 proceeding in
 respect of which
 relief is sought, and
 the date thereof.

Decision in LEEDS MAGISTRATES COURT, 29th March 1996
 in the matter of N.Scarth v S.Harrison; Bradley Grange
 Stud Ltd.; T.Conyers-Kelly; & E.Beal, a criminal
 prosecution under THE ADMINISTRATION OF JUSTICE ACT,
 1970, Section 40(1)(a), whereby the Stipendiary
 Magistrate decided that there was no case to answer,
 & dismissed the charges.

Relief sought :
 (Grounds for the
 relief should be
 set out overleaf)

JUDICIAL REVIEW by way of an order of certiorari,
 to remove into the High Court, for the purpose of it
 being quashed or set aside, the decision quoted in
 the preceding paragraph.

Also that it be ordered that there be a re-trial
 of the matter.

Signed

Dated

6/4/96

Name and address of the
 applicant's solicitors, or,
 if no solicitors acting, the
 address for service of the
 applicant

59, Gledhow Park Avenue,
 LEEDS LS7 4JL

Applicant's Ref.

Telephone No. (0113) 2620 449

Fax No.

IN THE MATTER OF

N.Scarth

v

S.Harrison; Bradley Grange stud Ltd.; E.Beal &
T.Conyers-KellyA criminal case heard at
Leeds Magistrates Court on 29th. March 1996AFFIDAVITI, Norman Scarth of 59, Gladhow Park Avenue, LEEDS
LS7 4JL, Hereby make oath & say as follows:-

- I was, & am, the victim of the alleged criminal actions committed by the defendants as above. Also prosecutor.
- Either by chance, mis-chance, or possibly a deliberate 'leak' by an unknown well-wisher, there came into my hands a copy of a letter written by Mr.J.P.Cripwell solicitor for the defendants, addressed to Mr. P. Whitehead, who is Chief Clerk to the Justices at Leeds Magistrate's Court.
- The letter is a request by Mr.Cripwell & Mr. G.Heap barrister for the defendants, that the hearing should be before a magistrate who might possibly be inclined to be more sympathetic to their clients.
- Their reasons were that as 2 of the defendants were members of the legal profession, they would prefer it if the case could be heard before a member of the legal profession, ie. before a Stipendiary Magistrate. Mr. Whitehead acceded to their request.
- On learning of this I wrote to Mr. Whitehead complaining. He replied, listing the various legitimate reasons for deciding what the composition of a bench should be. The reasons he gave did NOT include the reason given by Messrs Cripwell & Heap.
- I submit that the request by Messrs Cripwell & Heap was highly improper, & that the matter should be reported to the Law Society & the Bar Council.
- I am given to understand that several members of the public who were in court saw one of the defendants signalling to a witness giving evidence in the witness box. They also saw that the court usher, Mr.B.McManus saw that this was happening, but made no attempt to draw it to the attention of the magistrate.

Sworn at LEEDS, in the
County of West Yorkshire
this 29th Day of
April, 1996x *Norman Scarth*

Before me. Pauline Hughes SOLICITOR

HARSHILLS & GIBSONS
Solicitors



In the High Court of Justice
 Queens Bench Division
 Crown Office List

Crown Office Ref:

CO/1172/96

In the matter of an application for Judicial Review

The Queen - v - Leeds Magistrates Court

Ex parte Scarth N

Application for leave to apply for Judicial Review

NOTIFICATION of the first Judge's decision (Ord 53r.3)

Following consideration of documents only;

Order of the Honourable Mr Justice COLLINS

Observations for the applicant:
 Application refused.

This is a hopeless application; there is no reason to suppose that the stipendiary magistrate was biased against you and you have produced no material to support your suggestion of improper signals to the witness. There is no possible grounds for judicial review.

"Hopeless" he says. Of course it was, in view of the man looking at it, Mr. Justice Karnt-Reed himself.

Signed Sir Andrew Collins Date

Where leave to apply has been granted, applicants and their legal advisors are reminded of their obligation to reconsider the merits of the application in the light of the respondent's affidavit.

Notes for the applicant.

(1) Where the Judge has refused leave an applicant or his solicitor may renew his application by completing and returning Form 888 within 10 days of the service upon him of this notice.

Sent/Handed to the applicant/

the applicant's solicitors

on (date) 21.6.96

(2) If leave has been granted the applicant or his solicitor must within 14 days of the service upon him of this notice:

- (a) serve on all persons directly affected - copy Notice of Motion in Form 88 together with Form 88A, supporting affidavits and exhibits.
- (b) enter in the Crown office the original Notice of Motion in Form 88, together with:
 - 2 copies, an affidavit of service and 500 fee.

Applicant's Ref No.

£100

Collins & the Scott Report

The Honourable Mr. Justice [Sir] Andrew David Collins QC

Honourable? Sir Richard Scott [he of the Scott Inquiry into the 'Arms to Iraq' prosecution scandal] didn't rate him very honourable. Collins [plain Mister then] was the QC leading the prosecution in that affair. There were documents which would have secured the acquittal of the defendants, but Collins used his legal skills to prevent the defence or the court from seeing them. Sir Richard Scott castigated him severely in his report. He was elevated to the judiciary & knighted BEFORE the report came out. There are those who say that he was very relieved when the Director of Public Prosecutions decided not to prosecute anyone involved. [SEE 'PRIVATE EYE' No. 915]

As a son of Lewis John Collins, Canon of St. Pauls Cathedral, one of the founders of CND, & also of Christian Action, early opponents of apartheid, one might hope that his son has inherited some of his father's conscience. Perhaps he has.

One thing to be said for him. He treats everyone the same. The "Arms to Iraq" affair involved people much bigger than me, but we received similar treatment.

"WHY NOT TRY THE EUROPEAN COURT OF HUMAN RIGHTS?"

Why not indeed? So I did. What a farce. I quote Mr. Geoffrey Scriven, "Any United Kingdom citizen wishing to appeal to the EUROPEAN COURT OF HUMAN RIGHTS in Strasbourg, has [first] to overcome the 'English Section', which is staffed & controlled by ex-government lawyers, under orders to prevent appellants progressing through to the Court of Human Rights if at all possible."

That is exactly as I have found it to be. The lawyers there do not like the Litigant In Person any more than our lot do.

I studied the procedure, & wrote off as per the instruction, with all details, decisions, dates & copy documents. This however is not 'AN APPLICATION'. It has to be on the official 'Application Form', & they will do their best to ensure that you don't get hold of one.

Six weeks passed, & they responded to my letter by sending me instructions to do that which I had already done! How does one point out their mistake, but do it diplomatically? After much struggling with words I managed to do so. The response to that? A letter which says;

".... you wish to bring before the Commission an application under Article 25" [With much accompanying waffle].

I didn't!! My complaint was under ARTICLE 6! Tearing of hair was all I could think of to do at first. Eventually, I managed to draft a letter to them, see page 83.

A letter came back "I apologise for the confusion caused by my previous letters", but still refusing an 'Application Form'.

Any point trying further? I thought not, then remembered my little test relating to the obtaining of transcripts.

I approached a young Asian lawyer who had been recommended to me. Would he send a brief letter? "I have no experience of ECHR but would be glad of the chance to gain some". He sent the letter. Back came the 'Application Form', but it had cost me more than £100 to get it. Again, evidence of obstruction to the 'Litigant In Person', this time from the ECHR.

What now, should I fill in the Application Form & send it? Waste of time if it came from me. I approached the young Asian, reminding him of his own stated inexperience in the subject. "I don't think you will find anyone in Leeds who is experienced" said he. He was enthusiastic, both for the chance to gain experience, & the nature of the case. It would cost a couple of hundred quid or so more.

What the heck, I had already spent over a hundred quid, he was keen, might as well go on. I gave him my book of instructions on procedure for the ECHR [he didn't have any]. So, he made out a draft application. Unfortunately, he wrote it as though I had done so, which wasn't the idea. I could have done that myself. It was also rather watered down. Between us we drafted & re-drafted something nearer the true picture, till it was about ready to send.

It was at this stage, after my bill had been run up that he said "Giving my professional opinion, I ought to advise you that you are not likely to gain much from it". His original enthusiasm seemed to have lessened. I wish he had said that BEFORE clocking up my bill. I got the impression he might have been leaned on by a senior partner, though he assured me that wasn't so. The APPLICATION FORM went off to Strasbourg on 24/10/96, 6 months ago. Not a word since. £350 more gone from my threadbare pocket into that of the legal profession.

STOP PRESS: A surprise. On 30/5/97 came from the Commission [via the solicitor] a letter stating that they were taking the matter forward. YIPPEE! Steady on, better not get too excited. With it came another letter from the Commission dated 12/11/96. It acknowledged receipt of the Application, & gave a stern warning that all matters were confidential. The solicitors had sat on it for six months. So, in writing this couple of pages I may have unknowingly breached the ECHR rules. [Why the secrecy I wonder?] They may use it as an excuse to drop the matter. Hard lines on me, but I had no great expectations anyway.

My third letter to the ECHR

From: N.Scarth, 59, Gledhow Park Avenue, LEEDS LS7 4JL

To Secretary to The European Commission
of Human Rights.
Council of Europe, STRASBOURG.

Your Ref. PJ 1838

21/5/96

Dear Sir,

I acknowledge receipt of your letter of 23/4/96. I have found it difficult to know how to reply, as there appears to be some confusion or mix up in your office. Your letter bears no relation to my original letter dated 2/2/96, or to my letter dated 7/4/96.

2 Paragraph 1. of your letter says:

"... you wish to bring before the Commission an application under ARTICLE 25".

3 Not so. My request was to bring an application under ARTICLE 6. (See paragraph 2. of my letter dated 2/2/96)

4 Paragraph 2. of your letter says:

"... I should draw your attention to certain shortcomings in your application." THIS IS THE STANDARD REPLY TO EVERY LIP.

5 To "draw my attention to certain shortcomings", you must surely say what those 'shortcomings' are? You do not do so. THIS IS THE STANDARD

6 I can only assume that you have got my letter mixed up with that from someone else. I enclose a copy of my original letter dated 2/2/96, hoping this may clarify the matter.

7 Your 'NOTICE (12.95) for the attention of persons wishing to apply to the EUROPEAN COMMISSION OF HUMAN RIGHTS' says in paragraph 8:

"In your letter you should:"

"(a) give a brief summary of your complaints:"

6 I did so, in paragraphs 2; 3; 4; 5; & 6; of my letter.

8 "(b) indicate which of your convention rights you think have been violated."

7 I did so, in paragraph 2. of my letter. (ARTICLE 6.)

9 "(c) state what remedies you have used:"

7 I did so, in paragraphs 7 onwards.

10 "(d) list the official decisions in your case.etc....".

7 I did so, in paragraphs 7 onwards.

11 "Attach to your letter a copy of these decisions:"

11 I did so.

12 (I do not enclose copies of the decisions with my copy letter, but can do if the ones sent earlier have been mislaid).

Yours Faithfully,

You see what I mean? It's like writing to Father Christmas & finding that his 'little helpers' are Gremlins!

IN THE LEEDS COUNTY COURT
IN BANKRUPTCY



NO. 10 SD OF 1996

RE: NORMAN SCARTH

NOT OF GREAT IMPORTANCE (NOW)
BUT JUST MORE EVIDENCE OF
SLACKNESS & INCOMPETENCE.

BEFORE JUDGE GAVIN in Chambers.

The Court being satisfied that no sufficient cause has been shown to set aside the Statutory

Demand dated the 5th January 1996.

Pursuant to Insolvency Rule 6.5(1)

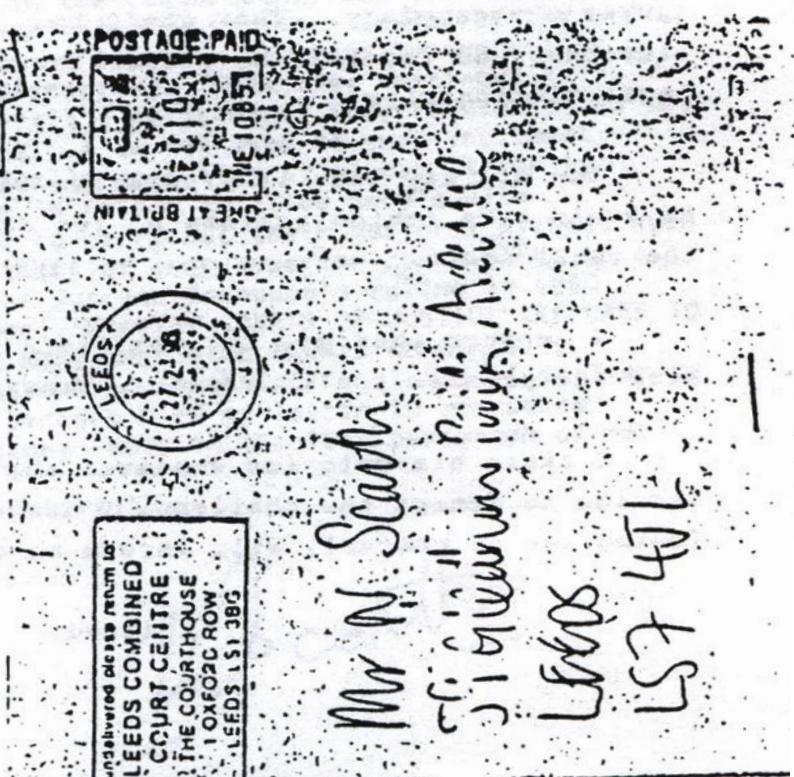
IT IS ORDERED that the application is dismissed and the Petitioning Creditor has leave to present a petition (if so advised) on or after the 15th February 1996.

AND IT IS RECORDED that this order has been made notwithstanding the fact that the Applicant is out of time to make his application and in order to save expense to the Applicant.

Dated this 9th day of February 1996

IT TOOK
JUDGE GAVIN 18 days to
put this letter in an
envelope & post it
- 2nd class.

27/2/96



From N.Scarth, 59,Gledhow Park Avenue,
LEEDS LS7 4JL

To: G. Heap Esq.
25, Park Square,
LEEDS.

1/4/96

I made a promise to you in court on 29/3/96. As a man of honour I keep that promise. To repeat outside the court words I had spoken in it. I do so now.

"Integrity, honesty, & conscience. Mr. Cripwell says these qualities are irrelevant. In the words of Nandy Rice-Davies, He would say that wouldn't he?' He's a lawyer. Those words are not in his professional vocabulary. They are not in any lawyer's vocabulary. They can't be. They are not in any legal dictionary as far as I am aware, though I have not read ALL legal dictionaries."

You did say that if I repeated those words outside court he would take action against me for defamation. I have accepted the challenge.

I am sure that Mr. Cripwell is a man of honour, & so will keep the promise you made on his behalf.

I await his writ (or whatever the word is). Should he decline to accept the challenge I assume that either you or he, (being men of honour), will inform me of the fact.

Signed,

From: Norman Scarth, C/o.59,Gledhow Park Avenue, LEEDS LS7 4JL
 Tel: & Fax: (0113) 262 0449

7/6/97

To: Mr. P.Whitehead,
 Clerk to the Justices,
 LEEDS MAGISTRATE'S COURT,
 Westgate, LEEDS LS1 3JP

By Fax to 244 4700, & confirmation by hard copy.
FOR THE PERSONAL ATTENTION OF MR. P.WHITEHEAD, CHIEF CLERK.

Sir,

I am an observer, researcher & student of the law & it's workings. I frequently attend the courts. As a supporter of 'The Campaign For A Fair Hearing' I have attended outside Leeds Crown/County Court on most Wednesdays through last Autumn, Winter & Spring for the purpose of offering leaflets promoting the campaign. As a consequence I am on friendly nodding terms with the security staff there.

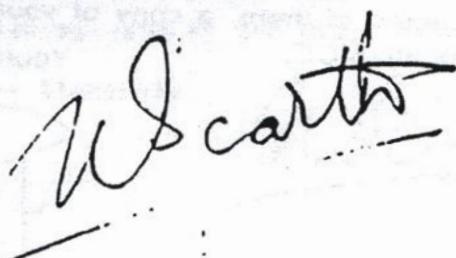
As a result of my studies, research & observations, I have recently published a book about the workings of the law which should interest anyone who has an interest in the subject (including yourself). I have produced leaflets with information about the book. Last Thursday I took refreshment in the court restaurant, & left a few leaflets on the tables. I also offered leaflets to the security staff, both as a courtesy, & because they could well be as interested in the subject as anyone else. I did the same in Leeds Magistrate's court, except that I did not have enough to offer them to the security staff.

On Friday I did the same again in the Crown/County Court building without any problems. I later went to the Magistrate's Court with the intention of: (a) Having a cup of tea in the restaurant, (b) leaving a few of my leaflets, (c) delivering a letter to your office, & (d) observing in one of the court rooms. Going through the security check I handed a leaflet to one of the security men (for the same reasons as in the Crown/County Court). On attempting to deliver the letter to your office I was man-handled by the security men & prevented from doing so. I had been behaving throughout in a perfectly proper manner, quiet & non disruptive. When they continued to assault me I did ask loudly that they call a policeman. They refused to do so, & forcibly ejected me from the building. I am not used to such treatment.

I strongly object to being physically assaulted by cowboy 'security' thugs. I trust you will instruct them in future to allow people with legitimate business in the court house to carry out their business without such molestation. A few lessons from the staff of your superior court might be a good thing. May I remind you of Chief Justice Cockburn's ruling in 1860 (re-affirmed on several occasions since) "ENGLISH COURTS OF JUSTICE ARE OPEN TO THE PUBLIC IN THE FULLEST SENSE, & I TRUST THEY WILL ALWAYS REMAIN SO".

I have in the past drawn your attention to the difficulties of delivering letters to you office. See the last paragraph of my letter to you dated 9/4/96, & Mrs. Jane Gill's unsatisfactory reply in the last paragraph of her letter dated 12/4/96.

Yours Faithfully,





LEEDS DISTRICT MAGISTRATES' COURTS

PO BOX 97
WESTGATE
LEEDS LS1 3JP

Telephone: 0113-245-9653
Fax: 0113-244-4700
DX 706961 (Leeds Park Square)

Acting Clerk to the Justices:
Acting Justices' Chief Executive:

Mrs H J Gill, LLB (Hons), DM, MIMgt, Solicitor
Mr I. Lewthwhite, DMS, MIMgt

Mr N Scarth
59 Gleahow Park Avenue
Leeds
LS7 4JL

My ref: LL/WMB

Please reply to:

Your ref:

Date: June 12 1997

I am in receipt of your letter dated 7 June 1997, in which you make a complaint regarding the conduct of security staff at these courts.

I have looked into the incident that you complain about. I have checked the incident log, spoken to the officers concerned and received copies of their statements with regard to an incident on 6 June.

I am not aware of the previous correspondence referred to in your letter, and am therefore not prepared to make comment on a matter dealt with more than 12 months ago.

The Leeds Magistrates' Courts Committee have never agreed to advertising for whatever purpose in the court building as it may appear that they were endorsing the product or service advertised, this has included magistrates, solicitors and taxi proprietors. The only notices available in the building are those indicating where assistance will benefit court users, i.e. the witness service, creche' facilities, legal aid and the duty solicitor scheme.

I am informed that a request was made to you to cease handing out your leaflets, at this you refused very loudly and proceeded to shout. At this point the officers requested that you leave the premises but the shouting continued with your refusal. It was at this point that the officers escorted you from the premises. I am informed that at no point did you ask to deliver a letter or document to the office. Any letters or documents to be delivered into the building are normally left at the public reception desk near to the entrance.

Members of the public are made welcome in the courthouse for legitimate reasons, the canvassing for sale of private publications, I feel does not come into this category.

I apologise that such an incident occurred on the court premises, but having looked into the incident I am satisfied that the officers concerned were carrying out the duties expected of them, a copy of your complaint and this reply will be seen by members of the MCC.

Yours sincerely

L. LEWTHWHITE

From: Norman Scarth, C/o.59,Gledhow Park Avenue, LEEDS LS7 4JL
 Tel: 5 Fax: (0113) 262 0449

14/6/97
 16/6/97

To: Mr.L.Lewthwaite, OMS, MIMgt.
 Acting Justices' Chief Executive.
 LEEDS MAGISTRATE'S COURT.
 Westgate, LEEDS LS1 3JP

By Fax to 244 4700, & confirmation by hard copy.

Sir,

I reply to your letter dated 12/6/97, & comment as follows:

1. Your paragraph 3. The relevant passages from the correspondence mentioned are:
 - (a) My letter dated 9/4/96 to Mr. P.Whitehead: "I would also complain that when delivering a letter by hand to the court (with a vehicle waiting outside) one is not allowed to hand it in to the 'Enquiry Desk'. Instead, one has to go through the rigmarole of the security check, emptying pockets etc., then climb 2 flights of stairs. Is there a reason for this please?"
 - (b). Reply from Mrs. Jane Gill dated 12/6/96. "Hand letters are not accepted at the Enquiry Desk because the security officers are not able to deal with correspondence appropriately: Level 4 Administration Reception receive and process promptly all correspondence received. A lift is available for your use. I am sure you understand the need for security checks in a potentially vulnerable public building which deals with all manner of people & cases".
2. Your paragraph 5. I did not shout. Granted I do have a loud voice. The only time that I raised my voice was when being man-handled & I asked that a policeman be called. I accept that in events such as this, memory & recollection (mine included) are not always as accurate as we like to think. However, when your men say that I did not ask to deliver a document to your office it is not their recollection that is at fault, they are deliberately lying. They layed hands on me directly outside the Administration Office door. While being mis-handled in this way I attempted to hand the document to a middle-aged man in a suit who had to squeeze by us to get in to the office. It may be that he was a member of your staff. Perhaps you could make enquiries.
3. The last sentence of your paragraph 5 is at complete variance with the earlier correspondence as detailed in paragraph 1 of this letter. In spite of Mrs. Gill's letter it seems that you HAVE taken note of my remarks. & altered your procedure in consequence. There are several other examples of practices which I have noticed which could be altered with considerable advantage to staff & public alike. ONE AT LEAST COULD BRING SUBSTANTIAL SAVINGS TO YOUR BUDGET. Perhaps you would like me to detail them? Perhaps you would like to retain me as a consultant?
4. Your paragraph 7. Why 'apologies' (sic) if your officers were acting properly? I was not 'escorted' from the premises. I was forcibly ejected.
5. I trust that this letter will also be seen by the MCC.

Yours Sincerely,



THE MEDIA. OUR WATCHDOGS [?]

This will do me no good at all. Criticise judges & you will be taught a lesson. Criticise the media &, if they don't ignore you, they will surely savage you. Perhaps I have made enough powerful enemies already, without making more? Perhaps I should read "HOW TO MAKE FRIENDS & INFLUENCE PEOPLE"?

When a person first realises that something quite nasty is happening to him it comes as a great shock. He thinks he is the only one, that it CAN'T have happened to others, or we would all have known about it. The victim has proof, he knows he only needs to let the media see it & they will jump into action to expose the scandal. Sadly, this is where another of his fairyland dreams dissolves. The media, 'Our Watchdogs' are VERY selective in what they choose to expose.

While still clinging to my belief in fairies & father Christmas ['95/96], I wrote to all the following:

BERNARD DINEEN [Yorkshire Post]: Local TV, BBC & YTV [May '95 & Jan '96]: ROUGH JUSTICE [TV]: THE FREEDOM ASSOCIATION: LIBERTY: THE LAW SOCIETY: MICHAEL McGOWAN [MEP]: AGE CONCERN: SSAFA: DAILY MIRROR: DAILY MAIL: DAILY TELEGRAPH: THE GUARDIAN: THE SUN: BRADFORD TELEGRAPH & ARGUS: THE PEOPLE: RADIO 4 'TODAY': ESTHER RANTZEN. NONE OF THE ABOVE EVEN BOTHERED TO ACKNOWLEDGE MY LETTERS. With Shame I then wrote to the foreign press, - American, Canadian, Australian, French, German & Japanese. No acknowledgment from them either.

ACKNOWLEDGMENT, BUT NOT INTERESTED:-

Police [x7] [re. perjury & harassment]: Lord Chancellor [re. perjury & court malpractice]: Solicitors [x7]: Timothy Kirkhope MP: Paul Boateng MP: Joshua Rosenberg, BBC TV lawyer, & author of book 'THE SEARCH FOR JUSTICE': Radio 4 'FACE THE FACTS': Judge Pickles:

SHOWED INTEREST, THEN STEAMED AWAY OVER THE HORIZON AT FULL SPEED:

Sir Marcus Fox MP: Scarborough Evening News: Tony Harney [Yorkshire Evening Post]:

When steps had been taken to have me committed to prison, & to be made bankrupt, I was desperate for help from anywhere. I rang 'VICTIM SUPPORT'. Their reply? "We don't want to get involved! You've got to have a 'VICTIM NUMBER' to be a victim!!" Honestly, it's true!!

The process of education continues. The [previously] innocent victim learns that he is NOT the first by any means. There have been many others. Some cases, like the defrauding of Bernard Gough of Droitwich, have involved millions of pounds, & they have ranged all the way down to little people like me. No doubt we little people are used just to practice on. There are some, better & more able than me, who have trod the path that I now follow, trying to expose it all.

One notable man in that respect is John Pett, of Boston In Lincolnshire. A farmer & agricultural engineer with an expanding export business, he suffered greatly from legal & banking malpractice. He did a tremendous job, working for years, to bring together many who had suffered the same.

He studied, wrote & lectured. He brought the Alfred Cullinane affair to the attention of Roger Cook, of TV fame.

Mr. Cullinane was an engineer & quarry owner in Dorset. Back in the 60s he was a millionaire twice over. By the 80s he had been ruined by legal & banking malpractice. At that time Roger Cook fronted a radio programme called 'CHECKPOINT'. They featured & exposed the Cullinane story. It was horrendous. However, in a few months time, as the programme said, there was to be another court hearing, & it was virtually certain that Mr. & Mrs. Cullinane would receive very substantial damages. The programme ended on that pleasing note. The Cullinanes had suffered for years, but it was to be a happy ending.

A happy ending it was not. The villains conspired to have Mr. Cullinane declared bankrupt, so that he never did get that court hearing. Instead, he got his door kicked in, & he was evicted from his home.

Roger Cook moved on from radio to TV, but his team started a new radio programme, similar to 'Checkpoint', called 'FACE THE FACTS'. They approached John Pett. "Do you know any more cases?" said Simon Westrop, who had approached John Pett in the first place. "Surely" said John "The first 'fact to be faced' was the way that two million listeners had been misled into believing that British Justice did work, even if slowly. Your first programme should detail what actually DID happen to the Cullinanes." "Oh, no!" said the media man. "We don't want to go back to that one, we want some new cases!" John Pett declined to co-operate.

He tried as hard as any man could over many years, did a great job, to the detriment of his own health, & DESERVED to succeed. Sadly it has not been enough, the trickery still goes on. I too will surely fail, but it won't stop me trying. I joined the Navy to fight against Hitler, anxious to 'do my bit' [a phrase of the times]. I am anxious to 'do my bit' now. This is it. At the end of my days, at least I will be able to say "I tried".

My own version of the Checkpoint/Face the Facts affair was at a much lower level. On recommendation I contacted Tony Harney, a reporter on THE YORKSHIRE EVENING POST. The story:

"70 year old pensioner, left school at 13, spent most of his life with livestock, becomes a law student in order to fight an injustice, intending to take out criminal prosecutions against a Limited Company, a director & 2 lawyers". [See Chapter 12]. [An interesting little local news story surely, whatever about the merits of the case?]

Tony Harney came with a photographer & took pictures of the OAP pouring over his pile of books. He saw documents including Invoice 0649. He heard the tape recording in which Foulmouth admitted that I never did owe the money. He was very impressed. "It will be in the paper tomorrow night" said he. It wasn't, nor was it ever. My later attempts to contact him failed. I felt like the shipwrecked mariner who sees a puff of smoke on the horizon – it is coming towards him – he jumps about & waves his arms – then it turns away, & he watches its stern as it steams away over the horizon.

The message? Don't think 'The Media' are going to fall over each other to publish your story. They have their own agenda, - & instructions!

At the 1997 General Election I decided to take time off from my own battles to stand for Parliament. A foolish notion – 'Delusions of Grandeur' & all that [there's no fool like an old fool!]

Maybe so, but having read page 5 you will see that I am greatly concerned about the increasing number of violent & murderous attacks on the old & the defenceless [& was concerned long before I myself became ancient]. I am also really concerned that no politician of ANY party shows the slightest interest. That was my platform. I was completely on my own. I put up my last £500 to stand. I knew I would lose it.

You have heard of Martin Bell? Of course you have! He stood for Parliament on an 'ANTI SLEAZE' platform, & got massive media publicity. The Labour & Lib/Dem candidates stood down for him. Did you hear about me? I doubt it. As I say, they are very selective in what they choose to publicise. Violent & murderous attacks on the old & the defenceless come way down the list of important matters.

 "Tis said no day's wasted, if one has tasted,
 A snippet of knowledge one had not before".

Who was it wrote that choice little epigram? Shakespeare? Tennyson? Byron? Actually no, it was me. At least I THINK it was me, that's if it wasn't dredged up from my subconscious memory. Certainly no day of mine has been wasted this last 2 or 3 years. Every day brings new knowledge, some of other people's experiences, some of my own, & yes, it does keep one young. If all knowledge & experience is good, then my life is very good indeed!

Time to publish
 I feel the impatience of the Kamikaze pilot
 Expecting it to end in a blaze of glory
 Know what will happen?
 I'll never reach the target
 Just end up in the sea.
 No-one will notice.

MORE ABOUT THE E.C.H.R

Pages 81/82/83 were included in the '1st. edition' of my book. Then came the belated warning that I mustn't disclose anything [see STOP PRESS, - last paragraph of page 82], so I deleted it. I have now put it back in. Let them like it or lump it.

The information I received on 30/5/97 was to say the Commission had written to the United Kingdom Government asking for their observations on the admissibility & merits of my case before 29/7/97. On 28/7/97 the Commission wrote to me saying that the UK Govt. had asked for, & been granted an extension of time. Seems they were having a little difficulty coming up with a defence. 14/8/97 I received a copy [via Strasbourg] of the UK Government's observations. The question asked by the ECHR had been , in effect, "Have you been guilty of doing anything wrong to Norman Scarth?" Not surprisingly the UK Govnmt's answer was "No we haven't". It had taken them 75 pages to say so. There were several contradictions in the document, &, in spite of the 75 pages,

several glaring omissions. Some matters had not been addressed at all. Obviously they are hoping to drown me in a sea of words – legalese gobldigook.

I am now invited by the ECHR to make my own observations. You can be sure I will do so. One word from several would do: ‘Poppycock’, or ‘Pathetic’ are the mildest. However, I will attempt to make my submissions in more formal manner.

SEE SUPPLEMENT FOR FURTHER DEVELOPMENTS

FREDERICK HILL

Obviously I am aware that in publishing this book I am sailing into very dangerous waters. ‘SCAN-DALISING THE COURT’ can result in prison. “Oh, they wouldn’t send you to prison – not at your age”, many have said. Wouldn’t they just!

You remember Fred Hill don’t you? No, you probably don’t. You should do. A man of honour, integrity & courage, to an infinitely greater degree than many of those who are knighted or ennobled. In 1984 he died in prison aged 74 years, sentenced to die in prison by people not fit to clean his boots. People who wouldn’t know how to spell the words honour, integrity or courage, much less possess the qualities.

What had Fred done to deserve such a fate. Was he a murderer, a serial rapist, a paedophile, an armed robber or even an incorrigible petty thief? He was none of those. A despatch rider during the war, he objected to being forced to wear a crash helmet when riding his moped. When convicted of this terrible crime he was offered the choice – pay a fine, or imprisonment. He chose the latter. To begin with he would be sentenced to 24 hours in police cells [with the door left open & the words “Buzz off when no-one is looking Fred”]. A token punishment for a token crime. Fair enough.

Not good enough for those with power. This man was a danger to them, an enemy of the State, he needed to be taught a lesson. The sentences got longer, & longer, until “some slimy magistrate or judge” [to quote Judge Tumim’s words] was specially selected for the task, & sentenced Fred, at the age of 74, to two months in jail. He died half way through the sentence, - and those ‘pillars of society’ who sent him there continued to have the populace kow-towing before them. And that my dear friends, is what happens to those who, respectfully but firmly, choose not to kow tow. People like Fred Hill.

This nation, which could treat a decent, honest & honourable man in such fashion, has the hypocrisy to criticise other nations for their treatment of ‘offenders’. And if you think the central issue here is the wearing of crash helmets, then you will never begin to understand the likes of Fred in a million years.

November 1997

The story continues with

Chapter 15
 THE GUARDIAN'S
 'INSIDE STORY OF SLEAZE'

Our Hero learns of a wonderful opportunity. There is to be a lecture/seminar on 'sleaze', [corruption etc.], run by The Guardian newspaper, Dillon's Bookshop, & City University [London]. Alan Rusbridger, David Hencke, Owen Bowcott, & David Pallister, editor & reporters of The Guardian were to speak, John Humphrys of Radio 4's 'Today' programme was to be Chairman.

As you have read before, very late in life Our Hero had become aware that one of the Great British institutions [for which he risked his life in WW2] is infested with scoundrels. He *THOUGHT* [as so many other poor deluded souls have done] that he had the case [with documentary proof] that would blow everything sky high. Simple creature that he was, he really believed that all he needed to do was to bring it to the attention of 'Our Watchdogs' – the media. He found, as many others have done, that The Media is very selective in what they choose to expose!

This Guardian affair was going to be different, it was going to be a meeting of people who were *ALL* concerned about sleaze, & were anxious to do something about it. He gathers a few belongings in a spotted red handkerchief & sets off for London, 200 miles away. Having learned of the meeting at the last minute he does not have time to tramp the dusty highway in the traditional way, so catches a bus, & thus arrives with a couple of hours to spare.

He takes the opportunity to call at The Royal Courts of Justice on a little errand. Let it be said now that he was dressed in slightly unusual clothing. [He is, as you will remember, a Norman Wisdom type]. Amongst his belongings in the [metaphorical] spotted red handkerchief there was high explosive. Not to worry, the 'high explosive' was also metaphorical – it wasn't Semtex, just a few copies of his book, of which this is a continuation. It does expose some very powerful people, & it is certain that it will land the author in prison. In anticipation Our Hero had dressed accordingly.

He was wearing a seaman's cap with the name of his old Royal Navy ship, & his war medals. These were worn as symbols of his past. He was also wearing a convict's 'broad arrow' suit [see Beano, Dandy, or a Will Hay film] as a symbol of his future. He transacted his business in the court & made to leave. He was accosted by a security guard. "Would you care to step into the security office?" Oh dear. He was in trouble. Could it be that the anticipated incarceration was going to occur earlier than expected? Should he make a run for it? He wouldn't have got far, but it would have been a wonderful shot for the photographers outside. "OK, it's a fair cop Guv". Our Hero does as requested. Would this be his last taste of freedom?

The security men *SEEMED* friendly enough, & so they proved to be. They had been tickled by his appearance: "We got you on the security camera, & we've printed a copy – would you like it as a memento?" What a pleasant surprise. He handed each of them a leaflet about his book. They read it, & their eyes opened wide; "Good luck to you mate" they said, as they each shook him by the hand.

Our Hero left that awesome building quite pleased with himself. He had gone into the lion's den, made friends with the lions & walked out unscathed. It augured well for the evening.

He arrived at the venue early [first in the queue]. "Would you mind if I left a few leaflets on the seats?" he asked. "We would rather you didn't" they said. Fair enough, thought he, it was their show.

John Humphrys was going to be 15 minutes late, so everyone waited, [it seemed the meeting could not start without him]. When it did, the Guardian men congratulated each other on how clever, diligent & brave they had been to expose Neil Hamilton & Jonathan Aitken. This went on for an hour. Humphrys then asked for questions: Our Hero was the first to raise his arm, & he was invited to speak. Before he could do so Humphrys spotted someone else & switched, & pointedly ignored Our Hero from then on. After half an hour he cut the questions short. The company moved to the hall outside for food, wine & chattering.

Our Hero, simple soul, thought that this was intended as an opportunity for those concerned about sleaze & corruption to discuss, exchange information etc. He thought this the right time to hand out a few leaflets, & did so quietly & respectfully. Came the heavy mob. "Will you please stop doing that!"

Our Hero had made a mistake –again! This part of the meeting was *NOT* for the exchange of information about corruption, but an opportunity for the assembly to vie with each other in praising THE GUARDIAN, & seeking an opportunity to shake hands with the Wonder Team.

A quandary: Yes it WAS their show, but Our Hero felt he had been conned. He had not been allowed to ask his question – OK, others had been denied too, but it was doubtful whether they were making a 400 mile round trip by bus [with an overnight journey back home] to do so. He felt the organisers owed him something. So he continued to hand out his leaflets. The pressure to desist became stronger, until a 6'2" security guard [Our Hero is 5'5"] suggested "Let's have a quiet word outside". At this Our Hero started to protest loudly "I am trying to expose corruption, & being thrown out for it – here of all places!"

He asked Alan Rusbridger for help, & got a blank stare. He asked David Hencke & got the same. Earlier, Hencke, asked if he had ever been physically threatened during his investigative journalism, replied with a brave man's casual understatement "I was told it could do me a lot of good if I eased off".

John Humphrys, forthright & challenging, is cast in a different mould to the other two. HE didn't look blank when Our Hero asked HIM for help. No, he turned on his heels & ran! – "This is nothing to do with me. I don't want to get involved!"

An old age pensioner, under attack when seeking to expose corruption, calls out to John Humphrys for help - & he runs away! Remember that when next you listen to John's fearless, penetrating, incisive questioning on the 'TODAY' programme.

Despite the shattering of another illusion by the lack of support from those who supposedly were in common cause with Our Hero, he continued to protest loudly, which brought a flood of people wanting his leaflet. Several said he was acting quite properly, & should be allowed to stay. The 'heavies' backed off with bad grace. He did manage to sell three books, not nearly enough, sadly, to pay his bus fare.

SEE SUPPLEMENT FOR FURTHER DEVELOPMENTS.

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