



House of Butterworth

Interpretation Policy - Supporting Information

Valid as of the 1st day of November in 2021
Revised as of the 12th day of July in 2025 (assisted)

For to refer additions, alterations or rebuttal, email: HouseofButterworth@protonmail.com

For the Interpretation policy, as a whole, is definitive and primary for commonality of Diction, Reference, Terms, Roles, Associated Names, Organisations, Entities and Scripture used in regard to all administrative processes, documentation and communications with regard to a Man* or Woman* or Debtor* or Settlor* or Person*.

Whereas: dispute in meaning or interpretation of words is brought forward, the online dictionary of Merriam-Websters will be the foremost source of adjudication unless otherwise indicated.
For all instances: style manual(s) will not be considered or applied to documentation.

The rule of statutory interpretation in law is to give words their ordinary meaning in the English language, within legislation. The style(s) and formatting have no influence on the interpretation of content.

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References To Commerce

- All are equal under the law. See Exodus 21:23-25; Lev. 24:17-21; Deut. 1:17, 19:21; Matt. 22:36-40; Luke 10:17; Col. 3:25. Legal maxims: No one is above the law; Commerce, by the law of nations, ought to be common, and not to be converted into a monopoly and the private gain of a few.
- In commerce, truth is sovereign. See Exodus 20:16; Psalms 117:2; John 8:32; II Cor. 13:8. Legal maxim: To lie is to go against the mind.
- Truth is expressed in the form of an Affidavit. See Lev. 5:4-5; Lev. 6:3-5; Lev. 19:11-13; Num. 30:2; Matt. 5:33; James 5:12.
- An un rebutted affidavit stands as truth in commerce. See 1 Pet. 1:25; Heb. 6:13-15. Legal maxim: He, who does not deny, admits. An un rebutted affidavit becomes a judgment in commerce. See Heb. 6:16-17. Any proceeding in court, tribunal or arbitration forum consists of a contest of commercial affidavits, wherein the points remaining un rebutted at the end of the contest stand as the truth to which the judgment of the law is applied.
- He who leaves the field of battle first (does not respond appropriately to an Affidavit) loses by default. See Book of Job; Matt 10:22. Legal maxim: He who does not repel a wrong when he can occasion it.
- Sacrifice is the measure of credibility. One who is not damaged, put at risk or willing to swear an oath or make an affirmation on his full commercial liability for the truth of his statements and the legitimacy of his actions, has no basis to assert claims or charges, and forfeits all credibility and right to claim the authority to do so. See Acts 7. Legal maxim: He who bears the burden ought also to derive the benefit.
- A lien or claim, under commercial law, can only be satisfied by one of the following actions: A full rebuttal by an Affidavit of Truth, point-by-point, supported by evidence and sworn or affirmed at the same level of commercial risk; the satisfaction of the claimant, whether by payment or mutual agreement; resolution by a jury, in accordance with the rules of common law. See Gen. 2-3; Matt 4; Revelation. Legal maxim: If the plaintiff does not prove his case, the defendant is absolved.
- A party injured by the fraud of another may claim triple damages, plus the principal. "And Zacchaeus stood, and said unto the Lord: Behold, Lord, the half of my goods I give to the poor, and if I have taken any-thing from any man by false accusation, I restore him fourfold." Luke 19:8.

Bouvier's Maxims

- *Contra veritatem lex numquam aliquid permittit.* The law never suffers anything contrary to truth. 2 Co. Inst. 252. But sometimes it allows a conclusive presumption in opposition to truth. See 3 Bouv. Inst. n. 3061.
- *Contractus ex turpi causa, vel contra bonos mores nullus est.* A contract founded on a base and unlawful consideration, or against good morals, is null. Hob. 167; Dig. 2, 14, 27, 4.
- *Culpa lata aequiparatur dolo.* A concealed fault is equal to a deceit.
- *Ei incumbit probatio qui dicit, non qui negat.* The burden of the proof lies upon him who affirms, not he who denies. Dig. 22, 3, 2; Tait on Ev. 1; 1 Phil. Ev. 194; 1 Greenl. Ev. Sec. 74; 3 Louis. R. 83; 2 Dan. Pr. 408; 4 Bouv Inst. n. 4411.
- *Error qui non resistitur, approbatur.* An error not resisted is approved. Doct. & Stud. c. 70.
- *Ex dolo malo non oritur action.* Out of fraud no action arises. Cowper, 343; Broom's Max. 349.
- *Ex facto jus oritur.* Law arises out of fact; that is, its application must be to facts.
- *Ex tota materia emergat resolutio.* The construction or resolution should arise out of the whole subject matter.
- *Fraus est celare fraudem.* It is a fraud to conceal a fraud. 1 Vern. 270.
- *Fraus latet in generalibus.* Fraud lies hid in general expressions.
- *Idem est facere, et nolle prohibere cum possis.* It is the same thing to do a thing as not to prohibit it when in your power. 3 Co. Inst. 178.
- *Incerta pro nullius habentur.* Things uncertain are held for nothing. Dav. 33.
- *Incerta quantitas vitiat actum.* An uncertain quantity vitiates the act. 1 Roll. R.
- *Invito beneficium non datur.* No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does not dissent, he will be considered as assenting. Vide Assent.
- *Judex damnatur cum nocens absolvitur.* The judge is condemned when the guilty are acquitted.
- *Judicium non suo iudice datum nullius est momenti.* A judgment given by an improper judge is of no moment. 11 Co. 76.
- *Magna negligentia culpa est, magna culpa dolus est.* Gross negligence is a fault, gross fault is a fraud. Dig 50, 16, 226.
- *Magna culpa dolus est.* Great neglect is equivalent to fraud. Dig. 50, 16, 226; 2 Spears, R. 256; 1 Bouv. Inst. n. 646.
- *Peccatum peccato addit qui culpa quam facit patrociniū defensionis adjungit.* He adds one offence to another, who, when he commits a crime, joins to it the protection of a defence. 5 Co. 49.
- *Quando de una et eadem re, duo onerabiles existunt, unus, pro insufficientia alterius, de integro onerabitur.* When two persons are liable on a joint obligation, if one makes default the other must bear the whole. 2 Co. Inst. 277.
- *Qui non libere veritatem pronunciat, proditor est veritatis.* He, who does not willingly speak the truth, is a betrayer of the truth.



- *Qui non obstat quod ob stare potest facere videtur.* He who does not prevent what he can seems to commit the thing. 2 Co. Inst. 146.
- *Qui non prohibet quod prohibere potest assentire videtur.* He, who does not forbid what he can forbid, seems to assent. 2 Inst. 305.
- *Qui non propulsat injuriam quando potest, infert.* He, who does not repel a wrong when he can, induces it. Jenk. Cent. 271.
- *Qui tacet consentire videtur.* He who is silent appears to consent. Jenk. Cent. 32.
- *Reprobata pecunia liberat solventum.* Money refused liberates the debtor. 9 Co. 79.
- *Lex Non Scripta,:* *unwritten law especially : the common law as distinguished from statutory law*

Five elements of a contract:

1. Offer, 2. Acceptance, 3. Consideration 4. Full disclosure, 5. All parties autographs.

The Maxims of Equity

- Equity will not suffer a wrong to be without a remedy: - (Patterson v Murphy 1978 ILRM 85) injunction
- Equity follows the law:
- He who seeks equity must do equity: - (Cheese v Thomas 1994)
- He who comes to equity must come with clean hands: - (Overton v Banister 1844)
- Delay defeats equity: - Laches is an unreasonable delay in enforcing a right - (Nelson v Rye 1996)
- Equality is Equity:
- Equity looks to the intent rather than the form: Principle established in (Parkin v Thorold 1852).
- Equity looks on that as done which ought to have been done:
- Equity imputes an intention to fulfil an Obligation:
- Equity acts in persona: - (Penn v Lord Baltimore 1750)
- Where the equities are equal, the first in time prevails:
- Where the equities are equal, the law prevails:

source: <https://www.lawteacher.net/free-law-essays/property-trusts/the-law-of-equity.php>

English Legislation (extracts)

The rule of statutory interpretation in law is to give words their ordinary meaning in the English language. Within legislation, words are defined by the Interpretation Act 1978. The style and formatting have no influence on the interpretation of content.

For a layman to decipher, navigate and comprehend legislation is baffling.

Bills, Signatures, and Authority

Execution and Enforcement of Demands, Invoices, and Notices

1. Any purported demand for payment, invoice, or financial notice must comply with foundational requirements for lawful enforcement, including but not limited to:
 - Execution in accordance with **Companies Act 2006, section 44**, requiring either two authorised signatories or a director's signature in the presence of a witness.
 - Fulfilment of the criteria in **Bills of Exchange Act 1882, section 3**, where a bill must be an *unconditional order in writing*, signed by the issuer, and payable to a specified person.
 - Absence of a verifiable wet-ink signature, named party, or formal execution invalidates the purported "bill" and renders it a non-binding, non-negotiable instrument.
2. Any unsigned demand or notice is rebutted as non-binding, hearsay, or *ad cautelam* communication, lacking both mens rea and binding legal character.
3. Further, if such demand misrepresents its legal authority, enforcement capacity, or validity, it may constitute:



- **Fraud by false representation (Fraud Act 2006, section 2),**
 - **Fraud by failure to disclose (section 3),**
 - **or Fraud by abuse of position (section 4).**
4. In the event that any article or form used to simulate lawful authority (e.g., false summons or notices) is found to be unauthorised or fabricated, such action may be prosecuted under:
- **County Courts Act 1984, section 135**, for falsely pretending to act under court authority,
 - **or Fraud Act 2006, section 7**, concerning the making or supplying of instruments for fraudulent use.

COMPANIES ACT 2006

Section 44 - Execution of documents

- (1) Under the law of England and Wales or Northern Ireland a document is executed by a company (a) by the affixing of its common seal, or (b) by signature in accordance with the following provisions.
- (2) A document is validly executed by a company if it is signed on behalf of the company—
- (a) by two authorised signatories, or (b) by a director of the company in the presence of a witness who attests the signature.
- (3) The following are “authorised signatories” for the purposes of subsection (2),
- (a) every director of the company, and (b) in the case of a private company with a secretary or a public company, the secretary (or any joint secretary) of the company.

BILLS OF EXCHANGE ACT 1882

Section 3 - Bill of exchange defined.

- (1) A bill of exchange is an unconditional order in writing, addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand or at a fixed or determinable future time a sum certain in money to or to the order of a specified person, or to bearer.

Therefore: If a bill lacks the necessary signature, it does not meet the basic requirements of a valid bill of exchange by being incomplete and would not be enforceable under the Act.

Section 8 - What bills are negotiable.

- (1) When a bill contains words prohibiting transfer, or indicating an intention that it should not be transferable, it is valid as between the parties thereto but is not negotiable.
- (2) A negotiable bill may be payable either to order or to bearer.
- (3) A bill is payable to bearer which is expressed to be so payable, or on which the only or last indorsement is an indorsement in blank.
- (4) A bill is payable to order which is expressed to be so payable, or which is expressed to be payable to a particular person and does not contain words prohibiting transfer or indicating an intention that it should not be transferable.
- (5) Where a bill, either originally or by indorsement, is expressed to be payable to the order of a specified person, and not to him or his order, it is nevertheless payable to him or his order at his option.

Key conditions for negotiability:

- **Unconditional order:** According to **Section 3** of the Act, a bill of exchange must contain an unconditional order to pay a certain sum of money. If the bill is contingent on the fulfilment of a prior agreement or contract, it would **not** be considered unconditional, and thus **not negotiable**.



- **Absence of references to other agreements:** For a bill to be negotiable, it must be independent of any outside terms, meaning that the obligation to pay should not depend on another agreement or condition. Any reference to a prior contract would affect the negotiability of the bill because it introduces conditions.
- **Section 8** defines a negotiable instrument as one that can be transferred by endorsement or delivery. A valid bill can pass freely from one holder to another, provided it is not **contingent on an agreement** outside the bill itself.
- The transferability of a negotiable bill allows the holder in due course to claim payment without being affected by any defects or disputes that may exist between the original parties.

Conclusion:

A bill of exchange is **negotiable** only if it stands as an **unconditional** order to pay. If it refers to or is subject to a prior agreement or contract, it will not satisfy the criteria for negotiability under the Bills of Exchange Act 1882.

CONSUMER CREDIT ACT 1974

PART IX JUDICIAL CONTROL

Enforcement of certain regulated agreements and securities

127. (3) The court shall not make an enforcement order under section 65(1) if section 61(1)(a) (signing of agreements) was not complied with unless a document (whether or not in the prescribed form and complying with regulations under section 60(1)) itself containing all the prescribed terms of the agreement was signed by the debtor or hirer (whether or not in the prescribed manner)

FRAUD ACT 2006

1 Fraud

(1) A person is guilty of fraud if he is in breach of any of the sections listed on subsection (2) (which provide for different ways of committing the offence).

(2) The sections are –

(a) section 2 - fraud by false representation

A person is in breach of this section if he (a) dishonestly makes a false representation, and (b) intends, by making the representation (i) to make a gain for himself or another, or (ii) to cause loss to another or to expose another to a risk of loss.

A representation is false if (a) it is untrue or misleading, and (b) the person making it knows that it is, or might be, untrue or misleading.

(b) section 3 - fraud by failing to disclose information

A person is in breach of this section if he (a) dishonestly fails to disclose to another person information which he is under a legal duty to disclose, and (b) intends, by failing to disclose the information (i) to make a gain for himself or another, or (ii) to cause loss to another or to expose another to a risk of loss."

(c) section 4 - fraud by abuse of position

Section 7, Making or supplying articles for use in frauds

(1) A person is guilty of an offence if he makes, adapts, supplies or offers to supply any article (a) knowing that it is designed or adapted for use in the course of or in connection with fraud, or (b) intending it to be used to commit, or assist in the commission of, fraud.



(2) A person guilty of an offence under this section is liable a) on summary conviction, to imprisonment for a term not exceeding 12 months the general limit in a magistrates' court or to a fine not exceeding the statutory maximum (or to both) (b) on conviction on indictment, to imprisonment for a term not exceeding 10 years or to a fine (or to both).

LOCAL GOVERNMENT FINANCE ACT 1992

Supplementary Rebuttal to Local Government Finance Act 1992 & Related Regulations

- The legislation arbitrating 'Council Tax' is the *Local Government Finance Act 1992* and the *Council Tax (Administration and Enforcement) Regulations 1992*. Neither instrument falls within the interpretative scope of the *Interpretation Act 1978*.
- The property is listed by the 'Valuation Office Agency' within a subjective banding system and arbitrarily categorised as subject to 'Council Tax'. The type of property may not be definitively described beyond its inclusion within a 'Local Council Tax' valuation list.
- The purported obligation to pay 'Council Tax' is asserted as a statutory charge arising from the 'Local Council Tax' valuation list. Liability is claimed to be independent of consent or contract, a position that is formally rebutted.
- Furthermore, under the principle articulated in *Barnard v National Dock Labour Board* [1953] 2 QB 18, statutory powers must be exercised strictly in accordance with the enabling statute. Where the statute mandates the issuance of a "demand notice," the substitution of terminology such as "bill"—particularly to influence public perception—is a deviation from statutory prescription and constitutes an ultra vires (beyond powers) administrative act.

Interpretation of the Council Tax Regulations

- Section 20(2)(a) – The charge is based on assumptions specified in paragraph (3).
- Section 20(3)(a) – The assumed liability is attributed to a person* deemed liable to pay 'Council Tax'.
- Section 20(3)(c) – The assumed liable person* must satisfy conditions under paragraph 13.
- Section 13(a) – The chargeable amount is referenced to the liable person* according to the opinion of the authority.
- Section 20(3)(d) – The assumed dwelling charge arises by virtue of Regulation 9(1).
- Section 9(1) – Refers to Regulation 8 and assumes the dwelling to be chargeable.
- Section 8 – The authority must take reasonable steps to ascertain whether the dwelling qualifies for exemption.
- Section 7 – The billing authority, by reference to a proposed list, notifies the liable person* deemed applicable to the dwelling, based on the authority's opinion at the time the valuation band list became operative.

Summary of Interpretation

The asserted liability of a person* to pay a 'Council Tax Bill' is constructed upon a sequential chain of assumptions and administrative determinations:

1. A proposed valuation list, created from local government information and other indirect, unverified and self-reported sources, is reviewed, not adjudicated, by an associated agency (VOA) which defines the banding of dwellings in the list.
2. The local government office forms an *opinion* regarding the chargeable amount based on the banding.
3. The local government office assumes the dwelling to be chargeable after conducting an exemption check.
4. The local government office assumes that a specific person* is liable to pay, based solely on its own determination.

This entire construct constitutes a self-referential administrative determination lacking independent judicial scrutiny, devoid of prima facie material evidence, contractual nexus, or legally valid substantiation. Use of an administrative artifact as an administrative process not subjected to adversarial evidentiary testing or lawful due process which cannot lawfully underpin the imposition of a lawful debt obligation.

Note: this is an analytical summary of *process effect*, not a literal quote of the legislative text.



Local Government Act 1888, section 78 (2) <https://www.legislation.gov.uk/ukpga/Vict/51-52/41/section/78>

(2) Provided that the transfer of powers and duties enacted by this Act shall not authorise any county council or any committee or member thereof—

- (a) to exercise any of the powers of a court of record; or
- (b) to administer an oath; or
- (c) to exercise any jurisdiction under the Summary Jurisdiction Acts, or perform any judicial business, or otherwise act as justices or a justice of the peace,

Note: Words repealed by Justices of the Peace Act 1968 (c. 69), Sch. 5 Pt. II
[Justices of the Peace Act 1968 \(c. 69\), Sch. 5 Pt. II](#)

The Council Tax (Administration and Enforcement) (Amendment) (No. 2) (England)

Regulations 2003 UK Statutory Instruments 2003 No. 2211 <https://www.legislation.gov.uk/uksi/2003/2211/contents/made>

3.(1) In regulation 35(1) omit the words —

- (a) “(in which case the order shall be in the form specified as Form A in Schedule 2, or a form to the like effect)”; and
- (b) “(in which case the order shall be in the form specified as Form B in that Schedule, or a form to the like effect)”.

(2) In regulation 48(1) omit the words “, and shall be in the form specified as Form C in Schedule 2, or in a form to the like effect”.

(3) **Omit Schedule 2.**

Explanatory Note

(This note is not part of the Regulations)

These Regulations amend the Council Tax (Administration and Enforcement) Regulations 1992 in relation to England. **Schedule 2, which contains prescribed forms A, B and C by use by magistrates' courts when making a liability order or issuing a warrant committing a debtor to prison is omitted.** Consequential amendments are made to regulations 35(1) and 48(1).

County Courts Act 1984 Section 135 <https://www.legislation.gov.uk/ukpga/1984/28/section/135>

Penalty for falsely pretending to act under authority of court.

Any person who—

- (a) delivers or causes to be delivered to any other person any paper falsely purporting to be a copy of any summons or other process of [the county court], knowing it to be false; or
- (b) acts or professes to act under any false colour or pretence of the process or authority of [the county court] ;

shall be guilty of an offence and shall for each offence be liable on conviction on indictment to imprisonment for a term not exceeding 7 years.

Magistrates Court Rules 1981 – Section 98 <https://www.legislation.gov.uk/uksi/1981/552/rule/98/made>

98.— (1) A summons shall be signed by the justice issuing it or state his name and be authenticated by the signature of the clerk of a magistrates' court.

To Summarise

- The Council cannot issue summons or liability orders for Council Tax.
- A Magistrates Court summons shall be authenticated by an *autograph of a Justice and Clerk with a represented seal

Councils should be aware of the law with regard to 'The Liability Order' when published in the '**The Council Tax handbook 13th edition 2021**' with a note "*the form (Form A) provided to draw up liability orders was removed from law no form has been substituted in place*" [sic].

It is also stated "*Without any written record of its order or judgement being issued by the court, an order from a magistrates court may be invalid*" [sic].

This should be validated as a matter of due diligence. ([see Fraud Act section 7](#))

Magistrates Court Act 1980

Section 127 Limitation of time. <https://www.legislation.gov.uk/ukpga/1980/43/section/127>



(1) Except as otherwise expressly provided by any enactment and subject to subsection (2) below, a magistrates' court shall not try an information or hear a complaint unless the information was laid, or the complaint made, **within 6 months** from the time when the offence was committed, or the matter of complaint arose.

(2) Nothing in—

- (a) subsection (1) above; or
- (b) subject to subsection (4) below, any other enactment (however framed or worded) which, as regards any offence to which it applies, would but for this section impose a time-limit on the power of a magistrates' court to try an information summarily or impose a limitation on the time for taking summary proceedings, shall apply in relation to any indictable offence.

Section 148 **"Magistrates' court"** <https://www.legislation.gov.uk/ukpga/1980/43/section/148>

- (1) In this Act the expression "magistrates' court" means any justice or justices of the peace acting under any enactment or by virtue of his or their commission or **under the common law**.
- (2) Except where the contrary is expressed, anything authorised or required by this Act to be done by, to or before the magistrates' court by, to or before which any other thing was done, or is to be done, may be done by, to or before any magistrates' court acting [in the same local justice] area as that court.

Courts Act 2003

Section 31 **Immunity for acts within jurisdiction** <https://www.legislation.gov.uk/ukpga/2003/39/section/31>

- (1) No action lies against a justice of the peace in respect of what he does or omits to do—
 - (a) in the execution of his duty as a justice of the peace, and
 - (b) in relation to a matter within his jurisdiction.

Section 32 **Immunity for certain acts beyond jurisdiction** <https://www.legislation.gov.uk/ukpga/2003/39/section/32>

- (1) An action lies against a justice of the peace in respect of what he does or omits to do—
 - (a) in the purported execution of his duty as a justice of the peace, but
 - (b) in relation to a matter not within his jurisdiction,

if, but only if, it is proved that he acted in bad faith.

Private & International Law

UNIDROIT PRINCIPLES OF INTERNATIONAL COMMERCIAL CONTRACTS

Article 3.8 – Fraud

A party may avoid the contract when it has been led to conclude the contract by the other party's fraudulent representation, including language, practices, or fraudulent nondisclosure of circumstances which, according to reasonable standards of fair dealing, the latter party should have disclosed.

Article 5.1.3 – Cooperation between the parties

Each party shall cooperate with the other party when such co-operation may reasonably be expected for the performance of that party's obligations.

Article 7.3.4 – Adequate Assurance of Due Performance

A party who reasonably believes that there will be a fundamental non-performance by the other party may meanwhile withhold its performance. Where this assurance is not provided within a reasonable time the party demanding it may terminate the contract.

Article 7.4.1 – Right to damages

Any non-performance gives the aggrieved party a right to damages either exclusively or in conjunction with any other remedies except where the non-performance is excused under these principles.

Article 7.4.2 – Full compensation



(1) The aggrieved party is entitled to full compensation for harm sustained as a result of the non-performance. Such harm includes both any loss which it suffered and any gain of which it was deprived, considering any gain to the aggrieved party resulting from its avoidance of cost or harm

(2) Such harm may be nonpecuniary and includes, for instance, physical suffering and emotional distress.

Universal Declaration of Human Rights - <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

Articles of Note

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 17

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of property.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Constitution.

- i. A government, parliament/congress or legislature cannot, by legislative assertions, recite itself into *constitutional* power.
- ii. A constitution is a code of laws and customs (legem terræ); the law of the land; common law (the trial by jury justice system) established by the people of a nation for the guidance and the legal and lawful control of its government, by which to preclude tyranny and lawlessness a constitution may be amended only at the behest and by the active participation of the great mass of the people and not by government.
- iii. The people create the government; therefore, a government cannot be above its own creator. As distinct from supreme constitutional customary common law, *statute* is created by a government as legislature and is not constitutional Law. The Great Charter is a constitutional inscription of the common law of the land, which excludes all laws made by monarchs or government. It is the Supreme Law that governs the government.
- iv. Statutes may be amended or repealed by subsequent administrations, but no parliament created Magna Carta. No parliament can change or impinge upon the common law as prescribed and re-presented by Magna Carta. Through the supreme authority of the people's Trial by Jury, the law of the land, the Great Charter 1215 constitution GOVERNS the government. Statute or legislation can never be law and this is witnessed by divine law under God alone to which no government can trespass.
- v. With this in mind: note that it has been confirmed by the esteemed Chandran Kukathas PhD of the Department of government and London School of Economics, that the state is a company of no greater standing than McDonald's. Also note it has been confirmed by the right honourable Lord justice of appeal Sir Jack Beatson FB A at the Nottingham and Trent University in 2008 that the office of the judiciary is a sub office of the State Company and that a judge in the position of officer for a court carries no greater authority than the janitor at McDonald's.
- vi. Extracts from: The Cyclic Argument of Statutory Law

"As distinct from supreme Constitutional customary Common Law, statute law is written law passed by the legislature (parliament / congress) and enacted into law on its passing by the Head of State. Whereas



constitutions are permanently binding, statutes do not bind subsequent parliaments and cannot 'form' or be 'part' of a 'constitution'."

"Statutes made by parliament or congress do not bind subsequent administrations, which may decide to amend, repeal or supersede a statute; but no parliament made Magna Carta. The Great Charter was made by the people directly with the head of state, explicitly to preclude tyranny, injustice and misgovernance by binding all heads of state and the modus operandi of government "for all time" under Judicium Parium, the Trial by Jury justice system of Legem Terrae, the Law of the Land. The laws of Parliament cannot change any aspect of, or impinge in any way upon the Common Law at 1215; the perpetual binding dictates of the Great Charter. The 1215 Great Charter Constitution governs government through the Supreme Authority of the People's Trial by Jury Courts to which all men and women without exception are liable and subject." d'Oudney, K., Democracy Defined: The Manifesto, 2020 Third Edition, p. 68 <https://www.commonlawconstitution.org/news-and-thoughts/the-cyclic-argument-of-statutory-law>

- vii. In correspondence to The Earl Marshal from The Hardwick Alliance for Real Ecology (HARE) in October 2023, leading up to Charles III coronation, the following is an extract...

'Unless the people of England and Wales wish to experience government overreach that could lay the foundations of outright tyranny, common sense dictates that Parliament must never be allowed to write itself into constitutional authority. To understand the full ramifications of having a fully-fledged [Common Law Constitution](#), we will take this opportunity to remind Your Grace of two of the essential responsibilities a Monarch has:

1. His Majesty must ensure that all trials involve a randomly selected Jury of the defendant's peers that judges all aspects of the case, independently of legislation and the judiciary meaning that Annulment can result. It is in this way, that people define their own liberties and govern themselves at all times.
2. His Majesty must use his constitutional right to withhold Royal Assent were proposed legislation would be violating the liberties of the people or be infringing constitutional laws and customs.

These two fundamental duties of His Majesty the King should provide a double-lock safeguard against any future encroachment of tyranny. However, it is now becoming clearer by the day that both of these safeguards have been completely overlooked by previous Monarchs, including, it has to be said, the late Queen Elizabeth II.'

- viii. The House of Lords in 2008 affirmed Magna Carta 1297 as statute law. There are interesting constitutional points throughout, particularly in sections 42, 43 & 44 wherein there is a statement of '*The Crown cannot remove this right by an exercise of the prerogative. That is because since the 17th century the prerogative has not empowered the Crown to change English common or statute law.*'
<https://www.bailii.org/uk/cases/UKHL/2008/61.html>.
- ix. The Supreme Principle of the Common Law of the Land: "Do not do unto others that which you do not want done unto you."

Consent of the Governed. [source: Case Authority WI-05257F accredited to Baron David: House of Ward]

There is a presumption of the 'Consent of the Governed'. There is a mandatory requirement before Acts or Statutes can be legally acted upon in that the 'Consent of the Governed' has validity and that it can be presented as material fact before any action/charges can be brought.

It is clear by due process that:

- a. It is illegal to act upon Acts or Statutes without the 'Consent of the Governed' where the governed have given their consent and that consent is presentable as material physical evidence of the fact.
- b. Where there is no material evidence of the 'Consent of the Governed', on and for the public record, then the status of 'Consent of the Governed' is invalidated.
- c. Where there is no material evidence of 'Consent of the Governed', then The Government or The State* has no status or standing or jurisdiction, none can exist without 'consent' (agreement).
- d. When Acts or Statutes are acted upon without standing, this is illegal and a criminal action. The criminal action is Malfeasance and fraud.
- e. When criminal activity is observed to be standard practice, it is observable evidence to the fact that civil LAW is a presumption. [see the [twelve presumptions of law-website](#)]

The Material evidence of the FACTS.



- i. The Rt. Hon. Lord Chief Justice Sir Jack Beatson FBA, confirmed, on and for the record, that whilst there is no material and physical evidence to the fact that the governed have given their consent, the Office of the Judiciary has no greater authority than the local manageress of McDonalds.
- ii. The Office of the Judiciary is a sub-office of a legal embodiment, by an act of registration, the registration creates nothing of physical material substance, this is fraud by definition.
- iii. The Office of the Judiciary can be determined to be a private commercial enterprise [LLC] built upon fraud and criminal intent, it cannot be recognisable as a valid government '*by the people for the people*' in that it can be determined it is providing a judicial service for profit and gain creating conflicts of interests.
- iv. Where there is a conflict of interests between the needs of the people and *The State's* policies (acts, statutes, et al) it can be assumed there is no obligation to the people or even the needs and wellbeing of company staff. [confirmed by Chandran Kukathas of the London School of Economics and state office titled the Department of Government]
- v. Any objection to this observation of fact should be presented to the Rt. Hon. Lord Chief Justice Sir Jack Beatson FBA, where the Rt. Hon. Lord Chief Justice Sir Jack Beatson FBA would then have to present the material and physical evidence that the governed have given consent.

The Common Law Courts of England

- BE IT KNOWN that the England and the UK is a Common Law Jurisdiction and that all the Courts in England and the UK are Common Law Courts where Free Men and Free Women can exercise their inalienable Right to Trial by Jury.
- Essential to the preservation of Truth, Justice, Freedom and Democracy is the Right to Trial by Jury. Any denial of this Right constitutes Treason against the People. No State Judge or Parliament can abolish or diminish this Right protecting Life, Liberty and Property.
- With each of the 12 Jurors asking, "So help me God". It is the duty and responsibility of Jurors to judge the facts, and the law presented to them, so that they can administer Justice to all parties in any action Civil, Criminal and Fiscal.
- In any action, unless a Court obtains the clear and unequivocal consent of all parties to be without a Jury, that Court has no Jurisdiction to proceed summarily and any such awards, doings and proceedings shall be held to be null and void. A Public Servant, paid by the State cannot sit & judge his MASTERS'
- Common Law does NOT include any statutes made by Government or decisions made by judges.

Trial by Jury is democracy and Trial by Judge is TYRANNY.

The Judicature Act 1873 and after

In 1873, Parliament passed the Judicature Act which merged both the common law and equity and the common law courts and Court of Chancery. Although one of the Divisions of the High Court is still called the Chancery Division, all courts could now administer both equity and common law – with equity to reign supreme in any dispute.

The same Act established the High Court and the Court of Appeal and provided a right of appeal in civil cases to the Court of Appeal. Criminal appeal rights remained limited until the establishment of a Court of Criminal Appeal under the Criminal Appeal Act 1907.

The Court of Criminal Appeal sat for nearly 60 years, until its existence as a separate body was ended by the Criminal Appeal Act 1966. Its power passed to the Court of Appeal.

Source: www.judiciary.uk/about-the-judiciary/history-of-the-judiciary-in-england-and-wales/history-of-the-judiciary/

No man or woman should give consent to the procedure of any hearing. Men and women should only agree to attend a common law court (of record) as is their rite.

References to Supremacy

Magna Carta 1215

Summary Clause

The lawful standing and actions described within the Charter are supported by foundational constitutional principles as expressed in the Magna Carta of 1215. While not relied upon as enforceable statute, Magna Carta remains a valid expression of the spirit of lawful governance, consent of the governed, and remedy by natural justice. The Charter does not assert statutory entitlement but invokes the enduring spirit and unrebuted precedent of governance by consent. See [Constitutional Foundations Policy](#).



Clauses 39 & 40 <https://www.legislation.gov.uk/aep/Edw1cc1929/25/9/contents>

No freeman or free person shall be arrested or imprisoned or deprived of his freehold or his liberties or free customs, or be outlawed or exiled, or in any manner harmed, nor will we (the King/Government) proceed against him nor send anyone against him (with force or arms), unless according to the legal judgement of his peers, and the common law of the land.

To no one will we sell. To no one deny or delay right or justice. No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled. nor will we proceed with force against him. except by the lawful judgement of his equals or by the law of the land.

- Magna Carta, which sets in place the definitive Trial by Jury, was formed and passed by a legislature of Barons, and received Royal Assent, being a written statute of government law, which governs the way in which government itself may operate.
- As Magna Carta is intrinsic to the constitution of the nation, it is repeatedly ratified when Britain's Heads of State swear, at their Coronation, to uphold the statutes of the government.
- By act of union with Scotland, Magna Carta is law throughout Britain and, in respect to timeless provisions determining the Trial by Jury, applies today. This definitive Trial by Jury is also enshrined within the Constitution of the United States of America and is ratified by presidential oath at inauguration.
- The judgement of the Magna Carta Court De Jure Jury of twelve peers, both by rule of law and by the terms of a contract, shall not be overturned by court as there is no higher court in the realm.
- The Magna Carta uses terms such as "for ever," "in perpetuity," and "eternally" to emphasise the enduring nature of its provisions. These terms are meant to convey that the rights and liberties granted are not temporary but are intended to last indefinitely, binding future rulers to these commitments.

HENRY by the Grace of God King of England, Lord of Ireland, Duke of Normandy and Guyan, and Earl of Anjou, to all Archbishops, Bishops, Abbots, Priors, Earls, Barons, Sheriffs, Provosts, Officers, and to all Bailiffs, and other our faithful Subjects, which shall see this present Charter, Greeting: Know Ye, that We, unto the honour of Almighty God, and for the salvation of ^(X4) the souls of our Progenitors and Successors [Kings of England,] to the advancement of Holy Church and amendment of our Realm, of our meer and free will, have given and granted to all Archbishops, Bishops, Abbots, Priors, Earls, Barons, and to all [Freemen] of this our Realm, these Liberties following, to be kept in our Kingdom of England for ever.

Annotations:

Editorial Information

X4 Variant reading of the text noted in *The Statutes of the Realm* as follows: *our Soul and*

I Confirmation of Liberties.

FIRST, We have granted to God, and by this our present Charter have confirmed, for Us and our Heirs **for ever**, that the Church of England shall be free, and shall have all her whole Rights and Liberties inviolable. We have granted also, and given to all the Freemen of our Realm, for Us and our Heirs **for ever**, these Liberties under-written, to have and to hold to the Heirs, of Us and our Heirs **for ever**.

Divine law

- Divine power can only be held and administered by what is identified as God. No earthly being can claim law or power above God. Hence any person of any rank attempting to usurp the divine nature of God is guilty of heresy and blasphemy.
- Therefore, the act of a papal bull performed by pope Boniface VIII of Unum Sanctum was in fact and by grace of God Blasphemous and Heretical and could not stand In God's eyes. This very papal bull was rightly nullified in 1303 by pope Benedict XI.
- In divinity and by the grace of God, nothing and no one on earth can own another's soul as the soul is of God in the image of God and therefore divine in itself, being part of and attached to God. To say otherwise is blasphemous, heretical and a most heinous crime against God.

The Bill of Rights Act 1689 <https://www.legislation.gov.uk/aep/WillandMarSess2/1/2/introduction/enacted>

There is a provision in the Bill of Rights Act 1689 which states:



"That all grants and promises of fines and forfeitures of a particular person before conviction are illegal and void."

This states that a conviction is necessary before a fine or forfeit can be imposed. As you will be aware, the Bill of Rights is a "constitutional statute" and may not be repealed impliedly. This was stated in the case *Thoburn v City of Sunderland*, the decision commonly referred to as the "Metric Martyrs" Judgment. This was handed down in the Divisional Court (18 February 2002) by Lord Justice Laws and Mr Justice Crane (the judgment's relevant sections 62 and 63 are paraphrased).

Section 62: "We should recognise a hierarchy of Acts of Parliament: as it were "ordinary" statutes and "constitutional statutes." The special status of constitutional statutes follows the special status of constitutional rights. Examples are the Magna Carta 1297 & The Bill of Rights 1689 . . ."

Section 63 "Ordinary statutes may be impliedly repealed. Constitutional statutes may not . . ." This was upheld by Lords Bingham, Scott and Steyn in an appeal which went to the House of Lords on Monday 15 July 2002.

- It can be determined that all courts in this country are now administrative hearings and not a common law court. There is no act of parliament that gives authority for an administrative hearing. A judge that acts contrary to their judicial oath can suffer a commercial lien as can any individual that causes a tort.
- On the 21st July 1993, the Speaker of The House of Commons issued a reminder to the courts. Betty Boothroyd said: "*There has of course been no amendment to The Bill of Rights . . . the House is entitled to expect that The Bill of Rights will be fully respected by all those appearing before the courts.*"

The principle of English birthright is not the opinion of learned authors of Law dictionaries, but an expression of well-established English Constitutional Law. The Act of Settlement (1700), enacted to strengthen the Bill of Rights (1688), makes it clear that the English are to be governed in strict accordance with English Law, our birthright; and the Coronation Oath Act (1688) in conjunction with the Bill of Rights, requires that Monarch's governs according to our Law.

Act of Settlement (1700) <https://www.legislation.gov.uk/aep/Will3/12-13/2/introduction>

'And whereas the Laws of England are the Birthright of the People thereof and all the Kings and Queens who shall ascend the Throne of this Realm ought to administer the Government of the same according to the said Laws and all their Officers and Ministers ought to serve them respectively according to the same ...' [An Act for the further Limitation of the Crown and better securing the Rights and Liberties of the Subject (Act of Settlement (1700)). The Statutes of the Realm. vol.7. p.638(p.678 pdf)]

Coronation Oath Act (1688)

The Archbishop or Bishop shall say, *WILL You solemnly Promise and Swear to Govern the People of this Kingdome of England and the Dominions thereto belonging according to the Statutes in Parlyament Agreed on and the Laws and Customs of the same?* The monarch shall say, *I solemnly Promise so to do.* [An Act for Establishing the Coronation Oath (Coronation Oath Act (1688)). The Statutes of the Realm. vol.7. p.56(p.81pdf)]

Both are current law and as such can be found on the [legislation.gov.uk](https://www.legislation.gov.uk) website.

Source: [english-common-law-dictionary-definitions-from-the-archives](#)

Parliament Sovereignty

"It is a general rule in all cases, that when anyone impeaches the jurisdiction of one Court, he must entitle another Court to have a jurisdiction of that matter." Sir John Holt.

The Judgements delivered by Lord Chief Justice Holt in the Case of *Ashby V. White and Others*, and in the Case of *J. Paty and Others*. From Original MSS, with an introduction.

- Parliament declaring sovereignty would breach natural law rules and the common law. "*an ordinary parliament that legislates against the English Bill of Rights 1689 that came from a convention parliament*" can be seen as one legal authority (the "ordinary parliament") challenging the jurisdiction or authority of another legal authority (the "convention parliament," which established the English Bill of Rights 1689). "*The ordinary parliament impeaches the jurisdiction of the convention parliament*" implies that the ordinary parliament is disputing or challenging the authority of the convention parliament in the context of the English Bill of Rights. "*The High Court has Jurisdiction to hear the case and nullify the ordinary parliament's impeachment*" aligns with the legal principle "*you cannot be a judge in your own cause.*" It means that when one legal entity (the ordinary parliament) challenges the authority of another (the convention parliament), an impartial third party, in this case, the High Court, must step in to review the dispute.
- The High Court has the legal authority ("jurisdiction") to hear the case and potentially overturn or invalidate the challenge made by the ordinary parliament. So, in legal terms, the statement and the principle "*you cannot be a judge in your own cause*" both emphasise the importance of impartiality and the need for an



independent authority, like the High Court, to resolve disputes where one entity questions the authority or jurisdiction of another. This ensures a fair and unbiased resolution.

Subjugation of Powers to the EEC

A letter to Edward Heath by Lord Chancellor Lord Kilmuir in 1960

<https://unitynewsnetwork.co.uk/the-kilmuir-letter-a-damning-critique-over-uks-illegal-entry-into-the-eeec/>

Extract

Adherence to the Treaty of Rome would, in my opinion, affect our sovereignty in three ways: -

- a) Parliament would be required to surrender some of its functions to the organs of the community.
- b) The Crown would be called on to transfer part of its treaty-making power to those organs of the Community.

The English Constitution confers treaty making powers only on the Sovereign. The Sovereign cannot transfer those powers to a foreign power nor even, to our own parliament because they are mere servants of the Monarch. Sovereignty itself cannot be given away as it resides with the people who entrust it to the Monarch for his/her lifetime and the Monarch is obliged by law to pass that sovereignty on to any successor as it was received.

- c) Our courts of law would sacrifice some degree of independence by becoming subordinate in certain respects to the European Court of Justice.

Regarding the Rite of Passage

The term “rite of passage” is used here in its intentional archaic and spiritual form, derived from the natural entitlement of a free being to travel unimpeded — not as a “right” conferred by authority but as an inherent element of liberty.

Legal Foundation:

The lawful definition of public travel includes the ability “for all Her Majesty’s subjects at all seasons of the year freely and at their will to pass and re-pass without let or hindrance.”

This principle was judicially affirmed in **Ex parte Lewis (1888) 21 Q.B.D. 191**, wherein **Justice Wills** stated:

“Every citizen has a right to travel upon the highway and to transport his property thereon in the ordinary course of life and business.”

This ruling is often cited in lawful-right-to-travel assertions as evidence that:

- Individuals possess a lawful ability to move freely in public without requiring prior permission.
- Any interference with that freedom is unlawful **unless actual harm or a crime has occurred**.

Against Commercial Interference:

By lawful reasoning, a **financial penalty** or administrative fee extracted from a living man or woman for peaceful travel constitutes **pecuniary gain through obstruction**, which contradicts the principle of “without let or hindrance.”

Such mechanisms apply only to **legal persons** (juristic entities), not to living souls or private individuals.

Therefore, enforcement against a man or woman without *corpus delicti* (evidence of harm) is ultra vires and void.

Constitutional Support:

The **Act of Union 1707**, Article IV, further supports this standing:

“That all the Subjects of the United Kingdom of Great Britain... shall have full Freedom and Intercourse of Trade and Navigation... and that there be a Communication of all other Rights, Privileges and Advantages which do or may belong to the Subjects of either Kingdom...”

Moreover, this principle is echoed in the **United Kingdom passport** declaration:

“His/Her Britannic Majesty’s Secretary of State Requests and requires in the Name of His/Her Majesty all those whom it may concern to allow the bearer to pass freely without let or hindrance...”



In accordance with this mandate, **no law or statute may override** these rights. As the Act of Union also declares:

“All Laws and Statutes... contrary to or inconsistent with the Terms of these Articles... shall cease and become void...”

Regarding Castle Doctrine

A Man's (or Woman's) home is a Castle and an assault on a Castle is a recognised Act of WAR. In a time of War there are casualties of War, which are just that. An Individual that knowingly enters into an act of war, or unknowingly, has entered into an act of war of their own volition. The occupants defending a Castle cannot be held culpable for casualties of war even though these casualties of war may end up dead. This is recognised from the historic traditions.

- **Castle doctrine** (also known as a **castle law** or a **defence of habitation law**) is a legal doctrine that designates an individual's or person's* abode or a legally-occupied place [a vehicle or workplace, et al] as a place in which an individual or person* has certain protections and immunities permitting, in certain circumstances, to use proportional force (up to and including deadly force) to defend themselves against an intruder, free from legal responsibility/prosecution for the consequences of the force used. Typically, deadly force is considered justified, and a defence of justifiable homicide is applicable, in cases "*when the actor reasonably fears imminent peril of death/destruction or serious harm/damage to oneself or another or property*". The doctrine is not a defined law that can be invoked, but a set of principles which is incorporated in some form in the law. http://en.wikipedia.org/wiki/Castle_doctrine

Regarding Freedom of Expression

Legal Framework Overview

A fundamental and inalienable right under English common law and Article 10 of the ECHR. This includes:

1. Speech that may offend, shock, or disturb, provided it does not meet the threshold for harassment or incitement.
2. Political expression, particularly dissent or criticism of government, which receives heightened legal protection.

Any suppression of speech — including through policy, guidance, or automation — must be subject to strict scrutiny and demonstrated to be proportionate.

Correlation to Online Speech and Policy Monitoring

- Online Safety Act: Raises concerns due to pre-emptive monitoring mechanisms (e.g. "squads" watching content), mirroring the unconstitutional surveillance criticised in *Miller*.
- Chilling Effect: Multiple cases reinforce that subjective perception, especially when institutionalised (as with police or automated online moderation), may unlawfully suppress expression.
- Citizen Journalists & Bloggers: The High Court affirms that the same protections afforded to traditional media may extend to social media users and bloggers, where they act responsibly.

Summary of Key Legal Points on Free Speech (UK)

1. *Miller v College of Policing* [2021] EWCA Civ 1926
 - Issue: Recording and retaining “non-crime hate incidents” based on subjective perception.
 - Finding: The Court of Appeal ruled the police guidance was unlawful, stating it had a chilling effect on free speech and lacked proportionality. Monitoring without a criminal basis infringes Article 10 ECHR (freedom of expression).
 - Source: [Full judgment](#)
2. *Scottow v CPS* [2020] EWHC 3421 (Admin)
 - Issue: Malicious communications prosecution for online speech.
 - Finding: The court emphasised that freedom of speech includes the right to offend and abuse, as long as the speech does not become grossly offensive or harassment.
 - Source: [Full judgment](#)
3. *R (Shayler) v DPP* [2002] EWHC 2559 (Admin)
 - Issue: Balancing of freedom of expression with national security laws.
 - Relevance: Lord Bingham affirmed that freedom of expression is a primary common law right, vital to democracy and the rule of law. Ignorance of public issues invalidates democracy.
 - Source: [Full judgment](#)



4. DPP v Manchester Magistrates' Court [2022] EWHC 1812 (Admin)

- Issue: Acquittal of protestors shouting "Tory scum" challenged by DPP.
- Finding: The High Court upheld their defence of reasonable conduct, reaffirming that robust political dissent is legally protected. Courts act as guardians of political debate.
- Source: [Full judgment](#)

The Nolan Principles - The Seven Principles of Public Life

The Seven Principles of Public Life (also known as the Nolan Principles) apply to anyone who acts as a public officeholder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the Civil Service, local government, the police, courts and probation services, non-departmental public bodies (NDPBs), and in the health, education, social and care services. All public officeholders are both servants of the public and stewards of public resources. The principles also apply to all those in other sectors delivering public services.

Case Law references

- A judgement by Lord Denning states a **Bill of Exchange**, once tendered, has to be treated as cash." *We have repeatedly said in this court that a Bill of Exchange or a Promissory Note is to be treated as cash. It is to be honoured unless there is some good reason to the contrary*" (Lord Denning M.R. in *Fielding & Platt Ltd v Selim Najjar* [1969] 1 W.L.R. 357 at 361; [1969] 2 All E.R. 150 at 152, CA). The principle is that a bill, cheque or note is given and taken in payment as so much cash, and not as merely given a right of action for the creditor to litigate a counterclaim (see *Jackson v Murphy* [1887] 4 T.L.R. 92).

- The principle that statutory powers must be exercised strictly in accordance with the terms set out by the legislature is well-established in UK law. This principle is exemplified in the case of *Barnard v National Dock Labour Board* [1953] 2 QB 18, where the Court of Appeal held that the delegation of disciplinary powers by the Dock Labour Board to the port manager was unlawful. Lord Denning stated: en.wikipedia.org

"No judicial tribunal can delegate its functions unless it is enabled to do so expressly or by necessary implication."

- *Bushell's Case*, 124 Eng Reports 1006; Vaughan Reports 135, 1670. "Without a fact agreed, it is impossible for a judge or any other to know the law relating to the fact nor to direct [a verdict] concerning it. Hence it follows that the judge can never direct what the law is in any matter controverted."
- The TRYAL of William Penn and William Mead, at the Sessions held at the Old Baily in London, the 1st, 3rd, 4th, and 5th of September 1670. "The jury has the right to determine both the law and facts ". U.S. Supreme Court Chief Justice Samuel Chase.
- In *Attorney General V Newspaper Publishing PLC and others* (1988) Ch 333 (Civ Div) Sir Donaldson M.R. said "*That the mens rea [guilty mind] in the law of contempt of court was something of a minefield. This was that it was wholly the creature of the common law*".
- CASE LAW OF – *R v Donovan* [1934] 2 KB 498 at 507, [1934] All ER Rep 207 at 210. In delivering the judgement of the Court of Criminal Appeal Swift J, said: - "If an act is unlawful in the sense of being in itself a criminal act, it is plain that it cannot be rendered lawful because the person to whose detriment it is done consents to it. **No person can license another to commit a crime.**"
- Furthermore, case law *Rice v. Connolly*. Queen's bench division [1966] 2 QB 414, [1966] 2 All ER 649, [1966] 3 WLR 17, 130 JP 322 clearly states that men and women have the right to remain silent and are **under no obligation to supply private and or personal details to another under any circumstances**. This was proven yet again with case law *Neale v DPP* [2021] EWHC 658 (Admin) [23 February 2021]
- Furthermore, case law *Harvey v Director of Public Prosecutions* [2011] EWHC 3992 [17 November 2011] clearly stated by MR JUSTICE BEAN that **the use of common parlance words cannot be deemed offensive using the public order act 1986 §5**.
- Furthermore, case law *WI 05257F David Ward and Warrington Borough Council* appears to prove by way of the judgement that the United Kingdom Government does not actually exist, so therefore, whoever is acting as an authority over the action of consenting, cannot hold authority over a man or woman.



- Case Law in the UK Queens Bench. *Vaughan v McKenzie* [1969] 1 QB 557 if the debtor strikes the bailiff over the head with a full milk bottle after making a forced entry, the debtor is not guilty of assault because the bailiff was there illegally. *R. v Tucker* at Hove Trial Centre Crown Court, December 2012 if the debtor gives the bailiff a good slap.
 - If a person strikes a trespasser who has refused to leave is not guilty of an offence: *Davis v Lisle* [1936] 2 KB 434
 - License to enter must be refused BEFORE the process of levy starts, *Kay v Hibbert* [1977] Crim LR 226 or *Matthews v Dwan* [1949] NZLR 1037 [*a denial of implied right of access in advance*].
 - A bailiff rendered a trespasser is liable for penalties in tort and the entry may be in breach of Article 8 of the European Convention on Human Rights if entry is not made in accordance with the law, *Jokinen v Finland* [2009] 37233/07.
 - Note: There is a claim that since the late twentieth century bailiffs have had increasing powers of entry. This is incorrect as a Bailiff in the twentieth century is a crown corporation servant and the crown authority has no authority without a legal agreement that the crown has an authority. There is no material evidence to the fact that there is any legal agreement. This fact has been confirmed, Case Authority No WI 05257F David Ward and Warrington Borough Council 30th Day of May 2013 at court tribunal.
- Halsbury's 4th Edition of Law 2011 confirms that administrative law is (nothing more than) an arrangement between the Executive and the Judiciary. And that the Law is absolutely clear on this subject. **There is NO authority for administrative courts in England, and NO Act could be passed to legitimise them.**
 - Lord Diplock stated ... (its recorded in Halsbury's) "All administrative courts are illegal and can never be legislated into existence", performing administrative acts on behalf of the executive is incompatible with the terms of the Oath, which Judges take when they are created under Section 2 of the promissory oaths act 1868, which every Judge must take. A breach of that Oath is perjury. (See Perjury Act 1911 Sec 5)
 - All Administrative Courts are unlawful "*Actions which overthrow and subvert the laws and Constitution of the Kingdom and which would lead to the destruction of the Constitution are unlawful*". The case of *R V Thistlewood* (1820) established that "*To destroy the Constitution of the country is an act of treason*".
 - To add: Administrative Law (so called) forms no part of 'the laws and usages of the realm' – Which Judges swear to the Sovereign to uphold via promissory oath that binds them to a specific course of conduct – otherwise they cannot be said to perform their judicial duties impartially.
 - This was confirmed by Lord Denning during the debates on the European Communities Amendment Bill, HL Deb 08 October 1986 vol 480 cc246-95 246 at 250: "*There is our judicial system deriving from the Crown as the source and fountain of justice. No court can be set up in England, no court can exist in England, except by the authority of the Head of State [King, Queen] and Parliament. That has been so ever since the Bill of Rights.*" Or The declaration of rights of 1688 actionable actions of a human being or corporate persona.
 - The Bill of Rights, stemming from the Declaration of Rights, made all star-chamber courts unlawful. All administrative courts are in essence star chambers, i.e. not subject to the normal rules of evidence – not common law courts. Administrative hearings are subject to the consent of ALL parties.
 - In reference to non-compliance of orders made by an administrative hearing and the claim of contempt of court Re: Contempt of Court. Archbalds 2011: chapter 28 section 11-page 2/1145

Case References - Security Agreement

From the earliest times legislation has enforced rights and exacted liabilities by utilising a corporate concept by recognising human beings as Juristic Persons* other than as a man* or woman*. The theories by which this form of legal obligation has developed, has been justified, qualified, and defined are the subject matter of a very sizeable library. The historic roots of a particular society, economic pressures and philosophic notions have had their share in the response to the way persons* carry on their affairs through what is the familiar devices of corporations. Attribution of legal rights and duties on the Juristic person* other than man* or woman* is necessarily a metaphorical process and none the worse for it.

1. *Berkey v. Third Avenue Railway Co.*, 244 N.Y. 84, 94 (1926)
 - Quote: "Metaphors in law are to be narrowly watched."
 - Justice: Benjamin N. Cardozo
 - Summary: This case examined the corporate veil and questioned when a parent company could be held liable for the obligations of a subsidiary.
 - Link: <https://casetext.com/case/berkey-v-third-ave-r-co>
2. *United States v. Schophony Corp. of America*, 333 U.S. 795 (1948)



- Quote: "All instruments of thought should be narrowly watched lest they be abused and fail in their service to reason."
 - Summary: A U.S. Supreme Court antitrust case discussing jurisdiction and the importance of avoiding overbroad interpretation.
 - Link: <https://supreme.justia.com/cases/federal/us/333/795/>
3. CRUDEN v NEALE, 2 N.C. 338 (1796) 2 S.E. 70
- Quote: "There, every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowman without his consent."
 - Jurisdiction: North Carolina Supreme Court
 - Summary: Often cited in discussions about natural law and personal sovereignty, though not widely reported in contemporary legal systems.
 - Link: Direct public access not readily available. You may reference via academic or legal databases or constitutional law discussion forums.

Note: While Berkey and Schophony are clearly accessible via open law databases, Cruden v. Neale is not always available in full text online but is often referenced in discussions around individual sovereignty and consent to governance.

No man or woman should give consent to the procedure of any hearing. Men and women should only agree to attend a common law court (of record) as is their rite.

Knowledge gives power! Ignorance abrogates power!