

## PARLIAMENTARY PAPERS & OTHER POLICIES RE BAILIFFS

Hi all, attached here are the various Parliamentary Papers & other Policies re Bailiffs & Police attendance as well as a few other bits that should help.

This is not intended as legal advice; it is merely a collection of official documents with comments and my personal opinion of how I interpret them. I am open to suggestions as to any other "interpretations", of course. You may find these documents of assistance when dealing with officials who appear to be acting unlawfully or contrary to their remit.

**1/. FINES:** Firstly, the document about Betty BOOTHROYD speaker of the House of Commons reminding parliament "There is a provision in the Bill of Rights Act 1689 which states that all grants and promises of **fin**es and **forfeitures** of a particular person before conviction are illegal and void."

This was subsequently upheld by two judges in the Divisional Court (18 February 2002) by Lord Justice Laws and Mr Justice Crane and once again by Lords Bingham, Scott and Steyn in an appeal which went to the House of Lords on Monday 15 July 2002. (See Betty Boothroyd attachment for full details).

Also, to go into greater details, see Parking Laws attachment which comprises stated case law connected to this.

**2/. BAILIFFS:** You will see that the police forces policies attached, and the Police Training Colleges and Enforcement Officers own manuals simply cut and paste the bulk of the **Parliamentary document SN04103** content into their "Policy Documents" (Which makes sense as it would be foolhardy to alter the Parliamentary rules on the subject). These are the RULES from parliament that Enforcement Officer/Bailiffs and the POLICE should adhere to.

Many, but not all, police forces publish **policy documents** in their websites (Hence Met and D&C versions attached here). They are often difficult to locate on the websites, but once published they can claim transparency no matter how difficult to locate. If not on the website, you should be able to request a copy of the particular policy from the relevant police force HQ.

Each police force will have a policy on various procedural matters, published or otherwise, which will work in our favour as they will all, no doubt, follow **Parliamentary SN04103** rules. (If not on their website, a formal request for a copy should suffice).

Most of the policy docs are therefore the same in content but I have included some individual force policies to show how they are all (supposedly) in line with **Parliamentary SN04103** directives. The fact that officers on the ground fail to follow such policies is another matter, lack of training, deliberate interference, or other reason, it just does not happen in reality.

I witnessed several repossessions in 2018 where police in uniform committed very serious criminal offences. These included Burglary, Aggravated Assault, Grievous Bodily Harm, (GBH) and Trespass with a Firearm. If convicted, these offences could carry a custodial sentence of up to 15 years in some incidences. I liaised with Anthony

Stansfeld on this when he was PCC for Thames Valley and at his request produced the enclosed report titled "**Proposal Police Attending Bailiff Incidents**". This will give you an overview of what has been taking place at repos over many years from a firsthand witness perspective (Although I know you are aware of the overall problems).

My reason for the report to Anthony Stansfeld was that I was continually witnessing my former colleagues breaching law and Parliamentary rules which could amount to serious custodial penalties for the individuals if they were pursued through the criminal courts. The intention was to ensure all officers throughout the UK were appropriately trained in/made aware of the Parliamentary Rules so that they did not inadvertently put themselves and/or others in danger of injury, criminal law breaches or civil litigation. The intention was that all 43 Chief Constables would receive a copy and ensure proper training was implemented. Sadly, this seems to have had little effect overall.

**3/. THE CASE LAW** document is very useful too. It reinforces the Parliamentary document as well as highlighting **specific cases** where specific breaches have occurred and the court rulings on them. It is worth a read as there are many similarities to current situations and it may help with defending those that are unlawful.

**4/. COMPLAINTS PROCEDURES:** We all know it to be a waste of time, but we **MUST** use the set police and other complaints procedures before any other remedy. This will prove that they have not rectified the wrongdoing and allow for other methods of restitution to be implemented. I always follow police complaints procedures which goes to their own internal Standards Board for investigation. Invariable they self-judge that they did no wrong. **nemo debet esse judex in propria causa** In civil litigation the guiding principle is that no one may be a judge in his own cause which is applied much more widely than a literal interpretation of the words might suggest. However, if you do not follow the set complaints procedure then they will always claim you should have done so, and the result may have been different. You need to eliminate this claim by making a formal complaint no matter what the outcome.

**5/. IOPC:** (Independent Office for Police Conduct). Once no joy from police complaint, refer it to the IOPC. Recently we found several incidents, including my own, whereby the IOPC sided with the police and then referred the matter back to the police Standards Board to finalise. Again, another waste of time as this is a repeat of the "self-judgement" but it's essential to follow to prove you followed procedure correctly.

**6/. FORMAL NOTICE:** Always correspond to officials by way of a Formal Notice. This should be delivered by email and Royal Mail Sign for Service and keep a record. Writing an email or standard letter will get zero response, you are just creating toilet paper! I have examples of lawful Formal Notices for various situations and templates if required. You **MUST** get the wording of the Formal notice correct to have the lawful effect.

**7/. NOTICE OF CONDITIONAL ACCEPTANCE (NOCA) and LIEN:** This is a very strict LAWFUL process as a defence against a wrongdoing (Tort). The attached **NOCA** and **LIEN** documents explain all about it in a single page. It is a totally lawful process

and, if executed lawfully and strictly correctly, eventually results in a JUDGEMENT IN LAW. We hold that this non-judicial judgement is equivalent to a court order, and this claim has not yet been challenged.

**8/. PERFECTED LIEN:** In law, a perfected Lien becomes an account receivable backed by the personal estates of the lien debtors. Therefore, a properly perfected lien is capable of being turned into a line of credit via promissory note, Bill of Exchange and ultimately a Bearer Bond. The mainstream banks will not entertain this although it is lawful according to Lord denning's rulings, they should treat it as CASH. There are other ways of turning a perfected lien into a line of credit though; we are still exploring the best and most beneficial ones and making excellent progress.

**9/. BILL OF EXCHANGE.** Using the Bills of Exchange Act 1882, the perfected lien is capable of being transferred into a line of credit in favour of the lien creditor, the Bill of Exchange being backed by (but not drawn upon) the lien debtor's estate value. Advanced negotiations with a number of financial establishments are in progress to this effect and it is anticipated that a positive result will be forthcoming despite initial resistance to admit this is a process the banks use daily. Once the "secret" is out they seem to fear a rush of similar claims from victims of bank fraud, but eventually it is inevitable that some form of settlement will be achieved, less the financial institutions fee/percentage. This "cut" from the lien value seems to be the carrot to encourage whichever financial institution accepts a perfected lien as it stands to make a considerable sum from their cut.

I am also now looking into the production of a lawful definitive "**Formal Notice Pack**" for want of a better description. The idea is to produce standardised lawful informative documents capable of being served on each individual Enforcement Officer/Bailiff attending any repossession. It will be a précis of the Parliamentary paper SN041033, fully referenced, to draw attention to the actual law, powers and duties to follow by said Enforcement Officer/Bailiff at the scene. This can be formally served individually to each Enforcement Officer/Bailiff so that they have full knowledge of circumstances regarding their powers, duties, and directives from Parliament. Thus served, there will be no excuse for any breach of law.

Of course, as we know, the Enforcement Officer/Bailiffs do not act lawfully and are likely to continue whilst ignoring these documents. However, served as a formal notice at the scene, this ensures they have KNOWLEDGE of CIRCUMSTANCE and continued unlawfully in the full knowledge they were breaking the law. This serves to both put them into a position whereby both the statute criminal law and a lien can be implemented against them whilst they have little argument to defend.

I also anticipate integrating the formal notices with the police rules and regulations so that any police officer attending can be similarly served and have full knowledge of the law, in particular, that they are NOT allowed to assist an Enforcement Officer/Bailiff in any way whatsoever; they are merely there to prevent a Breach of the Peace and if that occurs, the FIRST consideration regarding arrest is towards the Enforcement Officer/Bailiff who is causing it!

Again, if then police attending ignore this notice and assist unlawfully, they too are then in a position whereby both the statute criminal law and a lien can be implemented against them whilst they have little argument to defend.

Many Enforcement Officer/Bailiff visits are questionable to say the least. We are witnessing warrants FORGED by lawyers/agents who engage the Enforcement Officer/Bailiff on behalf of the banks. Complaints to chiefs of police and PCCs result in no action taken at all!

A huge amount of Enforcement Officer/Bailiff visits are for Parking Fines and ULEZ. Often cases go to the Northampton Business Centre (Masquerading as the small claims COURT!) where a CCJ and supposed warrant for seizure of goods is granted. We believe this is an administrative procedure NOT a legal procedure whereby a Magistrate has heard the case. In any even it is always granted Ex Parte (done with respect to or in the interests of one side only or of an interested outside party) whereby you were **NOT PRESENT** and often **NOT INFORMED** of the situation.

If this is the case the **Betty Boothroyd Rule** (as I call it, but actually the Bill of Rights Act 1689) applies.

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

Conviction means **by a jury of 12 people** and therefore, execution of the **alleged** enforcement order/warrant/writ is illegal and unlawful and any assistance by police is also illegal.

Lately, judges will claim that trial by jury **is being phased out!** I have attended SEVEN High Court cases (London and Manchester) where the judges have refused a request for trial by jury and stated that, in future, there will be **NO JURIES** unless a judge allows it in exceptional circumstances. They quoted only two circumstances would allow for this and that ALL other trials will be decided by the judge alone!

This is removing our constitutional rights and an abuse of authority; they have no jurisdiction or authority to do this. It is a fact that **NO STATUTE** can alter the fundamental rights granted by the Bill of Rights Act 1689.

Keep this in mind at all times when dealing with imposed fines and forfeitures by the unlawful and corrupted establishment!