

PRIVATE PROSECUTION SERVICE



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GENERAL PRIVATE PROSECUTION SERVICE (PPS) BRIEF

With supplemental(s) as issued

ON FAMILY LAW AND CRIMES and the need for a Private Prosecution Service

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PREPARED TO EXPLAIN: THAT BREACHES OF VARIOUS LAWS "UNDER THE COLOUR OF LAW" THAT OCCUR IN SECRECY OF UK FAMILY LAW SHOW THAT FAMILY LAW OPERATES SEPERATELY, APART FROM AND OUTSIDE OF REST OF THE "WHOLE BODY OF LAW" AND THE REASONS FOR THE LACK OF ACCESSIBLE REMEDY FOR ALL PRACTICAL PURPOSES.

COVERING OUTLINE BREACHES OF:

Criminal Law (Common and Statutory)

Case Law

Administrative Law (Court Proceeding Rules)

Children Acts

Common and Statute Law in General

Constitutional Law

International Law & Treaty

Others as applicable

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FAMILY LAW AND CRIMES

This brief deals with:

“Why crime and other breaches in family law are not dealt with in the UK and the vital need for the Private Prosecution Service to change the fact of crimes being committed under the colour of secret family law by enabling redress.”

This Brief has been formed “In Preparation for:”

1. On-going public information.
2. Claim of Right and Intervention in the House of Lords and Parliament for constitutional redress.
3. Selected Sample Private Criminal Prosecutions: Local Authorities, Judiciary, Police and others (including individuals in those organisations) to establish judicial evidential remedy.
4. Supporting lawful actions by other nationals/nations as they or their citizens may be affected to establish.
5. Assisting others who have claim to redress by establishing lawful remedy processes as a fact not theory.
6. Enabling the evidence of many to be in the public domain, not gagged by family law to evidence the common crimes and injustices as evidencing the need for fundamental reform and change in law and practice including the removing of the secrecy that protects the family law system and not as it says children.
7. Establishing the extent of breaches in law and the need for a process of national reconciliation rather than criminal remedy in all cases.
8. Other actions as needed.

Basis:

Crime is a public not a private “gagged” matter, in law any person (natural or artificial) may prosecute a crime as a private prosecution which is proceeded with in the name of the crown as Regina v xyz.

It is an accepted fact in law that no-one is above the law and that crimes are accountable under the law.

Distribution:

Her Majesty Queen Elizabeth
Houses of Parliament (Lords and Commons)
Members of the House of Lords (Temporal & Spiritual)
Members of Parliament
The Privy Council
The Prime Minister (First Lord of the Treasury)
The Treasury Solicitor
The Lord Chancellor
The Solicitor General
British Government (Various Departments and Ministers including:
 Home Secretary & Home Office
 Minister for and the Dept for Communities and Local Government
 Minister of Justice & Ministry of Justice
The Lord Justices & The Supreme Court
President and Members of The Family Division
Other Judiciary & Magistrates
Her Majesty's Court Service
ACPO
High Sheriffs
Chief Constables and Constabularies and Other Constables
Local Authorities & Elected Members
Commonwealth Heads of State
Commonwealth Senators
Other Non UK Leaders Embassies & Consulates
UK Family Movement (Consisting of Various Family Groups, Charities and
Associations)
Parents, Children & Other Family Members
The Press
The Public
Others

IMPORTANT NOTE

It is not a preposition of this brief that all working in the various areas covered are acting criminally but there is a culture that allows crimes to occur unchecked with no means for ordinary remedy. It is a preposition that many in family law know its shortcomings but are bound by its secrecy and a climate of fear of what will and does happen if they break that. This brief has been prepared with a knowledge and experience of many hundreds of cases and is based upon evidence in various forms.

It does not purport to be a comprehensive report covering all issues:

SOME INTRODUCTORY FACTS

1. No police force will act on a report from an individual unless, refereed by a judge, even though there is a duty to protect the public, even such as in a case of kidnapping by a local authority as mentioned in Parliament by an MP.
2. Judges do not refer crimes even though there is a duty to in civil cases, when crimes are brought to their attention.
3. Kenneth Harry "Ken" Clarke, QC, MP (born 2 July 1940) is a British Conservative politician, currently Member of Parliament for Rushcliffe, Lord Chancellor and Secretary of State for Justice, says there is nothing wrong.
4. The Association of Chief Police Officers (ACPO) brings together the expertise and experience of chief police officers from England, Wales and Northern Ireland, providing a professional forum to share ideas and best practice, co-ordinate resources and helps deliver effective policing which keeps the public safe *says "All reports of incidents, whether from victims, witnesses or third parties and whether crime related or not, will result in the registration of an incident report by the police. Following the initial registration, an incident will be recorded as a crime (notifiable offence) for offences against an identified victim if, on the balance of probability: the circumstances as reported amount to a crime defined by law; there is no credible evidence to the contrary."*
This is NOT HAPPENING IN FAMILY LAW MATTERS.
5. Tens of thousands of families in the UK have no redress or remedy to crimes against them and their families despite the requirement for them to be treated fairly under the law.
6. Judges routinely rule parents' independent evidence out of proceedings.
7. Court Experts do not follow the High Standards of their own profession regarding assessment criteria to be followed.
8. The UK Family Law System excludes consulates as a matter of course. It is unknown how many non-UK children have just disappeared. As far as their countries' authorities are concerned, never to be seen or heard of again.
9. MPs' duties are interfered with by family courts and Local Authorities to the extent of courts gagging parents from speaking with MPs which is in law "contempt of Parliament" and is imprisonable in St Stephens Tower Under the Tower Clock of parliament
10. Parents and others are threatened with and actually imprisoned for exposing crimes.
11. Parents have no right to natural guardianship of their children.
12. Press are gagged by the Law and the Courts.
13. David Cameron PM knows about it, even children being trafficked by Local Authorities and refuses to do anything.
14. Even kidnapping and adoption by fraud are OK. as long as Judges follow the correct procedure.

15. Crimes are public matters and cannot be gagged by UK Family Law Rules.
16. HHJ Plumstead specifically stated on the 15th March 2011 that a civil court does not have jurisdiction in criminal matters and that no one should interfere with an investigation. HHJ Plumstead stated that if there is evidence of crime, including perjury in court, it is a criminal offence and needs to be investigated by the appropriate authority(ies).
17. In Law a Private Prosecutor is, as in 16. such an authority.

Policing 1

Lord Denning, in his judgment in the case of R v. Metropolitan Police Commissioner ex parte Blackburn in 1968, that the doctrine of police independence found its most expansive and most often quoted modern expression:

"I hold it to be the duty of the Commissioner of Police, as it is of every Chief Constable, to enforce the law of the land. He must take steps so to post his men that crimes may be detected; and that honest citizens may go about their affairs in peace."

"He must decide whether or not suspected persons are to be prosecuted; and, if need be, bring the prosecution or see that it is brought; but in all these things he is not the servant of anyone, save of the law itself. "No Minister of the Crown can tell him that he must, or must not, keep observation on this place or that; or that he must, or must not, prosecute this man or that one. Nor can any police authority tell him so. The responsibility for law enforcement lies on him. He is answerable to the law and to the law alone." (R. v Metropolitan Police Commissioner at 769.)"

Private Prosecutions

It is though an unfortunate fact that the Crown Prosecution Service cannot prosecute on evidence from the public. So if the constabularies won't act, the only option is private prosecutions. However, it is common for private prosecutions to be administered out in magistrates court and for summons against officials to be refused, despite clear evidence and there being clear case law on the matter as follows:

Barry (R, on the application of) v Birmingham Magistrates Court [2009] EWHC 2571 (Admin)

Application for judicial review of refusal of district judge to issue a summons in a private prosecution under the Protection from Harassment Act. (In a private family law case) Application granted and matter sent for reconsideration.

LORD JUSTICE SCOTT BAKER
MR JUSTICE CRANSTON

EXTRACT

The Legal Framework

7. The issue of a summons is one means of initiating criminal proceedings. Under the Magistrates' Court Act 1980, section 1, on an information being laid before a justice of the peace that a person has or is suspected of having committed an offence, the justice may issue a summons directed to that person. The issue of a summons is a judicial function although it does not normally involve conducting any sort of preliminary hearing. It is a task which is often conducted in a straightforward manner. The discretion is not unfettered. The general principle is, as stated in Stone's Justices' Manual, that the magistrate ought to issue a summons pursuant to an information properly laid unless there are compelling reasons not to do so where, for example, there is an abuse of process or impropriety involved. There have been repeated statements by judges of this court that although justices ought to protect their process from abuse, they have no power to stay an otherwise regular prosecution.

9. Historically all prosecutions in England were private prosecutions. The vast majority now are instituted by public authorities, notably the Crown Prosecution Service. However the right to institute a private prosecution is retained in the Prosecution of Offences Act 1985, section 6 (1). Almost invariably, a private prosecutor will have a personal interest in the outcome of a case. That will be either an individual who seeks to use the criminal courts in a private dispute with other individuals, or in a case such as brought by the RSPCA, an interest group dedicated to suppressing certain forms of criminal behaviour. To say that such persons have a personal interest does not assume any lack of integrity or bad faith on their part.

10. There is high authority that a private prosecution is a valuable safeguard against misbehaviour by official prosecuting authorities (*Gouriet v Post Office Workers* [1978] AC 435, at 497 H to 498 B, per Lord Diplock). More recently however the House of Lords expressed greater scepticism about private prosecutions in *Jones v Whalley* [2006] UKHL 41, [2007] 1 AC 63, 9. Notably in that case Lord Rodger of Earlsferry said:

"24 Nowadays public prosecutions are the rule. So, usually, the court will be concerned to prevent its process being misused by a public prosecutor. But, in times gone by, when private prosecutions were the rule, the court must have had the power to guard against the corresponding danger of its process being misused by a private prosecutor."

Policing 2

It needs to be emphasised that there are constables and some senior ones that have told us:

- A. There are laws they do not take account of.
 - B. That they will not deal with certain crimes because they are too difficult.
 - C. Do not consider some crimes (as written) as crimes.
 - D. Are impinged by dealing with certain crimes by the judiciary.
 - E. Consider the Judiciary above the criminal law.
 - F. That unless a judge reports the crime they will not address a crime and presume that there is not one, even if a person tries to report one.
 - G. They don't know what to do but are just as concerned.
- (The above is not withstanding that unless you are involved in family law matters, you can have no understanding on what it really is or how it does or does not function.)

Coupled with the above is that any "reasonable person" would presume/assume that there is a policy within all police forces, albeit an unwritten one, that certain crimes cannot be properly reported and will not be acted upon and investigated, so after trying they no longer bother even though crimes are still being committed.

There is plenty of evidence of this, so it can only be resumed that one or more of the following exists:

- I. Improper control of policing by others.
- II. Improper control of constables by the constabularies.
- III. Improper support of constables by the constabularies.
- IV. A lack of education and training on the roles and responsibilities of constables and Chief Officers.
- V. A lack of understanding of the independence of constables from the judiciary.
- VI. A lack of understanding of oath or breach of it by constables/constabularies.
- VII. A lack of being able to detect crime due to the secrecy extending to prevent constables dealing with crime.

- VII. Ignorance.
- VIII. A complete mitigation of the above by Lord Denning.

The Constable

Police Constables hold a common law office. The public pay the police to do a job, as a matter of convenience, which is actually everyone's duty, "the police are the public and the public are the police" any person can detect crime and we merely rely on the police to do this with our assistance. But how can crime be properly detected and prosecuted in a secret system that the police will not take reports on and in that case the CPS cannot prosecute and that individual private prosecutions are refused it would appear as a matter of course and no other authority will act upon regarding what are serious white collar crimes.

Cooperation with a Private Prosecution Service

However, ACPO The Association of Chief Police Officers has recently said to the writer:

"I have spoken today with Deputy Chief Constable Paxton of Staffordshire Constabulary who leads the ACPO Crime business area for Crime Recording who is more than happy to discuss the crime reports that you mention with you and any supporting evidence that you may have."

Maybe the beginning of the cooperation between the Private Prosecution Service and the Police?

PPS
PEACE OFFICERS

However the PPS is setting up a Peace Officer Corp until these policing issues are resolved

WANTED “PEACE (Constables) OFFICERS”
For Prosecutions



With the Launch of The **Private Prosecution Service (PPS)** on the 1st August 2011 the PPS is looking to form a “Peace Officer Division” formed of currently serving and ex police constables as a part of the PPS Crime Detection, Investigation and Case Prosecution Service:

Note: The PPS is proud to announce is has engaged its 1st Police Trained and Currently Warranted Constable as a PPS “Peace Officer” on the day of launch.

Policing Background

Historically in England Constables were elected by a community as Constables to serve their community and the Office of Constable is an ancient one in common law. Based the common law PPS can and will contract (aka elect) Serving and Ex Service Constables to act as Peace Officers as the common law allows that.

Every Constable swears an oath as an individual

“I... of... do solemnly and sincerely declare and affirm that I will well and truly serve the Queen in the office of constable, with fairness, integrity, diligence and impartiality, upholding fundamental human rights and according equal respect to all people; and that I will, to the best of my power, cause the peace to be kept and preserved and prevent all offences against people and property; and that while I continue to hold the said office I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law”

As Constables we would not wish to interrupt any duties they undertake with any constabulary or any obligations they have under law but as individual constables their oaths means they hold office on or off duty and as the PPS is involved in the detection and prosecution of crime we can in law call upon the oath for assistance on a volunteer elective manner from constables.

The need for PPS Peace Officers

In law the "Police are the Public and the Public are the Police" we merely employ constables and give them extra powers to do the job for us but it is a public duty of all to assist in the detection and prosecution of crime and for these ends that the CPS as a prosecuting authority was set-up with the formation of the Peace Officer division to deal with crimes that are not currently dealt with.

PPS requires the skills of Peace Officers to deal with significant crimes not currently being address by constabularies or the CPS.

The PPS is a prosecuting authority in law, before the existence of the Crown Prosecution Service all prosecutions were private ones and constables would have, as they can do in law now, investigate and provided evidence in such proceedings.

This is beyond being a "private investigator", (which we will also have and beyond being like public informers on crime which we also have and beyond being like public informers on crime), as the Peace Officer would be acting with and for a Prosecuting Authority, the "PPS", we need Peace Officers who have police skills to:

1. Investigate
2. Interview Victims and Witnesses
3. Collect & Collate Evidence
4. Take Victim & Witness Statements
5. Protect victims and witnesses
6. Provide Personal Evidence Statements
7. Give Evidence in Court

The above are needed so that matters are brought to court under police level standards to enable the quality of prosecutions to be high in what are high profile cases with significant public interest.

Wanted

The PPS seeks both serving constables (including specials) and ex police officers, including those with specialist skills, to be volunteer PPS Peace Officers who are willing to be involved in the PPS Peace Officer Corp to help *"prevent all offences against people and property"*

A Warranted Serving Constable would not be precluded or prevented from acting upon crimes that oath requires including the making of arrests. And the PPS understand that constables on duty should not have those duties interrupted.

We have the need of Peace Officers Nationwide: England, Scotland, Northern Ireland and Wales as the criminal matters we are dealing with are spread across the nation.

Foreign Police officers

We can also engage non UK Police and Ex Police Police Officers as "Peace Officers" who would work alongside our UK Peace Officers to gain an understanding of UK Law and Procedures.

We can also, as a prosecuting authority work with non UK agencies and receive and provide evidence in the detection of both crimes against UK and Non UK Citizens where there is an international element.

Where conducive and desirable the PPS can accept secondment to the UK to be a part of the PPS Peace Officer Division of Currently Serving Non UK Officers or from the PPS Peace Officer Division abroad to assist in the detection and prosecution of crime. (Subject to any authorisation they may require from their own police or other authority and any visa requirements as a visitor to the UK).

We can also consider non UK ex police officers.

The status of all the above, as Non UK officers, would be as PPS Peace Officer investigators as they would not have either current or previous warranted constable status under UK law, but being police trained their skills and evidence would hold more status than an ordinary person in the UK in a court of law.

The Beginning

The PPS is proud to announce is has engaged its 1st Police Trained and Currently Warranted Constable as a PPS "Peace Officer" who is already engaged in dealing with a significant investigation prior to prosecution.

We need more and especially those with refined victim and witness interview, investigation and case building skills.

We are also seeking a retired senior officer or detective to head up the "Peace Officer Division" some one who believes that they have a lot more they would like to do in public protection.

We believe that the Peace Officer Division will offer satisfying work in detecting and prosecuting complex crime and that for service officer will assist with promotion prospects.

Applying to be a PPS Peace Officer

Applications should be by letter of interest and brief CV and a one paragraph why you would wish to be a Peace Officer and if you wish, what you think you might get out of being one and what you would bring to the Public Protection Work of the PPS .

Please send this Attention: Director Of Prosecutions (With your contact details)

To: NewPeaceOfficer@prosecutionservice.org

All work as a Peace Officer would be on a volunteer basis.

Who is allowed to know?

Who is allowed to know what goes on in family law cases?

Strangely it is a fact that Harriet Harman as a previous Minister of State in the Department for Constitutional Affairs with responsibilities including constitutional reform, legal aid and court processes and she represented Lord Falconer in the House of Commons on the frontbench said

"Even I am not allowed to know what goes on in Family Law Cases"

The operative word here is "cases", no one except those directly involved is allowed to know what goes on in cases. The excuse is to protect the children and the families, even when there are crimes, the police and others are currently not allowed access to know and even when the children and families want that, the secrecy hides at its worst crimes and other injustice.

One government minister in private conversation when the issues were raised with him by a constituent said "That would open up a can of worms" which he was not willing to do.

All the above imply that family law is not currently subject to even the law, Police, Government or even Parliament in the way that it operates and "Reason Enough Alone for a Parliamentary Enquiry".

Family Law is not a part of the rest of the Law!

It would appear as a current fact that:

Family Law operates entirely separately and apart from the rest of the body of the law and is not subject to it and crimes in it cannot currently be prosecuted!

"Justice is itself the great standing policy of civil society; and any eminent departure from it, under any circumstances, lies under the suspicion of being no policy at all." Edmund Burke

In fact, this has been stated in a refusal for a Private Prosecution refusal Judgement in Wakefield, despite the fact the Judge in Magistrates said in the judgement there were clear crimes by the local authority social services! That may be what is practiced but it is not a fact in law, for no-one is above or beyond the law in law.

But as a private prosecution service would be a professional service that is not bound by the limits on the Crown Prosecution Service, it can as a prosecutor take information, investigate and prosecute crimes and is protected from interference by law and statute, no one at any level, public or private, can improperly interfere with criminal matters; as to do so is a crime, as it would be to interfere with the victims and witnesses and this includes family law judges that might try to gag an investigation and prosecution. They would be outside of their jurisdiction and may commit an offence to try and do so.

Intimidation and interference with witnesses is covered by both Common and Statute Law and Crimes are a public not a private matter.

A Private Prosecution Service has the ability in law to address crimes in family law by "any one" individual or body corporate and overcome the secrecy, provided it operates within the full body of law and statute that are required for crimes to be addressed. It can seek and give assistance from/to any

quarter that law allows, including assisting foreign governments and foreign nationals in the lawful protection of its citizens as well as its own in the UK bounded only by law.

As our constables are common law officers who are just like us but with extra powers, the Private Prosecution Service can co-operate with them and they with the service. In terms of being a prosecutor, the Private Prosecution Service would and has to operate like any constable and Crown Prosecutor as the fundamentals are rooted and governed by both common and statute law that all must respect.

The preceding issues would imply that family law is not currently subject to law or even Police, Government or Parliament. In the way that it operates, it appears as a private fiefdom of the Judiciary and Reason Enough Alone for A Parliamentary Enquiry. But without that a Private Prosecution Service may act entirely on its own lawful initiative. The Private Prosecution Service is in law a prosecuting "Authority" because the law allows it to be one.

Our common law system requires that fairness as embodied in and founded in Magna Carta 1215 (The 1297 version, with the long title originally in Latin) **The Great Charter of the Liberties of England, and of the Liberties of the Forest**, still remains on the statute books of England and Wales and the Private Prosecution Service would seek to reintroduce this to family and other law areas as required, by addressing key issues such as crime. The key section is as follows:

<http://www.legislation.gov.uk/aep/Edw1cc1929/25/9/contents>



Magna Carta (1297)

1297 CHAPTER 9 25 Edw 1 cc 1 9 29

XIX2

THE GREAT CHARTER OF THE LIBERTIES OF ENGLAND, AND OF THE LIBERTIES OF THE FOREST; CONFIRMED BY KING EDWARD, IN THE TWENTY-FIFTH YEAR OF HIS REIGN.

XXIX

NO Freeman shall be taken or imprisoned, or be disseised of his Freehold, or Liberties, or free Customs, or be outlawed, or exiled, or any other wise destroyed; nor will We not pass upon him, nor [~~X1~~ condemn him,] but by lawful judgment of his Peers, or by the Law of the Land. We will sell to no man, we will not deny or defer to any man either Justice or Right.

XI

Variant reading of the text noted in The Statutes of the Realm as follows: deal with him.

The 1215 Charter required King John of England to proclaim certain liberties, and accept that his will was not arbitrary, for example by explicitly accepting that no "freeman" (in the sense of non-serf) could be punished except through the law of the land, a right which is still in existence today. All those who are voters would be considered "freeman" in law today (and this would include members of the commonwealth (and others) who are resident in the UK.

Lord Denning described it as "the greatest constitutional document of all times – the foundation of the freedom of the individual against the arbitrary authority of the despot". In a 2005 speech, Lord Woolf described it as "first of a series of instruments that now are recognised as having a special constitutional status", the others being the Habeas Corpus Act, the Petition of Right, the Bill of Rights, and the Act of Settlement.

It is the well-spring of modern concepts of free speech, free association, the right to petition government for redress of grievances, the right to due process according the law of the land, to public and impartial trial at the hands of one's peers, the right to travel freely in time of peace, and perhaps most important of all, recognition that even the sovereign is subject to the law of the land. It was and remains one of the 1st and probably most important "Human Rights acts" that we should all own and seek to be upheld by all.

Judges sit in Judgement in the place of the Monarch, the courts are Her Majesties courts administered under the law of the land (common law and statutes) but they only have the authority given to them by the law and as recently said by a Senior English Judge whilst visiting the Judiciary of an ex eastern block country, Judges should be and are subject to the Criminal Law.

The all officers of the court swear oaths, this includes in family law all: Judges, Constables, Solicitors, Barristers, CAF/CASS Officers, Guardians and others including some Social Workers:

These Oaths are in substantial part founded on the Magna Carta and the Monarch's Oath supplemented by various enactments.

Oaths as the Basis of Upholding the Law

(Based upon 1215 Magna Carta)

Coronation ceremony of 2 June 1953

In the Coronation ceremony of 2 June 1953, one of the highlights was when The Queen made her Coronation Oath (taken from the Order of Service for the Coronation).

The Queen having returned to her Chair, (her Majesty having already on Tuesday, the 4th day of November, 1952, in the presence of the two Houses of Parliament, made and signed the Declaration prescribed by Act of Parliament), the Archbishop standing before her shall administer the Coronation Oath, first asking the Queen,

Madam, is your Majesty willing to take the Oath?

And the Queen answering,

I am willing.

The Archbishop shall minister these questions; and The Queen, having a book in her hands, shall answer each question severally as follows:

Archbishop. Will you solemnly promise and swear to govern the Peoples of the United Kingdom of Great Britain and Northern Ireland, Canada, Australia, New Zealand, the Union of South Africa, Pakistan, and Ceylon, and of your Possessions and the other Territories to any of them belonging or pertaining, according to their respective laws and customs?

Queen. I solemnly promise so to do.

Archbishop. Will you to your power cause Law and Justice, in Mercy, to be executed in all your judgements?

Queen. I will.

Archbishop. Will you to the utmost of your power maintain the Laws of God and the true profession of the Gospel? Will you to the utmost of your power maintain in the United Kingdom the Protestant Reformed Religion established by law? Will you maintain and preserve inviolably the settlement of the Church of England, and the doctrine, worship, discipline, and government thereof, as by law established in England? And will you preserve unto the Bishops and Clergy of England, and to the Churches there committed to their charge, all such rights and privileges, as by law do or shall appertain to them or any of them?

Queen. All this I promise to do.

Then the Queen arising out of her Chair, supported as before, the Sword of State being carried before her, shall go to the Altar, and make her solemn Oath in the sight of all the people to observe the premises: laying her right hand upon the Holy Gospel in the great Bible (which was before carried in the procession and is now brought from the Altar by the Archbishop, and tendered to her as she kneels upon the steps), and saying these words:

The things which I have here before promised, I will perform and keep. So help me God.

Then the Queen shall kiss the Book and sign the Oath.

The Queen having thus taken her Oath shall return again to her Chair, and the Bible shall be delivered to the Dean of Westminster.

The Oaths of Allegiance (Judicial or Official Oaths)

The Oath of Allegiance has its origins in the Magna Carta, signed on 15 June 1215.

Once the terms had been finalised on 19 June, the rebels again swore allegiance to King John. The later Bill of Rights (1689) included the Oath of Allegiance to the crown, which was required by Magna Carta to be taken by all crown servants and members of the judiciary.

The Names of the Magna Carta Surety Barons.

- William d'Aubigny, Lord of Belvoir Castle.
- Roger Bigod, Earl of Norfolk and Suffolk.
- Hugh Bigod, Heir to the Earldoms of Norfolk and Suffolk.
- Henry de Bohun, Earl of Hereford.
- Richard de Clare, Earl of Hertford.
- Gilbert de Clare, heir to the earldom of Hertford.
- John FitzRobert, Lord of Warkworth Castle.
- Robert Fitzwalter, Lord of Dunmow Castle.
- William de Fortibus, Earl of Albemarle.
- William Hardell, **Mayor of the City of London.
- William de Huntingfield, Sheriff of Norfolk and Suffolk.
- John de Lacie, Lord of Pontefract Castle.
- William de Lanvallei, Lord of Standway Castle.
- William Malet, Sheriff of Somerset and Dorset.
- Geoffrey de Mandeville, Earl of Essex and Gloucester.
- William Marshall Jr, heir to the earldom of Pembroke.
- Roger de Montbegon, Lord of Hornby Castle, Lancashire.
- Richard de Montfichet, Baron.
- William de Mowbray, Lord of Axholme Castle.
- Richard de Percy, Baron.
- Saire/Saher de Quincey, Earl of Winchester.
- Robert de Roos, Lord of Hamlake Castle.
- Geoffrey de Saye, Baron.
- Robert de Vere, heir to the earldom of Oxford.
- Eustace de Vesci, Lord of Alnwick Castle.

(Note: The writer who has sworn an oath of allegiance to Her Majesty, is a direct descendent of the above Saire/Saher de Quincey, 1st Earl of Winchester as his 24 times great grandson and so makes all claims of right thereto but specifically for the Magna Carta to be upheld and the right to "SEE" that justice is done in the areas herewith contained with the right to all lawful remedies ancient and modern.)

The Oath of Allegiance

(Judicial or Official Oath) is a promise to be loyal to the British monarch, and her heirs and successors, sworn by certain public servants in the United Kingdom, and also by newly naturalised subjects in citizenship ceremonies. The Victorian promissory oaths of allegiances, are set out in the Promissory Oaths Act 1868 in the following form:

- The original **oath of allegiance** as set out in the 1868 Oaths Act:

" I, (*Insert full name*), do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, her heirs and successors, according to law. So help me God. "

- The original **oath of office** as set out in the 1868 Oaths Act:

" I, (*Insert full name*), do swear that I will well and truly serve Her Majesty Queen Victoria in the office of (*Insert office of*). So help me God. "

- The original **judicial oath** as set out in the 1868 Oaths Act:

" I, (*Insert full name*), do swear that I will well and truly serve our Sovereign Lady Queen Victoria in the office of (*Insert judicial office of*), and I will do right to all manner of people after the laws and usages of this realm, without fear or favour, affection or ill will. So help me God. "

- The current **oath of allegiance** is set out from the Promissory Oaths Act 1868 in the following form:

" I, (*Insert full name*), do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors, according to law. So help me God.

Judges and Magistrates Oaths

Judges and magistrates on being sworn in, are required by various statutes to take two oaths: the oath of allegiance and the judicial oath, (collectively; the judicial oath).

Judges of Hindu, Jewish, Muslim and Sikh religions can omit the words "I swear by Almighty God" and replace it with an acceptable alternative.

Judges' first Oath of Allegiance:

I... do swear by Almighty God that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, her heirs and successors, according to law. So help me God.

Judges' second Judicial Oath:

I... do swear by Almighty God that I will well and truly serve our Sovereign Lady Queen Elizabeth the Second in the office of..., and I will do right to all manner of people after the laws and usages of this realm, without fear or favour, affection or ill will. So help me God.

Magistrates' first Oath of Allegiance:

I... swear that I will well and truly serve our Sovereign Lady Queen Elizabeth the Second, in the office of Justice of the Peace and I will do right to all manner of people after the laws and usages of the Realm without fear or favour, affection or ill will.

- On 1 November 2010, in an official ceremony at Swansea's magistrates' court in Wales, ten trainee magistrates were the first magistrates in the United Kingdom, to swear their oath of allegiance to the Queen – "**and her heirs**". These new magistrates, being trained by senior legal adviser; Jim Hehir, the Justices Clerk for West Glamorgan, are expected to be sitting in courts in Swansea, [Neath](#) and Port Talbot from January 2011 onwards.

Magistrates second Judicial Oath:

I... do swear that I will well and faithfully serve in the office of... and that I will do right to all manner of people without fear or favour, affection or ill-will according to the laws and usages of this realm.

Judicial oaths are enshrined in a number of statutes

- The Lord Chief Justice, Master of the Rolls, President of the Queen's Bench Division, President of the Family Division and the Chancellor of the High Court - s.10 Supreme Court Act 1981
- Puisne Judges of the High Court - s.10(4) Supreme Court Act 1981
- Circuit Judges and Recorders - s.22 Courts Act 1971

- Recorder of London - Promissory Oaths Act 1868 Schedule Pt II
- District Judges - s.76(1)(a) of the Courts and Legal Services Act 1990
- Justices of the Peace - Promissory Oaths Act 1868 Schedule Pt II

Police Officers Oath

England and Wales:

I of do solemnly and sincerely declare and affirm that I will well and truly serve the Queen in the office of constable, with fairness, integrity, diligence and impartiality, upholding fundamental human rights and according equal respect to all people; and that I will, to the best of my power, cause the peace to be kept and preserved and prevent all offences against people and property; and that while I continue to hold the said office I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law.

There are within the whole framework family law in relation to the above and the body of law and statute as a whole substantial breaches of oath including breaches of administrative civil and criminal law by the judiciary on down including in some cases breaches of nearly and every single right under magna carta (section 1297 s 29) and particular note should be taken of bit which says "or be outlawed" which can be interpreted as made outlaw or put outside the law.

If Family Law operates outside the whole body of the law and is not subject to it not only are its people "outlaws" but people brought into family law are made outlaw or become outside of the protection of the law in essence held captive to a secret system that operates separately from and only under the colour of law.

The Magna Carta gave protection to the rights of the nobles and common subject/subject/citizenry alike to be free of arbitrary actions against their persons or property by their sovereign or their agents. It has come to be recognized as the cornerstone of liberty and justice in the western world and it must be seen as an abomination to our great history that such a state of affairs exists as it does in family law under the cover of its secrecy.

A secrecy that exists despite the public interest imperatives and despite the fact of victims of crime within it wanting exposure. And despite foreign leaders becoming increasingly outraged by its excesses regarding their citizens treatment.

High Sheriffs

Another important oath taker is that of the High Sheriffs of England and Wales.

The High Sheriffs have one of the Highest legal posts in each county and although considered ceremonial it is far from exclusively so and it maybe that Sheriffs hold the key to dealing with some of the issues:

General the High Sheriff is to:

- **To uphold and enhance the ancient Office of High Sheriff and to make a meaningful contribution to the High Sheriff's County during the year of Office**
- **To lend active support to the principal organs of the Constitution within their county – the Royal Family, the Judiciary, the Police and other law enforcement agencies, the emergency services, local authorities, and church and faith groups**
- **To ensure the welfare of visiting High Court Judges, to attend on them at Court and to offer them hospitality**
- **To support the Lord-Lieutenant on royal visits and on other occasions as appropriate**
- **To take an active part in supporting and promoting the voluntary sector and giving all possible encouragement to the voluntary organisations within a County.**

And in fact Sheriffs have many powers

Sheriffs Act 1887

<http://www.legislation.gov.uk/ukpga/Vict/50-51/55/contents>

Powers of sheriff for posse comitatus.

F1(1).

(2)If a sheriff finds any resistance in the execution of a writ he shall take with him the power of the county, and shall go in proper person to do execution, and may arrest the resisters and commit them to prison, and every such resister shall be guilty of a misdemeanor.

Liability for Escape.

(1)If a person in the custody of the sheriff or any of his officers or of any other person, either in execution or for non-performance of a judgment or order of the High Court, or for contempt of that court or otherwise in

the course of a civil proceeding, escapes out of legal custody, such sheriff or other person shall be liable to pay the damages sustained by the person at whose suit such prisoner was taken into custody, and all costs of any action or other proceeding to recover the same, but not any further sum.

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Sheriffs are in effect responsible officers of the law with jurisdiction in many matters including contempt of court, including one would presume over a judge who is in contempt of their own court, a recently communication with a High Sheriff might put this in some context as their assistance was sought by a third party in just such a matter:

Dear High Sheriff of XYZ
Name

(and person in sheriff's office)

I would not normally intervene in some one else's conversation that they have copied me into, however I feel I must on this occasion as it is for some of the reasons outlined to you that the Private Prosecution Service has been setup and I believe it appropriate to provide some information and background in regard to that and the matters raised with you.

I am appalled at the number and extent of crimes, within the strict definition crime in both common law and statutes, that I am seeing being committed under the "colour" of secret family law and for all practical purposes a system of law that operates apart from, separate and unaccountable from the rest of the body of the law in our county.

I am not some revolutionary or agitator, I am an oath sworn loyal subject of Her Majesty, but when I see things that include even a Mr Justice before my very eyes, in my role as a litigation friend, knowingly agreeing to an adoption by fraud, seeing local authorities employing criminal thug tactics and as you might see from the below a whole host of crimes being committed that are entirely unaccountable I do know my public duty, and I hope I might encourage you in the same especially in regard to you high office.

http://www.whatdotheyknow.com/request/is_there_a_policy_to_not_deal_wi

I have "tried" to report these types of crimes and I would ask you to note a part of the reply to the above as follows

"Deputy Chief Constable Paxton of Staffordshire Constabulary who leads the ACPO Crime business area for Crime Recording who is more than happy to discuss the crime reports that you mention with you and any supporting evidence that you may have."

I have not had a reply from the Prime Minister/Cabinet office as yet

http://www.whatdotheyknow.com/request/is_the_gov_going_to_resolve_the

I am aware however as are an increasing number of foreign leaders that regarding their citizens and their children that not only is UK law being breached, including criminal law, but also international law and treaty.

1. It is clear in international law that the state has fixed legal responsibility for the violation of international obligations as a state responsibility
2. This includes responsibility for injury to foreign nationals
3. State responsibility occurs when an organ of state violates an international obligation
4. A state is fixed with responsibility when there is an unlawful act or omission attributable to the state
5. A state is responsible for the activities of all its organs this includes organisations or individuals acting for the state (this would include local authorities and those acting for it)
6. Breach of international obligation gives rise to reparation obligations
7. Obligation and international responsibility can also occur by reason of denial of justice and due process including in respect of a legal dispute whether civil or criminal
8. There are clear legal obligations in both domestic and international law as a consequence

In regard to the above there is no one in any official authority or even as just a subject/citizen that does not have duties to protect especially foreigners but also UK Nationals. Will there be foreign nationals in South Yorkshire that have had injuries (crimes committed against them by court officers) in family law covered by the above? I do not doubt it and I am sure given the very wide network I have that I could find some.

Whilst the matter raised with you does not involve the above international issues they do raise what are the very careful consideration that needs to be given by those in authority and high office as to what their obligations might be even in just domestic law.

It is an established fact that in English Law at least "the Police are the Public and the Public are the Police" but that we pay a professional police force to do the job for us, but in family law they do not do so.

I do note that many of the duties of High Sheriffs are delegated but that does not negate that they are delegated under the Lawful Authority of Sheriffs and that Sheriffs are now there for extraordinary circumstances as a constitutional protection to the crown and its officers and the people not just for ceremony, it is one of the most important of constitutional offices in the country as a safeguard, the fact that those safeguards have had to be little used does not derogate from the if needs be responsibility and authority. Lending active support being a very wide brief indeed.

Might I give you an example regarding another local authority, many of them seem to follow the same patterns of unlawful threats so I doubt that this is not also in other ways not relevant to your county as it would appear to so be. I have had personal discussion with an elected member of a county, who realised that things were not right, she used the words (administrative) kidnapping regarding her own local authority children's services and started

to investigate, only to have a social worker approach her and say and I quote "If you go any further, we will take your kids", she is prepared to put this in an sworn oath.

Tim Yeo MP in an adjournment debate raised the issue of kidnapping by Suffolk county council and I am highly familiar with the case and it is "kidnapping and adoption by fraud", with judiciary including a Justice involved. Suffolk Police has refused to investigate.

It is my intention to raise these issues with a number of Sheriffs as high officers of the law, already two MP's are seeking evidence, which must be collated to criminal standards, so they can call for a parliamentary enquiry to what is hidden rampant crime protected by the secrecy of family and affecting tens of thousands of people and costing the treasury a lot of money, I also have entry for an intervention in the house of lords.

The gagging issues raised in the HOC is about these issues. Constituents being barred under penalty of contempt court and prison from talking with their MPs (or anyone else), which is Contempt of Parliament and imprisonable

There is a building consensus across many quarters at every level in our country, not just in the UK, that the excess's that occur, will be a far bigger scandal than the MP expenses, Baby P or even the phone hacking matters as they are issues that affect the very tenants of what is believed to be a civil society and how certain authorities should not act as it contravenes the law.

If I might add, I am informed that there are even local authorities secretly and protected by the family secrecy, trafficking children out of the UK and I am advised that now the PPS is setup we will be provided with the evidence from authorities abroad.

PPS has been setup to deal with the most serious cases where there is sufficient evidence

It may be that we would need to seek the assistance of the High Sheriff in South Yorkshire at some point, as has Ms Watson, we are certainly going to need to in other areas of England and Wales, so that the law may be properly upheld. I am perfectly happy that you might share my email with others as you choose and I enclose for yours and others information as a part of our launch a call for "Peace Officers." Hopefully you will understand the lawful and legal framework although there is a much more in depth brief in preparation which I am happy to send to you when it is completed

I am aware that you are a part of Association of High Sheriffs in England and Wales that you may wish to consult/advise the other Sheriffs, generally and as it may be that we would, as looks likely, at times be prosecuting members of the Judiciary and that Sheriffs have welfare duties to certain Judges and we would support this entirely, I would like it noted for the record that any such actions against Judges would be done properly within both the letter and spirit of the law and with out malice and in accordance with proper criminal court procedures. We would as a matter of courtesy expect to inform the High Sheriff if any such action is being taken against any Judge in their area and engage with them should they require.

I welcome any enquiry(ies)/questions you or any other, including High Sheriff might have.

Paul Randle-Jolliffe Esq
DIRECTOR OF PROSECUTIONS
PRIVATE PROSECUTION SERVICE
<http://prosecutionservice.org/>

Equality of Arms

The court system is supposed to operate under the principle of equality of arms (**Equality of arms** – neither party in either civil or criminal trials should be procedurally disadvantaged.) However in Family Law one side cannot help be so disadvantaged

Quotes regarding Actual Family Law Cases

“Facts Don’t Matter” (Facts don’t matter in Family Law! What does matter then?)

Mr Justice “The Lower Court Judge was right to rule out the medical evidence to protect the integrity and reputation of the Court Expert” (The evidence that proves the mother did not abuse a child was not provided to the expert it was ruled out resulting in a Fraudulent Adoption that everyone in the proceedings is complicit in)

Judge “Adoptions cannot be overturned even if they are as a result of Fraud” (actions or gains as a result of fraud would not be acceptable in any other area of law)

Father “Neither the Mother, nor her solicitor, nor the Police, nor the Local Authority nor the School respect (or abide by) court orders”! Judge “Yes I know” Then she just moved on. (It is common practice for others to support the breach of family court orders)

Father “It is not a principle in law that a civil procedure should be undermined by fraudulent criminal applications/acts” Judge “Yes I see what you mean. I will order a finding of fact to be conducted by another Judge ” He did so but the other Judge ruled that the timescales to be considered cut out the initiating fraudulent criminal acts.

Judge “The DNA evidence is faked” Without any evidence or even check on its source or veracity. He just decided in his own mind.

The court decided to rule out two expert reports that showed the mother did not have personality disorder and instead chose the one that said she has a serious personality disorder.

Families are not allowed to present their own independent medical and other evidence and witnesses (including experts) only those approved by the court.

Criminal Harassment

There are numerous cases in both private and public family law of parents being bullied (criminally harassed) or induced to agree to things they do not have to, some examples:

Protection from Harassment Act 1997

(as amended by *s125 Serious and Organised Crime Act 2005*.)

s1 Prohibition of harassment.

(1) A person must not pursue a course of conduct-
(a) which amounts to harassment of another, and
(b) which he knows or ought to know amounts to harassment of the other.

(1A) A person must not pursue a course of conduct -
(a) which involves harassment of two or more persons, and
(b) which he knows or ought to know involves harassment of those persons, and
(c) by which he intends to persuade any person (whether or not one of those mentioned above)-
(i) not to do something that he is entitled or required to do, or
(ii) to do something that he is not under any obligation to do

CAFCASS Guardian and Children's solicitor out side of the court in the foyer prior to hearing bullying for five hours to accept the particular appointment of their chosen expert when there was no requirement in law to do.

It is common place for parents to be forbidden to record (video/audio) in family law settings, especially by social workers, but many have learnt to do this to protect themselves (often to late) even when unlawfully threatened, if they do and in fact the policy of most socials depts and child contact centres in the UK breach criminal law with a stated or written policy of no audio/video in meetings/assessments and contact and in contact centres parents are required to sign contracts to that effect with sanctions for breach under the given impression they are in some way required to by law.

There is law that requires informing others of recording if it is by an organisation, but there is no law requiring "a person" to inform or seek permission or by which they can be forbidden from making audio/video in matters to which they are involved even covertly (except in courts of law and places like military establishments) and this has been upheld by courts of law including family courts.

Numerous cases of if you leave your Husband (when there is no reason to) you can keep your child only for that, the return, not to happen as the social services have gain care by gift.

In family law there are many instances of induced, with promises/threats, contracts, written and otherwise, with parents that breach the general duties regarding contracts, (contracts being void if agreed to or signed under duress) and under common law and statute law regarding performance and statute for instance in regard to negligence:

Unfair Contract Terms Act 1977

1977 CHAPTER 50

An Act to impose further limits on the extent to which under the law of England and Wales and Northern Ireland civil liability for breach of contract, of for negligence or other breach of duty, can be avoided by means of contract terms and otherwise, and under the law of Scotland civil liability can be avoided by means of contract terms.

(1)For the purposes of this Part of this Act, "negligence" means the breach—

(a)of any obligation, arising from the express or implied terms of a contract, to take reasonable care or exercise reasonable skill in the performance of the contract;

(b)of any common law duty to take reasonable care or exercise reasonable skill (but not any stricter duty);

In particular such contracts that are breached in many instances become under common and statute law crimes as there is demonstrably no intention to honour the contract for instance in children's services:

"We will look after your child to give you rest bite for x weeks then they can come back" (A voluntary care arrangement)

"If you leave your husband/wife you can keep your child(ren) and if you sign a contract agreeing to that we will return them."

In any normal social environment complaints are acted upon when made, but in family law even highly serious complaints like crimes are ignored if a court is breaking its contractual and legal obligations, if CACASS breaches it obligations, the common response is that it cannot be dealt with until at least after the case has concluded, some take many years before they do.

Parents and others can be stuck in a system that they have no effective remedy for and even when the case concludes they can be out of time to complain, they cannot complain in proceedings or after them, is that justice?

Kidnapping through force or fraud

Title: Offences against the person

Offence: Kidnapping - False Imprisonment

Legislation: Common law

When the contract is breached and the parent objects and refuses to cooperate any further this non cooperation and in many instances other allegations are used to justify keeping the child and even as a reason for adoption on the basis that the parent cannot be rehabilitated. Such frauds are commonplace that fit the definition of "Kidnapping through Fraud".

But there are also other Kidnap and adoptions through frauds that are evident within family law with officials complicit at all levels even senior judiciary. Even ones known by MP's and yet the police and legal system ignore these.

There is a case of one family who are not UK Citizens they are not even in the UK and a judge has ordered that they are the children of a person that is not their biological parent and even ordered that the mother is married to the non father even though no ceremony has taken place, there have been attempts at rendition of the children to the UK and they are currently under the full time protection of another government.

Core Problems in Family Law

There are particular problems in family law in that no "Natural Parent" has the legal right to be the "guardian" of their natural child and once a child is a part of the family law system the state is the sole arbiter of where the child shall live and who they shall be cared for.

The final nail for natural guardianship of parents was put death in a corner of the Children Act 1989.

"The rule of law that a father is the natural guardian of his legitimate child is abolished". – Children Act 1989, Part 2 (4).

And given the fact that mothers are not and have never been the natural guardians of their children in law no parent is a natural guardian of the

children.

One of the effects resulting is 80% of fathers losing contact with their children inside two years after divorce and separation one of the primary causes of what has become to be known as and give that many fathers have more than one child.

It was the intention in private family law under the Children Act 1989 that shared parenting orders would be the norm, but it would appear that small vested interest groups have managed to influence the judiciary and others like CAFCASS such that it is a rarity.

David Cameron says in regard to private family law "We need a shared parenting culture." But despite promises to many before the last general election he has refused to back this by law.

Kenneth Harry "Ken" Clarke, QC, MP (born 2 July 1940) the British Conservative politician, currently Member of Parliament for Rushcliffe and Lord Chancellor and Secretary of State for Justice said publicly in regard to family law in the UK to the effect of "there is nothing wrong and that the "Family Justice Review" (FJR) is addressing some issues."

However despite the evidence given to the contrary including raising the issue of crimes in family law as well as the devastation to families, the FJR review, composing only those involved in family law, which given the enclosed is a bit like getting the criminals to give evidence on their own crimes, it is hardly surprising the FJR has been highly selective in its report including citing selective research only that fits maintaining the status quo with some for financial reason only adjustments

To change this we need a change in law the effect of

"It is the rule of law that parents are the natural guardians of their children including after divorce/separation and that shared residence and parenting shall be a rebuttal presumption in law as the right of the child except where good cause shall be adequately and evidentially demonstrated that this puts a child at risk, in both public or private law, in the absence of any parent(s) for unfitness or for other reasons the missing or excluded parent's parents, (the children's grandparents), shall become the natural guardian(s) of their child's children and in any case children shall have the right to know and maintain family ties and care of grandparents in both public and private law except where good cause shall be adequately and evidentially demonstrated that this puts a child at risk."

"Children of separated parents shall enjoy the right of equal shared residence with their natural guardians and the right to equal shared parenting time within a shared parenting contract either by agreement of their natural guardians or by order of a court under the natural guardians framework laws."

Breaches of the natural guardians framework laws without good cause or subvert due process by any one shall incur the following civil and criminal penalties: xyz etc.

These breaches and remedies (above) do not discount other remedies in either/both civil or criminal law

This includes making natural guardians alienated by any person both a civil and criminal offence (framework to be formed)

Codified Risk assessments shall be used and that where they demonstrate and evidence as well as other evidence unfitness shall conform to standards (to be formed) under the natural guardians framework laws and require that natural guardians of children shall be enabled to address and overcome such risks where proven where this is possible, excluding those risks that are demonstrated to have harmed or put the child at direct risk of harm..... etc (a lot of detail is needed here to bolt down specifics inc sexual abuse violence etc etc)

This (or some thing similar) would address many of the fundamental flaws including:

- Under the current law one of the key legal premises in family law is not guardian ship but "primary carer", though a parent or other may have what is called "parental responsibility" that parent or person does not have the rights to care and the child or children do not have the right to cared for by them and it is the primary carer who may then through a court process be given "residence" through a residence order or in the case of a local authority a "care order".
- Another issue family law system works not on having to "prove unfitness" but a parent having to "prove fitness" (a reversal the tenant in law of proof beyond reasonable doubt) and a catalogue of spurious allegations and a refusal to co-operate with what are in many cases criminal acts against a family is enough to prove on the "balance of probabilities"
- Another key issue in family law that has become a licence to do almost anything is that is operates "in the best interests of the child" which sounds reasonable but under the cover of the secrecy and the fact that it has no public legal definition it stands on its own as the reason (excuse/get out) for any decision, a preposition that enables any outcome with out good reason.

- Many many court orders made "in the best interests of the child" and that line is in them, look very very good until you look and the underlying facts that do not appear in the judgements, if one is able to due to the secrecy, they become more than suspect.
- It is worth noting that the person who used "in the best interest of the child/children" to great affect was Adolf Hitler's Nazi Germany!

In the best interest of the child

Adolf Hitler's/The Third Reich's "In the best interest of the child" is a favorite line perpetually quoted by today's Social Workers the Child Protection Services and Family Court Judges: It was originally a slogan designed by Hitler's social engineers. But is now embodied into the "UN Convention on the Rights of the Child" amongst other documents

The Lebensborn program was a Nazi organization set up by SS leader Heinrich Himmler, which provided and ran orphanages and relocation programs for children. After World War II, it was reported that *Lebensborn* was a breeding program. The program promoted the growth of "superior" Aryan populations by providing excellent health care and by restricting access to the programme with medical selections that applied eugenic and "race" criteria. During the war, *Lebensborn* also processed the adoptions by German families of children from occupied northern and eastern Europe, mostly orphans.

"In the best interest of the child, we are breeding superior aryan children"

The Lebensborn e. V. ('eingetragener Verein, "registered association") was founded on December 12, 1935, to promote the policies of Nazi eugenics. the *Lebensborn* homes were also used to house very young Polish children (between two and six) kidnapped to be Germanized. While older children were sent to institutions specifically dedicated to Germanization, the younger ones would merely be observed for a time at the home before adoption.

Changes

These then are just some of key issues that need changing: The lack of transparency and accountability even to criminal law and a change to the lack of "natural guardianship law". These would seem to be two of the keys to reform (which would be considered reasonable by any normal person as it reflect natural law) would create the legal framework for trust in the system, shared parenting as it would require proof of unfitness rather than just allegations as it is a fact that in family law that the more false allegations you can pile on the other parent (in private law) or parent/parents in public law the easier it is to achieve the desired outcome with out the other party having any real means for remedy. But there are more issues to consider.

Whilst residence/primary carer status would be lost under a public law care order it would not change natural guardianship unless that were ordered for good reason and that would protect both parents and children from arbiter acts from any primary carer.

Public Law Orders

Here is the list of Children Act 1989 Public Law care orders that are available

1. Police Protection (PPO) · Does not confer parental responsibility to the Police or the Local Authority. · Can last up to 72 hours. · Child should be placed in Local Authority accommodation.

2(a) Emergency Protection Order (EPO) · Gives Local Authority shared parental responsibility. · Enables Local Authority to say where child will live whilst Order in force. · Local Authority must promote contact unless Court directs otherwise. · Lasts up to 8 days (can be extended up to further 7 days). (any person can also apply for an EPO)

2(b) Recovery Order (RO) · Where child subject to Care Order or EPO & · Child missing from placement. · Authorises Police to search premises. · Requires people with knowledge of child's whereabouts to divulge the information. · Requires child to be produced by anyone able to do so.

2(c) Child Assessment Orders (CAO) · Order for an Assessment of a child's health, development or of the way in which a child has been treated. · Required when an assessment of child is needed but cannot take place as child's parents will not agree or co-operate · This Order can last for a maximum of seven days but can be granted for a shorter period.

3. Care Order (CO)· Gives Local Authority shared parental responsibility but Local Authority takes responsibility for child. · Local Authority decides where child lives and other aspects of child's welfare eg Education, medical treatment. · Local Authority should consult parents (and child if mature enough). · Local Authority must promote contact. · Can last until child reaches 18.

4. Interim Care Order (ICO) · On the first occasion can be made for up to 56 days. Renewals last up to 28 days and can be renewed until Court concludes care proceedings. · Same effect as Care Order.

5. Supervision Order (SO)· Local Authority to advise, assist and befriend child. Can include directions or empower supervisor to give directions to child. · Lasts up to 1 year but can be renewed for up to further two years. · Does not give Local Authority parental responsibility.

6. Interim Supervision Order (ISO) · On the first occasion can be made for up to 56 days. Renewals last up to 28 days and can be renewed until Court concludes care proceedings. · Same effect as Supervision Order.

7. Family Assistance Order (FAO) · Appoints Social worker or CAFCASS to advise, assist and befriend child/carer. Lasts up to six months.

8. Contact Order · Where Care Order in force, Section 34 Order can determine who a child is or is not to have contact with. · Local Authority cannot refuse contact between child and parents for more than seven days without a Section 34 Order authorising refusal.

Residence or care orders of various types give almost unfettered control of a child which very few rights of the parent (or parents) and zero to grandparents. Though in Scotland there is a well thought out charter for grandparents even the Scottish Parliament which supports has refused to make it law.

Even well thought out and costed reforms (that would save money) and agreed with the Judiciary like the NATC Early Interventions Model have

It remains despite contact orders in both private and public law and in the case of Public Law (EPO, ICO and CO as above) contact is regularly refused in contravention of law and court orders placing the refuser in contempt of court but which the courts are reluctant and even refuse to remedy making the law of “no effect” and a virtual repeal done in secret without authority of parliament.

One of the evidential outcomes of such methods of refusal of contact is to wean parents off the child and the child of the parents, in private law the child is settled with one parent and the relationship with the other is frustrated enabling in many instances just a few hours contact after many months and some times years of proceedings, many parents give up and end up in the feckless and alienated category. But in Private Law it is more serious as the refusal process is used as a part of the schema for permanent placements and adoptions, in law, local authorities are not allowed to refuse contact for more than seven days unless there is an order from a court that says so, in practice this law is entirely ignored and there are many cases of children not being seen for months in one case specifically 11 months the child just vanished and despite repeated asking by the parents “is the child alive or dead?” neither the court nor local authority will answer.

In this same case involving six children there are some very disturbing elements as follows (and they are not the only ones).

In Feb 2011 in the Principle Registry of the Family Division His Honour Judge “Q” Ordered in case no FDC10C00xxx the following:

"That there shall be Interim Care Orders for a further period 28 days in respect of the children (A, B, C, D, & E), renewable thereafter by the postal procedure (this being an appropriate procedure while the First and Second Respondents remain disengaged from the proceedings).

That there shall be an Interim supervision Order in relation to F, (the sixth child) for a further period 28 days renewable thereafter by the postal procedure (this being an appropriate procedure while the First and Second Respondents remain disengaged from the proceedings)"

The parents are disengaged from the proceedings because a number of parties in those proceedings have committed crimes against the family.

The law is quite clear that ICO's and ISO's must be renewed each 28 days, however despite being made aware, in writing that he could not make any such order that they be renewed by post with out the express written consent of the parents he has done so several times at the written behest of the Local Authority London Borough of Haringey.

Upon making the order at the behest of the local authority there are resulting a number of common law crimes for example malfeasance in public office (breach of trust), nonfeasance in public office" (eg a wilful neglect of duty), "misfeasance in public office" (eg malicious exercise of official duty). The Judge is seriously not happy with either the parents or their previous McKenzie/Lay Advocate (Litigation Friend).

The Judge "Q" threw the McKenzie friend out of court because as he dared to address the fact of crimes being committed including in the court, it should be added in quite a lawful manner and this is why, in those hearings the parents walk out of them and will not fully engage with the Local Authority or the courts unless these are dealt with and there are crimes, but for exposing these in public the family have been threatened with prison for contempt as has one of their supporters who had done the same, she and her son had to flee the UK to Eire as she suddenly got a visit from social workers who were "not properly registered.

Most recently as this family are not UK nationals it is reported that the local authority have told their high commissioner that the mother has committed suicide, it is known because the mother rang the writer of this document to tell her the high commission had told her that.

Without the written consent of the parents and upon such renewal by postal procedure the renewal order becomes unlawful resulting in the children being held unlawfully and a number of serious crimes result. As both the Local Authority and "Q" were by statement and quotation of the law informed that they could not do this and as the local authority requested that, they cannot

claim mistake and even so ignorance is no defence, there is conspiring to pervert the course of justice, perverting the course of justice, holding children without lawful authority which comes under kidnapping by fraud, false imprisonment as the children have expressed wish to return to their parents many times.

The writer of this document is informed that a Mr Justice "M" in the High Court of the family division at the Royal Courts of Justice may have last week may have given a similar "by post order" but I have yet see it.

However and this was sent to Local Authority and the Judge "Q" in a statement in the above case.

Rule 28 of the Family Proceedings Courts (Children Act 1989) Rules 1991 SI 1991/1395 which provides;

"A justice's clerk or single justice shall not make an order under section 11(3) or section 38(1) unless –

(a) A written request for such an order has been made to which the other parties and children's guardian consent and which they or their representatives have signed;

(b) A previous such order has been made in the same proceedings; and

(c) The terms of the order sought are the same as those of the last such order made."

The parents have consistently stated in writing that they do not agree to the orders being renewed which means postal renewal cannot lawfully happen, there must be a hearing whether the parents attend or not

The following case emphasises the point (Though the judge in this matter was confused by the meaning of administrative renewal, Judge "Q" clearly says in his order "postal procedure" which the parents have never agreed to, therefore he cannot order it. http://www.courtsni.gov.uk/NR/rdonlyres/0CEBF125-C44C-4C13-B4B7-91B598B7D717/0/j_j_GILC3695.htm

"One further matter was drawn to my attention in this context. The precise form of the order made by the judge read as follows;

"That the Interim Care Order be renewed and extended for a further 28 days to 11 March 2002 on which date it will be renewed administratively by Court Office until date of review hearing."

Frankly I am not absolutely certain what the phrase ‘will be renewed administratively by Court Office until date of review hearing’ means. It was clear that counsel in this case were also somewhat unclear. It may be helpful if I set out at this stage some comments on the renewal of Interim Care Orders;

1. When an Interim Care Order is made it is normally necessary for the making of further Interim Care Orders to be considered on at least one occasion before the final hearing. I am given to believe that there may be a variety of local practices for dealing with such cases and while it is not intended to encourage courts to depart unnecessarily from well-established local arrangements (particularly those which approximate closely to what I recommend below), some guidance may be helpful to ensure a degree of uniformity. Although the making of further Interim Care Orders is described as “renewal”, it must be remembered that the proper form of order is that the whole application is adjourned to the next date for further consideration.

2. A court may not renew an Interim Care Order as a matter of course and without reconsideration. At the expiration of every Interim Care Order, the granting of every further Interim Care Order must be considered independently on its merits. It can never be right for a court granting an Interim Care Order at one sitting to attempt to lay down a policy which might fetter the discretion of any future sitting in regard to the grant or refusal of a further Interim Care Order – see Re P (Minors) (Interim Order) [1993] 2 FLR 742.

3. It is, therefore, necessary for the court to make a judgment regarding renewal in each occasion and the court should treat each further hearing as an opportunity to monitor the progress of the application. This does not mean however that all parties should be required to attend a hearing on each occasion. The court is perfectly entitled to deal with the matter on the basis of the attendance of the applicant only provided that written consents of the other

parties are produced and no party objects. Provision can therefore be made at the first direction hearing for further Interim Care Orders to be made without the need for the personal attendance of all the parties.

4. In the Family Care Centres where the Trust, who normally would be the applicant, produces consents from all the parties. (THE APPLICANT MUST PRODUCE THE WRITTEN CONSENTS!)

There are however in the case of these six children, there are even more issues as with many other families in care proceedings these are foreign nationals and these affect them on a broad scale as there are international law and treaty obligations that are being breached summarised as follows as injury by the state has occurred:

1. It is clear in international law that the state has fixed legal responsibility for the violation of international obligations as a state responsibility
2. This includes responsibility for injury to foreign nationals
3. State responsibility occurs when a state violates an international obligation
4. A state is fixed with responsibility when there is an unlawful act or omission attributable to the state
5. A state is responsible for the activities of all its organs this includes organisations or individuals acting for the state (this would include LBH and those acting for it)
6. Breach of international obligation gives rise to reparation obligations
7. Obligation and international responsibility can also occur by reason of denial of justice and due process including in respect of a legal dispute whether civil or criminal
8. The Court, Local Authority (including its elected members), Police, Home Office, Foreign and Commonwealth office and others have clear legal obligations in both domestic and international law as a consequence

It is well researched that the impact on children of the current systems can be significantly more devastating and disturbing to children than the reasons they were brought to court in the first place and there are many cases of significant overreactions that have destroyed families in both public and private law.

Some and this is a significant number of local authorities, seem to have a basket of allegations that they pick at random without any evidence, and these once made can get repeated for years afterwards despite them being proven as untrue, one local authority which practices coercing children to say for various reasons, that they do not want to return to their parents seems to

use a pattern of allegations such as "Prostitution, Child Being Hit with a Wooden Broom Handle, Opium, The Children have been Trafficked and are not the Natural Children, Father is a Domestic Violence Perpetrator (despite no reports of such), Mental Illness." Each local authority that does this seems to have its own common favourite but there is a definite pattern across a lot of them to seek to remove the father, by allegations, threats and contracts. Remove the man, control the woman and keep the children.

The use of such tactics are clear violation of criminal law but have no accountability in family law as there is no "Duty of Care" to parents in family law and there is case law that says that. This means and the evidence bears this out "ANYTHING GOES" it does not matter if it is true or fact or not.

In both public and private and private law there are significant patterns of fathers being an inconvenience to be removed even put into divorce courts by insistence of local authorities against a mothers wishes but by promises or threats.

In one case before Judge "Q" he said that the parents "MUST ACCEPT WHAT THE LOCAL AUTHORITY SAYS" and that was before any hearing to determine the facts of the case many months after the children had been taken by force by six police officers and latter in a maternity unit a newborn by nine police officers at 3am that left the mother with permanent injury.

The police are used as snatch squad gangs as has been reported in the press. There are also cases of unlawful rendition of children from aboard.

Even when things are suspected or known such as crimes the family law system will bite those within it that speak out or rock the boat, the whistle blower is not safe and even solicitors have been struck off for spurious reasons and it is clear that the climate of fear is not only administer to parents but to people within it, in any normal sphere this would be called a protection racket. Many good people leave or are to frightened to speak out, its secret and no one must talk.

It may be that things are so secret that even one bit of the system does not and cannot know what is going on certainly those with authority to maybe doing some thing are blocked from know about cases, even the Local Safeguarding Children's Boards.

For example when one local authority elected member (in another area from these six children) realised that things were amiss and she suspected her own local authority were administratively kidnapping children and she started to investigate she was approached by a Social Worker from her own local authority and told "if you go any further we will take your children", there are instances of Local Authority Elected Members being warned off by Local Authority Legal Staff and even Magistrates from helping their constituents.

One brave MP, Tim Yeo, who went as a personal supporter to one family in care conferences was so appalled that he named the local authority in parliament under the heading of Kidnapping and despite this also being reported to the police the police refused to investigate., talk with the MP or deal with the evidence and even as is common when trying to report crimes the police got “shirty” and said there is no crime and refused to communicate any further.

There is even as mentioned courts ordering gags that prevent them from speaking with their MP’s and the general reporting restrictions on family law matters that stop the press from exposing things, families under threat of imprisonment have even been gagged from talking to anyone.

For some this system ends up as a virtual internment, some have called this “the family court Gulag” (especially for visiting foreign nationals who do not have recourse to public funds and cannot risk leaving the country without the default accusation of having abandoned their children), for others (UK nationals and Foreign Nationals) who choose to flee the UK as virtual but not de facto refugees and there are a staggering but officially unknown number of these.

Were it not the fact that the common law regarding sedition was repealed in 2009 such acts committing crimes to the extent that they are by those acting upon oath could possibly be called sedition, as Fathers for Justice have reacted against the system and other groups with very ordinary people in have there is certainly great hatred for family law as it stands as exhibited by groups like the many Facebook and other groups with literally 1000’s of members all saying the same thing. Some it has been muted are prepared as individuals to do something very drastic and that should not be allowed to happen, the very real issues must be addressed and the **Private Prosecution Service** would be acting to enable remedy in a public protection framework so that does not happen but also given the fact that there are suicides directly attributable to family law interventions and parents that are stable and healthy before their encounter with family law but end up with severe conditions resulting, in many cases these traumas conditions caused by the encounters then become evidence of them not being fit parents even that they have severe mental disorders.

Sedition as repealed

"a seditious intention is an intention to bring into hatred or contempt, or to excite disaffection against the person of His Majesty, his heirs or successors, or the government and constitution of the United Kingdom, as by law established, or either House of Parliament, or the administration of justice, or to excite His Majesty's subjects to attempt otherwise than by lawful means, the alteration of any matter in Church or State by law established, or to incite any person to commit any crime in disturbance of the peace, or to raise discontent or disaffection

amongst His Majesty's subjects, or to promote feelings of ill-will and hostility between different classes of such subjects.

An intention to show that His Majesty has been misled or mistaken in his measures, or to point out errors or defects in the government or constitution as by law established, with a view to their reformation, or to excite His Majesty's subjects to attempt by lawful means the alteration of any matter in Church or State by law established, or to point out, in order to secure their removal, matters which are producing, or have a tendency to produce, feelings of hatred and ill-will between classes of His Majesty's subjects, is not a seditious intention."

There are significant patterns of faulty assessments by court experts diagnosing the stress and damage of family law as pre existing mental health conditions, Stress and Complex PTSD (repeated trauma shocks) and being diagnosed as Personality Disorders due to the fact that diagnostic criteria's are not followed as an investigation found:

Personality Disorder Assessments in Family Law

A common problem in Family court Experts PD assessments

In regards to Psychiatric Assessment PD Take Home Notes by Professor Patricia Casey of the RC of Psychiatrists states.

<http://www.psychiatrycpd.org/learningmodules/assessmentofpersonality.aspx>

"Screening questionnaires MUST be used in conjunction with a detailed clinical assessment." (My emphasis)...

IN MANY CASES THEY ARE NOT DONE

*MANY CASES RELY ON SHORT INTERVIEWS AND COURT DOCUMENTS
(Which has had significant evidence ruled out)*

IT CAN BE A FACT THAT UNTESTED EVIDENCE (ALLEGATIONS INCLUDING ONES THAT ARE KNOWN TO BE FALSE) IS PRESENTED AND THEN FOR THE ASSESSMENTS AND DIAGNOSIS IS MADE BASED ON THEM.

Where Screening Questionnaires are NOT used and yet the RC of Psychiatrists expect them to be done as a part of professional practice! This would mean an assessment is deficient and should not be relied upon.

The assessments are therefore incomplete and the reports are not to the expected professional standard. This is another of the many farcical elements in the proceedings. If such are ordered as an

assessment they should be done properly as it is other wise a waste of (public) funds.

Further it states "When assessing personality in clinical settings it is important to obtain collateral information from a person who has long personal knowledge of the patient, especially when mental state symptoms are still present as these may contaminate the patient's own assessment of themselves."

*My speaking personally with **Prof Peter Tyrer** of Imperial Collage London & RC Psychiatry and Editor of the British Journal of Psychiatry, he called me back and I got his approval to quote him in regard to family proceedings, though I was entirely non case specific.*

*He has said to me regarding assessments for PD and other complex conditions and my raising only using interviews and their reliability on that basis alone , that they are **"Risky with out additional aids and extra help so as to see things from more than one perspective."***

*He said to me he is **"concerned to that such assessments should be more rigorous."***

*In both public an private law you can be diagnosed ill based upon the evidence of an allegation **"ONLY."***

And of course only a suitably qualified Psychiatrist can make such assessments and yet others like psychologists do such expert work in Family Law and social workers regularly make their own diagnosis with zero training to be able to do so.

The problem is also many is the time that stress is diagnosed as disorder the two are very different and this is the reason for the RCP emphasis the need for rigorous assessment using every tool possible as I work with many who have been misdiagnosed in this manner,"

People can be given all clear by NHS assessments some times multiple ones and yet be diagnosed with sever conditions in family law.

Family law assessments are not under the governance of the Ministry of Health or the NHS but the Ministry of Justice and they seem to have entirely separate frameworks of operation and more to the point cannot have peer review or be challenged.

It should be noted that whilst the British people are generally moderate and various family groups across all spheres a few years ago fought from their own particular perspective since the starting of a "Class Action" in the International Criminal Court in the Hague by led by three fathers under the

auspices of a company Freedom Advocacy and Law, naming and listing every single Family Division Court and Local Authority in the UK as well as others like CAFCASS that was joined by hundreds of British and non British families in the UK, and despite the action being stalled (how does a criminal court in the Hague investigate a secret court system in the UK, these various groups have started to seriously communicate and work together realising that although in different forms they are dealing with the same common issues.

It is interesting that the response to the Class Action ranged from one Barrister calling it "Audacious" to it being viciously attacked, even though it was all most ignored by the press. But the response from the Judiciary was very interesting as documents regarding the class action were served in family law court cases. Some Judges were confused by the legal language used though in other areas of law they would be common place, one or two judges put on the record that people were entitled to see remedy, but most interesting were the Judges that were outraged some blew their top in court rooms one even left his chambers to see a family with counsel in a court consulting room to rather aggressively find out what it was about, some courts refused service and generally though a valid lawful process the Class Action was treated with disdain under a cloud of "how dare they" which was a quote from one hearing.

Four simultaneous Class Actions were tried, the International Court of Justice said they would like to take in on as they knew the issues, but unless led by a country against the UK the rules forbid it. The other two actions were in the ECHR and the ECJ but these courts are inundated by actions and they pick which ones to carry forward or can wait in queue some times never to have things proceed. It is understood though that both the ICC and ICJ saw the actions as classed under "Bloodline Genocide."

It is also important to note that there cannot be an MP many of whom are in Government that does not know about these things and in fact it is known that they do know as many report publicly.

As it stands it would appear that without the intervention of the Government, Parliament, MP's, Police and others under their common law and statutory obligations it does require a peoples action.

From the "Class Action" group there are various other focused groups that have formed within a general framework of unity, ranging from protest to charity to the plans for a Parents Union and a Political Party, there is even the beginnings of a Live Aid for children.

But none of these deal with the fundamental problem of common patterns of crime that "Pervert the Course of Justice."

Some of the Crimes that we are aware of in family law cases by the professionals involved in those cases: (The Professionals Range from Social Workers (Local Authority and CAFCASS), Solicitors (Local Authority and CAFCASS and Private), Court Experts, Judges and third party contractors like contact centres etc

- Fraud by Misrepresentation;
- Withholding Evidence;
- Suppressing Evidence;
- Fabricating Evidence;
- False Allegations;
- Perverting the Course of Justice;
- Perjury;
- Threats likely to cause alarm, fear and distress and harassment;
- Coercing children against their will;
- Financial Fraud including Legal Aid Fraud;
- Holding Children without lawful authority;
- Conspiring to commit the above;
- Issuing of illegal Court Orders;
- False Arrest;
- False Imprisonment;
- Even cases of Trafficking children across Borders;

This list is not exhaustive and some of the reasons for the Private Prosecution Service is to:

- With selected cases present them as evidence to various recipients as crimes so they cannot be ignored (Houses of Parliament Etc) so a wider body of evidence can be called for
- Prosecute selected cases that demonstrate the issues to criminal law standards
- Expose Publicly the Family Law Emperors new cloths as "Nakedness"
- Enable the much needed reform and intervention remedy

At the Royal Courts of Justice in July 2011 there was an attempt to make Mr Justice Mostyn aware of crimes in one case as follows (without compromising matters to be dealt with by as a criminal matter by the Private Prosecution Service):

Application/Statement
to Provide oral information to the Court as Public Interest Intervention.

1. I was previously Mr "M's" McKenzie friend during matters before (Judge "Q").
2. I was invited by the family to be their McKenzie for this hearing, but I declined, as I believe that it would cause a conflict of interest in my

current work which has a bearing on this case.

3. I believe I have information that the court should be urgently made aware of so that the court may properly consider the matters before it.
4. I am concerned for the proper integrity of the court and that it is not undermined by things it would otherwise not be aware of.
5. If it may please the court to accept this my application to make a brief oral statement, which I am happy to be questioned on, I believe the court will find the matters I raise to be of some significance and I would hope vital to its considerations.
6. I confirm that I do not have a right off audience.
7. I respectfully pray for the court's indulgence in this matter and that it be willing to hear from me before the other matters are heard.

However, the judge refused and that is in writing, Justice Mostyn also refused each of the Parent's their McKenzie Friends, so not only we they in court with the Local Authority who have committed crimes against them but alone with out litigation friends (one of who was a non family law solicitor) which they are entitled to and the rules state do state:

Attendance at Private Hearings

27.11.—(1) This rule applies when proceedings are held in private, except in relation to —

- (a) hearings conducted for the purpose of judicially assisted conciliation or negotiation;
- (b) proceedings to which the following provisions apply—
 - (i) Part 13 (proceedings under section 54 of the Human Fertilisation and Embryology Act 2008);
 - (ii) Part 14 (procedure for applications in adoption, placement and related proceedings); and
 - (iii) any proceedings identified in a practice direction as being excepted from this rule.

(2) When this rule applies, no person shall be present during any hearing other than—

- (a) an officer of the court;
- (b) a party to the proceedings;
- (c) a litigation friend for any party, or legal representative instructed to act on that party's behalf;
- (d) an officer of the service or Welsh family proceedings officer;
- (e) a witness;
- (f) duly accredited representatives of news gathering and reporting organisations; and

(g) any other person whom the court permits to be present.

(3) At any stage of the proceedings the court may direct that persons within paragraph (2)(f) shall not attend the proceedings or any part of them, where satisfied that—

(a) this is necessary—

(i) in the interests of any child concerned in, or connected with, the proceedings;

(ii) for the safety or protection of a party, a witness in the proceedings, or a person connected with such a party or witness; or

(iii) for the orderly conduct of the proceedings; or

(b) justice will otherwise be impeded or prejudiced.

(4) The court may exercise the power in paragraph (3) of its own initiative or pursuant to representations made by any of the persons listed in paragraph (5), and in either case having given to any person within paragraph (2)(f) who is in attendance an opportunity to make representations.

(5) At any stage of the proceedings, the following persons may make representations to the court regarding restricting the attendance of persons within paragraph (2)(f) in accordance with paragraph (3)—

(a) a party to the proceedings;

(b) any witness in the proceedings;

(c) where appointed, any children's guardian;

(d) where appointed, an officer of the service or Welsh family proceedings officer, on behalf of the child the subject of the proceedings;

(e) the child, if of sufficient age and understanding.

(6) This rule does not affect any power of the court to direct that witnesses shall be excluded until they are called for examination.

(7) In this rule "duly accredited" refers to accreditation in accordance with any administrative scheme for the time being approved for the purposes of this rule by the Lord Chancellor.

It would appear that in this case that as there has been significant (but albeit limited by the rules) press at least ten articles in the Sunday Telegraph and very significant outrage and campaign to support the family, that has resulted in total gag on the family and others, that not only does the local authority and the courts not want to deal with the crimes but wants to keep a firm lid on it and this is despite formal notices to the local authority including the leader of crimes. Certain parties in the local authority have it would appear had started a war with a consistent pattern of threats and intimidation such that the family live in fear and isolation including of their lives as they have been warned that they will get you.

The Abuses of Process in the above case are staggering apart from the crimes and despite a large number of formal complaints to various regulatory bodies, the police etc none has been properly responded to.

There has recently been the beginnings of a far wider awareness of the problems here from abroad with non UK; senators, MPs and even a President (who has offered to support British Parents by Boycotting the Olympics who does not consider his countries children safe in the UK)

We have reports of children being trafficked outside the UK under false identities and passports. And it is now not uncommon for there to be national papers reporting another parent who has fled abroad to protect themselves and their child/children there are in fact networks that help people escape.

Even senior judges have called some elements in family law "Stalinist and Maoist" in written judgement.

Conclusions

Family Law does not need a review its needs a set of special measures that deal with all the key problems (in outline):

1. Secrecy "in the best in the best interests of the Child" hides abuse and crimes
2. The principal that justice must be seen to be done has been lost to family law and should be restored.
3. It is perfectly possible for identities to be protected whilst allowing hearings and reporting to be done.
4. Certain controls and discretions in family law are leading to injustices such as the prohibition on families seeking their own experts , evidence and witnesses.
5. The threats of judicial and other sanctions create a climate of fear for all involved and do not serve fairness or justice.
6. Local elected officials and watchdogs should not be precluded for investigating individual cases and nor should support groups.
7. There should be a duty to report abuses and whistleblowers enabled and protected in law.
8. Natural Guardianship should be brought into law
9. The discrimination between the genders of parents in family law to be abolished
10. Allegations of Domestic Abuse should be dealt with by both parties being risk assessed as per policy and practice of Hampshire and Isle of Wight Constabulary
11. Allegations of Sexual Abuse should always be investigated by the police

12. Nebulous terms like risk of future emotional harm should be abolished as should all might do in the future that are not backed by existing evidence
13. Equal Shared Residence should be the norm and made law and only Parenting time should be varied
14. In Both Public and Private Law there should be evidence of reasons and that the balance without any evidence should be limited
15. Sanctions in law should be automatic for breaches of orders with out per minas reasons with evidence
16. All interviews and meetings should be recorded and copies given
17. Parents should be told in family law cases of what the expected outcomes are and how and what is expected to address them
18. Experts should have a set of standards that are required to be adhered to including standards of what is expected in various types of assessments
19. Health assessments to be under the NHS
20. Complaints should be dealt with when raised
21. All data protection act requests in family law cases to be legally required within set periods with penalties
22. Certain cases should be by Jury

Given the extent of the numbers of people affected in the tens of thousands

Further Measures

- Repeal Law that abolished grand juries
- A grand jury formed
- Parliamentary Enquiry
- Independent public enquiry
- Truth and reconciliation commission
- National Criminal investigation
- Committee of barons formed under the Bill of Rights and Magna Carta, this would enable evidence from all quarters to be considered as above

About and supporting the PPS

The PPS is a not for profit Non Governmental Organisation and is a part of the National Public Protection Network (NPPN) and is supported by the Advocacy Fund.



The National Public Protection Network (also known as NPPN) is an independent Non-Political and Non-Governmental Body of people that is concerned with enabling the protection and care of the “Ordinary Soul/Natural Person” and the “National Family Welfare.” It is an independent watchdog and intervener that operates under the law of the land for the Ordinary “Reasonable Person”.

<http://publicprotectionnetwork.wordpress.com/about/>



The focus of the advocacy fund the raising and distributing funds through Legal Advocacy in support of aiding in proceedings especially involving family and children and the establishment of other associated services, the fund will directly support Legal Advocates, Advocacy and other strategic support and intervention services, especially in family law matters.

Any one wishing to support the work of PPS may do so through the Advocacy Fund.

<http://advocacy-fund.org/>

Focus of the PPS

The PPS will be focusing its work on prosecuting crimes in

1. White Collar Family Law (Public & Private)
2. White Collar Fraud
3. Civil Recoveries and Claims for above

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