Parliament Does not Serve Democracy Is no more

MAY 23, 2024

The captain is in his bunk, drinking bottled ditchwater; and the crew is gambling in the forecastle. she will strike and sink and split. do you think the laws of God will be suspended in favor of England because you were born in it? – Captain Shotover – George Bernard Shaw: Heartbreak House.

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Introduction

1. This document was prepared hastily on the night of 22 May, after the Prime Minister set the date of the General Election for 04 July. Another edition may be prepared after the election.

2. My approach, in this pamphlet, is not to take the view that democracy is good and that we should have it. I consider what is necessary for society to thrive, whatever the system, and whether we have it. I mention democracy and consider it because it is what we think we have, what we say we are proud of and what we say we want to defend and to spread.

(i) This does not mean I think democracy is not vital; I am here more interested in determining what exactly we do have and what we might reasonably expect from it.

3. Society has numerous components, many of them must perform their function within certain parameters for democracy to exist. Whether it be a democracy or not, the way these components function strongly influences the strength and destiny and prosperity of that society.

(i) This pamphlet restricts itself to Parliament, the way it is functioning in fact rather than in appearance and what that means for the country.

The Rudiments of a Good System

4. Every society has the choice of each person doing his own thing and there being no standards that are binding on everyone, collective decision making, allocation of resources, etc. or of somehow doing so. As far as I am aware, ever society has chosen not to leave each person entirely to his own devices. The reasons for this are obvious.

(i) Political systems organise society and determine how it is governed and its collective resources allocated. They decide how we live, what we value as a society and the standards to which we hold ourselves and others.

5. The minimum requirements for a good political system are that it be durable, provide safety and prosperity and permit a dignified existence.

(i) Systems that do not provide security or prosperity and deny the individual a dignified existence do obtain but they must be sustained by duress.

(a) Even if they provide physical needs (food, shelter, etc.) to a high standard, they do not permit a sufficient standard of life: for the quality of human life depends on conditions such systems must necessarily deny.

(ii) It is questionable whether such systems may truly and sustainably provide the most efficient use of resources and greatest success, even at the lower levels of the human experience (material provision).

(a) The environment created by their inverse is far more fertile ground for success of all forms and therefore likely to provide a superior yield. That is a matter I shall not treat in more detail here: it is not necessary for the purpose of this document.

6. Democracy permits the public to choose the functionaries of its institutions of government or to choose the people who appoint others to serve in them (legislative institutions, the judiciary, executive government, etc.).

7. Democracy requires other institutions, many of them private institutions, to function properly: law enforcement, news organisations, civic institutions and private individuals to play their part.

(i) Good husbandry of these institutions is vital; democracy quickly begins to degrade otherwise and very soon after ceases meaningfully to exist.

The Importance of Rules and their Observance by All

8. Every system requires rules, which are known to everyone and the firm and consistent application of those rules. In countries, many of those rules are codified in the statute book.

(i) The law must be upheld strictly and not abused (for example: by inappropriately using the law to punish a person). Because people must know what is expected of them and what not to do, otherwise, you have a dangerous and chaotic situation where people do not know what might land them in trouble with the authorities and what society expects of them.

(ii) When the law is abused, we should expect most people to find it pointless to observe the law: there is no justice. Many who observe the law where it is not respected or upheld would do so as a cringing dog obeys out of fear.

9. The kernel of law is acknowledged by Blackstone's formulation: that it is preferable for ten guilty persons to escape than for one innocent suffer. It was further exposed by John Adams when he said:

"We are to look upon it as more beneficial, that many guilty persons should escape unpunished, than one innocent person should suffer. The reason is, because it's of more importance to community, that innocence should be protected, than it is, that guilt should be punished... But when innocence itself, is brought to the bar and condemned, especially to die, the subject will exclaim, it is immaterial to me, whether I behave well or ill; for virtue itself, is no security. And if such a sentiment as this, should take place in the mind of the subject, there would be an end to all security whatsoever."

10. It is the first duty of us all and especially of those who make laws to ensure that they are upheld resolutely.

11. Even before the point of chaos, failure to uphold the law damages society and diminishes its capacity to thrive (unless the laws are bad in which case they should not have been passed and the answer is to weed out bad laws not to breach and to suffer breaches of the law).

12. The United Kingdom should be an especially jealous guardian of the law. Apart from the usual reasons, for the United Kingdom, the law is more of a strategic advantage than it is for perhaps any other country. The belief that the Country has strong laws and a sound judicial system that enforces those laws fairly is an important strategic advantage for the country. It is also the reason many people from all over the world litigate their cases at the Royal Courts of Justice.

(i) That perception confers many advantages on the country, I shall treat them in the second edition of this pamphlet.

(ii) Such an advantage is easily lost and then may never be regained. It is great folly to risk it.

The Job of Parliament

13. Parliament is the legislative branch of government. In the United Kingdom, it consists of the House of Commons, which proposes and drafts bills and the House of Lords, which reviews those bills before they become laws.

14. Parliament is supposed to oversee the government and to hold it to account. It may summon members of the Government to Parliament to answer questions.

15. Parliament is supposed to represent the people of the country; its members are chosen in elections by people who, presumably, think they are most likely to represent the voter's views and interests.

(i) Its members should represent the people of the country by raising and discussing important issues affecting individuals and the country in the House, when they (the members) become aware of such issues, approaching relevant officials and by using every mechanism at their disposal to defend the interests of the public.

16. Parliament governs, that means to say: *it controls, influences and regulates the country, its actions and its course.*

(i) It governs well when it ably and conscientiously performs the functions described, above.

(ii) At the start of this pamphlet, I quoted George Bernard Shaw's *Heartbreak House*:

"The captain is in his bunk, drinking bottled ditchwater; and the crew is gambling in the forecastle. She will strike and sink and split. Do you think the laws of God will be suspended in favour of England because you were born in it?"

(a) The drunken captain is still captain of his ship; he is inept. Disaster must overtake that ship. The same is true of Parliament, if it refuses to shoulder its responsibilities, it is still governing, badly but governing all the same. Because its actions and inaction (inaction can be as consequential as action) *control, influence and regulate the country, its actions and its course. The country is adrift.*

Background

17. Since 2016, I have written to dozens of MPs and members of the House of Lords, reporting and providing proof of matters including:

(i) my unjustified detention, since 2015, which continues to this day,

(ii) misconduct by the judiciary, from county courts to the European Court of Human Rights, including dozens of unlawful decisions (decisions clearly incompatible with the law) in cases relating to me.

(a) In many instances the judiciary knew before it made those decisions that the decision it was about to make would be unlawful, they made them anyway,

(iii) the refusal by Government, including prime ministers and senior Cabinet ministers, to uphold the law, fundamental human rights (including freedom of thought) and basic values,

(iv) the refusal by the opposition, including its leaders (Sir Keir Starmer, Sir Ed Davey, etc.) to oppose and to hold government to account. They either ignored me or resorted to lies to try and justify their refusal to oppose and to hold the Government to account,

(v) the refusal by the police to act on reports of serious offences, even when they knew that there was evidence, including CCTV footage to support such reports. The police, including Chief Constables of South Yorkshire Police and Heads of the Metropolitan Police Service, was unable to explain why the police would not act on or even record those reports.

(vi) the filing of false reports against me by an MP (Ms Olivia Blake) and a member of the House of Lords (The Archbishop of Canterbury),

(vii) serious misconduct at the highest level of organisations such as the General Medical Council, the Nursing and Midwifery Council, the NHS (including filing of false reports, deliberate misdiagnosis, perjury and the refusal by boards of NHS Trusts to act against practitioners and other members of staff who engaged in such misconduct), the Parliamentary Health and Services Ombudsman, the Solicitors Regulation Authority, the Legal Services Board and many other organisations,

(viii) in short: I reported to dozens of members of both houses of Parliament, and provided them with a large amount of proof showing, sustained and dangerous attacks against fundamental structures without which a civilised existence is not possible.

18. The details of the matters I reported to the MPs, and the reports themselves, are set out in the documents accompanying this document, including: *"Document on Reports by Psychiatrists"* and its addendum, *"Document2"* and *"The Report of April 2021"*. I shall not repeat them here.

19. Without exception, the MPs to whom I reported these matters refused to act. Some ignored me, others said there is a strict rule preventing MPs from acting on matters regarding the constituent of another MP, yet others offered yet more excuses.

20. It is reasonable to say the MPs to whom I reported these matters were careless of their duties: upholding the law, ensuring the country is governed correctly, basic values and ensuring that fundamental structures are well-tended. To put it differently: they have refused to govern.

House of Commons Code of Conduct

21. The actions of these MPs are also breaches of the following articles of the House of Commons Code of Conduct:

(i) Article 5: the duty to uphold the law

(ii) Article 6: *"general duty to act in the interests of the nation as a whole; and a special duty to their constituents"*.

(iii) Article 11: *"Members shall base their conduct on a consideration of the public interest..."*

On MPs Acting on Matters Regarding the Constituents of Others

22. Some MPs claimed *"strict rules"* against MPs acting on matters regarding the constituents of others prevented them from acting on the matters I reported to them.

23. I made enquiries with the House of Commons. The House informed me that there is no rule that says that MPs should not become involved in cases involving people who are not their constituents.

(i) It is a convention; no sanction can be levied against an MP who acts in a case involving someone who is not his constituent.

24. House of Commons *Briefing Paper No.02028*, dated 29 September, 2015, states: *"The conventions dealing with these matters are not the subject of formal parliamentary rules, and Erskine May and the Standing orders are silent on the point,"*

25. The Paper cites, on page 5, examples of cases in which the question has been considered including, on 04 March, 2004: Mr Ivan Henderson of Harwich raised the matter on a point of order. The Speaker said:

"unless otherwise agreed between the Members concerned the interests of electors should be represented only by the constituency Member...it is best to leave it to the good sense of Members to work out any problems between them."

(i) Mark the words: *"it is best to leave it to the good sense of Members…"* On matters such as I reported, I think what common sense demands is sufficiently clear: MPs are obliged to act, even if I am not their constituent.

26. In the bottom paragraph on page 6, the *Briefing Paper* quotes Edmund Marshall: *"When a particular MP is engaged in a campaign on an issue of general importance, an individual citizen living in another constituency may wish to write a letter of support to that MP; but it is always courteous to contact the local MP at the same time, soliciting his own support for the same cause."*

(i) The MPs I approached knew I had previously contacted the local MP.

(ii) According to that Paragraph, MPs may act in a matter concerning the constituents of another MP.

(a) The MPs to whom I wrote all qualified as MPs *"engaged in a campaign on an issue of general importance"*. They were relevant shadow secretaries, representatives of their party on pertinent matters, members of relevant parliamentary committees, etc., etc.

27. I informed them that that they could, as a matter of courtesy, inform the local MP that I had approached them, and that they wished to act on the matter.

(i) I asked them, if the local MP objected to them acting on the matters I had reported to them, to inform me of the fact and of the grounds for objecting. None of them did.

28. I asked the MPs who pleaded such a “strict rule”, if they did not accept my assertion that no such rule exists, to name the document that contains the Rule and to cite the part of the document that declares that Rule and the penalties for breaching it or action to be taken when it is breached.

(i) None of them produced or cited a document setting out such a rule. Nevertheless, they refused to act.

29. I asked shadow secretaries of state if it was reasonable to believe that the local MPs (they were all members of the Labour Party) would complain or take offence if, as Shadow Secretaries from the same party, they acted in my case to uphold the law, to defend the constitution and to protect national interests and the public.

(i) I pointed out that, should the local MP complain, such a complaint would be unreasonable and should not deter them from carrying out their duty and acting in this matter.

(a) I asked them, if they would consider such an objection to be reasonable and sufficient grounds not to act, to explain why it would be reasonable. They did not.

30. I asked the MPs whether and why they would consider a complaint that they were acting where the local MP had refused to act sufficient to deter them from upholding the law, defending the constitution, holding the government to account and defending the public interest. None of them answered that question.

31. I asked the MPs to describe the likely negative consequence(s) of them acting on the matters I reported and to explain why they outweigh the benefits of holding the judiciary to account, upholding the law, defending the constitution and defending vital structures and the public interest.

(i) I noted that mine might be only one of many cases; it often happens that a problem is widespread but not visible.

32. I observed that many of these issues affected the entire country. For example:

misconduct by the judiciary in the High Court, by the GMC, NMC and other organisations. These organisations deal with cases from the entire country. If they are engaged in misconduct, it affects everyone, including their own constituents.

33. I explained that, the convention of Parliament being a convention and not a rule, it could not be grounds for inaction.

(i) I observed that the MPs would be indifferent to gross injustices, breaches of the law and the constitution, even where a person's life is ruined, the entire population of the country is endangered and the structures underpinning justice, our common success and a civilised existence were damaged and perhaps eventually destroyed, because they do not wish to breach a convention that is not binding and, thereby, the risk of an MP who refuses to perform their duties unreasonably taking offence that the law had been upheld, society defended and vital structures, the national interest and values preserved. This argument did not persuade MPs to act.

34. I observed that the convention of Parliament is, in this instance, *a convention more honoured in the breach than the observance*: it is more honorable to breach the custom than to observe it.

35. I approached Ms Olivia Blake, my local MP, and Sir Keir Starmer, regarding that Convention. I asked them to waive it in these matters I am reporting to you. It is my understanding that they did.

(i) You may confirm the fact with them. Please ensure you communicate their response to me (you may tell them in advance that, for the sake of transparency you will do so), whatever it might be.

Implications of the Conduct of MPs

36. Again, this will be treated in more detail in the second edition of this pamphlet. I think some of the implications are obvious but I shall focus on two implications.

37. A commercial transaction is where two parties effect an exchange, each getting what it wants or agrees to accept for whatever it gives. When one party misrepresents what it gives to

the other party, that exchange is fraudulent: someone has been taken advantage of and the law is called to rectify the situation and to punish the miscreant.

(i) The same is true for democracy; parties and individuals seek votes. They inform us of what we would receive in exchange for our vote and we offer our vote to the person or party that offers what we want or find most acceptable.

(ii) If there is a deliberate attempt to misrepresent or to conceal pertinent facts from us, the transaction becomes fraudulent: imagine the person who engages in a transaction with the Nigerian Prince. That was not a legitimate business transaction, it was fraud, a crime.

38. The Government has refused to uphold the law and to defend the national interest and basic values. It has engaged in grave misconduct and has ignored serious misconduct in organisations under its purview.

(i) The Opposition has refused to oppose, to hold the Government to account and to defend the law, the constitution, fundamental rights, the national interest and vital structures and values. It has also concealed these matters and the misconduct of the government from the public.

(ii) **Parliament is therefore filled with people who are all on the same side, against the national interest, the safety and well-being of the ordinary man, woman and child and working for Heaven knows whose interests. Whatever that is, it is not democracy.**

(a) **They carry out a charade where they appear to oppose each other but, ultimately, it is them against the public and the public or national interest. When it really matters, they know which side they are on, and it is not the side of the public or of the national interest.**

Prediction

39. In 2020, I wrote a pamphlet, entitled: *"Likely Outcomes of Active Judicial Processes"*. In it I predicted unlawful decisions in certain cases that were then before the courts. Those predictions were borne out. Where the courts function as they should, it should not be possible for a person correctly to predict unlawful decisions in several cases.

40. In this document, as in *Likely Outcomes of Active Judicial Processes*, I make a prediction that no serious person would dare make in a democracy:

(i) I am going to send this document, along with reports and proof of the matters described at No.17, above, to each member of the House of Commons. I shall also send copies to the political parties.

(ii) Over the next six weeks, they will campaign for people's votes. Just as they did with the NHS Blood Scandal and who knows what else, they will advertise on television, in newspapers and anywhere else they can think of, they will broadcast messages on social media, they will meet people in the streets, enter people's houses, shake people's hands, look them in the eye and all the while they will conceal from these matters, matters people ought to know. In other words: they will practise a contemptuous deception on the public, they will ensure that we do not have a democracy.

Words in the House of Commons, on the NHS Contaminated Blood Scandal

41. Below, are quotes from the House Of Commons on 20 May, 2024, when the Prime Minister made a statement on the NHS Infected Blood Scandal. Over the years, I had occasion to report my case and the matters set out at No.17, above, to each of these MPs.

42. Rt. Hon. Rishi Sunak, MP:

"This is a day of shame for the British state. Today's report shows a decades-long moral failure at the heart of our national life. From the national health service to the civil service, to Ministers in successive Governments, at every level the people and institutions in which we place our trust failed in the most harrowing and devastating way. They failed the victims and their families, and they failed this country. Sir Brian finds a "catalogue" of systemic, collective, and individual failures, each on its own serious, and taken together amounting to "a calamity". The result of this inquiry should shake our nation to its core. This should have been avoided. It was known that these treatments were contaminated. Warnings were ignored, repeatedly. Time and again, people in positions of power and trust had the chance to stop the transmission of those infections. Time and again, they failed to do so. Sir Brian finds "an attitude of denial" towards the risks of treatment. Worse, to our eternal shame, and in a way that is hard even to

comprehend, they allowed victims to become "objects for research". Many, including children at Lord Mayor Treloar College, were part of trials, conducted without their or their parents' knowledge or consent... including those who had been misdiagnosed and did not even require treatment... Worse still, they were made to think that they were imagining it. They were made to feel stupid... With illness came the indignity of financial hardship, including for carers, those widowed and other bereaved family members. Throughout it all, victims and their loved ones have had to fight for justice, fight to be heard, fight to be believed and fight to uncover the full truth. Some had their medical records withheld or even destroyed. The inquiry finds that some Government papers were destroyed in "a deliberate attempt to make the truth more difficult to reveal."... Today, I want to speak directly to the victims and their families, some of whom are with us in the Gallery. I want to make a wholehearted and unequivocal apology for this terrible injustice. First... Secondly, I want to apologise for the repeated failure of the state and our medical professionals to recognise the harm caused. That includes... the failure to recognise hepatitis B victims. Thirdly, I want to apologise for the institutional refusal to face up to these failings—and worse, the denial and even the attempt to cover them up—the dismissing of reports and campaigners' detailed representations; the loss and destruction of key documents, including ministerial advice and medical records; and the appalling length of time it took to secure the public inquiry that has delivered the full truth today. There is layer upon layer of hurt, endured across decades. This is an apology from the state to every single person impacted by this scandal. It did not have to be this way. It should never have been this way. On behalf of this and every Government stretching back to the 1970s, I am truly sorry. Today is a day for the victims and their families to hear the full truth acknowledged by all and, in the full presence of that truth, to remember the many, many lost loved ones. But justice also demands action and accountability, so I make two solemn promises. First... Secondly, it is not enough to say sorry, pay long-overdue compensation and then attempt to move on. There can be no moving on from a report that is so devastating in its criticisms. Of course, in some areas medical practice has long since evolved, and no one is questioning that every day our NHS provides amazing and lifesaving care to the British people. But Sir Brian and his team have made wide-ranging recommendations. We will study them in detail before returning to the House with a full response. We must fundamentally rebalance the system 665 20 MAY 2024 Infected Blood Inquiry Report 666 so that we finally address the pattern, so familiar from other inquiries such as Hillsborough, where innocent victims have to fight for decades just to be believed... We

would not be here today without those who tirelessly fought for justice for so many years. I include journalists and parliamentarians in both Houses... but most of all, the victims and their families. Many of them have dedicated their lives to leading charities and campaign groups, pouring their own money into decades of running helplines, archiving, researching and pursuing legal cases, often in the face of appalling prejudice... But today, their voices have finally been heard. The full truth stands for all to see. We will work together across Government, our health services and civil society to ensure that nothing like this can ever happen in our country again. I commend this statement to the House."

43. Rt. Hon. Sir Keir Starmer MP:

"This response can begin in only one place, because this is an injustice that has spanned across Governments on an unprecedented scale, and collectively we failed to protect some of the most vulnerable in our country. So as well as paying tribute to the courage and determination of the victims—the infected and the affected—some of whom are in the Gallery today, I want to acknowledge to every single person who has suffered that, in addition to all the other failings, politics itself failed you. That failure applies to all parties, including my own. There is only one word: sorry. By that apology, I acknowledge that that suffering was caused by wrongdoing, delay and systemic failure across the board, compounded by institutional defensiveness. As Sir Brian Langstaff makes clear in his report, any apology today must be accompanied by action... we will work with him to get that done swiftly, because—make no mistake—the victims in this scandal have suffered unspeakably. Thousands of people have died; they continue to die every week. Lives completely shattered; evidence wilfully destroyed; victims marginalised; people watching their loved ones die; children used as objects of research—on and on it goes. The pain is barely conceivable. As well as an apology, I want to make clear that we commit to shine a harsh light upon the lessons that must be learned to make sure that nothing like this ever happens again. Passing through the doors of a hospital is a moment of profound vulnerability; you entrust your life into the hands of perfect strangers. We go to hospital for care. That is what many of the people affected find so hard to accept—the betrayal of that trust by people and institutions that were meant to protect them. People like my constituent Mark Stewart... Over the decades as Mark and so many like him searched for truth and justice, the British state ignored them. The truth, as Sir Brian says today, was hidden from them for decades. That is why this is one of the gravest injustices this country has seen.

Yet, we have to be honest: this scandal is not unique. The institutional defensiveness identified by Sir Brian is a pattern of behaviour that we must address. Mark may never get his brother, his father or his health back, but for all the families affected we must restore the sense that this is a country that can rectify injustice, particularly when carried out by institutes of the state. That is our job today, this week and beyond. Frankly, it is the very least that we owe"

44. Rt. Hon. Theresa May, MP:

"Sir Brian has highlighted a devastating and abject failure of the British state: medical professionals, civil servants and politicians, all of whom felt their job was to protect their own reputation rather than to serve and look after the public they were there to serve. Today, as we rightly remember all the victims of this terrible tragedy, will my right hon. Friend commit himself unashamedly to working to ensure that all those in Government—politicians and civil servants— recognise that their job is to serve the public, not to protect themselves?"

45. Rt. Hon. Sir Ed Davey, MP:

"I pay tribute to the survivors, the families, the campaigners and the journalists who have fought so long and so hard for justice. Having listened to their stories and having now seen the evidence laid bare in this report, I want, on behalf of my party, to echo the Prime Minister's apology. We are all truly sorry for the pain that people have suffered over decades, under Governments of all parties, and for the failures of politicians and the state to do the most fundamental job: to keep people safe. We must now ensure that full compensation is paid without any more delay, and that nothing like this can ever happen again. In his report, Sir Brian highlights the fact that "the truth has been hidden for decades" through a "lack of openness, transparency and candour" which has caused enormous damage. Will the Prime Minister join me in backing the survivors' call for a duty of candour on all public officials?"

46. Rt. Hon. Sir Sajid Javid, MP:

"I welcome my right hon. Friend's statement, and, indeed, the words of the Leader of the Opposition. This scandal—the biggest in the history of the NHS— along with the scandals of the Mid Staffordshire NHS Foundation Trust and those covered by the Ockenden and Cass reviews, are linked by public servants putting their reputations and that of the NHS above patient safety and care. Time and again, Ministers—including me— have stood at that Dispatch

Box under successive Governments, promising that lessons will be learnt. I ask my right hon. Friend: why will it be any different this time?"