

All Administrative Courts are Unlawful

Compiled by Observation Deck

The next time you get ANY BS from the local council, police or any other revenue collection disguised as a "Charge/fine" I suggest you read the following and from these FACTS make up some pertinent questions to send prior to agreeing any invitation to appear (I'm not going to do it all for you.)

Halsbury's Laws of England are regarded as the overall authority on England's Laws.

Under "STATUTES (VOLUME 44(1) (REISSUE))/1. NATURE OF PRIMARY LEGISLATION/(2) DEFINITION AND CLASSIFICATION/(iii) Particular Types of Act/ A. CONSTITUTIONAL, TREATY AND FINANCIAL ACTS/1221. Constitutional Acts", we see:

(iii) Particular Types of Act

A. CONSTITUTIONAL, TREATY AND FINANCIAL ACTS

1221. Constitutional Acts.

The British Constitution is said to be 'unwritten'. This only means that, unlike most countries, the United Kingdom does not possess a single comprehensive constitution and much of its constitutional principle is embodied in the common law. There are nevertheless a number of historic statutes regarded as embodying and setting forth the state's constitutional principles.

1. Any modern Act which amends or adds to these may also be regarded as a constitutional Act

2. The main significance of classing an Act as a constitutional Act lies in the nature of the interpretative criteria which then apply to it. In particular, the rights the Act confers, having the quality of constitutional rights, will be regarded by the courts as fundamental and not to be displaced except by clear words.

1 See eg Magna Carta (1215); the Bill of Rights (1689); the Act of Settlement (1700); the Septennial Act 1715.

2 See eg the Parliament Acts 1911 and 1949; the Crown Proceedings Act 1947; the Representation of the People Acts 1949 to 1983; the House of Commons Disqualification Acts 1957 and 1975; the Crown Estate Act 1961; and the Supreme Court Act 1981.

NOTE 2--Supreme Court Act 1981 now cited as Senior Courts Act 1981: Constitutional Reform Act 2005 Sch 11 para 1 (in force on 1 October 2009: SI 2009/1604).

The Constitution derives from the Magna Carta 1215 - and also the Bill of Rights (1689); the Act of Settlement (1700); the Septennial Act 1715.- as well as Parliament Acts 1911 and 1949; the Crown Proceedings Act 1947; the Representation of the People Acts 1949 to 1983; the House of Commons Disqualification Acts 1957 and 1975; the Crown Estate Act 1961; and the Supreme Court Act 1981.

As Lord Halsbury stated:

“It is a constitutional principle that the assent of the Queen & Parliament is prerequisite to the establishment of a Court which can operate a system of administrative law in Her Majesty’s Courts in England.

This was confirmed by Lord Denning during the debates on the European Communities Amendment Bill, HL Deb 08 October 1986 vol 480 cc246-95 246 at 250:

“There is our judicial system deriving from the Crown as the source and fountain of justice. No court can be set up in England, no court can exist in England, except by the authority of the Queen and Parliament. That has been so ever since the Bill of Rights”.

So, performing administrative acts on behalf of the executive is incompatible with the terms of the Oath, which Judges take when they are created under Section 2 of the Promissory Oaths Act 1868, which every Judge must take. A breach of that Oath is perjury. Furthermore no authority local or otherwise especially when it is nothing more than a for-profit DUNS registered corporation has neither the right nor the judicial capacity to send out a summons, let alone attempt to enforce it.

If the argument is that Common Law has no basis in administrative law proceedings (and therefore is irrelevant), it should be noted that administrative law has **not been sanctioned by Parliament.**

COURTS ANY COURT WITHOUT A JURY PRESENT IS AN ADMINISTRATIVE COURT.

All Administrative Courts are UNLAWFUL “Actions which overthrow and subvert the laws and Constitution of the Kingdom and which would lead to the destruction of the Constitution are unlawful”. The case of R V Thistlewood (1820) established that “To destroy the Constitution of the country is an act of treason”.

Halsbury’s Administrative Law 2011 Halsbury’s 4th Edition of Law 2011 confirms that administrative law is (nothing more than) an arrangement between the Executive and the Judiciary. And that the Law is absolutely clear on this subject. There is NO authority for administrative courts in this country, and NO Act could be passed to legitimise them.

Lord Diplock stated ... (its recorded in HALSBURYS) “All administrative courts are illegal and can never be legislated into existence”, performing administrative acts on behalf of the executive is incompatible with the terms of the Oath, which Judges take when they are created under Section 2 of the Promissory Oaths Act 1868, which every Judge must take.

A breach of that Oath is perjury. (See Perjury Act 1911 Sec 5) You’ll love it!

To add: ‘Administrative Law’ (so called) forms no part of ‘the laws and usages of the realm’ – Which Judges swear to the Sovereign to uphold via Promissory Oath that binds them to a specific course of conduct – otherwise they cannot be said to perform their judicial duties impartially.

This was confirmed by Lord Denning during the debates on the European Communities Amendment Bill, HL Deb 08 October 1986 vol 480 cc246-95 246 at 250:

“There is our judicial system deriving from the Crown as the source and fountain of justice. No court can be set up in England, no court can exist in England, except by the authority of the Queen and Parliament. That has been so ever since the Bill of Rights.” OR THE DECLARATION OF RIGHTS OF 1688 ACTIONABLE ACTIONS OF A HUMAN BEING OR CORPORATE PERSONA

CASE LAW OF – R v Donovan [1934] 2 KB 498 at 507, [1934] All ER Rep 207 at 210. In delivering the judgement of the Court of Criminal Appeal Swift J, said:-

“If an act is unlawful in the sense of being in itself a criminal act, it is plain that it cannot be rendered lawful because the person to whose detriment it is done consents to it. No person can license another to commit a crime.”

In other words no authority such as a court clerk can licence a local authority to break the law by issuing summons without a case file and due-process and thus creates misrepresentation, malfeasance and breaches the principles of public office.

One only has to ask under what parliamentary authority do you have as a corporation to issue a summons?

You might also want to ask

Where is the full and completed case file? Reminding them of the CPR part 31
<https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part31>

Justice Swift is telling us that, driving without government documents such as licences, MOT's etc., cannot be 'of itself criminal', as the government licences these acts and therefore they cannot be criminal. This is still a leading case, as can be seen from this document which can be found on The House of Lords' website.

That covers so far the administrative courts and their treasonous application of the legal shenanigans but all unlawful nonetheless.

REGARDING A RIGHT OF PASSAGE

Ex parte Lewis (1888) 21 Q.B.D. 191 Wills J. said in regard to public right of passage:-

“The only 'dedication' in the legal sense that we are aware of is that of a public right of passage, of which the legal description is a 'right for all Her Majesty's subjects at all seasons of the year freely and at their will to pass and re-pass without let or hindrance.”

By definition, a financial penalty procured through a pecuniary advantage, howsoever called, is diametrically opposed to “without let or hindrance”. This is operating outside of Statute, as a human being cannot be levied by the State or company; only Juristic persons (legal entities) can be so levied against. In other words, establish your living status (evidenced through affidavit) and get on with your life!

You can also add the Act of union 1707 which states our god-given right to free moment. Just check the inside cover page of your passport for confirmation, now tell me again about lockdown?

Act of Union 1707: IV That all the Subjects of the United Kingdom of Great Britain shall from and after the Union have full Freedom and Intercourse of Trade and Navigation to and from any port or place within the said United Kingdom and the Dominions and Plantations thereunto belonging And that there be a Communication of all other Rights Privileges and Advantages which do or may belong to the Subjects of either Kingdom except where it is otherwayes expressly agreed in these Articles

It goes on to say: XXV That all Laws and Statutes in either Kingdom so far as they are contrary to or inconsistent with the Terms of these Articles or any of them shall from and after the Union cease and become void and shall be so declared to be by the respective Parliaments of the said Kingdoms. (Lockdown?)