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Skeleton Argument

3. Appeal Against a Police Investigation

1. You can appeal if a complaint was not recorded.

2. You can appeal against the local resolution process.

3. You can appeal against the police investigation into your complaint.

4. You can appeal against a decision to disapply.

5. You can appeal against the outcome of a complaint after the decision to disapply.

6. You can appeal against discontinuing an investigation.

The sections below explain when you can appeal and include a link to the relevant appeal form. Please note that during the appeal process, we will not investigate your original complaint, just how the police dealt with your complaint.

1.0. Appeal against non-recording of complaint.

1.1. The police or local policing body decided not to record the complaint. There are some occasions when they do not need to record a complaint, but you should be told why. You can find a list of when the police do not need to record a complaint in our statutory guidance.

1.2. The police force or local policing body you complained to does not tell the responsible police force about your complaint, and confirm to you in writing within 15 working days that it has done this. This applies if you complained to a different police force than the one responsible for the incident you are complaining about.

1.3. If a police force or local policing body fails to make a decision to record your complaint and doesn’t inform you within 15 working days.

For each of the appeals below, you should have received a letter explaining what has happened with your complaint. This letter should tell you who you can appeal to. In many cases this will be the chief officer of the police force. In other cases, it will be the IPCC. You should send your appeal to the relevant organisation. If you send it to the wrong organisation, it will be forwarded to the relevant organisation.

2.0. Appeal against the local resolution process.

You may be able to appeal if your complaint was dealt with using the local resolution process. When the police wrote to you about the outcome of your complaint, they also told you who you could appeal to. In many cases this will be the chief officer of the police force. In other cases, it will be the IPCC. You should send your appeal to the relevant organisation. If you send it to the wrong organisation, it will be forwarded to the relevant organisation.
2.1. You think that the outcome of the local resolution of your complaint was not a proper one. This means that, for example, you believe the outcome was not appropriate to the complaint, or the outcome did not reflect the evidence available.

3.0. **Appeal against a police investigation.**

*You may be able to appeal if your complaint was dealt with through a local or supervised investigation.*

3.1. You did not receive adequate information to enable you to understand why the police came to their decision.

That is correct. Victim received no supporting documents and police officers *et alia* withheld disclosure documents to create a catch-22. That ongoing negatively affected preparation of appellate documentation.

3.2. You disagree with the findings of an investigation. This might be because you feel they haven’t interviewed the right witnesses, or understood the complaint properly, or made the right decision based on all the evidence.

That is correct. They have made arbitrarily, unsupported decisions and have not investigated the issues in accordance with IPPC or CPS protocols in a timely fashion. They have still not filed a DSI complaint although granted document access over an 18-month period.

3.3. You disagree with the action the police plan to take after an investigation. For example, the action they propose to take against those involved in the complaint, or changes to the way the police force operates.

That is correct. Police officers had no plan and acted without documentation in a catch-22 which construed as entrapment and misconduct in public office by not complying with regulatory protocols.

3.4. You do not think the police have made the right decision about whether an officer you complained about has a case to answer for misconduct, gross misconduct, or whether their performance was unsatisfactory.

Police officers and staff members have a gross misconduct case to answer for machination and deliberate evasion in not following investigation protocols also legal and time requirements.

3.5. You disagree with a decision the police have made not to refer the investigation of a complaint to the Crown Prosecution Service (CPS).

That is correct. Regulations require that police officers must file DSI complaints with IPCC and/or CPS within 24 hours. They have not filed them after 18 months procrastination.

4.0. **Appeal against a decision to disapply.**

*You may be able to appeal if the complaints process was stopped before an investigation was undertaken. This occurs when the relevant police force makes a decision to disapply.*
4.1. You do not think the police should have decided to disapply.

5.0. **Appeal against the outcome of a complaint after the decision to disapply.**

You may be able to appeal the outcome of your complaint if the process was stopped before an investigation was carried out. Stopping dealing with a complaint before an investigation is carried out is called a “decision to disapply”.

5.1. You are not happy with the action that was taken after the decision to disapply.

5.2. You are unhappy that no action was taken after the decision to disapply.

5.3. You do not agree with the outcome of your complaint after the decision to disapply.

5.4. You do not think that the outcome of your complaint after the decision to disapply was sufficient. This means, for example, that you believe the outcome was not sufficient for the nature of the complaint, or the outcome did not reflect the evidence available.

6.0. **Appeal against discontinuing an investigation**

You may be able to appeal if a police force decides to end an ongoing investigation into a complaint.

6.1. You do not think the police should have discontinued the investigation.
Independent Police Complaints Commission (IPCC)

Corrupt Bureaucracies and Police Districts (BCUs)

Cheshire Constabulary

Skeleton Argument - DSI Matters - Abuse of Process

The overriding objective of the General Optical Council (GOC) and other quangos regulated by Professional Standards Authority in conducting a criminal investigation relates to protecting and maintaining the health and safety of the public. The objective of this complaint has a similar purpose. The GOC protocol governs the conduct of investigations and the decision whether to prosecute suspected criminal offenses under the Opticians Act 1989, as amended by the Opticians Act 1989 (Amendment) Order 2005 (the Act) and other legislation in pari materia.

Independent Police Complaints Commission (IPCC) has a statutory duty to secure and maintain public confidence in the police complaints system in England and Wales. IPCC assists local policing bodies and forces to comply with their legal obligations and achieve high standards in the handling of complaints, conduct and death and serious injury (DSI) matters. In its investigations, IPCC must comply with IPCC Statutory Guidance to the police service on the handling of complaints (Amended May 2015) which embraces Police Reform Act 2002 and statutes in pari materia.

A DSI matter means any circumstances (unless the circumstances are or have been the subject of a complaint or amount to a conduct matter) in, or as a result of which, a person has died or sustained serious injury and at or before the time of death or serious injury the person had contact of any kind – whether direct or indirect – with a person serving with the police who was acting in the execution of his or her duties and there is an indication that the contact may have caused, whether directly or indirectly, or contributed to the death or serious injury. Section 12, Police Reform Act 2002.

Where a DSI matter comes to the attention of a chief officer or local policing body, that officer becomes the relevant appropriate authority and must record that matter. The IPCC may direct the appropriate authority to record a DSI matter that has come to the IPCC’s attention, but has not been recorded. The appropriate authority must comply with that direction. Paragraph 14A, Schedule 3, Police Reform Act 2002.

DSI matters should be recorded as soon as practicable after they are identified bearing in mind the timescale which calls for a mandatory referral made without delay and in any case not later than the end of the day after the day it first becomes clear that it is a matter which must be referred. Regulations 4, 7 and 8, Police (Complaints and Misconduct) Regulations 2012.

Samantha Peters, Registrar and Chief Executive, General Optical Council, et alia have, with malice aforethought, contravened GOC protocols that relate to a death and serious injury matters (DSI); instead, she suborned testimony. She made an arbitrary, political determination without processing the complaint under GOC protocols that govern the conduct of investigations and
decisions on whether to prosecute suspected criminal offences under the Opticians Act 1989, as amended by the Opticians Act 1989 (Amendment) Order 2005 and related legislation.

Janette McCormick, Deputy Chief Constable, Cheshire Constabulary et alia neglected to record the DSI matter referred to her by Peters within 24 hours and file it with IPCC and/or CPS as required by IPCC Statutory Guidance to the police service on the handling of complaints. Instead, after a six months of stonewalling and wilful blindness, she referred the matter to her own Professional Services Department (PSD) not a PSD in an independent BCU as required by the statutory guidance, then set up a catch-22 to effectively find herself not guilty which construes as an abuse of process.

Victim alleges that Janette McCormick and Samantha Peters conspired ex parte in an abuse of process contrary to the basic principle that it is for the prosecution, not the accused to decide whether a prosecution should be commenced and, if commenced, whether it should continue. In Environment Agency v Stanford [1998] C.O.D. 373, DC, Lord Bingham LCJ said: “The jurisdiction to stay, as has been repeatedly explained, is one to be exercised with the greatest caution. . . . The question of whether or not to prosecute is for the prosecutor. Most of the points relied on in support of an argument of abuse are more profitably relied on as mitigation.”

Both Peters and McCormick orchestrated a cover up by using gatekeepers to conceal evidence of wrongdoing, error, incompetence and other embarrassing information by withholding documents necessary for due process of law. By that, they allegedly committed, jointly and severally, misconduct in public office (criminal) and a tort (civil) which makes them personally liable for indictment and a civil lawsuit for damages. They have left the octogenarian Victim/Journalist (who suffered a near death experience which has disabled him) in limbo and denied him his human and civil rights.

Case Study and Legal Argument

Nina Catherine Houghton - Assault with a Deadly Weapon
2 Cambrian Villas, Whitchurch Road, Chester, Cheshire, CH3 9DY.

Early August 2014, Houghton Opticians, Hoole, Chester, Cheshire, CH2 3AZ sent individually addressed invitations to its registered patients requesting them to attend an annual eye examination. The Victim (Paul Trummel referred to Houghton Opticians during 2012 by David Snowden MD GP, The Elms Medical Centre, Chester) responded by appointment on Tuesday, 19 August, 2014 at 14:10. During the preliminary examination, Nina C Houghton (Houghton-N), Marketing Manager cohabitant with Christopher Mark L Houghton (Houghton-C), Independent Optometrist (GOC #01-19936) acted as assistant to Ian Robert Dobson, Independent Optometrist (GOC #01-19623). Dobson neither attended nor supervised that examination which was conducted in the style of a Tesco checkout.

Optometrists, dispensing opticians, trainee optometrists and trainee dispensing opticians employed by Houghton Opticians must register as individuals with General Optical Council (GOC) and abide by the GOC Code of Conduct in their personal and professional conduct at all times. Houghton-N allegedly holds no optical or academic qualifications that permit her to act as a
Trainee optometrist and GOC has not verified registration. Her name does not appear on the optometrist and dispensing opticians register.

A trainee optometrist usually requires a two or three year applied science degree before assisting an ophthalmologist or optometrist with vision testing. Houghton-N claims to hold a degree from Anglia Ruskin University, BA Hons, Communication Studies 1995-99. Although Ruskin U grants ophthalmic degrees and diplomas, no published record exists of Houghton-H having earned more than a communication studies degree.

Although a reasonable person would expect GOC to investigate a report of this nature as soon as it received the information, Samantha Peters, Chief Executive and Registrar, GOC arbitrarily evaded her responsibility to act and several times insisted that Victim contact the police.

At Peters insistence, Victim filed with Cheshire Constabulary alleging assault with a deadly weapon against Nina C Houghton. He requested Lisa Mariska Davis, Barrister and Head, Fitness to Practice (FTP), GOC to provide a reason for the neglect by Peters to file with police on behalf of GOC after investigation and mitigation of the damage caused by delaying that process. Both Peters and Davis did not respond to the remaining issues in accordance with the GOC/FTP remit for processing criminal complaints which Peters had repeatedly stonewalled. Instead, Davis produced a false and misleading, unsigned document in an attempt to cover up non-compliance by Peters with suborned evidence. By that, Davis received a promotion and very large salary increase.

[General Optical Council - Criminal Prosecutions - Protocol]

GOC individual registrants at Houghton Opticians have not disclosed the name and credentials of the person that caused the injuries; consequently, they classify as accessories after the fact to criminal activity. That construes as misconduct in public office when they are employed to perform work for a private sector business providing public sector services.

Houghton Opticians and Countess Of Chester Hospital allegedly tried to replace serious malpractice with a common malady often experienced by elderly people in varying degrees. That classifies as a criminal offense in itself; especially, when Houghton would not reveal the name of the culprit who caused the injury which for three months prevented elevation of the complaint to the General Medical Council (GMC) and falsified limited liability records without filing them with GOC in a cover-up of their crimes.

The Victim challenged the conclusion published by Countess of Chester Hospital as inaccurate due to the extent that it diverted the intent of the examination to a lesser medical condition than that caused by the injury. New medical evidence allowed elevation of the initial complaint to a criminal investigation by GOC and an impending investigation by General Medical Council (GMC) for malpractice as defined in Medical Act 1983 and GOC Fitness to Practise Rules 2004; however, they used contempt prior to investigation to deny due process by using arbitrary, unsupported statements.

The Victim is about 50% work disabled from traumatic dyslexia, traumatic macular degeneration and cataracts also a series of physical and neurological injuries, all caused by the "zap" (19 Aug 14). He had all the evidence reviewed by ophthalmologists and neurologists in US after
extensive forensic tests, which included magnetic resonance imaging (MRI), proved falsification of medical records in UK.

Hickley, in an alleged consort with Houghtons, tried to change the injuries caused by the zap to a lesser degree by claiming a preexisting condition to evade criminal charges. The Victim had never previously experienced any of those conditions and they were not diagnosed seven times during medical examinations by different optometrists during the previous five years (thrice during Houghton consultations) all documented.

This information rebuts the fraudulent decision filed by Hickley with the Victim’s MD and forms the basis of an impending report to General Medical Council (GMC) about his alleged conspiracy to alter the forensic continuum for either political or financial gain. Criminal complaints against McCormick relate to assault with a deadly weapon and a civil tort action to recover extensive medical expenses connected with her misconduct in public office described in this case study and the 12 months disingenuous and illegal circus that she created using her own PSD, wilful blindness and document withholding instead of compliance with IPCC guidance that requires openness.
**Northwest UK Mafia - Modus Operandi**

**The Blue Code of Silence**

*Cheshire Constabulary and other BCUs*

**Prior Restraint to Pervert the Course of Justice**

The Blue Code of Silence describes corrupt police personnel conspiring to cover up each other’s unethical behaviour under a mafia code that defies anyone to speak out against a colleague. Such behaviour among police officers and staff members also bureaucrats entrusted with authority over members of the public should be a serious and understandable concern. Many instances of police unethical behaviour are not reported by colleagues. In many cases the crime is displaced onto the victim using entrapment stratagems or psychopathic ploys.

Similarly, behaviour that abuses the authority given to the police is not reported by associates. By that, behaviour that police personnel consider to be politically sensitive is unlikely to be reported. Instead, it is covered up by expenditure of £-millions on fraudulent ombudsman schemes and other dubious public protection stratagems which have underlying criminal purposes and no foundation in law.

Use of modus operandi (MO) and criminal databases to link cases has long ranked as an important investigative method available to law enforcement separate from the concept of offender signature. It forms an evidential pattern or practice to which law can be applied as a basis for legal action. Modus operandi means a method of operating to discover a criminal’s pattern of behavior or way of committing crime. Understanding a criminal’s repeat behaviour allows those concerned with law enforcement to investigate and link criminal cases.

Ironically, modus operandi has become a means for Northwest Mafia to consolidate serious crime using police officers and staff members as part of the problem not part of the solution. They misuse it against informants, victims and journalists instead of the bureaucratic criminals with whom they have formed a consort. It consists of layer upon layer of disinformation to cover up the real motive for crime which one can only describe as a weird combination of oligarchy and anarchy based upon mafia protocols.

The term “organized crime” can be used in very different ways. It can simply mean systematic and illegal activity for power or profit; however, the term has also become virtually synonymous with mafia-type bureaucracies, in particular rogue government officials, quangos and police BCUs. By that, they become, jointly and severally, accessories before and after the fact with the criminals they are meant to expose.

Perverting the course of justice is an English common law crime involving one of a number of actions which are designed to interfere with the administration of justice. This crime is triable on indictment only. Instances of other statutory crimes, such as perjury, fraud or witness tampering can also amount to perverting the course of justice by withholding evidence, suborning testimony and silencing witnesses.
In Cheshire, the Blue Code of Silence exerts influence over police personnel; however, that influence is not whether unethical behaviour should be reported, but more in terms of whether it should be reported openly or anonymously. Professional Standards Department adversely influences process of complaints using unethical behaviour and gagging for political purposes instead of law. In particular, it withholds evidentiary documents and encourages alleged criminal quangos to do the same; thereby, perverting the course of justice.

The police hold legal and *de facto* discretion to decide on alternatives to prosecution such as a formal caution or an informal warning and words of advice. This discretion is based on factors such as the severity of the offence, the harm to the public, whether the offence is unusual and whether the offender heeds warning or advice. However, it is frequently used to benefit police officers and not the victims of crime they are paid to serve. Police personnel make frequent reference to their own integrity and to the expectations placed upon them, then show that they do not possess a moral compass.

It is concluded that police personnel do not report their colleagues’ unethical behaviour. If police personnel consider the unethical behaviour to be serious, harmful or repeated, then it is very likely to be covered up using psychological displacement onto victims and the public by gagging peer objections.
Fraudulent Investigation and Decision - Fletcher - Cheshire BCU

Independent Police Complaints Commission (IPCC)
Andrew (aka Andy) Fletcher, Detective Inspector, Cheshire Police (PSD)

During the past five years, Cheshire police have investigated nothing in accordance with their own protocols when faced with complaints by the Victim. When the Victim files a complaint, they use a disingenuous process of wilful blindness and arbitrary denial that a problem exists then create a catch-22. In Cheshire, the constabulary is rotten to the core with officers in two categories: sub-literate yokels unable to understand their own rules and self-serving, social-climbing bureaucrats more interested in feathering their own nests than investigating and solving cases with integrity.

Cheshire police officers neither provide monthly reports required by protocols nor substantiate their arbitrary decisions as required by law. They ignore legitimate rebuttals and do not answer questions posed for clarification so that they can whitewash evidence to their own advantage. Chester Constabulary has blocked due process of law for six years which has allowed Nicholas Bailey to produce a document (12 Dec 15) containing false and misleading information by which he endeavours to arbitrarily close the case to cover up police neglect and corruption.

Neither Fletcher nor Bailey have cited a single law or legal precedent to support their sub-literate, arbitrary statements. In a conflict of interest, they used general denial to reach their unlawful decisions on a Death or Serious Injury (DSI) case that they should have referred to Independent Police Complaints Commission (IPCC) and/or Crown Prosecution Service (CPS) for an opinion within 24 hours of receiving it and prior to referring it to another BCU for investigation. Instead, they chose to investigate the behaviour of their "boss" Janette McCormick and arbitrarily find her not guilty of misconduct in public office.

Verification and Validation

Cheshire police officers consistently neglect properly to substantiate the content or to sign, verify and validate documents with their Warrant Number, Rank, First/Middle/Last Name and Job Title in direct violation of police regulations. Information obtained from other sources temporarily identifies them in this case study; however, the absence of verification and validation could adversely affect innocent namesakes especially when the perpetrators have common surnames and use nicknames or pseudonyms to hide their identity.

In the United Kingdom, a warrant card (or a signed and dated copy of the information that it contains) evidences a police officer’s sworn attestation. Police force policy dictates that officers must identify themselves and produce their warrant card when performing police duties. Cheshire Constabulary police officers and civilian staff consistently hide their identity then conduct unlawful investigations which pervert the course of justice with impunity. By that, they prevent Victims obtaining due process of law. This case is an example of machination by Cheshire police officers to pervert the course of justice aided and abetted by David James Bryan (SRA ID #165253) and Elizabeth Heavey (SRA ID #359700) force solicitors.

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Stonewalling by Heavey, a Cheshire police lawyer of record, deliberately delayed due process of law by neglecting to provide identification for police officers on her patch and withholding pretrial and medical documents which make her liable to impending complaints to the Solicitors Regulation Authority (SRA) for misconduct in public office.

Elizabeth Heavey, Admitted as a Solicitor (18 Apr 06). Employee at Cheshire Constabulary Force Solicitors Office, Cheshire Constabulary Headquarters, Clemonds Hey, Oakmere Road, Winsford, Cheshire, CW7 2UA. Telephone: 01606364592

**Rebuttal to the Fraudulent Fletcher Decision** *(indented paragraphs in red)*

I [Fletcher] am writing to advise you of the outcome of the complaint you made against Unidentified Officers on 01 July 2015.

Fletcher has disingenuously altered the complaint continuum. The correct time frame for the investigation commenced on the date that McCormick was informed of the referral by General Optical Council (GOC) (26 Oct 14) when the original complaint about abuse of process against McCormick/Peters/Lavin commenced through the present time not 01 July 2015 as Fletcher claims.

Complaint against identified police officers and staff members identified by sources Bailey, Dignam, Forshaw, Fletcher and Armstrong relates to breach of legal process in handling the McCormick/Peters/Lavin complaint.

Cheshire Constabulary has evaded its responsibility to investigate a DSI complaint in accordance with IPCC Statutory Guidance to the police service on the handling of complaints also previous complaints spanning five years *in pari materia* which share a common purpose or relate to the same subject construed together under one law, regardless of whether they contain any reference to one another.

Moreover, a related case referred to CPS by Metropolitan Police (Harrow) and subsequent arrest of the assailant was "disappeared" allegedly by her brother-in-law, a Harrow Police officer. Another assault in Hoole, Chester following forced entry without a warrant and restraint in a bedroom in a residence for two hours by a police officer has been "disappeared" by Cheshire Police who forged police records to cover up her misconduct and deny the Victim his rights. A police officer and journalism source confided to the Victim that she was a plague among other officers because her seniors did not restrain her repeated, outrageous behaviour.

A part of this pattern or practice concerns threats of Grievous Bodily Harm (GBH) by Christopher Graham Wheal (NUJ Official) Metropolitan Police (Lewisham) referred back by IPCC to Lewisham Professional services then "buried".

In addition, repeated harassment of the Victim and his elderly neighbours after dark by forced entry into residential premises by Gareth Lawrence (Cheshire Police) using false statements of non-compliance with ICO regulations filed by Christopher S Graham,
Information Commissioner without substantiation of the complaint or documentation although Victim repeatedly requested copies. Lawrence was referred to Victim’s solicitors Hcb Widdows Mason Limited (SRA ID: 606836), but evidently decided to “bury” the case after four night time visits in Victim’s absence when he entered the building without a warrant and harassed elderly neighbours.

The investigation of police complaints is an evidence based system, the aim of which is to ascertain whether there is sufficient evidence to uphold the complaint and if so, determine what action is required to resolve the matter. At times the Police Service must acknowledge that it could and should have done better. Whatever the outcome of a police complaint, we try to take the opportunity to learn lessons from what has happened so as to improve our service in the future.

Irrelevant and immaterial because Fletcher has shown contempt in not complying with those mandates. His statements amount to nothing more than arbitrary conjecture and bear no relation to procedures established in law. While police officers are investigating a crime, they must give Victim an update on the case at least once a month until it is closed.

On completion of investigation, the police must pass the information to Crown Prosecution Service (CPS) who will then decide if there’s enough evidence to take the case to court. If CPS decides to drop or alter the charge, they will usually tell the victim within five days and give them seven days to make a request for review. Dignam has complied with none of these protocols.

The matter was forwarded to Cheshire Constabulary, Professional Standards Department where it was formally recorded and allocated to Complaints Manager Mr Dignam to investigate. Mr Dignam has conducted an investigation into the circumstances surrounding your complaint(s), which are recorded as follows:

Allegation One: The complainant alleges that no action was taken by the Deputy Chief Constable in relation to his report of an assault.

Allegation Two: The complainant alleges the Police have not thoroughly investigated his allegation of criminal assault.

Allegation Three: The complainant alleges the police have been negligent in failing to act against numerous public bodies for misconduct in a public office.

Allegation Four: The complainant alleges the police failed to provide a report from Inspector Adderley.

Having reviewed the investigation report I am satisfied Mr Dignam has completed a sufficiently thorough and proportionate investigation into your allegations.

Then, Dignam must prepare a detailed chronology with the reasons for his decisions and present it to the Victim for acceptance or refutation.
I have considered whether the allegations should be upheld and whether cases of misconduct or performance should be considered in respect of the actions (or omissions) by individual police officers or members of police staff.

By what authority and precedents does Fletcher make this arbitrary claim?

The following conclusions can be drawn in respect of this complaint.

Allegation One: The complaint is Upheld on the basis there is evidence to support the allegation.

The written evidence runs into thousands of words and is fully substantiated with validated facts.

You contacted the Deputy Chief Constables Office on November 14 to report an allegation of assault upon you by an optician in Chester.

Refuted. McCormick was first contacted (26 Oct 14) after referral by Peters about an assault with a deadly weapon by Nina Catherine Houghton (19 Aug 14) and provided with 16 pages of evidence plus an URL to substantiated information. McCormick neither acknowledged nor replied to that correspondence and six follow-up messages during the following six months contrary to the mandated requirement for her to respond within five days.

Date: Sun, 26 Oct 2014 09:55:23 +0100
To: Janette McCormick <janette.mccormick@cheshire.pnn.police.uk>
From: Paul Trummel <trummel@contracabal.org>
Subject: Assault with a Deadly Weapon - 880-07-14
Deputy Chief Constable Janette McCormick
Cheshire Constabulary

I have attached the latest correspondence from Samantha Peters, General Optical Council (GOC) who has neglected to process a criminal complaint by reporting this case to law enforcement authorities for more than two months, contrary to GOC rules. She now wants to start another merry-go-round by suggesting judicial review. The content of her correspondence prevaricates and has no relation to facts. She has taken words and phrases out of context and used general denial.

Please take whatever action you deem necessary to expedite due process of law. As you will see from the responses, GOC are now prevaricating and using incitement. They allegedly have a political or financial axe to grind based upon the way they have behaved which has left elderly people in Hoole, Chester at similar risk to myself for more than two months. I have appended two files which explain the present situation and clarification can be obtained by viewing the web site and downloading PDFs. I will answer an interrogatory if you need more information.


I am now classified as disabled as a result of this assault. I can only work 2/3 hours before my eyesight fails to a degree that precludes me from using a computer and I must
now wear spectacles all the time and dark glasses when outside. I am pumped up with medication and have repeated headaches and balance problems. Consequently, it was as much as I could do to produce the attached documents. They take about six times the normal effort. I have another appointment with the ophthalmologist and neurologist at the end of January to see whether I need surgery.

I am away from Chester at the moment, so please reply by email.

Paul Trummel

PhD (RPI ABD), PhD (UW ABD), MS (RPI), MSc (UK), BSc (UK), FISTD, FIOP

Professor Emeritus, Chairman and Chief Executive Officer.

While the police are investigating a crime, they must give the Victim an update on the case at least once a month until it is closed. They must let the Victim know within five days if someone is: arrested; charged; set free; released on bail; given a caution, reprimand, final warning or penalty notice. If they cannot investigate the crime within five days of the reporting, then they must inform the Victim why they dropped the investigation. They must also immediately inform victims of serious crime persistently targeted or who are considered vulnerable or intimidated.

Administration support staff within the Deputy Chief Constable’s Office sought advice from Detective Superintendent Armstrong, Professional Standards Department, regarding the appropriate course of action. He advised that there was no requirement to take any action.

Which "Administration support staff within the Deputy Chief Constable’s Office" sought advice?

On what grounds did Detective Superintendent Armstrong decide that there was no requirement to take any action?

Why was the Victim not informed of the referral and decision in accordance with mandates?

In April 2015 you sent further correspondence to the Deputy Chief Constable’s Office which was then forwarded directly to the Professional Standards Department. It was acknowledged that a review of the criminal allegations should take place and that the assault allegation should have been crimed.

Why was it not "crimed"?

Who was responsible for not recording the decision and informing the Victim?

Detective Superintendent Armstrong accepted that he had not been fully aware of the circumstances of the case when he advised the Deputy Chief Constable’s Office to take no further action. This would appear to have been a genuine oversight and this is the point upon which this allegation is upheld.

Why was he not fully aware when the case had been fully documented?
Why did he not contact the Victim for clarification if he was confused?

You were subsequently notified in email correspondence from Mr Dignam on 22 April 2015 of the fact that the assault allegation had been recorded and would be duly considered and that he had liaised with Chief Inspector Derek Lockie in order for an officer to be allocated to investigate the case. Inspector John Forshaw was subsequently tasked with progressing the matter. An apology was also made to you at this time.

Date: Wed, 22 Apr 2015 11:03:28 +0000
From: Miles Dignam <miles.dignam21560@cheshire.pnn.police.uk>
To: Paul Trummel <trummel@contracabal.org>
Subject: Correspondence to ACC McCormick

Dear Professor Trummel,

I have been forwarded your correspondence and reviewed this case. Unfortunately your initial email in November 2014 was not acknowledged due to a misunderstanding and for that I apologise. Your allegations of criminality should be duly considered and as such I have liaised with Chief Inspector Derek Lockie from the Command Team, Western BCU which covers Chester. He will allocate an officer to review the issues you have raised and you will be contacted in due course.

Miles Dignam
Complaints Manager
Professional Standards Department
Cheshire Constabulary

The appropriate authority is responsible for appointment of a person to investigate a local, supervised or managed investigation. In the case of a supervised or managed investigation, the IPCC has the power to require any proposed appointment to be subject to its approval or, where a person has already been appointed, it may require another investigating officer to be selected.

[Police Reform Act 2002, Schedule 3, Paragraphs 16, 17 and 18]

Detective Superintendent Armstrong is now retired; however, this would have been suitable for words of advice to be given to him regarding the rules of crime recording.

How very convenient! Another instance of a fox going to ground at the first sound of barking.

I do not find any cases of misconduct against the officer subject of this complaint or other individual officers or members of police staff. I have however identified any area for personal learning and had Detective Superintendent Armstrong still been a member of the Constabulary he would have received words of advice in relation to crime recording.

This statement defines as wilful blindness, an indictable offence. "Wilful blindness" is a term used in criminal law to refer to the acts of a person who intentionally fails to be informed about matters that would make a person criminally liable. It describes an
attempt to avoid civil or criminal liability for a wrongful act by intentionally putting oneself in a position to be unaware of facts which create liability.

Allegation Two: The complaint is Not Upheld on the basis there is no evidence to support the allegation. The allegation of assault was crimed under reference 0715127247 and an Investigating Officer, Inspector Forshaw appointed. Inspector Forshaw contacted you to arrange a personal meeting with you; however you did not wish to do so without a legal advisor being present and you also did not wish to converse over the telephone.

The Victim was not copied into the appointment of Forshaw who has since orchestrated an illegal merry-go-round to evade his responsibility to investigate based upon the evidence provided by the Victim. He has sent a series of one-liners insisting upon a meeting to which the Victim agreed conditional upon the presence of an instructed lawyer which Forshaw ignored. He has done nothing to process the evidence for four months and has not reported to the Victim on progress each month regarding progress as mandated.

Inspector[?] Forshaw tasked an officer to make enquiries with the opticians.

Which officer?

Where is the Victim's copy of the report of those enquiries?

Whom did he/she interview?

They confirmed that you had allegedly suffered a reaction to a laser eye test and were satisfied there was nothing wrong with the machine or its operation.

After one year, Houghton Opticians have finally admitted "a reaction to a laser eye test" which is automatically a criminal offense when the test was performed by a person not registered with General Optical Council (GOC). Moreover, as they claim "there was nothing wrong with the machine or its operation", then the operator must have acted maliciously which the Victim has repeatedly alleged.

In this case, the action by Nina Catherine Houghton (who is not a registered optometrist) was an alleged malicious assault with a deadly weapon with murderous intent with all its IPCC, DSI and CPS legal ramifications whom the police should have arrested twelve months ago for questioning. Taking into consideration other attempts on the Victim’s life and malicious threats within two blocks of Houghton Opticians (already recorded and covered up by police), a distinct pattern or practice of malicious intent exists.

By police (without a warrant) enforcing unlawful entry of the property by Hall and Kennedy without adequate investigation of the circumstances surrounding the malicious filing of a criminal complaint by Hall (Incident Report #335/ 19 Nov 09), PCs McEwan and Steward arguably participated without giving a warning in the harassment of the Victim, an elderly person protected under the Human Rights Act 1998 and other laws in pari materia they put the Victim at further risk which evidently materialized at Houghton Opticians (19 Aug 14).
The matter was subsequently referred to the opticians governing body, the General Optical Council (GOC) and they found nothing amiss.

Who are "they"?

On what date were they interviewed?

Names of interviewers and interviewees required and a written report of the interrogation at Houghton Opticians have again not been provided to the Victim as mandated.

They therefore refused your request for £8,000 compensation.

To what request do they refer?

The Victim has no knowledge of any claim for £8,000.00 compensation and now requests written substantiation of that alleged claim. The costs over the past five years relating to issues in pari materia and annexed complaints amount to more than £500,000.00.

The current issues cannot be legally processed by altering the continuum without addressing previous complaints relating to the same issues. That which was recorded first must be processed first although all issues now form part of the same continuum.

You were further asked to meet with Inspector Forshaw to enable the full facts to be established and a witness statement to be taken if necessary. You did not respond to this correspondence, but instead sought to question the credibility of the officer and his suitability to investigate the case.

The Victim repeatedly responded to Forshaw’s fatuous behaviour and fully cooperated with him by providing detailed witness statements. He has neither investigated nor responded; instead, he maliciously denied process for four months.

Every effort has been made to engage with you and without your full cooperation it is not possible to progress the allegation of assault any further.

On what grounds?

This is an arbitrary judgment which has no place in a legal procedure. It must be verified and substantiated and legal precedents must be cited.

I do not find any cases of misconduct against the officer subject of this complaint or other individual officers or members of police staff. I have not identified any areas for personal or organisational learning stemming from this allegation.

Again, this is an arbitrary judgment and a reasoned argument needs to be submitted to the Victim with relevant citations that refer to legal precedents.

Allegation Three: The complaint is Not Upheld on the basis there is no evidence to support the allegation.

A false and misleading statement in a deliberate attempt to "bury" the investigation with fatuous arguments by Fletcher.
In 2011 you entered into a dispute, initially with the National Grid, following an inspection of the premises you were renting from Chester Housing Trust.

False and misleading.

The engineer had to disconnect an internal pipe as "immediately dangerous".

False and misleading.

The gas was capped maliciously by a rogue National Grid employee (Ian Doyle) in a criminal consort with Banwell the Trust copper’s nark. GSR negligence by not following registration and qualification procedures for operatives left a loophole that allowed Sarah Banwell, Housing Officer (Anti-social Behaviour), Chester & District Housing Trust (CDHT) also rogue engineers Hamish Laird (CDHT) and Ian Doyle, National Grid Gas (NGG) to act in an illegal freelance capacity by not presenting searchable licences or personal ID when challenged.

Banwell, Laird and Doyle tried to fabricate an Antisocial Behaviour Order against the Victim who holds a lifetime lease that can only be challenged by an ASBO. They have since hacked the web site to the tune of thousands of pounds to remove all reports of their illegal acts.

They used out-of-date CORGI registration cards to gain entry to premises then tried to use them to enter the Victim’s flat in an intimidatory scam organized by Paul Knight, Assistant Director CDHT now with Avenue Services (NW) Ltd which Geoffrey Podger, Chief Executive and Judith E Hackitt, Board Chair, HSE also Andrew Hutchinson, Long Cycle Work Closure Manager, NGG have since unlawfully condoned with the help of Brunt, Stewart and Sands (HSE). This left the Victim without heat or hot water for more than four years during which time Sanctuary Housing received about £25,000.00 to rent a polluted slum.

This brought further prolonged dispute with the housing trust over what appeared to be ownership of the repairs and whose responsibility this was.

False and misleading statement. The building (12 flats) is in violation of HSE building and carbon monoxide emission standards which had nothing to do with the gas supply.

Clearly there was a difference of opinion. The Trust held a panel meeting in 2012 to try and resolve the matter with you but you failed to attend. In your absence they found that they had complied with their responsibilities as a landlord.

There was no panel hearing; instead, the Trust held a kangaroo court which the Victim declined to attend to avoid becoming an accessory after the fact to criminal activity or, as is the case with this decision, an attempt to involve the Victim in abuse of process.

The matter still appears not to have been concluded to your satisfaction and you have sort to engage with numerous persons and organisations to this end. This has resulted in you naming 14 individuals from different sectors and accusing them of harassment and corruption. You also name a further 13 persons as accessories, including Stephen Mosley MP, a councillor and Health and Safety Executives.
That is correct, all substantiated by verified and validated evidence. The number of people involved and the enormity of the action have occurred by both bureaucrats and police evading their responsibility to act on complaints. When the "Cheshire ebola" is ignored the disease rapidly spreads.

You also seek to make allegations against the Information Commissioner's Office and refer to cover ups and the disappearance of cases. You also mention meeting with the FBI in June 15 to discuss these issues and internet hacking.

That is correct all substantiated by verified and validated evidence which forms part of the evidence in the annexed complaints.

There is nothing in any correspondence from you that supports any case of harassment or any misconduct by any person or public body. In any event you have been offered the opportunity to sit down with Inspector Forshaw and discuss them in more detail and have chosen not to do so.

That is because Fletcher has evidently not read the briefs and the referenced documents. This is an outrageous statement to which I will not respond at this stage except to say that it would form a good plot for an Oscar Wilde play. Perhaps, Fletcher and Forshaw would like to play themselves in the movie.

The Force crime registrar has reviewed a précis of the information from you and has said there is no requirement to record any crimes at this time. Clearly should you wish to meet with Inspector Forshaw then this could be re-evaluated.

What is the name of the "Force Crime Registrar"?

Where are the Victim’s copies of those reports which contain a précis of the information referenced “The Force crime registrar has reviewed a précis of the information”?

Every effort has been made to engage with you and without your full cooperation it is not possible to progress the allegation of Misconduct in a Public Office any further.

Of course not, Fletcher must refer it to IPCC and/or CPS which McCormick and Bailey should have done in the first place instead of orchestrating this disingenuous merry-go-round.

I do not find any cases of misconduct against the officer subject of this aspect of the complaint or other individual officers or members of police staff. I have not identified any areas for personal or organisational learning stemming from this allegation. There is no evidence the officer’s performance has been unsatisfactory.

Of course not, Fletcher is one of a gang of corrupt plods that should be either committed or jailed!

Allegation Four: The complaint is Not Upheld on the basis there is no evidence to support the allegation.

Only hundreds of pages of documented evidence which the police used wilful blindness to ignore.
Your complaint allegation would appear to stem from an issue in 2010 which is recorded under Professional Standards Department reference number MI/279/10. You alleged you had asked numerous Western Area Officers for documentation pertaining to harassment that you perceived you were experiencing from your landlord and that officers had failed to provide the reports to you as requested.

In law, appearances are deceptive and form no part of evidence. I never use the term "numerous" which shows this statement to be false.

Detective Inspector Adderley was allocated to deal with this matter and she facilitated the information you required and agreed to waive the normal fee for such a disclosure.

Nonsense, she heard the sound of barking and like all vixens went to ground.

This appeared to satisfactorily conclude the matter with you and no further correspondence was received from you.

There can be no conclusion before Chester Constabulary refers the case and its annexes to IPCC and/or CPS.

It is not clear exactly what report you are referring to or expecting for matters relating to some five years ago and why you have not raised this matter previously. This is again something that you could discuss with Inspector [?] Forshaw.

These matters have been raised repeatedly and have reached these proportions because the police either neglected to act or alternatively illegally fudged the evidence.

Appropriate incident assessment and recording are a key part of an effective contact management process helping to identify repeat victims, vulnerable individuals and communities along with recurring environmental issues. NSIR will provide incident data to feed the NIM tasking process and facilitate effective deployment of resources. The opening of a record should not be delayed pending further enquiries.

1.4 When to record an incident report

For the purposes of NSIR an incident is defined as: "A single distinct event or occurrence which disturbs an individual’s, group’s or community’s quality of life or causes them concern" Incidents range from transport incidents such as RTCs through ASB to matters of public safety and welfare. Incident management is part of the process of restoring situations to normality with minimal adverse impact on the community. Incident management also involves:

• Initial support followed by investigation,
• Analysis and diagnosis,
• Resolution and recovery with, ultimately, incident log closure.

A key aspect of incident management is ownership of the incident: monitoring and tracking the progress of the resolution of the incident and keeping those who are affected by the incident up-to-date with the status of the investigation. NSIR supports this process
by encouraging effective risk assessment and appropriate deployment of police or other resources as well as ensuring accurate recording and classification.

A report of an NICL incident to the police will usually be recorded regardless of whether a deployment is or is not required. This does not mean that every call for service from the public will result in the opening of a record as this would result in needless bureaucracy. For example, if a call for service is received about a matter that is the sole preserve of another agency then the call and/or information should be passed to the lead agency which would be responsible for recording the full details appropriately.

Some forces may choose to have or already use information technology that records all contacts in one way or another. However, for NSIR the emphasis is on "incident" recording, something specific has happened, is happening or may happen, causing someone to contact the police. It should be used in conjunction with the ACPO National Contact Grades (2010). Historically NSIR has focused primarily on reports received via the telephone in control rooms and call-centres where the details are recorded at first contact. Incident reports received via other channels, internet, front counters, face to face, etc should still be recorded in line with NSIR principles and guidance. This does not mean that every call or contact will result in the creation of a lengthy incident record.

1.5 Single Incident Rule

Incidents comprising a series of events involving the same individuals whether victims or perpetrators should be counted as one incident. If there is another incident involving the same people or behaviour this should be linked to the original report. Details of other victims and witnesses should be recorded on the log. If other incident logs are opened then they should be closed as "duplicate" ensuring that any details of interest are recorded on or referenced in the main log."

In this case, there are five incidents that come under the Single Incident Rule with details that can be accessed from the following URLs (from which PDFs can be downloaded that explain them in more detail). If you need more supporting documents, then please describe them with particularity. All linked published material is verified and validated.

1. Misconduct in public office by Deputy Chief Constable McCormick. DSI Complaint (also Samantha Peters (GOC) and Mandie Lavin (formerly GOC), jointly and severally).

2. Metropolitan Police (Harrow) resulted in the subsequent arrest of the assailant Eileen Kenny on the decision of CPS. The case was "disappeared" allegedly by her brother-in-law, a Harrow Police officer, Robert B Muldoon, 8 Argyle Road, Harrow, London HA2 7AJ. Victim was verbally and physically assaulted and abused including receipt of a demeaning birthday card sent with malicious intent that compared an elderly person (76 years of age) with a computer that had lost its memory.

That defined as derogation: communication that belittled him by virtue of his age and had no bearing on his intellectual abilities. It partially took away the effectiveness of laws or rules governing agism. The number and frequency of harassing acts revealed an organized campaign or pattern or practice eligible for investigation under current statutes. Wrongful
use of language evades a responsibility to investigate both current and previous circumstances exhaustively and without bias. A pattern or practice defines as, and manifests in, two or more organized acts or instances which indicate ensuant activity. To establish a pattern, laws generally require at least two acts within a ten year period which indicate ensuant activity and a distinctive pattern.

3. Cheshire police “disappeared” an assault in Hoole, Chester by Ann Edwina Hall following forced entry without a warrant and restraint in a bedroom in a residence for two hours. Fletcher has fabricated police evidence to “bury” this case.


4. A threat of Grievous Bodily Harm (GBH) by Christopher Graham Wheal (NUJ Official). Metropolitan Police (Lewisham) referred back by IPCC to Lewisham Professional Standards Department which ”buried” the case: another instance of IPCC referring back an investigation to the perpetrators who naturally found themselves not guilty.


5. Repeated harassment of Victim and his elderly neighbours after dark by forced entry into residential premises by PC Gareth Lawrence (Cheshire Police) using false statements of non-compliance with ICO regulations filed by Christopher S Graham, Information Commissioner without substantiation of the complaint or documentation repeatedly requested. Lawrence was referred to Victim’s solicitors but evidently decided to ”bury” the case after four night time visits in the Victim’s absence when Lawrence entered without a warrant and harassed elderly neighbours. ICO hacked the web sites before the recent general election to hide the public inquiry filed with Ministry of Justice.

Every effort has been made to engage with you and without your full cooperation it is not possible to progress this allegation of complaint any further.

Of course not, Bailey has created a catch-22: a situation in which an action has consequences which make it impossible to pursue that action.

I do not find any cases of misconduct against the officer subject of this aspect of the complaint or other individual officers or members of police staff. I have not identified any areas for personal or organisational learning stemming from this allegation. There is no evidence the officer’s performance has been unsatisfactory.

You have neither the rank nor the experience to find McCormick “not guilty” of misconduct in public office. The case must be referred to IPCC and/or CPS for investigation by another BCU.

There has been no requirement to refer this matter to the Crown Prosecution Service.

A false and misleading statement.

You do have a right of appeal to the Head of Professional Standards Department who has delegated authority from the Chief Officer against the outcome of your complaint and its
resolution. I enclose an appeal form which explains the grounds on which an appeal can be made. You have 28 days from the day after the date of this letter to make any appeal. This appeal period can only be extended in exceptional circumstances.

I have already appealed by completing the form and sending this refutation. Bailey cannot investigate himself and make a judgment on his own behaviour that is why in a democracy we have laws and courts. However, after reading your corrupt diatribe, I doubt that Cheshire can claim itself as a democracy. It is more like the Stasi (Ministerium für Staatsicherheit), the secret police agency of the German "Democratic" Republic.

I am grateful to you for bringing this matter to my attention and it is regrettable you have felt the need to make this complaint. This matter has been recorded and finalized under the provisions of the Police Reform Act 2002.

Victim needs a copy of that finalization without further delay and evidence of mitigation of abuse of process by elevation to CPS and/or IPCC.
Fraudulent Investigation and Decision - Bailey - Cheshire BCU

Independent Police Complaints Commission (IPCC)

Nicholas (aka Nick) Bailey, Detective Superintendent, Head of Professional Standards

The following "appeal" disingenuously manufactured by Bailey was not the result of any appeal by the Victim. It purely serves as a quick and dirty means for Bailey to dismiss the case by authoring a false and misleading general denial to cover up his own dereliction.

The Victim asked for clarification and substantiation of the Fletcher decision. He did not file an appeal because without clarification there was nothing to appeal. One cannot appeal arbitrary, undocumented codswallop.

Fletcher did not deny any of the charges or cite the specific legislation under which he made his arbitrary statements. Moreover, he did not provide monthly reports to the Victim or report what he was intending to do with CPS or IPCC as required by law.

The following "decision" was knowingly sent to an unoccupied flat without sending an email copy, as requested for all correspondence. By that, Bailey delayed process for another month. Bailey and Dignam have tacitly admitted to the misconduct in public office complaint against Fletcher and Forshaw (30 August 2015) by not processing the rebuttal in accordance with law.

They have neither responded to a single comment in the Victim's rebuttal nor clarified the content. Instead, they have manufactured the following document which contains an inadmissible general denial that does not require rebuttal due to deliberate machination in its construction. It construes as another attempt to deny due process of law using a single arbitrary statement by a person who has shown that he considers himself omnipotent.

Undefined Complaint Against Police

+An arbitrary "decision" which neither calls for a response nor a rebuttal as Bailey does not support any of his contentions with law and/or legal precedents.

Our ref HQ C0/00263/15
Date: 04 December 2015
Prof Paul Trummel

Appeal against the outcome of complaint investigation

Further to my correspondence, I am now able to advise you of your appeal against the outcome of the investigation into your complaint.

My role in the appeal process is not to re-investigate your complaint, but to review the investigation and the findings. After considering all the information available I have now made a decision about the appeal. I have not upheld your appeal.

The reasons for this decision are set-out in the attached assessment report.

There is no further right of appeal against this assessment and determination.
Detective Superintendent
Head of Professional Standards Department
Professional Standards Department
Cheshire Constabulary Headquarters
Winsford, Cheshire, CW7 2UA
Tel: (01606) 362055. Fax: (01606) 362052

Restricted - Appeal against outcome of Local Investigation

Details of Appeal
Date of complaint: 02 July 2014
Date complaint finalised: 12 August 2015
Date decision sent to complainant: 12 August 2015
Date appeal received: 17 August 2015

Background to the Complaint

On November 14 you contacted the Deputy Chief Constable’s Office regarding an allegation of assault. You alleged an optician damaged your eye during laser treatment you were receiving. No response was initially given and subsequently you complained that the Police had failed to act on your allegation.

In your complaint you also cited other criminal allegations against the Information Commissioners Office and other individuals with whom you have come into conflict with.

The following allegations were recorded:

1. You complained that no action was taken by the Deputy Chief Constable in relation to your report of an assault.
2. You complained the Police had not thoroughly investigated your allegation of criminal assault.
3. You complained the Police have been negligent in failing to act against numerous public bodies for misconduct in a public office and harassment.
4. You say the Police failed to provide you with a report from Inspector Adderley.

Complaint manager Mr Dignam was allocated the matter to investigate.

Having investigated your complaints, on 12 August 2015 Detective Inspector Fletcher sent you a letter detailing the outcome of the investigation.

In summary, allegation 1 was upheld, the others were not. I do not intend to replicate the contents of that letter or the content of Mr Dignam’s report.

Cheshire Police advised you that no further action was required.

On 17 August 2015, you submitted an appeal.

In fact, Victim never submitted an appeal against Fletcher’s decision; instead, Victim requested clarification. Bailey then fabricated the following general denial and found himself not guilty of the misconduct in public office that he committed.
which compounded the complaints against him. Then, PEEL published a general opinion that effectively claimed that the sun shines out of his ass. Ironically, IPCC has referred the latest complaint back to Bailey for another decision in this corrupt merry-go-round in which, as ringmaster, he completely lost control of his clowns.

This fiasco proves Victim correct when 35 years ago he qualified for the Bar in two US states and declined to accept on grounds that he had no wish to demean himself. Victim refuses to respond to the following unmitigated fabrication which classifies as a fraudulent means for Bailey to ignore legitimate complaints. The PSD in a truly independent BCU awaits him and will hopefully insure that Bailey eventually sings soprano. [PEELscam]

The Appeal (ground given for the appeal)

Your appeal is against the outcome of the local investigation of your complaint. The relevant appeal body for your complaint is with the police force and not the Independent Police Complaints Commission (IPCC).

My role in the appeal process is not to re-investigate your complaint, but to review the investigation and its findings in accordance with the provisions governing appeals set out in the Police (Complaints and Misconduct) Regulations 2012.

In your appeal correspondence you say you do not feel you were given enough information about the investigation into your complaint or the action the Appropriate Authority plan to take following the investigation. You also disagree with the decision the Appropriate Authority has made with regard to referring your complaint to the Crown Prosecution Service. You disagree with the decision the Appropriate Authority, has made about whether an officer you complained about has a case to answer or if there has been any unsatisfactory performance; you disagree with the proposed action resulting from the appropriate authority investigation into your complaint and you disagree with the findings of the appropriate authority’s investigation into your complaint.

Appeal Assessment

1. Are the findings of the police investigation appropriate/proportionate to the complaint?

Yes.

The level of investigation should be proportionate both to the seriousness of the allegation being investigated and the prospect of any criminal or disciplinary outcome. The purpose of this appeal assessment is not to re-investigate the complaint itself, but to review the investigation into the complaint to ensure that it was sufficiently thorough, proportionate and that it adequately addressed the issues raised in the complaint.

The allegations you raised were subject to an initial assessment where it was quite properly assessed the investigation could be locally handled and an investigation was duly conducted. The assessment was appropriate to the level of seriousness of the complaint made.

Your complaint was recorded and allocated to Mr Dignam who understood the issues you raised in your complaint. During the investigation Mr Dignam reviewed the information you provided and
the actions taken by Cheshire Constabulary. He sought advice regarding crime recording from the Force registrar and reviewed the crime occurrence regarding your assault allegation in order to draw conclusions.

In the course of my review I have read Mr Dignam's report and the subsequent outcome letter sent to you by Detective Inspector Fletcher. I have also taken into account all the material and documents considered by Mr Dignam.

In your appeal you say you disagree with the findings of the investigation, but give no basis for this. I can therefore only determine the appeal based on the information I have seen.

Having reviewed that material, I am satisfied that Mr Dignam has undertaken a suitably thorough and proportionate investigation. I am also satisfied with his conclusions which were explained to you in a letter dated 12 August 20.15.

The Appeal point is not upheld.

2. Has adequate information been provided to the complainant following the investigation of their complaint?

Yes.

In assessing your appeal, I have considered whether adequate information was provided to you during and following the investigation into your complaint. I am satisfied you received sufficient information about Mr Dignam's investigation and consider that the explanation provided to you by Detective Inspector Fletcher was sufficiently clear. You were also provided with a copy of Mr Dignam's investigation report.

In appeal you say Cheshire Constabulary has for 10 months evaded its responsibility to investigate a DSI complaint in accordance with the IPCC statutory guidance.

A DSI matter arises where there has been no complaint or recordable conduct matter but the circumstances are such that a person has died or sustained serious injury and the police are involved in one or more of the ways defined in the Police Reform Act.

The statutory provisions are as follows: (a) at or before the time of death or serious injury the person had contact (of whatever kind, and whether direct or indirect) with a person serving with the police who was acting in the execution of his duties; and (b) there is an indication that the contact may have caused (whether directly or indirectly) or contributed to the death or serious injury.

The circumstances of your complaint do not fall within the criteria of a DSI and therefore it does not need to be investigated in accordance with the IPCC statutory guidance relating to OSI matters.

The appeal point is not upheld.

3. Is the decision that the police have made about whether an officer has a case to answer for misconduct, gross misconduct or unsatisfactory performance appropriate?

Yes.
In appeal you say you can neither agree nor disagree without a description of the incident with particularity and the names of the officers to whom the question refers. What decision? What unsatisfactory performance?

Allegation 1 was directed at the Deputy Chief Constable and you are aware Inspector Forshaw was the person responsible for investigating the alleged assault. I am therefore satisfied you (k)now which officers your complaint relates to.

Unsatisfactory performance is defined as the inability of the police officer to perform their duties adequately at any given rank. The inability to perform their duty is dealt with formally under the Unsatisfactory Performance Process (UPC). Prior to embarking on that formal process the officer who is deemed to be under performing must be subject of management action. This is designed to seek an improvement in performance without the need for a formal process.

Having reviewed the material, the appropriate authority has quite properly established that there was no case to answer for any misconduct or gross misconduct on the part of any Constabulary members of staff. The Appropriate Authority has also correctly established there is no evidence of any unsatisfactory performance requiring a formal UPC.

That said, Allegation 1 was upheld. I am satisfied the issues arising from that allegation would have been suitable to be dealt with by management action had the officer concerned still been employed by Cheshire Constabulary.

The appeal point is not upheld.

4. Are the Force's proposed actions following the investigation adequate?

Yes.

In appeal you say you disagree, but provide no basis for me to consider.

In assessing this appeal I am satisfied the force’s proposed actions were adequate. Allegation one was upheld whereas allegations two, three and four were appropriately not upheld on the basis of the available evidence.

You state in your appeal that you disagree with the decision; however, I have not identified anything within your appeal that persuades me otherwise.

The appeal point is not upheld.

5. Has the investigation been referred to the Crown Prosecution Service (CPS). If not, is this decision appropriate?

There has been no requirement to refer the matter to the Crown Prosecution Service as Mr Dignam’s investigation has not identified the commission of any criminal offences by the officer subject of your complaint. The same is true of my assessment of your appeal.

You make reference to a number of criminal cases, which have no bearing on your complaint or appeal and have no bearing on whether this complaint is forwarded to the CPS.

The appeal point is not upheld.
6. Are there any additional points raised by the complainant not subject of the appeal assessment?

No additional points have been raised in appeal.

The appeal point is not upheld.

**Summary Appeal Assessment**

I am grateful to you for bringing this matter to my attention, and I would like to assure you that the Constabulary takes every opportunity to reflect and learn from any expressions of dissatisfaction with service or complaint about the conduct of officers or members of staff.

In conclusion, I would like to take this opportunity to offer an apology to you for the length of time it has taken to assess and determine this appeal. This is due to priority of workload. I should point out that the Police (Complaints and Misconduct) Regulations 2012 do not allow any further avenue of appeal against my findings.

On the basis of this assessment I have decided not to uphold the appeal.

Name: Detective Superintendent Bailey. Date: 03 December 2015

**Actions Required**

No further work is required.
Fraudulent Investigation and Decision - Forshaw - Cheshire BCU

*Independent Police Complaints Commission (IPCC)*

*“T.Inspector 4190 Forshaw”, Cheshire Police (PSD)*

**More about the Police State**

Cheshire Professional Standards Department (Bailey) arbitrarily had Forshaw (not part of PSD) effectively promoted to Mafia “hitman” in an illegal attempt to frustrate investigation of UK police misconduct and abuse of the Victim. All the circumstances in this section predicate upon police misconduct, entrapment and abuse since the Washington State Supreme Court decision (30 Mar 16) in favour of Victim. Forshaw is the latest in a long line of police “investigators” that have followed a pattern or practice of intimidation organized among top level UK government ministers, MPs, trade unions and police BCUs during a ten-year period.

Cheshire Police in a consort with MPs and bureaucrats have evaded complaints for ten years. They have been abusing process to cover up crimes by police officers and government employees and consistently ignored three assaults upon Victim and two threats of GBH which he filed with documented evidence and complaints. The last assault was with a deadly weapon that caused permanent neurological, physical and ophthalmological disablement which is fully documented by medical records (obtained abroad). When NHS refused Victim services in Chester, he used his international connections and insurance to fly abroad for emergency treatment which established medical evidence that UK police officers and government officials have tried to hide. That construes as perverting the course of justice.

That is the prime issue relevant to the IPCC complaint supported by the fact that bureaucrats have denied Victim hot water and gas heat in his flat for five years during the coldest winters on record to coerce him into not exposing them. These are life-threatening issues that should have been reported to IPCC and/or CPS two years ago which Dignam has buried by reducing the severity of the IPCC complaint and attempting to bully Victim.

To that end, PSD (Bailey) temporarily upgraded the rank of Forshaw and has used him as a “hitman” for twelve months. Background checks show that Forshaw has neither the rank, training as a detective, nor experience as an investigator to handle a DSI case and in any event it should have been referred to IPCC and/or CPS within 24 hours. Cheshire Constabulary police officers and personnel must not investigate alleged misconduct in public office by their own senior officers especially in a DSI case.

Consequently, in respect of the involvement of Forshaw et alia, IPCC can only make a decision to follow up on the public inquiry filed with Ministry of Justice (06 Mar 11) as a separate issue consolidated with other similar Cheshire police issues documented over the past ten years. That does not adversely affect proceeding with the primary issues in this appeal. It is inappropriate for misconduct by Forshaw *et alia* to be addressed under the auspices of this complaint due to its complexity. It will take six months to produce a another skeleton brief for a separate Forshaw appeal which will name between ten and fifteen police officers. The following information outlines
the complexity of both a ten-year cover up of police misconduct and entrapment which support claims of ongoing abuse of an octogenarian Journalist/Victim.

Amicus Curiae

Amicus curiae briefs gave the Washington State Supreme Court notice of the extraordinary international concern about the Journalist/Victim case. They demonstrated how both trial court and appellate decisions adversely affected journalists internationally. They claimed that if allowed to stand, then any decisions created an algorithm for use in subsequent cases which would set a legal precedent and a standard for citation. Amici curiae recognized not only the kafkaesque nature of Victim’s claims, but also the very serious affect that allowing even an unpublished opinion to stand would have upon journalists worldwide through abrogation of Universal Human Rights.

Amicus curiae briefs recorded as part of Washington State Supreme Court Decision (30 Mar 06) in support of Journalist:

- American Civil Liberties Union of Washington (ACLUW) - US.
- American Society of Journalists and Authors (ASJA) - US.
- National Union of Journalists (NUJ) - UK.
- International Federation of Journalists (IFJ) - EU.
- National Writers Union (NWU) - US.
- Seattle Weekly - US.

Since then, UK Foreign Office using police resources have harassed Journalist which has resulted in several DSI occurrences and repeated harassment by police officers entering his home without a warrant, and on one occasion held him prisoner for two hours, and a series of other ploys that endeavoured to entrap Journalist. Consequently, he decided to only assist police officers in the presence of a lawyer due to the repeated lying and subornation of evidence he experienced in UK since the US supreme court decision.

The précis outlines the current situation relating to Forshaw’s involvement as the last officer in a ten-year chain and shows a pattern or practice of police entrapment, misconduct in public office and abuse of an elderly person in contravention of: College of Policing, Code of Ethics; Serious Crime Act 2015; Fraud Act 2006; Malicious Communications Act 1988; Human Rights Act 1998; Equality Act 2010, Banning Age Discrimination in Services and other statutes in pari materia.

Précis

The present issues with Cheshire Constabulary all predicate upon the alleged misconduct in public office by Jack Straw while UK Foreign Secretary. In an ex parte consort with David Broom, UK Consul (Commercial Attache posing as Consul General), Seattle and Jeremy Dear, former NUJ General Secretary (a rabid, self-serving Marxist) with Mark Le Fanu, former Society of Authors General Secretary and David Cockburn, Certification Officer, Straw arbitrarily reversed a decision by NUJ and IFJ committees to support an NUJ journalist (a full member since 1960) investigating elder abuse and terrorism. He exposed Abu Hamza et alia and the terrorist camp in Oregon relative to Council House, Seattle.
As a result of the reversal by Straw, a rogue judge in Seattle (James Doerty) used contempt motions based upon alleged violations of an original flawed and unconstitutional antiharassment order and subornation of perjury. In an ex parte consort with Broom, Doerty denied Journalist his rights under Vienna Convention and to counsel then arbitrarily jailed him for 111 days (including 25 days incommunicado solitary confinement among murderers and rapists).

By unanimous decision of nine judges (30 Mar 06), Washington State Supreme Court concluded that the trial court abused its discretion in restraining Journalist from contacting non-parties and the content restrictions in an antiharassment order. It also concluded that the trial court erred in multiple findings of contempt of court. That decision reversed all the draconian trial and appellate court decisions which had resulted in the Journalist (then a septuagenarian) going to jail under the worst conditions in the State of Washington.

Later, Straw consorted with Dear who used rogue in-house solicitors (Clare S Kirby SRA #21078 and Roy M Mincoff SRA #112029) and police officers in several BCUs to deny Journalist his civil and human rights. They condoned a prior restraint on publication and exposure of alleged criminal issues (the case was internationally reported as precedent-setting by 500 European media from Moscow to Madrid and in US). UK media, NUJ, BBC and SoA placed a prior restraint on all matters concerning Journalist still in place (31 Mar 16).

According to NUJ sources, Straw then approved a £262,000.00 “government education grant” as a payoff allegedly to cover up foreign office negligence and violations of Vienna Convention in a consort with Gareth Thomas MP and John Toner, NUJ National Freelance Organiser. That grant should have accrued as reparation for the Journalist; however, NUJ officials shared it among themselves using a variety of devious acts which included a threat of grievous bodily harm to the Journalist by an NUJ officer (Wheal).

In a cover up of NUJ dereliction and misappropriation of funds in which he allegedly participated, Christopher Graham Wheal, used an unprovoked and dastardly email attack to threaten grievous bodily harm. Wheal, an NUJ officer and Chair, NUJ Professional Training Committee, also Chair, NUJ Extra (Charity) manages Wheal Associates (which provides editorial services) with his wife Kate. Wheal made the threats following an article exposing his participation in the misuse of the £262,000 grant and a similar incident in another article by John Pilger in New Statesman magazine.

A public inquiry into denial of human and civil rights on grounds of age discrimination, violation of human rights and civil liberties also dereliction by NUJ Officers and officials, former Labour government ministers and HM Foreign and Commonwealth Office with a view to reparation (06 Mar 11) has been stonewalled for five years by Clarke, Grayling, Mosley MP et alia despite rules that required them to respond within 20 days. Instead, Christopher S Graham, Information Commissioner started another prior restraint and web site hacking before the recent general election that cost about £100,000 to repair.

Michelle Stanistreet (fraudulently appointed as NUJ general secretary) in a consort with Peter Murray, President, NUJ National Executive Council convened a kangaroo court (an anarchistic arbitrage) to expel Journalist from membership for complaining, an action endorsed by Aidan
White then IFJ general secretary who participated in the initial agreement and internationally published his support for Journalist in Seattle which he later reneged in a consort with Dear.

Murray tried to entrap Journalist by arbitrarily expelling him from NUJ membership. He cited a rule not in evidence as his authority in a similar way that Cheshire Police have made arbitrary decisions. Following a “hearing” by a panel of NUJ members fabricated under NUJ disciplinary procedures, which declared the journalist not guilty without citing charges, Murray endorsed a fraudulent finding manufactured by Mincoff who acted as NUJ counsel, panel member, “judge and jury” which gave them grounds to expel Journalist from NUJ.

Murray ignored the fact that five police BCUs and other law enforcement agencies had NUJ officials and officers under investigation for alleged criminal acts which made Mincoff’s finding null and void impending action by Crown Prosecution Service (CPS) which Mincoff “persuaded” police officers in three Metropolitan BCUs not to record or investigate using “retroactive preemption”.

Straw now double-dips as a “visiting professor” (allegedly a fraudulent appointment) at University College London School of Public Policy without holding a doctorate or professorship at another institution. Visiting or honorary professor appointees must currently be professors at another university. The designation “visiting” may then be attached to any of the academic or research post titles current in the university. Straw directly affronted Journalist who spent ten years and $500,000 earning two PhDs after he retired as a corporate CEO.

Ironically, White, another double-dipping, two-faced traitor is now a member of the Board of Statewatch and Honorary President of the journalism ethics charity MediaWise also a contributing editor and adviser to the Media Diversity Institute. Journalist spent a month in Brussels at his own expense to try to mitigate damage that White caused. He visited the NUJ office and sat ten yards from White visible through an open door on consecutive days and each time White neglected to meet with him using dumb insolence.

Dear evidently used his ill-gotten share of the grant money and another £45,000.00 that he allegedly ripped-off when he resigned from NUJ, “to do a runner and ride llamas in South America” with partner Paula Dear, a BBC News Reporter previously a BBC NUJ delegate who participated in the prior restraint placed upon Journalist.

Miles Dignam, Cheshire Constabulary Staff Member issued a deadlock letter that called for filing an appeal to IPCC within 28 days commencing the day after the date of the letter unless special circumstances exist. Journalist now claims special circumstances should allow an extension due to the complexity of the case on which Dignam maliciously altered the evidentiary context and continuum to make the case appear as a simple matter of non-recording of a complaint.

It is virtually impossible for Journalist to meet the deadline for all IPCC complaints with a properly structured skeleton argument within the 28-day time frame. Dignam, in a consort with Elizabeth Heavey (SRA ID #359700) Force In-house Solicitor and her supervisor David James Bryan (SRA ID #165253) Force In-house Solicitor and Monitoring Officer, have withheld essential disclosure documents for over six months which prevents a reasoned response to the Forshaw aspects of the current complaint.
Forshaw colluded with Heavey by Victim entrapment: repeatedly demanding a face-to-face meeting with Victim, despite repeated acceptance conditional upon the attendance of a solicitor, without recording the complaint. Any reasonable person knows that one-on-one meetings with police officers without legal representation have an ulterior motive especially when it involves a journalist. Moreover, Cheshire police failure to act resulted in the loss of representation by solicitors and Citizens Advice Bureau/EAD Solicitors, Liverpool have prevented Journalist from replacing them.

Although apprenticed with a legal publisher for seven years starting 1947 and having studied law ever since as an investigative journalist and later as a professor which qualified Victim/Journalist for the bar in two US states, he has used those qualifications as an investigator, journalist and academician not as an advocate. In any event he would not represent himself at a hearing or interrogation that involved stonewalling, whitewashing and railroading by Cheshire Constabulary et alia during the previous ten years.

Since Journalist received a disingenuous deadlock letter from Dignam (09 Mar 16), he has reviewed all the databases related to his allegations about UK police and lack of response to complaints during the ten years since the unanimous Washington State Supreme Court decision (30 Mar 06) by nine judges in his favor which forms the basis for the evidentiary pattern or practice and legal continuum for the IPCC complaint.

Since the death or serious injury (DSI), that permanently impaired Journalist optically, neurologically and physically (14 Aug 14), Cheshire Police have whitewashed the complaints. That resulted in denial of NHS services forcing the Journalist to travel abroad for treatment which has left a positive trail of medical evidence despite the withholding of UK medical and other records by Cheshire Police et alia.

By that, they have greatly reduced the number of hours that Journalist can work on the IPCC skeleton argument. Consequently he requested an extension of the time to complete the complaint which IPCC gatekeepers refused. He now suggests as an alternate that IPCC exclude the Forshaw part of the complaint and decide on the remaining issues impending a new separate Forshaw complaint which addresses different criteria preparation for which will take at least six months. Meanwhile, he tries to obtain contingent fee legal assistance knowing that only a fool represents himself.

―

“T. Inspector 4190 Forshaw”, Cheshire Police (PSD)

Simon Byrne and other recipients ignored a memorandum which forms an essential part of the complaint lodged with John Dwyer, Police and Crime Commissioner for Cheshire and by extension an open letter to Theresa May MP, UK Home Secretary for parliamentary consideration and investigation of corruption extant in Cheshire Constabulary 2010 through 2015. May claimed that under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, that the initial duty to investigate criminal complaints about John Dwyer, Police and Crime Commissioner for Cheshire falls to the local Police and Crime Panel (PCP). PCP holds responsibility for the initial recording of complaints and conduct matters and for referring complaints that allege criminality to the Independent Police Complaints Commission (IPCC). PCP did not respond to two requests...
to investigate and have not disclosed the name of responsible officials. Accordingly, processing of this matter allegedly becomes the responsibility of IPCC.

Date: 16 June 2015 15:01:56 GMT-4
From: Paul Trummel
To: Simon Byrne
Cc:
  Janette McCormick
  John Forshaw
Subject: Sergeant John Forshaw

Chief Constable Simon Byrne, Chester Constabulary.

Having completed a background check (as required by all international journalists) on the temporary promotion of John Forshaw to “Temporary Inspector”, evidently designated to handle a variety of complex criminal complaints on your patch, I question his academic and professional ability to handle complex matters of criminal law. Moreover, he apparently has only been a Sergeant for about three or four years and evidently has no forensic training or experience as a detective.

If this is not the case, then please provide details of his qualifications by quoting published parameters which allow him to investigate claims of misconduct in public office by a Deputy Chief Constable (McCormick) in a case involving assault (by an unlicensed optometrist) with a deadly weapon which caused a near-death experience. That assault has left this first-party victim with permanent optical, physical and neurological disabilities which have been determined by independent medical specialists.

Moreover, the case has not been referred to IPPC for ten months when it should have been elevated to IPCC within 24 hours. GOC officials (Peters and Lavin) have evidently been given a free reign to act regardless of laws mandated by CPS/IPCC guidelines which govern complaints that address grievous bodily harm and GOC regulations when the injuries concern ophthalmological injuries.

Under section 107 of the Police and Criminal Evidence Act 1984, Sergeants and Chief Inspectors may be designated (by an officer of at least the rank of Superintendent) to exercise the powers of an Inspector or a Superintendent respectively. Such a designation will generally accompany such an officer being given an acting rank, so for most operational purposes there is no difference between substantive, temporary and acting ranks at Inspector and above (although there may be differences as to pay, pensions and insignia).

Officers holding ranks up to and including Chief Superintendent who are members of the Criminal Investigation Department (CID) or Special Branch (and certain other units) have the prefix “Detective” before their rank. Due to the nature of their duties, these officers generally wear plain clothes and so do not wear the corresponding rank insignia; however, they operate within the same structure as their uniformed counterparts.

It is a misconception often portrayed by the media that detective ranks are superior to those of uniformed officers. In the United Kingdom, this is not the case, and a Detective Sergeant has the
same powers and authority as a uniformed sergeant. The "Detective" prefix designates that the officer has a proven investigative ability and has received suitable training and passed related examinations, to conduct all manner of criminal investigations.

Although Forshaw has not claimed to be a Detective, he has been promoted to Temporary Inspector to perform that function. Please provide evidence of his proven investigative ability and the examinations that he passed which allow him to conduct investigation of alleged misconduct in public office by a Deputy Chief Constable (McCormick) without IPCC approval.

It is understood that Constables who are training to become Detective Constables sometimes bear the title Trainee Investigator (T/I) or Trainee Detective Constable (T/DC). The prefix “Temporary” before a rank (e.g. Temporary Detective Sergeant, abbreviated T/DS) denotes an officer who has been temporarily promoted to a rank (and so who does actually hold that rank, albeit on a temporary basis).

Temporary ranks are often used for set periods (e.g. a six-month appointment to a particular role), whereas acting ranks, although sometimes held for extended periods, are often used for a very short time (e.g. a single shift when additional supervisory officers are required, or to replace an officer on short-term leave).

These points need substantiation in relation to the investigation of alleged GOC et alia crimes for which McCormick has evidently granted impunity. I have already expended many thousands of pounds on preparation of forensic reports only to find that the officer (Forshaw) designated to handle the issues that should have been initially referred to IPCC allegedly has no academic or forensic training in the investigation of complex criminal “white-collar” cases.

Retaliatory incidents involving police officers and government officials 1996 through 2006 (Washington State Supreme Court Decision - 30 Mar 06) and 2006 through 31 March 2016. Names withheld pending instruction of a solicitor/barrister. The listed incidents all involve police UK BCUs in one way or another also trade unions and government officials (15 police officers and at least 10 cabinet ministers and MPs). In IPCC terms, they predicate upon Journalist exposing and reporting terrorism, elder abuse, homicide by abuse (elder homicide), fraud, misconduct in public office, DSI, entrapment and primarily consist of harassment of an elderly Journalist in endeavors to gag him.

They include two DSI cases, attempted kidnaping, jail with solitary confinement, unlawful entry to premises without a warrant and threats of GBH maliciously mishandled by UK Police Basic Command Units (BCUs), Police and Crime Panels (PCPs) and Government Departments.

BCUs involved in the present debacle:

- Cheshire
- Glasgow
- Harrow
- Lewisham
- Norfolk
- Camden
- UK Foreign Office/UK Home Office
Fraudulent Investigation and Decision - Dignam - Cheshire BCU

Independent Police Complaints Commission (IPCC)

Miles S Dignam, Cheshire Police Staff Member

Miles S Dignam, Cheshire Police Staff Member.
Professional Standards Department, Cheshire Constabulary.
81 Northwich Road, Knutsford WA16 0AR. Cohabitant Helen J Dignam.

The Big Lie Principle - Dignam et alia

The Independent Police Complaints Commission (IPCC) has a statutory duty to secure and maintain public confidence in the police complaints system in England and Wales. It assists local policing bodies and forces to comply with their legal obligations and achieve high standards in the handling of complaints, conduct and death and serious injury (DSI) matters.

IPCC requires police officers and staff members to comply with Statutory Guidance to the Police Service on the Handling of Complaints (Amended May 2015) based upon Police Reform Act 2000 which Journalist uses as a basis for his arguments. The Police Reform and Social Responsibility Act 2011 introduced a number of changes to the police complaints system. Those changes have been incorporated into the latest guidance.

The following information identifies police officers who have no wish to have their particulars disclosed, a basic premise that allows them to ignore the law and IPCC guidelines. Instead, they use clandestine activity and anonymity, altered particulars, pseudonyms and lying to cover up alleged criminal activity which construes as misconduct in public office. Miles S Dignam demonstrates these illegal activities by non-compliance and arbitrary behaviour and decisions.

This case study exposes unsubstantiated, insolent, false and misleading statements by Bailey, Dignam and Fletcher which they neither substantiated nor provided documents. In fact, they have withheld documents necessary for IPCC to proceed with the issues described. They have failed to address or rebut any of the issues thoroughly explained and published by Journalist (also Victim) and have neither recorded the various issues raised nor answered the rebuttals of the false and misleading information that they have distributed. By that, they are jointly and severally complicit in misconduct in public office to pervert the course of justice by conspiring with other officers and employees of Cheshire Constabulary to deny due process of law.

The Journalist and Victim (term used interchangeably)

As an international journalist, Victim does not normally publish content like the Dignam "deadlock letter" (08 Mar 16) while preliminary discussions about investigations are in progress. However, machination by four Cheshire police officers, Bailey, Dignam (staff member), Fletcher and Forshaw classifies as outrageous, when one considers the legal aspects and damage to the public whom they are meant to serve. Journalist felt a duty of care to the public to let them know the seriousness of the charges and the fraud involved by Dignam in the elevation of the case to IPCC.
Basically, Cheshire Constabulary officers from the Chief Constable down have neglected to investigate charges of Misconduct in Public Office and a Death or Serious Injury Matter (DSI), then conspired to psychologically displace the issues onto the Victim. They fraudulently altered the legal context and continuum from that of a serious criminal charge that should have been referred by them to either IPCC and/or CPS 18 months ago to a simple slap-on-the-wrist affair of not recording a complaint.

**IPCC Statutory Guidance to the police service on handling of complaints (Amended 2015),** defines the issue on which the complaint predicates as:

> A DSI matter means any circumstances (unless the circumstances are or have been the subject of a complaint or amount to a conduct matter) in, or as a result of which, a person has died or sustained serious injury and at or before the time of death or serious injury the person had contact of any kind, whether direct or indirect, with a person serving with the police who was acting in the execution of his or her duties and there is an indication that the contact may have caused, whether directly or indirectly, or contributed to the death or serious injury.

Cheshire Police and quangos have harassed Victim (an octogenarian) for several years by playing “the death game” and harassing his elderly neighbours at night: they have used the “you will be dead before we get to court scenario”. Dignam produced a “deadlock letter” so that the issues could be elevated to IPCC for investigation in which he used insolent statements and neither substantiates nor provides evidence. He has completely ignored the DSI complaint upon which the whole complaint predicates, then uses the in-house solicitor and other officers to create a catch-22.

A “catch-22” is a paradoxical situation from which an individual cannot escape because of contradictory rules. It often result from rules, regulations or procedures that govern the behaviour of officers or officials over which they have no control: to challenge a rule one accepts it. Creators of catch-22s use arbitrary rules in order to justify and conceal their own abuse of power.

Dignam has not addressed or rebutted any of the issues (thoroughly explained and published) or recorded or answered the rebuttals of the false and misleading information distributed by Fletcher and Bailey *et alia*. By that, Dignam is allegedly complicit with them in misconduct of public office to pervert the course of justice and conspiring to deny due process of law. Deadlock letters are usually the cut-off point for publication while negotiations with investigators progress; however, in this case Journalist felt a duty of care to the public to advise them of the seriousness of the charges and the machination by police officers in distorting evidence.

Journalist, first published in 1944, without any valid challenge work, has held an international press card and legal credentials since 1957. Since then he has investigated much corruption in both UK and US which he has reported. The current situation in Cheshire Police ranks beyond belief when one considers the conspiracy to defraud by evidence falsification in a consort with the Information Commissioner who wallows in excrement 20 miles away.

Dignam altered the context and continuum of the complaint by falsely stating that Victim had appealed against a complaint not being recorded then quotes a case number. He knows that the
The bullying tactics can be determined from the language in the Dignam deadlock letter. He is now manipulating the in-house solicitor (with whom Victim has had contact since July 2015) to prevent Journalist obtaining copies of Part 31 disclosure documents. All Victim’s local medical surgeries and hospitals are withholding medical records, part of the subornation activity.

Cheshire Police, in a consort with MPs and bureaucrats, have accumulated complaints for ten years by abusing process to cover up crimes by police officers and government employees. The police consistently ignored three assaults upon Victim and two threats of GBH when he filed documented evidence and complaints. The last assault was with a deadly weapon that caused neurological and ophthalmological disablement which is fully documented by medical records (obtained abroad). When Cheshire refused Victim NHS services and a second opinion on the DSI injury, he used his international insurance to fly 4,000 miles for emergency treatment, evidence that police Dignam has hidden.

This case study covers the prime issues relevant to the IPCC complaint supported by the fact that they have denied Victim hot water and gas heat in his flat for five years during the coldest winters on record to coerce him into not exposing them. Gareth Lawrence, another Cheshire police officer had full details of the complaint about the housing carbon monoxide problems and he too reversed the continuum in a consort with the Information Commissioner to displace the problems onto the Victim. These life-threatening DSI issues should have been reported to IPCC and/or CPS two years ago; however, Dignam buried them to reduce the severity of the IPCC complaint and bully the Victim into submission.

**Deadlock Letter - Miles S Dignam, Cheshire Police Staff Member**

08 March 2016

Ref HQ M 1/00098/16

Complaint Against Police

I refer to the complaint you made in correspondence to the IPCC dated 3rd March 16 against Cheshire Constabulary.

It is my responsibility to assess your complaint and make a recording decision in accordance with the Police Reform Act 2002. Having reviewed the details of your complaint, I have made a decision not to record your complaint.

I consider under the IPCC statutory guidance that it meets the following criteria.

The complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaints.

The complaint is repetitious.
The crux of your issues stem from your allegations that you were subject to a criminal assault by an optician and have been the victim of harassment by other public bodies and individuals. These were recorded under reference C0/263/15 and you appealed the outcome of this complaint. This was not upheld. It is apparent you remain deeply dissatisfied with this and are seeking to resurrect the matter by contacting different agencies and individuals.

You have sought to raise criminal allegations against all persons connected with your complaint by contacting Mrs Beth Heavey from the Force Solicitors Department. She had no dealings with you and appears to be just a name that you appear to have identified through the internet. This was not an appropriate course of action as the matter was dealt with through the Police Complaints process. Your emails were threatening and oppressive in nature and a means to try and influence the complaint process. It is not the policy of the Force Solicitors to engage with members of the public in such circumstances. Therefore a response to you was not deemed appropriate as the Force Solicitors Office were aware that you were being dealt with by Professional Standards.

The Freedom of Information Officer has no record of any formal requests from you although you have asked for personal information about officers that would not be supplied in any event.

If you believe that you have not been supplied with relevant information then you may contact the Information Commissioners Office. This is the correct mechanism for challenging FOI requests.

I consider that your continued contact with Cheshire Constabulary is vexatious and designed to cause annoyance and distress as there is no basis for further complaints or reason for further correspondence.

I have included a leaflet from the Independent Police Complaints Commission explaining your right of appeal against the decision not to record this matter as a complaint and how to embark on the process.

Please note that you must make your appeal to the IPCC within 28 days commencing the day after the date of this letter. Unless special circumstances are shown, the IPCC will not consider any appeal made after 28 days.

Miles Dignam, Complaint Manager
Professional Standards Department

A journalism background check shows Dignam as an uneducated, double-dipping lout: a description substantiated by the deadlock letter and information derived from several protected police sources. His behaviour in handling the subject complaints shows him to be self-serving and relying upon "ghost" information and arbitrary statements. Dignam withholds disclosure documents using Elizabeth Heavey, In-house Solicitor, (SRA ID# 359700) (an illegal gatekeeper) which her supervisor David James Bryan, In-house Solicitor (SRA #165253) and Monitoring Officer has condoned.
Journalist verified her particulars with Solicitors Regulation Authority not as Dignam claimed: “She had no dealings with you and appears to be just a name that you appear to have identified through the internet.” This one statement illustrates the tone and arbitrary statements by Dignam in a consort with Bailey, Bryan, Fletcher and Forshaw designed to frustrate investigation. Heavey tacitly agreed to handle the legal aspect of the case six months before the denial by Dignam condoned by Bryan.

The preliminary investigation classified as nothing more than a catch-22 scam to cover up misconduct in public office by senior officers Janette McCormick, Deputy Chief Constable, Cheshire Constabulary et alia by trying to psychologically displace her behaviour onto the Victim. Dignam has never worked in the private sector and, consequently, does not understand or totally ignores legal and human rights.

_Dignam Résumé_ (Not verified due to prior restraint imposed by Cheshire PSD)

Miles S Dignam (51-55±), 81 Northwich Road, Knutsford, WA16 0AR.
Cohabitant Helen J Dignam (46-50±)

Police Staff Member, Cheshire Constabulary. Complaints Manager, not verifiable. He was not a sergeant for 25 years as he claims.

Cheshire Constabulary - Cheshire Police
September 2013 - Present (2 years 7 months)

I assess and audit complaints and am the decision maker around appropriate resolutions and the outcome of investigations. I work with staff, officers and the public to ensure that complaints are dealt with fairly, proportionately and in a timely manner. I liaise with solicitors both Force and external and the Independent Police Complaints Commission

Police Sergeant, Cheshire Police - December 1987 - July 2013 (25 years 8 months).

I currently work as the Training and Development Sergeant for the Eastern BCU. I have the sole responsibility for managing a team that develops and delivers training to 400+ Officers and staff. The team also manages the development of officers and in particular Student Officers. I have covered all aspects of the Operational Police role and continue to do so when required. I have recently completed 6 months as a Temporary Inspector. I had the responsibility for 5 departments and saw 2 of these through organisational significant changes. I was also Area Duty Inspector responsible for incident management and resources.

Previously I have been a Detective Constable on the Dedicated Surveillance Unit, CID and Special Branch. _It is possible that I shall be looking for a new challenge outside the Police Service in the next few months!_ I can evidence strong leadership skills and innovative thinking.

_Intelligence Operator British Army_
September 1981 - September 1987 (6 years 1 month)

_Education_
Knutsford County High 1974 - 1981
Dereliction by Monitoring Officer and Mafia Propaganda

**Force Solicitors Office, Cheshire Constabulary**

David James Bryan, In-house Solicitor and Monitoring Officer


Force Solicitors Office, Cheshire Constabulary.

Elizabeth Heavey, In-house Solicitor


Force Solicitors Office, Cheshire Constabulary.

Disingenuous Propaganda

“We’re here to provide legal advice to Cheshire Police Officers and staff to assist them to reduce crime and disorder and also manage its internal affairs legally. We advise on all operational issues including making applications to court to detain/forfeit the proceeds of crime, orders to manage individuals who pose real risks to others, and controlling dangerous dogs, to name but a few. Internally we assist with officer discipline, large scale procurement projects and collaborative working with other police forces.

Our Department of seven lawyers plus specialist business support is headed by the Force Solicitor and Monitoring Officer, David Bryan said:

        The work we do is hugely varied and at times challenging. Cheshire Constabulary has a team of highly trained lawyers and support staff who respond to the policing need with a passion to achieve excellent outcomes which directly benefit our communities.

The Force Solicitor’s Office is based at Constabulary Headquarters. It is a member of The Law Society’s Lexcel Scheme for excellence in legal practice management and client care and has also won a national award for its work in good governance.”

Northwest Mafia Boss Responds to Victim with Internet Threats

The Force Solicitor (Bryan) is designated by appointment of the Chief Constable to be the Constabulary’s Monitoring Officer. He has a duty to act where the actions, decisions, proposals or omissions of relevant persons within their organisations are, or are likely to be, unlawful or incur material legal liability which construes as a breach of applicable standards relating to conduct or integrity.

Monitoring officers shall be concerned solely with the affairs of their own organisation and have no jurisdiction to exercise their powers in each other’s organisation. However, the Commissioner’s Monitoring Officer has jurisdiction to exercise his powers with reference to the affairs of Cheshire Constabulary to the extent necessary to be satisfied that the Commissioner has properly
exercised his functions especially the duty to hold the Cheshire Chief Constable (Byrne) to account for the functions set out in Police Reform and Social Responsibility Act 2011, s1.

Although fully aware of the circumstances surrounding misconduct in public office and illegal mafia practices by Dignam et alia, Bryan has tried to displace responsibility onto the Victim. Since his threat of internet and telephone crimes, this site has been hacked with malware: a common mafia ploy that supports wilful blindness and misconduct in public office which, under the circumstances, effectively provides grounds for criminal complaints in addition to the impending complaints with IPCC.

Date: Fri, 18 Mar 2016 17:36:15 +0000
To: David J Bryan <david.bryan@cheshire.pnn.police.uk>
From: Paul Trummel <trummel@contracabal.org>
Subject: Misconduct in Public Office - Elizabeth Heavey et alia - 880-07-20
Cc: Elizabeth Heavey <elizabeth.heavey@cheshire.pnn.police.uk>

David J Bryan, Monitoring Officer
Force Solicitors Department, Cheshire Constabulary
SRA ID: 165253

It is now six months without Elizabeth Heavey addressing the issues that I have presented to her which include criminal DSI issues that should have been filed with CPS and/or IPCC nineteen months ago. I have reached the point where I will have to file charges of misconduct in public office against her with SRA and/or IPCC if the stonewalling and wilful blindness does not end. However, I will appreciate your opinion because I believe her to be manipulated by senior police officers. As far as I am concerned and from my experience, the state of Cheshire Constabulary has been an out-of-control shambles for at least ten years.

Please review all the outstanding issues in the files and correspondence that I have sent to Heavey during the past six months (and the attached PDFs) then provide a reasoned opinion within ten days. I have no wish to file charges against a police officer/solicitor if she has been bullied into submission by renegade senior police officers and not had a chance to mitigate the damage.

I have attached copies of PDFs impending filing with IPCC that cover the situation and have already filed an open letter with Theresa May, Home Secretary.

http://contracabal.com/

Paul Trummel, Professor Emeritus
I acknowledge receipt of your e-mail alleging misconduct by Mrs Heavey. It has already been explained to you by Mr Dignam that you are not at liberty to engage the services of my department as an alternative route to pursuing your complaints against the Constabulary. Hence your allegations against Mrs Heavey are denied and any action you take against her will be defended as misconceived and/or vexatious. Please do not contact Mrs Heavey or indeed any other member of my department again in connection with this matter. If you ignore this and do make contact I am putting you on notice that with immediate effect, no reply will be sent to you. In addition, staff have been instructed to terminate any telephone call from you.

David Bryan - Force Solicitor

Date: Mon, 21 Mar 2016 11:50:42 +0000
To: David Bryan <david.bryan@cheshire.pnn.police.uk>
From: Paul Trummel <trummel@contracabal.org>
Subject: Misconduct in Public Office - Elizabeth Heavey et alia - 880-07-20

Your disingenuous and evasive response will now become part of the IPCC complaint. If you rely on Dignam et alia and their subliterate lies to make your determinations, then you will probably be found guilty of misconduct in public office. Prior restraint and email hacking is also an indictable offense covered by the IPCC complaint. I recommend that you do not try it.

You have 48 hours to respond with particularity.

The correct form of address is Professor Paul Trummel or Paul Trummel, Professor Emeritus. Use it!

Paul Trummel, Professor Emeritus.

**Monitoring Officer Protocol**

*Purpose of Protocol*

1. This Protocol explains:

   a. the role of the Commissioner’s and Constabulary’s Monitoring Officers in maintaining effective governance and lawful decision making within their respective organisations; and

   b. how they will work with each other and other key governance roles in order to conduct effective business; and

   c. the key safeguards which will be afforded to them in order to allow them to undertake their role.

*Background*

2. The Chief Executive is designated by statute to be the Commissioner’s Monitoring Officer (Local Government & Housing Act 1989 s5 as amended by the Police Reform & Social Responsibility Act 2011 Sch 16 Pt 3). The Commissioner’s Monitoring Officer may appoint a deputy or deputies to act in his/her absence.
3. The Force Solicitor and Deputy Force Solicitor are designated by appointment of the Chief Constable to be the Constabulary’s Monitoring Officer and Deputy Monitoring Officer respectively.

Role

4. The Monitoring Officers have a duty to act where the actions, decisions, proposals or omissions of relevant persons within their organisations are, or are likely to be:

a. unlawful, or amount to maladministration, or incur material legal liability;

b. outside of the Scheme of Corporate Governance or their organisation’s internal policy framework, or approved budgets etc.

c. a breach any applicable standards relating to conduct or integrity.

5. The Deputy Monitoring Officers shall, where they have legitimate cause to act, exercise the full extent of the Monitoring Officer’s powers.

Issuing Reports

6. Both Monitoring Officers may issue formal reports in cases where they believe that one of the conditions in Paragraph 4 above has been satisfied.

7. The Commissioner’s Monitoring Officer may formally report a matter to the Commissioner and Police and Crime Panel. The Commissioner must within 3 months formally consider and have regard to such report before making a final decision on the matter in question. The action/decision etc. shall be suspended pending formal consideration and decision.

8. The Constabulary’s Monitoring Officer may formally report to the Chief Constable and Audit and Ethics Committee. The Chief Constable must within 3 months formally consider and have regard to such report before making a final decision on the matter in question. The action/decision etc. shall be suspended pending formal consideration and decision.

Resources

9. The Commissioner and Chief Constable shall provide their respective Monitoring Officer with such staff, accommodation, and other resources (including but not limited to: access to documents; access to meetings; the right to interview any officer or staff; the right to report; the right to speak; the right to bring in an auditor; obtain external legal advice; and receive regulatory reports) as are in their opinion sufficient to allow those duties to be performed.

Working Together

10. The Monitoring Officers shall work together to develop best practice for the mutual benefit of their respective organisations and agree to work co-operatively to assist one another to fulfill the requirement of their role except where doing so is likely to compromise their own role or the interests of their organisation.

11. The Monitoring Officers shall be concerned solely with the affairs of their own organisation and have no jurisdiction to exercise their powers in each other’s organisation, save that the Commissioner’s Monitoring Officer has jurisdiction to exercise his powers with reference to the
affairs of the Constabulary to the extent necessary to be satisfied that the Commissioner has properly exercised his functions, specifically but not limited to the Commissioner’s duty to hold the Chief Constable to account for the functions set out in Police Reform & Social Responsibility Act 2011, s1.

12. Neither Monitoring Officer will be appointed to act as the deputy of the other.

13. Where one Monitoring Officer becomes aware of a concern which may have joint or shared implications for both the Commissioner and Chief Constable, that Monitoring Officer shall in his discretion, and with regard to other legislative requirements, report the matter to the other Monitoring Officer without delay unless to do so would in all the circumstances materially prejudice the investigation or consideration of the matter. In such circumstances the first Monitoring Officer shall document the decision not to report the matter and keep the decision not to disclose under regular review.

14. Where information of joint or shared concern is shared in accordance with paragraph 13, then the Monitoring Officers shall agree between themselves how the matter is to be investigated/considered. The Monitoring Officers may, but are not obliged to, conduct joint enquiries and issue complementary, mirror or joint reports.

15. Nothing in this entire protocol shall compromise either Monitoring Officer at any time to act solely and other than in accordance with the fullest extent of their powers (statutory or contractual). In all circumstances the Commissioner’s Monitoring Officer must remain unfettered to discharge his/her statutory role.

Working with other Key Governance Roles

16. The Monitoring Officers will work with other key governance roles within their organisations in order to achieve the best outcome in terms of discharging legal responsibilities and ethical working, as set out in the table below. The Monitoring Officers and Key Governance Roles will not act to as to frustrate in any way the exercise of any others’ legitimate functions. In issuing a formal report, the Monitoring Officer will consult so far as practicable the Section 151 Officer. Consideration may also be given to consulting the external auditor.

17. Where any key governance role listed in the tables above is aware of facts which fall, or are likely to fall, either in whole or part, within the remit of another key governance role within their organisation, they will report the matter to that person without delay unless to do so would in all the circumstances materially prejudice the investigation or consideration of the matter. In such circumstances the key role must document the decision not to report the matter and keep the decision under regular review.

18. Where a key governance role does have cause to believe that a matter is of shared concern and reports that to another key role(s), then they will agree between themselves how the matter is to be investigated, considered and reported on.
Impending Professional Standards Authority (PSA) Complaint

*Alleged Criminal Withholding of Medical Records*

*Belinda J Stelfox, Practice Manager, Boots 3328, Chester, et alia*

**Case Study and Legal Implications**

*Regulation Applicable to withholding of all Medical Records in this IPCC Complaint*

Belinda J Stelfox, Practice Manager, Boots 3328, Chester, *et alia*

Patient made it quite clear (in a spirit of openness) during December 2014 that he would not tolerate deliberate delays or refusal of information or use of pseudonyms and other ploys that hide the identity of public servants (which includes people employed or receiving payment or salaries for NHS services). Although several people emerged from the woodwork and disclosed their full names as required by law, no openness by others resulted. Practice managers provide primary care and hold the responsibility for the overall running of health services. They work where patients often have their first and most frequent point of contact with the NHS.

This brief applies in particularly to Belinda J Stelfox and behaviour by her; however, she is by no means alone. The UK bureaucracy and associated businesses run rampant with Mafia-type secrecy and misuse of management privileges for personal gain particularly in the medical field with its misuse of technology to cover up harm to patients. Many of them evade their personal responsibility for openness with anonymity and use of aliases.

Health professionals and staff members must provide their full name (including middle name and initials), title, department and registration number when requested by patients and include those details on all documents. If a legitimate reason exists for withholding information, then the full name of the line manager and contact information must be provided. Belinda J Stelfox, Practice Manager, Boots, Chester has repeatedly withheld information and the matter has now been elevated to her director/solicitor Andrew Richard Thompson (SRA #230806), Boots Management Services Ltd.

On letters or emails, full names must always be provided unless agreed in exceptional circumstances with a line manager. Then the line manager’s full name and details of any service complaint procedure must be provided plus the email address (for example, John R Smith <john_smith@boots-opticians.co.uk> unless agreed in exceptional circumstances by a line manager who must add a case a note to that effect.

Ophthalmologists, optometrists and practice managers often receive requests from professionals who wish to view or obtain copies of health records. Sometimes these requests come directly from the patient and at other times the requests may be from third parties such as solicitors. A health record is any record which consists of information relating to the physical or mental health or condition of an individual made by a health professional in connection with the care of that individual.

There is nothing in the law that prevents health professionals from informally showing patients (or proxies) their records as long as they do not breach provisions of the Data Protection Act 1998...
They may only supply copies of those records if they make a formal application for access. Patients may make requests for access in writing or electronically as a Subject Access Request (SAR). Once the written request has been received, the patient must be advised of any relevant fee and copies must be supplied to them promptly and, in any event, within 40 days if necessary which does not mean using that time as an excuse to delay service. DPA requires that copies are accompanied by an explanation of any terms that might be unintelligible to the person requesting access to the records. A written explanation of the terms used must be provided in lay language.

Issues relative to this case impend elevation to Professional Standards Authority. Belinda J Stelfox, Boots Opticians Practice Manager ignored repeated warnings regarding unlawful behaviour. Her wilful blindness effectively construes as a conspiracy to defraud or deprive a patient of his statutory or human rights.

If police officers do not have a court order or warrant they may request voluntary disclosure of a patient’s health records. While health professionals hold powers to disclose patient records to police officers, there is no obligation for them to do so. In such cases, health professionals may only disclose information where the patient has given consent or an overriding public interest exists.

Health professionals must keep clear, accurate, legible and contemporaneous patient records which report relevant clinical findings, decisions made and information given to patients and list any drugs or other treatment prescribed. Records must be legible and factual. Personal views about the patient’s behaviour or temperament should not be included unless these have a potential bearing on treatment. They must ensure that the manner of keeping records facilitates access by patients if requested.

It may be helpful to order, flag or highlight records so that when access is given under the Act, any information which should not be disclosed is readily identifiable. If patients express views about future disclosure to third parties, this should be documented in the records. Past entries in health records were often not written in expectation that patients would see the records or obtain copies of them. Now the concern is how to deal with giving access to records written in a way which patients can understand.

Health professionals must not withhold information if patients exercise their right of access (unless any of the limited exemptions apply). They may, however, offer to redact any inappropriate comments and may find it helpful to discuss any potentially distressing entries with patients in advance of access. Records requested must be those in existence at the time of the request. There can be amendments or deletions between the request and the supply of the records provided these would have been made regardless of the request. Both laws and good practice require information in health records to be accurate and up to date.

Health records can be recorded in computerised form, in a manual form, or a mixture of both. Information covers expression of opinion about individuals as well as fact. Health records may include notes made during consultations, correspondence between health professionals such as referral and discharge letters, results of tests and their interpretation, X-ray films, videotapes, audiotapes, photographs, and tissue samples taken for diagnostic purposes. They may also
include internal memoranda, reports written for third parties such as insurance companies, booking-in registers and clinical audit data, if they identify the patient.

Steps to ensure that the information requested is accurate and any errors of fact or judgement should be annotated and patients may seek correction of information they believe is inaccurate. Practitioners are not obliged to accept the patient's opinion, but must ensure that the notes indicate the patient's view. They must provide the patient with a copy of all corrections or appended notes.

Data Protection Act 1998 requires that copies are accompanied by an explanation of any terms that might be unintelligible to the patient or the person requesting access to the records. Even in cases where permanent copies cannot be supplied, an explanation of such terms must be given.

**nota bene**

Date: Fri, 18 Mar 2016 11:24:01 +0000  
To: Andrew R Thompson <andrew_thompson@boots-opticians.co.uk>  
From: Paul Trummel <trummel@contracabal.org>  
Cc:  
   Belinda Stelfox <belinda_stelfox@boots-opticians.co.uk>,  
   Richard Greenwood <richard_greenwood@boots-opticians.co.uk>  
Subject: False or Misleading Information Offense - 880-07-19

Andrew R Thompson  
Boots Management Services Ltd.

It is now over a month since I requested you to investigate the neglect of Belinda Stelfox and Richard Greenwood to provide optical records. Further investigation provides a reason for that withholding in that they have, jointly and severally, committed offenses under Care Act 2014.

The Care Act 2014 put in place a new criminal offense applicable to care providers who supply, publish or otherwise make available certain types of information that is false or misleading when it is required to comply with a statutory or other legal obligation. The need for a criminal offense resulted from the provision of false or misleading information raised by the Public Inquiry into Mid Staffordshire NHS Foundation trust.

The offenses are in two parts. The first is a strict liability offense where a provider is found to have published or provided false or misleading information. The second is where a practice manager or other senior individual are found to have been culpable in the offense.

The offense forms part of the Government's overall drive to improve the openness and transparency in the provision of health services, by making clear that a sanction exists for failing to provide or publish accurate or honest information about the performance of services.

This request for documents provides an opportunity to mitigate damage within ten days. It requires immediate action under Part 31. Disclosure and Inspection of Documents.

Paul Trummel, Professor Emeritus.
Vulnerable Adults - Abuse and Neglect

The term “abuse” is subject to a variety of definitions and the distinction between abuse and neglect is not always clear. Neglect can also lead to harms as significant as direct abuse. Within health care, neglect is the most serious form of abuse and occurs in any relationship and in a wide range of circumstances.

NHS “No Secrets” guidance identifies a number of factors that categorize abuse:

• it may consist of a single act or repeated acts.
• it may be physical, verbal or psychological.
• it may be an act of neglect or an omission to act including an unintended lack of attention to someone who requires it.
• it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent.
• it can occur in any relationships and may result in significant harm to, or exploitation of, the person subject to it.

Abuse and neglect can amount to serious violations of an individual’s human and civil rights. Many acts of abuse constitute criminal offences and vulnerable adults are entitled to the full protection of the law.

Where a crime has been committed, or is likely to be committed, it may be necessary to involve law enforcement agencies. In addition, abuse and neglect are often characterised by a lack of respect for, or a violation of, the respect for individual dignity, agency and integrity that are at the core of both good patient care, and of fundamental social norms.

Although abuse can take many forms, there is broad agreement that the following are among the most significant:

• physical abuse including hitting, the misuse of medication, inappropriate or unlawful restraint or other sanctions.
• sexual abuse including any sexual act to which the person did not or could not consent.
• psychological abuse including coercion, emotional abuse, humiliation, harassment, bullying, verbal abuse, enforced isolation or withdrawal from services.
• financial abuse including theft, fraud, the misuse of property, finances and benefits, including coercion in relation to wills and other forms of inheritance.
• neglect and acts of omission including deliberate or neglectful failure to meet health or physical care needs or to provide the necessaries of life including food and appropriate shelter. It can also include thoughtless forms of neglect such as leaving food or drink out of reach, the removing of spectacles, hearing aids or false teeth and the placing of them out of reach.
• discriminatory abuse including racial, religious, gender-based abuse, or abuse based upon an enduring condition or disability, or a person’s age.

**Conspiracy to Defraud**

The standard definition of a conspiracy to defraud was provided by Lord Dilhorne in Scott v Metropolitan Police Commissioner, when he said that:

... it is clearly the law that an agreement by two or more by dishonesty to deprive a person of something which is his or to which he is or would be entitled and an agreement by two or more by dishonesty to injure some proprietary right of his, suffices to constitute the offence of conspiracy to defraud.

Conspiracy to defraud therefore contains two key elements; that the conspiracy involved dishonesty, and that if the conspiracy was undertaken, the victim’s property rights would be harmed. This does not require the defendants’ actions to directly result in the fraud; in R v Hollinshead the House of Lords held that producing devices designed to alter electricity meter readings constituted conspiracy to defraud even though the actual fraud would be carried out by members of the public rather than the conspirators.

In two situations, it will not even be necessary for the actions to directly lead to any kind of financial loss for the victim; these are when the conspirators plan to deceive a person holding public office into acting counter to their duties, and when the conspirators know that their actions put the victim’s property at risk, even if the risk never materialises.

Although most frauds are crimes, it is irrelevant for these purposes whether the agreement would amount to a crime if carried out. If the victim has suffered of any financial or other prejudice there of, there is no need to establish that the defendant deceived him or her. But, following Scott v Metropolitan Police Commissioner (1974) 3 All ER 1032, it is necessary to prove that the victim was dishonestly deceived by one or more of the parties to the agreement into running an economic risk that he or she would not otherwise have run, if the victim has not suffered any loss. For the **mens rea**, it is necessary to prove that “the purpose of the conspirators (was) to cause the victim economic loss” (per Lord Diplock in Scott). For the test of dishonesty, see R v Ghosh (1982) 2 All ER 689.

**Disposal or Fabrication of Evidence**

Any evidence which is linked to a case is highly important and must not be tampered with or damaged in any form. Disposing of evidence simply means completely getting rid of evidence for example throwing something away which is vital to solving the case. Disposing of or fabricating evidence is essentially perverting the course of justice.

Lying during police station interrogation is another way that the court of justice can be perverted and is where a solicitor or legal representative knowingly assists a client in deceiving the police. If the client gives any answers in the interview which the legal advisor knows to be untrue, he/she must stop the order and advise the client.

Under no circumstances should a legal representative or solicitor allow the client to mislead the police, if the client makes an admission to a legal advisor then they must advise the client that
if they wish to wrongfully mislead the police by making a written or oral statement that they can no longer act as their legal advisor.

If the legal advisor does decide that they can no longer act as the client’s legal advisor then he/she must withdraw in a way that does not indicate to the police the reason for withdrawing. The legal advisor should inform the custody officer that another legal advisor is needed without in any way revealing the reason.

**Perverting the Course of Justice**

Perverting the course of justice is an English common law crime involving one of a number of actions which are designed to interfere with the administration of justice. This crime is triable on indictment only. Instances of other statutory crimes, such as perjury, fraud or witness tampering can also amount to perverting the course of justice.

Intimidation is defined as making threats to harm someone, acts to harm them, physical and financial harm, acts and threats against a third party eg a relative of the case witness, with the purpose of deferring the witness from giving evidence in court or from reporting the crime in the first instance.

**The Nuremberg Defense - Retroactive Preemption by Public Sector Officials**

*Rome Statute of the International Criminal Court:*

*Article 33: Superior Orders and Prescription of Law*

1. The fact that a crime within the jurisdiction of the Court has been committed by a person pursuant to an order of a Government or of a superior, whether military or civilian, shall not relieve that person of criminal responsibility unless:

   (a) The person was under a legal obligation to obey orders of the Government or the superior in question;

   (b) The person did not know that the order was unlawful; and

   © The order was not manifestly unlawful.

2. For the purposes of article 33, orders to commit genocide or crimes against humanity are manifestly unlawful.

Principle IV, one of many applied in the run up to the Nuremberg trials, states:

The fact that a person acted pursuant to order of his Government or of a superior does not relieve him/her from responsibility under international law, provided a moral choice was in fact available to him/her.

Any malicious breach by health professionals and their staff members regulations ranks as a criminal offense especially when a reasonable person considers the age and health of the Journalist whom Cheshire medical profession and constabulary officials continue to harass and abuse. They continue to withheld medical records and vital services also obstructed due process of law using perceived impunity which Christopher S Graham, Information Commissioner condones by either withholding ICO decision notices using blackmail and extortion or forging
them to try to obtain an illegal waiver of journalism rights for more than three years. Those decision notices would allow a court to issue an order for immediate remediation of the neglect to comply with CPS and/or IPCC regulations extant since the report and documentation filed with Keith Watts, Investigations Manager, General Optical Council (29 Aug 14).

Furthermore, neglect by health professionals, their staff members and police officers of a duty of care, whether imposed and accepted willingly or by coercion, makes them jointly and severally liable in court proceedings. Moreover, in criminal complaints accused health professional staff members must stand alone.

Public sector officials and their staff members cannot use a Nuremberg defense that they only followed orders. The fact that staff members act as proxies for executive directors and managers does not relieve them of their moral and legal responsibility for complicity in crimes that breach their duty of care. Nuremberg decisions insure that unqualified staff members cannot argue that they have a right to judgment at a lower standard than a qualified person. Therefore a lack of skill or education will not affect a defense of negligent conduct especially if the evidence establishes malice.

An objective test applies if a staff member has particular skills and knowledge that a supervisor does not have. Background checks show that several staff members have extensive international experience as executives and personal assistants for large corporations and in embassy appointments; consequently, they have no excuse when they claim that they only acted as “bimbos”.

The ordinary law of negligence applies to the complaints in that those with an established duty of care have not acted as a "reasonable person would do in their position". Their involvement as health professionals or staff members stands in light of their skills and knowledge which probably makes them more responsible for negligence than their line managers.
Medical and Police Document Withholding in Violation of FOIA

Cheshire Police Investigation - Accessories Before and After the Fact
Cheshire Constabulary

Alleged Accessories Before and After the Fact to Criminal Conspiracy involving
Illegal Withholding of Medical and Police Records with
Intent to Pervert the Course of Justice after a
Serious Injury resulting from Assault with a Deadly Weapon by
Nina Catherine Houghton (neither qualified nor registered to perform optical services)
Marketing Manager, Houghton Opticians, Chester.

In law, an accessory defines as a person who, though not present at the commission of a crime or wrongdoing (ethically unacceptable acts or activity that transgress moral or civil law) becomes a participator either before or after the fact of commission. The distinction between an accessory and a principal relates to a question of fact and degree.

An accessory before the fact relates to a person who counsels or instigates another to commit a crime or unlawful act. An accessory after the fact defines a person who, having knowledge of a crime or wrongdoing, aids or attempts to aid public officials to escape punishment. An accomplice defines as any person open to prosecution for a crime or wrongdoing for which the principal stands accused. This includes principals and accessories before the fact; depending on the jurisdiction and the facts of the case it might also include conspirators to commit fraud and harassment through dereliction as accessories after the fact.

Boots Management Services Ltd.
Barlow (aka Leathwood), Gemma, (GOC #01-24039).
Jones, Philippa, (GOC #01-13472).
Stelfox, Belinda J, Practice Manager, Boots 3328 Chester.
Thompson, Andrew Richard, Director/Solicitor (SRA #230806).

Cheshire Constabulary

Most of these officers withheld their full names, ranks and warrant numbers then used nicknames or pseudonyms to disguise their identity and role. Although they claimed to have fully investigated the case, they have not provided a single document to substantiate their claims or elevated the case to CPS and/or IPCC as required by law.

Bailey
Bryan, David James, Solicitor and Monitoring Officer (SRA #165253).
Byrne
Elms maliciously withheld vital NHS patient prescriptions from the pharmacy and falsified medical examinations for two years despite repeated requests and a complaint to General Medical Council (GMC) about misconduct in public office by both the practice manager and named partners.

Alam-Jones, Atiya, Practice Manager, (Pakistani, not verified as legal immigrant).
Lowrie, Michael John Shaun MD, Senior Partner and David Snowden MD
Snowden, David, MD, Partner.

General Optical Council

Davis, Lisa Mariska, Barrister, Director of Fitness to Practice (BSB).
Gill, Kiran, Head of Legal Compliance (SRA #162819)
Grier, Simon, Communications Manager.
Hadley, Gareth Morgan, Chair.
Peters, Samantha, Registrar and Chief Executive.
Pohl, Erik, Registration Officer, Registration Department.
Sparkes, Lisa, Accreditation and Quality Officer.
Watts, Keith, Investigations Manager.

Houghtons Opticians, Hoole, Chester

Bott, Graham John, FADO.
Dobson, Ian Robert, BSc, MCOptom.
Houghton, Christopher Mark Leslie, BSc, MCOptom, FBDO.
Houghton, Nina Catherine.
Alleged Illegal Corporate Registration

Christopher Mark Leslie Houghton, Director.
Nina Catherine Houghton, Company Secretary.
2 Cambrian Villas, Whitchurch Road, Chester, Cheshire, CH3 9DY.

Leath Optical Limited, Ellesmere Port.
Chester House, Lloyd Drive, Cheshire Oaks Business Park,
Ellesmere Port, Cheshire, CH65 9HQ.
Private Limited Company #09173219 (Incorporated 13 August 2014).
Not registered with General Optical Council as required by law.

Information Commissioner’s Office

Bailey, Richard Stephen, Solicitor (SRA #15076)
Graham, Christopher S, Information Commissioner.