Police and Bureaucratic Corruption - Abuse of Process - Feminazi Opportunism

John Dwyer, Police and Crime Commissioner for Cheshire

Simon Byrne, Chief Constable and Janette McCormick, Deputy Chief Constable

Précis

Police corruption takes place at the highest levels of the UK political system. It is guaranteed by control and distortion of the flow of information by Christopher S Graham, Information Commissioner. Graham claims “to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals” while he contrarily perverts the course of justice.

That leads to police corruption through political and bureaucratic conspiracies that abuse power and illegally deny victims of crime due process of law for political expedience. Several Police Basic Command Units (BCUs) hold an undemocratic hold on power administered through brutality or coercion by police officers in a consort with bureaucrats to the detriment of the public they are meant to serve. Chester Constabulary ranks as one of those out of control BCUs.

Graham allows blackmail and extortion against journalists and the public using a bizarre, unlawful procedure that arbitrarily uses the term “vexatious”. That denies legitimate access to information using a bizarre court finding to accommodate gagging and abuse of process (arbitrary decisions and entrapment) by police officers, in particular, Janette McCormick, Deputy Chief Constable, Cheshire Constabulary.

McCormick has chosen to investigate herself for her own misconduct in public office by using her own Professional Standards Department (PSD) to investigate her behaviour contrary to IPCC and CPS standards designed to protect victims. To further that end, McCormick uses Elizabeth Heavey, Solicitor (a BCU anti-social behaviour prosecutor who holds a brief to prosecute defendants and protect victims of social abuse) as her gatekeeper. Heavey has a conflict of interest by denying non-ASBO victims due process of law and withholding disclosure documents.

Cheshire PSD investigators Armstrong (Retired), Fletcher, Bailey, Dignam and Forshaw completely ignored those protocols. They did not ask a single clarifying question based upon comprehensive witness statements (briefs) although the Victim repeatedly offered them an opportunity to do so. These “investigators”, in particular Fletcher and Bailey, did not cite a single law or legal precedent to support sub-literate, arbitrary statements.

Instead, they used general denial (totally unacceptable without substantiation) to reach their unlawful decision 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 prior to investigation. Both Dwyer and Byrne, with full knowledge of these illegal practices, used wilful blindness and did nothing to mitigate the damage. By that, they condoned a criminal conspiracy to deny a Victim due process of law and medical services under NHS.
The Irony of Cheshire Police and Crime Commissioner Protocols

The Association of Police and Crime Commissioners defines the role of the PCC thus:

Police and Crime Commissioners (PCCs) were elected across England and Wales on the 15th November 2012. When PCCs took office on the 22nd November 2012 they became responsible for a combined police force area budget of £8 billion. The role of the PCCs is to be the voice of the people and hold the police to account. They are responsible for the totality of policing.

PCCs aim to cut crime and deliver an effective and efficient police service within their force area.

PCCs have been elected by the public to hold Chief Constables and the force to account, effectively making the police answerable to the communities they serve.

PCCs ensure community needs are met as effectively as possible, and are improving local relationships through building confidence and restoring trust. (If trust needs “restoring” then obviously it must have disappeared!). They work in partnership across a range of agencies at local and national level to ensure there is a unified approach to preventing and reducing crime.

Under the terms of the Police Reform and Social Responsibility Act 2011, PCCs must:

1. Secure an efficient and effective police for their area;
2. Appoint the Chief Constable, hold them to account for running the force, and if necessary dismiss them;
3. Set the police and crime objectives for their area through a police and crime plan; (Surely, one of the main “objectives” should be to identify the rotten apples within the police?)
4. Set the force budget and determine the precept;
5. Contribute to the national and international policing capabilities set out by the Home Secretary, and;
6. String together community safety and criminal justice partners, to make sure local priorities are joined up.”

The irony is summed up in a two questions:

Why has Dwyer not prosecuted Byrne for the myriad crimes reported to him which he did not investigate and prosecute?

Why has Byrne protected McCormick given her neglect to report a DSI complaint to IPCC and/or CPS and fraudulent use of Professional Standards Department (PSD) officers and staff members in her own BCU to investigate herself?

Dwyer hypocritically published and Byrne studiously ignored the following statement:

Cheshire CARES is the new service that I have commissioned to support victims across Cheshire. As of 1 December 2015, Cheshire CARES (Cope and Recovery Enhanced Service) is the dedicated service providing support to all victims of crime in Cheshire and
will be based on the individual’s needs. It builds upon the service previously provided by Victim Support which ended on 30th November 2015.

The service meets the requirements of a new European Directive which came into force on 16 November 2015 to provide services to all victims of crime regardless of crime type and irrespective of whether they have reported that crime to the police.

[Cheshire CARES]

The information submitted in this case study as an open letter with supporting documentation to Theresa May MP, UK Home Secretary for parliamentary consideration and investigation of corruption extant in Cheshire Constabulary 2010 through 2015, she has referred back.

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).

[Theresa May - Open Letter]

[Theresa May - Referral]

[PEELscam]

Samantha Peters, Chief Executive and Registrar, General Optical Council (GOC) should have referred the DSI case (which alleges serious injury) to IPCC within 24 hours of reportage. Meanwhile, David Keane (a Warrington Councillor) has announced his candidacy for the upcoming Cheshire Police and Crime Commissioner (PCC) elections to replace Dwyer. Keane accused Dwyer of failure to protect neighbourhoods. He also claimed that the police are under huge pressures after budget cuts and that current priorities need challenge, consultation and reform.

The Big Liars

The disingenuous merry-go-round started by Samantha Peters followed by the investigation of themselves by Simon Byrne and Janette McCormick later condoned by John Dwyer, continues. By that, the procedure followed by General Optical Council and Cheshire Constabulary allows a weird combination of oligarchy and anarchy to prevail.

The Big Lie has defined public sector conversation for almost a century. Based upon “cognitive dissonance”, this psychological phenomenon takes place in less than conscious human thinking and now ranks as a favorite tool for manipulation by bureaucrats to support disingenuous behaviour. The ploy pits the experience of sycophants against lies by line managers who tell them that what they witnessed never happened.

All this was inspired by the principle - which is quite true in itself - that in the big lie there is always a certain force of credibility; because the broad masses of a nation are always more easily corrupted in the deeper strata of their emotional nature than consciously or voluntarily; and thus in the primitive simplicity of their minds they more readily fall...
victims to the big lie than the small lie, since they themselves often tell small lies in little matters but would be ashamed to resort to large-scale falsehoods. It would never come into their heads to fabricate colossal untruths, and they would not believe that others could have the impudence to distort the truth so infamously. Even though the facts which prove this to be so are brought clearly to their minds, they will still doubt and waver and continue to think that there may be some other explanation. For the grossly impudent lie always leaves traces behind it, even after it has been nailed down, a fact which is known to all expert liars in this world and to all who conspire together in the art of lying. These people know only too well how to use falsehood for the basest purposes.


[The Big FOIA Lie]

**The Investigation Process**

Immediately upon the report of a crime to the BCU an officer must carry out an initial investigation. The overall procedure includes many stages after the crime is first reported from investigative assessment through to three main outcomes.

The initial Investigation involves a review of witnesses, scenes, CCTV and all other available evidence such as forensic samples and any relevant local knowledge. Following that, the crime must be entered into the BCU crime recording system before the end of the officer’s shift and the victim must then receive a crime reference number within 36 hours of the initial report.

After the initial investigation, crime details are forwarded to the Crime Assessment Unit for an investigative assessment when a decision whether to transfer the crime to an investigating officer for further investigation must take place.

This assessment will take into account:

1. Seriousness of the offence.
2. Likelihood of solvability (e.g. availability of evidence).
3. Level of resources required proportionate to the seriousness of the offence.

Victims then receive a letter, phone call or email message notifying them of the result of the assessment.

There are three possible outcomes at this time:

1. Investigation will be Closed. This means that there are currently no proportionate leads to pursue. Should the BCU receive further intelligence or discover new evidence, which it regularly does, the investigation will be re-opened and the Victim will be contacted. Regardless of whether this happens, the information that has been provided becomes a vital part of determining where and when to deploy police resources to detect and prevent crime.

2. Crime Allocated for Further Investigation. An investigating officer is assigned and he/she will be responsible for investigating the crime. This officer will be able to provide the victim with
specific updates regarding the progress in the case. The method of contact and frequency of communication will be agreed with the victim by the investigating officer.

3. Further Investigation. If the crime is transferred for further investigation, the investigating officer will carry out enquiries which includes taking statements from the Victim and any witnesses, which is a formal means of recording personal accounts of the crime. Also, arresting and detaining any identified suspects and formally interviewing them at a police station.

After conducting interviews the suspect(s) may be bailed to return to the police station at a specified date. This allows the investigating officer more time to make further enquiries. At the end of the investigation there are three main outcomes for the suspect(s).

1. Charged. The suspect is formally told that they will be sent to court and what law they are alleged to have broken.

2. Cautioned. An official warning given in some circumstances. If the suspect is brought to court within three years, the court can take this warning into account when sentencing them.

3. No Further Action. If there is insufficient evidence to charge or caution a suspect, no further action will be taken by police.

[HMIC Crime Recording Process]

[Blackmail and Extortion]

[Abuse of Process]

[Racist Gatekeepers]

**Introduction**

Janette McCormick (48±), Deputy Chief Constable, Cheshire Constabulary (who declined to provide evidence of her academic degree that she claims and her number rank and full name) had absolutely no excuse for delaying investigation and arrest of Nina C Houghton, an unregistered optometrist working illegally for Houghton Opticians, Hoole, Chester. Houghton committed assault with a deadly weapon and caused serious bodily harm to an elderly resident of Hoole (the Victim) in an incident known as “the Zap” (19 Aug 14), the latest episode in a “hooligan continuum” of elder abuse which Cheshire Constabulary has covered up for five years. The Victim suffered a Death or Serious Injury (DSI) near-death experience which permanently disabled him.

McCormick created an unlawful precedent for registered optometrists which granted them impunity through willful blindness and contempt prior to investigation after they allegedly committed misconduct in public office by employing unqualified ophthalmological assistants. Later, she denied the Victim due process of law in violation of National Policing Guidelines on Police Victim Right to Review (VRR) which determines a victim’s right to ask for review of a police decision not to prosecute a suspect (considered in R v Killick and set out in Article 11 of the EU Directive on Victims) as endorsed by the Association of Chief Police Officers (UK). Regulations
required McCormick to elevate the case to CPS and/or IPCC which she ignored, despite repeated reminders by the Victim.

[National Policing Guidelines on Police Victim Right to Review]

A reasonable person must ask whether McCormick possesses the moral and ethical compass to hold the position of Deputy Chief Constable while facing impending complaints for misconduct in public office which include, but not exclusively, dereliction in processing a DSI complaint within 24 hours of receipt. She has still not addressed the issues despite seven requests during the year following the DSI. Instead, she set up a PSD scam to distort the factual continuum and prevent ethical investigation.

By that, McCormick allegedly involved herself in abuse of process and committed misconduct in public office, a crime which addresses police officers who misbehave themselves to such a degree as to amount to an abuse of the public’s trust in the office holder without reasonable excuse or justification. McCormick relied upon secrecy and machination, in an already rampantly corrupt bureaucracy, to commit abuse of process using arbitrary decisions. Forshaw supported her by entrapment: repeatedly demanding a face-to-face meeting despite repeated acceptance by the Victim conditional upon the attendance of a solicitor. Any reasonable person knows that one-on-one meetings with police officers without legal representation have an ulterior motive.

Instead, the Brazen Trio (McCormick, Peters and Lavin) effectively downgraded everything sent to them and McCormick upgraded the status of the investigators by temporary promotion to give the impression of compliance. Temporary ranks are just what it says "temporary" and require substantiation in accordance with police regulations: they cannot be arbitrary promotions.

For example, a journalism background check showed that Forshaw had only been a sergeant for a short period and removed all his particulars from the web to confuse the issues about recent temporary promotion to inspector. His only claim to fame is wading up to his waist in excrement at Chester Racecourse for which he received glorification and an award. He neither proceeded with filing the McCormick papers in accordance with regulations nor provided reports of the progress to the Victim as required by both IPCC and CPS mandates. In effect, he does not hold authority to investigate his own boss at all. Cases involving senior officers must be referred to another BCU. This shows a pattern or practice when coupled with the Adderley case. Officers will not say if Adderley personally related to her namesake who was Manchester Assistant Chief Constable and she changes her surname then "done a runner" before handling the case.

Chief Superintendent Nick Adderley qualified to become an Assistant Chief Constable, meaning he could leave Greater Manchester altogether for another force. The Houghton and Hall issues are part of the same continuum and must be processed chronologically. Professional Standards Department (PSD) have not provided progress reports on the assault complaints against Ann Hall and Nina Houghton and an explanation why they have not elevated those cases to CPS and/or IPCC in accordance with protocols.

[Abuse of Process] [Adderley Case Study]

[The Witness Charter - Standards of Care for Witnesses in the Criminal Justice System]
**Crown Prosecution Service (CPS)**

The independent public authority responsible for prosecution in England and Wales, advises police on cases for possible prosecution after review of a decision and evidence on which it depends. In deciding whether to prosecute two tests must be applied: the evidential test in which the prosecutor decides whether enough evidence exists against the defendant for a realistic prospect of conviction and the public interest test: a decision by the prosecutor that there is a realistic chance of conviction based upon the public interest to prosecute.

The traditional CPS position allowed police officers to rely on decisions taken by themselves. In *R v Killick*, the Court of Appeal considered an abuse of process claim following a complaint by a victim. In the ruling, the Judges confirmed an earlier decision that interested persons have a right to seek a judicial review of decisions not to prosecute and annotated it disproportionate for police not to have a system of review without recourse to court proceedings.

The decision drew a clear distinction between a “complaint about service” and a “review” and asked CPS to consider the right of a victim to seek a review subject to a clear procedure and guidance with time limits. As a response, CPS launched a national pilot VRR scheme in June 2013 to allow victims to ask for a review of CPS decisions not to prosecute. In July 2014, the CPS confirmed their adoption of VRR and issued national guidance.

Ironically, Cheshire Constabulary, Professional Services Department (PSD) claims that it can only maintain the trust and confidence of the public it serves if it responds expeditiously and professionally to any person seeking to complain or express dissatisfaction about the conduct of its officers and staff or the manner in which it delivers policing services and actively promotes the highest standards of professional behaviour and personal and professional integrity.

It states that it ensures complainants are provided with an explanation of how and why police officers and staff act; holds officers and staff to account for their conduct where warranted; and provides equitable and fair outcomes and resolutions following thorough and impartial investigations into all allegations or concerns over the standard of conduct, no matter how minor or serious. PSD holds a responsibility for proactively monitoring the integrity of the constabulary, its officers and staff and for taking robust and proportionate action where standards of professional behaviour are breached.

[CPS - Reporting a Crime - Victims and Witnesses]

**Independent Police Complaints Commission (IPCC)**

Police Basic Command Units (BCUs) must refer to the IPCC: complaints alleging that the conduct complained of has resulted in death or serious injury; complaints which fall within the mandatory referral criteria; or complaints which the IPCC notifies the police authority that it requires to be referred regardless of whether the complaint is already being investigated by any person or the IPCC has considered it.

A DSI matter means any circumstances 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, defined as a fracture, a deep cut, a deep laceration or an injury causing damage to an internal organ or the impairment of any bodily function.

[IPCC - Statutory Guidance to the Police Service on the Handling of Complaints]

**Freedom of Information**

Freedom of information remains vital in a democracy; however, under present UK circumstances it defines more as an activity of the former East German Stasi, arguably the most formidable security service in modern European history. One former Stasi officer commented that modern data restrictions (practiced by Cheshire Constabulary and its BCU neighbour the Information Commissioner’s Office) would have been “a dream come true” for East Germany.

UK ICO supporters have emphasised the necessary role that the agency plays to protect national security interests, whereas the Stasi’s sole objective was to act as the “sword and shield” of the East German communist party and ensure continued supremacy. In order to fulfil this role, the Stasi developed an extensive range of highly intrusive methods now increasingly adopted by ICO, Cheshire Constabulary and the UK bureaucracy, generally.

Corruption in UK bureaucracies and police BCUs primarily involves three non-exclusive groups:

1. Government officials abuse their hold on power to extort government funds from the private sector and the economy at large by blackmail, extortion, embezzlement, etc.

2. Bureaucrats use public resources and money for power preservation and extension. This usually takes the form of patronage politics and sycophancy. It includes a politically motivated distribution of financial and material inducements, benefits, advantages and other spoils.

3. Police officers who use abuse of process (arbitrary decisions and entrapment) which includes any BCU that uses actions found to be arbitrary, capricious, an abuse of discretion or otherwise not in accordance with law.

**Abuse of Process - Arbitrary Decisions and Entrapment**

Abuse of process laws and precedents instruct courts reviewing regulation to invalidate any agency action found to be “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.” The arbitrary or capricious test is used by judges when reviewing the factual basis for agency rule making. Courts can overturn agency rules if they find the underlying rationale or factual assertions to be unreasonable.

The term “abuse of process” is shorthand for direction of reviewing courts to invalidate bureaucratic actions found to be “arbitrary, capricious, an abuse of discretion or otherwise not in accordance with law.” That test applies to all government action, specifically the review of the factual basis for quango decision-making. In the case of GOC, bureaucrats and their gatekeepers perverted quango rules and underlying policies, precedents and reasoned or asserted factual premises in favour of arbitrary action which construes as entrapment.
The term “entrapment” means an act of a government official, lawyer or police officer that induces a person to commit a crime he or she is not previously disposed to commit. Moreover, it is an indictable offence when it is established that a quango official or police officer originated the idea of the crime and induced a person of lesser rank to commit it as Peters and McCormick allegedly have jointly and severally done in this case.

The rationale underlying action is to deter law enforcement officers from engaging in reprehensible conduct by inducing persons not disposed to commit crimes to engage in criminal activity. In their efforts to obtain evidence and combat crime, however, officers are permitted to use some deception. However, an officer must not use chicanery or fraud to lure a person to commit a crime the person is not previously willing to commit.

Ethical courts require the defense of entrapment to prove the victim did not have a previous intent to commit the crime. Courts determine whether a defendant had a predisposition to commit a crime by examining the person’s behavior prior to the commission of the crime and by inquiring into the person’s past criminal record if one exists.

When a bureaucrat or police officer supplies an accused with a tool or a means necessary to commit a crime, the defense is not automatically established. Although this factor may be considered as evidence of entrapment, it is not conclusive. The more important determination is whether the official planted the criminal idea in the mind of the accused or whether the idea was already there.

In criminal law, the act of law enforcement officers or government agents to induce or encourage a person to commit a crime when the potential criminal expresses a desire not to go ahead is entrapment. The key to entrapment is whether the idea for the commission or encouragement of the criminal act originated with the police or government agents instead of with the victim.

**Clarification and Legal Precedent**

Abuse of process includes arbitrary decisions and entrapment which implies an element of bad faith and unfettered discretion. They may be used synonymously with the terms tyranny or despotism. In the vernacular, they define as a police and quango stitch-up: an act of placing someone in a position in which they will be wrongly blamed for something or manipulating a situation to one’s own advantage. Peters, Lavin, Hadley and Davis (GOC) also McCormick, Fletcher, Bailey, Dignam and Forshaw (CC) have behaved that way in the investigation of this case which involves alleged assault with a deadly weapon. Peters and Hadley in a consort with McCormick delayed process for twelve months and Bailey for four months to deny due process of law for financial and/or political expedience.

McCormick used wilful blindness effectively to grant impunity to registered optometrists who allegedly committed gross misconduct in public office by assault with a deadly weapon and coopted. By that, McCormick and Peters covered up a near death experience using willful blindness and contempt prior to investigation which has denied the Victim due process of law.

A reasonable person must ask whether McCormick possesses the moral and ethical compass to hold the position of Deputy Chief Constable while facing impending complaints for misconduct in public office which include, but not exclusively, dereliction in processing a Death or Serious...
Injury (DSI) complaint in compliance with Independent Complaints Commission (IPCC) protocols within 24 hours and condoning the withholding of medical records to prevent due process of law. The term “serious injury” means a fracture, a deep cut, a deep laceration or an injury causing damage to an internal organ or the impairment of any bodily function. Fletcher has deliberately ignored IPCC protocols in his “investigation and decision”.

A DSI matter means any circumstances in which, a person has died or sustained serious injury and at or before the time the victim 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 or contributed to the death or serious injury.

The framework for the initial stages of dealing with a death or serious injury (DSI) matter covers:

• the definition of a DSI matter
• how a DSI matter should be recorded
• the referral of DSI matters to the IPCC.

Where a DSI matter comes to the attention of a deputy chief constable (the relevant appropriate authority) she must record that matter as soon as practicable after it is identified in accordance with IPCC deadlines for referral. That mandatory referral must be 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.

McCormick delayed answering the DSI complaint for six months (26 Oct 14 through 21 Apr 15) using wilful blindness in a (in similar manner to Mandie Lavin, GOC now CILEx) then referred the case to Miles Dignam, Complaints Manager, Professional Standards Department (PSD), Cheshire Constabulary. By that, she evaded her responsibility to refer the matter to IPCC and/or Crown Prosecution Service (CPS).

Dignam had no authority to manage the complaint while an employee of the same BCU as McCormick; however, he arbitrarily created a disingenuous merry-go-round involving four Cheshire PSD investigators: Armstrong (Retired), Fletcher, Bailey and Forshaw who with Dignam completely ignored mandated protocols by acting under McCormick’s command, a distinct and illegal conflict of interest which disqualified them from handling a DSI complaint within their own BCU especially when it entails investigation of their “boss”. Fletcher then fudged written witness statements effectively to decide that there was no case to answer.

The law requires a DSI to be recorded with IPCC immediately to consider independent investigation. By that, McCormick (in an alleged consort with Fletcher et alia) conspired to commit crimes after the fact of a DSI complaint which construes as abuse of process and entrapment. McCormick commands the five officers and did not recuse herself from an investigation of herself. Accordingly, they all, jointly and severally, committed misconduct in public office. A reasonable person must assume that as law enforcement officers they all have at least a basic understanding of law.

[Police (Complaints and Misconduct) Regulations 2012]
It goes without saying that the police must act in good faith and not as part of a malicious vendetta against an individual or group of individuals. Having reasonable grounds for suspicion is one way good faith may be established, but having grounds for suspicion of a particular individual is not always essential to ascertain the nature and extent of police participation in the crime.

The greater the inducement held out by the police, and the more forceful or persistent the police overtures, the more readily may a court conclude that the police overstepped the boundary: their conduct might well have brought about commission of a crime by a person who would normally avoid crime of that kind. In assessing the weight to be attached to the police inducement, regard is to be had to the defendant’s circumstances, including his vulnerability. This is not because the standards of acceptable behaviour are variable. Rather, this is a recognition that what may be a significant inducement to one person may not be so to another.

After three months procrastination Bailey wrote without any substantiation (15 Jul 15): “In the absence of a meeting it would be my conclusion that an investigation of the criminal issues you raise cannot and will not be carried out owing to inadequate evidence upon which to base an investigation. In relation to the complaints against the police these remain under the management of the complaints procedures and correspondence through Professional Standards Department.”

The Victim repeatedly confirmed that he would meet with Forshaw to discuss the issues (subject to the attendance of a lawyer instructed by him and after he received an agenda or an interrogatory citing specifically what Forshaw wanted to discuss). However, Forshaw has for four months not provided his full particulars and qualifications (also those of his line managers) as requested several times in accordance with paragraph #9 ICO guidelines (number, rank, name, etc).

He has neither acknowledged receipt of comprehensive legal documents supporting each of the issues raised nor commenced forensic investigation relative to them. Moreover, he has not provided case #s or kept the victim posted on forensic progress after each 28-day period, as required by police and IPCC regulations.

The Victim considered that after four months delay he had no need to meet for what is an obvious intimidatory stitch-up until Forshaw provided the statutes and details under which he wanted a personal meeting before the Victim inquired the expense of instructing a solicitor/barrister. He needed to know the purpose of the meeting or what Forshaw wanted to know over and above the extensive and explicit information that the victim had already provided to Bailey, Forshaw, Heavey (solicitor and ASBO prosecutor), et alia.

Arbitrary decisions made by police officers without regard for the facts and circumstances presented connote a disregard of evidence and statutes. That defines as entrapment (defying laws after tricking a Victim into not complying with them) a course of action or a decision not based on reason or judgment; instead, they have based it upon arbitrary will or discretion without regard to rules or standards which Fletcher has exacerbated by his disingenuous and unsigned decision using an alias without any identification.
The House of Lords reviewed the law relating to the topics of abuse of process and entrapment. It was held that it is not acceptable that the state through its agents should lure its citizens into committing acts forbidden by law, then seek to prosecute them for doing so which construed as entrapment. The rule of law demands that actions by the police and bureaucracy be authorized by, and reviewed against, statutory powers conferred in advance.

Underlying this requirement is a notion fundamental to modern democracy: that the citizen is entitled to rely on the law as it exists and not as bureaucrats might wish it to be. Consequently, the crown frowns on delegation to law enforcement officers and regulators of wide discretionary powers. Unfettered discretion cannot exist where the rule of law reigns. Discretion permits disingenuous behaviour to render the content and application of the law uncertain and diminishes the possibility of effective review as McCormick et alia have arbitrarily orchestrated in this case.

Ever mindful of the dangers of untrammeled discretion, judges have used the ultra vires doctrine (beyond the scope or in excess of legal power or authority) to confine decision makers within, not only express statutory limits on their authority, but also other limits implied by the courts themselves. The notion of unlimited power can have no place in a democratic system. Parliament must call McCormick, Peters, Hadley, Lavin and their gatekeepers to a just and severe account.

The courts can use their inherent power to prevent abuse of process to ensure that bureaucrats and police officers do not misuse coercive law enforcement functions. As to where the boundary lies in respect of acceptable police behaviour, each case depends on its own facts. A useful guide to identifying the limits of acceptable police conduct is to consider whether, in the particular circumstances, the police did no more than present the Victim with an opportunity to commit a crime.

Fletcher and Dignam have opined in a vacuum and fabricated evidence for political expedience which makes any decision they have made null and void. Any reasonable person would ask why they have not been suspended from duty and the issues elevated to CPS and/or IPCC as McCormick should have done within 24 hours of the referral by Peters. Fletcher has not cited any evidence or authorities that support his actions and decisions which classifies as arbitrary, general denial.

The term "general denial" defines arbitrary and biased statements, innuendo, and assumption that bear no relation to facts. Fletcher has not controverted all the declarations and assertions as common law requires and used a narrow construction when legal precedents generally require a liberal construction, at least until an “honest” judge rules otherwise.

McCormick must present a legal argument based upon fact if she wishes to deny the substantiated assertions in complaints and must provide access to public documents. A general denial, in its legal sense, classifies as proscribed behavior. Most courts will not accept a general denial nor should any properly convened investigating panel (or Fletcher and Dignam) admit it into evidence.

Both McCormick and Peters continue to frustrate filing of complaints by repeatedly withholding documents. Information about public sector employees and police officers classifies as public
information and authorities must make copies available upon request. For example, Lisa Sparkes (GOC FOI officer) silently refuses access to documents that provide substantiation of complaints and neglcts to provide a reason for a withholding them. In any event, if Sparkes denies access to a document request, then she must identify the document and state the particular exemption and statutory reference that applies and give legitimate reasons for the refusal or redaction. The law does not allow a general denial without substantiation by a legal precedent.

**Legal Precedent Regina v Loosely**

*Excerpt in pari materia. Issues that share a common purpose or relate to the same subject construed together as one law, regardless of whether they contain any reference to one another.*

Every court has an inherent power and duty to prevent abuse of its process. This is a fundamental principle of the rule of law. By recourse to this principle, courts ensure that executive agents of the state do not misuse the coercive, law enforcement functions of the courts and thereby oppress citizens of the state. Entrapment, with which these two appeals are concerned, is an instance where such misuse may occur.

It is simply not acceptable that the state through its agents should lure its citizens into committing acts forbidden by the law and then seek to prosecute them for doing so. That would be entrapment. That would be a misuse of state power, and an abuse of the process of the courts. The unattractive consequences, frightening and sinister in extreme cases, which state conduct of this nature could have are obvious. The role of the courts is to stand between the state and its citizens and make sure this does not happen.

These propositions, I apprehend, are not controversial. The difficulty lies in identifying conduct which is caught by such imprecise words as lure or incite or entice or instigate. If police officers acted only as detectives and passive observers, there would be little problem in identifying the boundary between permissible and impermissible police conduct. But that would not be a satisfactory place for the boundary line. Detection and prosecution of consensual crimes committed in private would be extremely difficult.

As already noted, the judicial response to entrapment is based on the need to uphold the rule of law. A defendant is excused, not because he is less culpable, although he may be, but because the police have behaved improperly. Police conduct which brings about, to use the catch-phrase, state created crime is unacceptable and improper. To prosecute in such circumstances would be an affront to the public conscience, to borrow the language of Lord Steyn in *R v Latif [1996] 1 WLR 104, 112.* In a very broad sense of the word, such a prosecution would not be fair.

As Lamer J observed in *R v Mack (1988) 44 CCC (3d) 513, 551,* it is always possible that, notwithstanding a person’s predisposition, in the particular case it was the conduct of the police which led the defendant into committing the crime. In other words, the existence or absence of predisposition in the individual is not the criterion by which the acceptability of police conduct is to be decided. Predisposition does not make acceptable what would otherwise be unacceptable conduct on the part of the police or other law enforcement agencies. Predisposition does not negative misuse of state power.
This is by no means the only factor to be taken into account when assessing the propriety of police conduct. The investigatory technique of providing an opportunity to commit a crime touches upon other sensitive areas. Of its nature this technique is intrusive, to a greater or lesser degree, depending on the facts. It should not be applied in a random fashion, and used for wholesale ‘virtue testing’, without good reason. The greater the degree of intrusiveness, the closer will the court scrutinize the reason for using it. On this, proportionality has a role to play.

In applying these formulations the court has regard to all the circumstances of the case. The following comments may be made on some circumstances which are of particular relevance.

The nature of the offence. The use of pro-active techniques is more needed and, hence, more appropriate, in some circumstances than others. The secrecy and difficulty of detection, and the manner in which the particular criminal activity is carried on, are relevant considerations.

I would answer that question in the negative. I do not discern any appreciable difference between the requirements of article 6, or the Strasbourg jurisprudence on article 6, and English law as it has developed in recent years and as I have sought to describe it.

**Opinions of the Lords of Appeal for Judgment in the Cause - Regina v Loosely (Appellant)**

Lord Nicholls of Birkenhead
Lord Mackay of Clashfern
Lord Hoffmann Lord Hutton
Lord Scott of Foscote.

On Appeal from the Court of Appeal (Criminal Division)

**Oaths by Oafs**

Cheshire Constabulary exists as the territorial police force (BCU) responsible for policing the English unitary authorities of Cheshire East, Cheshire West and Chester, Halton (which includes Runcorn and Widnes) and Warrington. The force is responsible for policing an area of 946 square miles with a population of about one million.

McCormick (married to Philip Owen, Detective Superintendent, Greater Manchester Police as of 18 Apr 10) joined Cheshire’s team of chief officers as Assistant Chief Constable. As with all officers who transfer from other divisions, McCormick re-affirmed the oath (attestation) giving her policing powers including the power of arrest (00 Aug 10).

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

What connects both UK and Nazi Germany are their oaths. Comparison shows how tyranny and kingship relate to the rule of law and constitutional order. Moreover, it also helps understand how
the oath, by creating systemic inequality, can encourage political or institutional corruption. The oath takers privilege their personal relationship with the ruler over their civic loyalty to the common good.

The oaths set police BCUs and quangos (arms-length bodies funded by government departments but not run by them) above the law as corrupt autonomies. They are given power paid for by government departments. apart from the average person to demonstrate that they have a different, higher, relationship with the ruler. In this relationship, the oath creates an inequality within the regime between the average citizen and those bound by the oath. Oath takers become the ruler’s agents through the institutions and practices they serve.

Historically, loyalty oaths defined political regimes for citizens and those who worked for the regime. They ranked as important political symbols to explain clearly the basis for obedience of laws when Winston Churchill described the British Monarchy as a benign kingdom that faced the sinister Nazi tyranny of darkness. Hitler ruled Nazi Germany, in a perverted form of kingship with a defective title to rule, in contrast to the legitimate king with a valid title who ruled the British Empire. In today’s UK government, quango oaths have become a means to support a similar type of Nazi tyranny.

Adolf Hitler’s National Socialist German Workers’ Party thrived on totalitarian government and racial superiority. Such is feminazism: the modern equivalent of the far-right ideology. There are other ways to obtain political loyalty and obligation beyond oaths by a system of consent. The problem relates to whether UK can change its loyalty and obedience oaths to a system based on consent and the rule of law when so many politicians, bureaucrats and police officers benefit from corruption covered-up by sanctimonious oaths rewarded with medals for hypocritical devoutness and sycophancy.

Simon Byrne, Chief Constable, Cheshire Constabulary, former Assistant Commissioner of the Metropolitan Police, took up his post (25 Jun 14) after unanimous approval by Cheshire Police and Crime Panel. Then, McCormick received promotion to Deputy Chief Constable (07 Jul 14).

Upon the occasion of UK celebrating 100 years of women serving as officers, Byrne praised McCormick as having a “lasting and consistent commitment to the public thoroughly deserving of recognition after years of dedicated service to the county and placing some of the region’s most prolific criminals behind bars”. He further claimed that McCormick managed a range of highly complex issues, putting the public and victims of crime at the heart of everything she has done. He added: “It is fitting that, as we celebrate nationally the 100th anniversary of women in policing, the contribution of Cheshire’s finest officers is recognised by Her Majesty in the 2015 Honours.” So much for integrity and openness!

McCormick must now prove her professional integrity complies with the requirements published in Integrity Matters: An inspection of arrangements to ensure integrity and to provide the capability to tackle corruption in policing (January 2015) and answer for her collusion with feminazi quango bureaucrats to deny due process of law to members of the public.

[Integrity Matters]
The Dark Side

The purpose of this case study is not to destroy careers or to prejudice women; instead, it aims to expose those female bureaucrats who have perverted the course of justice for self-aggrandizement to the detriment of the public at large. It particularly addresses abuse of the elderly and minority groups that have virtually no voice of their own.

There is a distinct difference between “feminists” (women ensuring equal and human rights for all) and self-serving “feminazis”. Feminists support equal rights for women with men without sexual or gender considerations and privileges. Feminazis classify as sexists (people who discriminate on the basis of gender) and make decisions based on gender and sexual proclivity for self-aggrandizement. Feminists legitimately support equal rights for women while Feminazis (disingenuous, obnoxious bimbos and paedophiles) who claim human and civil rights exclusively for themselves and act as hypocritical extremists who use sexism to dehumanize men for political and financial gain.

McCormick, Lavin and Peters (The Brazen Trio) et alia, by their recent behaviour have self-defined themselves as rampant feminazis. They represent the quango version of affirmative action which polluted the academe thirty years ago by its misuse to advantage Lesbians and feminist extremists to the detriment of mature female students and people of colour that affirmative action intended to help.

To expose that perversion, the Victim worked as a university administrator and professor and human rights organizations run by Betty Friedan and Gloria Steinem for whom he wrote articles from a Jungian, heterosexual, male perspective and counseled mature, female, post-graduate university students in loco parentis. The linked articles have the same validity today in UK quangos as they did in US universities when published twenty years ago. The maxim: “What happens negatively in US happens in UK twenty years later” holds; however, the time frame has changed to twenty days.

[Betty Friedan]

[Gloria Steinem]

[Revelation: Womyn and Womynx]

[Cloning Pointy-Headed Cabalists]

[Institutionalized Racism]

Case Study and Legal Argument

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 Patient (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
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.

[Opticians Act 1989 section 24]

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 her 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 the Patient contact the police.

On Peters insistence, the Patient filed with Cheshire Constabulary alleging assault with a deadly weapon against Nina C Houghton. He expects 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 Lavin and Davis must also respond, without further prevarication, to the remaining issues which fall within the GOC/FTP remit for processing criminal complaints which Peters repeatedly stonewalled.

Janette McCormick, Deputy Chief Constable  
Cheshire Constabulary  
26 October 2014

I have attached the latest correspondence from Samantha Peters, Chief Executive and Registrar, General Optical Council 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 partly disabled as a result of the 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.

Paul Trummel, Professor Emeritus

Cheshire Constabulary has not responded or recorded the complaint despite three requests.

[Cheshire Constabulary - Correspondence]

Date: Thu, 17 Sep 2015 12:44:30 +0100
To: Christopher S Graham <christopher.graham@ico.org.uk>, Elizabeth Heavey <elizabeth.heavey@cheshire.pnn.police.uk>, Lisa Sparkes <lsparkes@optical.org>, Sarah Harper-Lea <sarah.harper-lea@nhs.net>, Atiya Alam-Jones <atiya.alam-jones@nhs.net> Fax: 01244313497
From: Paul Trummel <trummel@contracabal.org>
Subject: FOIA/DPA/EIR Internal Reviews - 880-07-18
Cc: John Dwyer <police.crime.commissioner@cheshire.pnn.police.uk>, Simon Byrne <simon.byrne@cheshire.pnn.police.uk>, Janette McCormick <janette.mccormick@cheshire.pnn.police.uk>, Andrew Fletcher <andrew.fletcher@cheshire.pnn.police.uk>, Nicholas Bailey <nicholas.bailey@cheshire.pnn.police.uk>, Miles Dignum <miles.dignum21560@cheshire.pnn.police.uk>, John Forshaw <john.forshaw@cheshire.pnn.police.uk>, Gareth Lawrence <gareth.lawrence@cheshire.pnn.police.uk>, Samantha Peters <speters@optical.org>, Gareth Hadley <ghadley@optical.org>, Mandie Lavin <mlavin@cilex.org.uk>, Lisa Davis <ldavis@optical.org>, Graham Smith <graham.smith@ico.org.uk>, David F Smith <david.smith@ico.org.uk>, Simon Entwisle <simon.entwisle@ico.org.uk>

Mirror Website Launched

Christopher S Graham, Information Commissioner
Information Commissioner's Office

Elizabeth Heavey, SRA ID# 359700, Force Solicitors Office
Cheshire Constabulary Headquarters.
The hacking (circa 24 Apr 15) of the contracabal.com web site prior to the General Election (7 May 15) caused an estimated £100,000.00 damage. It has not been fully available for update for five months. It is still not up-to-date.

To partly overcome the hacking, the data has been duplicated on an alterative, independent, secure site [this site] and the list of contents can now be accessed at:

http://contracabal.com

The relevant pages are referenced 880-07-??. Missing PDFs relate to WIP (work in progress) and will be added as part of the daily updates. However, everything needed for the internal reviews has already been published (17 Sep 15) and the missing data does not affect the time frame for the response to the review.

It should be noted that the repairs to these pages are still considered as a work in process and will be updated daily as the work proceeds.

The investigation of the hacking has still not been addressed by the Information Commissioner. Requests for information and documents under FOIA/DPA/EIR have not been acknowledged or processed by Graham, Heavey, Sparkes, Harper-Lea and Alam-Jones.

To efficiently manage the joint and several dereliction (wilful negligence) by the five named individuals, this timely request for internal review in accordance with ICO mandates applies to information and documents requested since 19 August 14 (the date of the Death or Serious Injury (DSI)) and made to Information Commissioner’s Office, Cheshire Constabulary, General Optical Council, The Elms Medical Practice and Countess of Chester Hospital.

Christopher Graham, Information Commissioner
Information Commissioners Office

The extensive hacking of Contra Cabal web sites over the weekend is attributed to you and/or your political associates. Consequently, a complaint impends filing against the named parties with US Federal Bureau of Investigation (North Carolina) which claims damage of $100,000.00. The primary federal law enforcement agencies that investigate crime on the Internet include: the Federal Bureau of Investigation (FBI), the United States Secret Service, the United States Immigration and Customs Enforcement (ICE) and the United States Postal Inspection Service. Meanwhile, details of the alleged crime have been published internationally.
**Scope of Review Procedure**

The Environmental Information Regulations 2004 (EIR) is the only legislation that requires the Information Commissioner to have a review procedure, however this procedure will also be adopted for use in relation to complaints made to the Information Commissioner regarding request for information made under the Freedom of Information Act 2000 (FOIA).

Any applicant for information may make representations to the Information Commissioner if it appears to them that he has failed to comply with any of his duties to:

1. Make environmental information available in accordance with the EIR, or
2. To provide a right of access to information held by the Information Commissioner in accordance with FOIA.

Representations are made by this document, in writing, within 40 working days of the date on which it appears to the applicant that the Information Commissioner et alia is in breach of his duty.

**Procedure on Receipt of a Request for Review**

When such representations have been received the Information Governance Department must log the complaint and send an acknowledgement letter to the applicant.

The complaint must not be handled by anyone who dealt with the original decision, although it may be necessary to consult the original request handler. It must be referred to someone with the appropriate level of seniority and expertise.

The reviewer must consider the representations and any supporting evidence produced by the applicant and decide if the Information Commissioner has complied with his duties. The applicant must be notified of the decision in writing within 20 working days from the day after receipt of the representations.

If it is decided that the Information Commissioner has not complied with his duties the breach must be remedied immediately and the Information Governance Manager notified. The Information Governance Department will ensure the proper recording and processing of the internal review.

Any requests for clarification must be received by the requester before the deadline:

17:00 DST. Friday, 18 September, 2015.

All named parties, including the Information Commissioner, used wilful blindness to evade their legal responsibilities by preventing due process of law. They have ignored repeated requests for six months (07 Mar 16).