

CRIMINAL CASES REVIEW COMM.

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JCS360
HMP THE VERNE

Ref: 00439/05

29TH DECEMBER 2005

IN RESPONSE TO THE PROVISIONAL OPINION OF THE
CRIMINAL CASES REVIEW COMMISSION.

THE COMMISSION'S PROVISIONAL RESPONSE TO MY APPLICATION
DOES NOT ADDRESS OR ANSWER THE ISSUES RAISED IN
MY CASE.

THERE ARE SERIOUS FAILURES, FACTUAL INACCURACIES AND
CONTRADICTIONS IN THE WHOLE OF THE COMMISSION'S
STATEMENT AND LEGAL ANALYSIS.

THE COMMISSION HAS CHOSEN TO IGNORE THE DOCUMENTED
EVIDENCE, WHICH SUPPORTS MY APPLICATION, AND INSTEAD,
INCLUDE AND RELY ON ISSUES OF IRRELEVANCE.

THE SOLE REASON GIVEN FOR THE PROVISIONAL VIEW
OF THE COMMISSION IS THAT THERE IS NO NEW ARGUMENT
OR EVIDENCE WHICH WAS NOT AVAILABLE AT TRIAL OR
"APPEAL"

THIS REASON CANNOT STAND, BECAUSE THERE HAS BEEN
NO APPEAL AND THE PROCESS OF MY "TRIAL" IS THE VERY
ESSENCE OF MY COMPLAINT AND APPLICATION. IT MATTERS
NOT, THAT MY ARGUMENT WAS HEARD AT TRIAL, IN FACT,
IF I HAD NOT RAISED MY ARGUMENT AT TRIAL, AN APPELLATE
COURT COULD POSSIBLY USE THAT AS A REASON TO DENY
THE RIGHT OF APPEAL. FURTHERMORE, PARAGRAPH 6 OF
ANNEX A, SUMMARY OF THE COMMISSION'S REFERRAL POWERS,

MAKES IT CLEAR THAT THERE ARE CIRCUMSTANCES WHEN THE COMMISSION CAN REFER A CONVICTION, VERDICT OR FINDING TO THE COURT OF APPEAL "EVEN IF THE EVIDENCE OR ARGUMENT UPON WHICH THE REFERENCE IS BASED, HAS BEEN RAISED PREVIOUSLY BEFORE THE TRIAL COURT OR ON APPEAL"

IF THE PROCEDURE WHICH LED TO MY CONVICTION AND IMPRISONMENT IS NOT EXCEPTIONAL, THEN THERE IS CLEARLY NO JUSTICE IN ENGLISH LAW. AND, THERE MAY WELL BE THOUSANDS OF INNOCENT PEOPLE UNLAWFULLY LOCKED UP IN ENGLISH PRISONS.

IF THERE IS NO LEGAL PROTECTION AGAINST BIAS AND PARTIAL TRIBUNALS OR HEARINGS, THEN THERE IS NO HONOUR OR MORAL PRINCIPLE IN ENGLISH LAW.

THE COMMISSION HAS FAILED TO ACKNOWLEDGE, CONFIRM OR DENY THE PARTIALITY, UNFAIRNESS AND LACK OF INDEPENDENCE IN THE PROCESS OF MY TRIAL.

THE COMMISSION HAS FAILED TO ACKNOWLEDGE AND CONFIRM THE BASIC FUNDAMENTAL PRINCIPLES OF JUSTICE UPON WHICH FAIRNESS AND IMPARTIALITY IS GUARANTEED BY LAW.

THE COMMISSION HAS DISTORTED THE FACTS OF MY STATEMENT GIVEN AT TRIAL.

I HAVE NEVER SAID THAT I IMPORTED DRUGS TO RAISE MONEY FOR CAMPAIGN FOR TRUTH AND JUSTICE, NOR HAVE I EVER REASONED THAT IF I WAS EVER CAUGHT I WOULD USE IT AS AN OPPORTUNITY TO BRING BEFORE THE COURTS MY GRIEVANCES ABOUT MY SON'S DEATH.

THE TRUTH OF THE MATTER IS THAT I HAVE MADE IT ABUNDANTLY CLEAR IN ALL MY STATEMENTS THAT MY ACTIONS WERE CARRIED OUT AS A LAST RESORT, USING THE LESSER OF A GREATER EVIL, TO GET INTO COURT TO SEEK A HALT AND REMEDY TO ALL THE SEVERE VIOLATIONS OF MY RIGHTS AND THE RULE OF LAW BY MEMBERS OF THE JUDICIARY. MY RIGHT TO RELY ON THE VIOLATIONS OF MY RIGHTS AND THE RULE OF LAW IS ENSHRINED IN DOMESTIC, NATIONAL AND INTERNATIONAL LAWS.

THE COMMISSION HAS FAILED ^{TO} ACKNOWLEDGE, CONFIRM OR DENY THIS RIGHT.

IN THE COMMISSION'S ANALYSIS AND REASONS PAGE 10 PARAGRAPH 24) IT IS STATED THAT "THE COMMISSION HAS NO POWERS TO REVIEW THE APPEAL, NOR ANY PART OF THE APPEAL PROCESS" THIS IS AN OBVIOUS CONTRADICTION OF THE COMMISSION'S REFERRAL POWERS FOUND IN PARAGRAPH 6 OF ANNEX A AND ALREADY MENTIONED.

HOWEVER, THERE HAS BEEN NO APPEAL, BECAUSE MY APPLICATION SEEKING PERMISSION TO APPEAL WAS UNLAWFULLY DENIED, BECAUSE I WAS NOT GIVEN AN OPPORTUNITY TO BE HEARD OR MAKE COMMENT ON THE PROCEEDINGS.

THEREFORE I HAVE BEEN DENIED THE RIGHT TO CHALLENGE THE SAFETY OF MY CONVICTION WHICH STEMS FROM MY UNFAIR TRIAL. THE FACT THAT MY SUBMISSIONS OF GROUNDS FOR APPEAL MAY HAVE GONE BEFORE A PANEL OF JUDGES CONSIDERING MY APPLICATION SEEKING LEAVE ~~TO~~ ^{NOT} TO APPEAL, DOES ^{NOT} GUARANTEE CONSIDERATION OF THE GROUNDS AND WITHOUT A ORAL HEARING THERE IS NO

RECORDED TRANSCRIPT OF THOSE GROUNDS WHICH IS A NECESSARY REQUIREMENT OF ALL COURTS OF RECORD.

THE COMMISSION HAS FAILED TO ACKNOWLEDGE AND CONFIRM MY RIGHTS OF APPEAL AND MY RIGHTS TO CHALLENGE THE SAFETY OF MY CONVICTION.

BY FAILING TO ACKNOWLEDGE AND CONFIRM MY RIGHTS AND THE RULE OF LAW, THE COMMISSION HAS FAILED TO ACKNOWLEDGE AND CONFIRM THAT NO ONE CAN BE A JUDGE IN THEIR OWN CAUSE, IN OTHER WORDS, THE COMMISSION HAS FAILED TO ACKNOWLEDGE THE FACT THAT THE SAME JUDICIARY CANNOT SIT IN JUDGEMENT OF MY COMPLAINT AGAINST THE VERY SAME JUDICIARY.

IF THE COMMISSION MAINTAINS ITS CURRENT VIEW THAT THERE ARE NO GROUNDS UPON WHICH TO REFER MY CASE TO THE COURT OF APPEAL, THEN THE COMMISSION CONDONED AND ACCEPTS THAT THE JUDICIARY IS WITHOUT DOUBT CORRUPT AND CAN ACT WITHOUT DUE REGARD TO THE DUE PROCESS OF THE RULE OF LAW.

THE CURRENT VIEW OF THE COMMISSION PUTS AT STAKE THE WHOLE CONSTITUTION OF THIS COUNTRY AND CHALLENGES GOD'S COMMANDMENTS.

I DO NOT, NOR WILL I EVER, ACCEPT THAT MY RIGHTS, GUARANTEED BY THE RULE OF LAW, HAVE NOT BEEN VIOLATED AND, SO LONG AS THE ISSUES REMAIN UNRESOLVED I WILL FOREVER BELIEVE THAT I HAVE JUSTIFICATION AS A DEFENCE.

I HAVE PROVIDED THE COMMISSION WITH INDEFENSIBLE DOCUMENTED EVIDENCE OF JUDICIAL CORRUPTION AND THE SEVERE VIOLATIONS OF THE RULE OF LAW WHICH HAVE CONTINUED DESPITE IN-DIRECT INTERVENTION FROM HER MAJESTY THE QUEEN. NONE OF THIS EVIDENCE IS MENTIONED IN THE COMMISSION'S PROVISIONAL STATEMENT.

I FURTHER SUBMIT WITH THIS FINAL SUBMISSION DETAILS OF A PREVIOUS CASE IN THE COURT OF APPEAL WHEN THE COURT RULED IT WOULD NOT TOLERATE ANY CONDUCT WHICH THREATENS THE RULE OF LAW.

THERE ^{ARE} "INCIDENTAL IRONIES" ^{IN} THE CASE I'M ABOUT TO REFER.

THE CASE IS REGINA V GRANT BEFORE LORD JUSTICE LAWS, DAME HEATHER STEEL AND JUDGE MARTIN STEPHENS, Q.C.

THE DEFENDANT "ADMITTED" THE ALLEGATION OF CONSPIRACY TO MURDER, HOWEVER, HE CHALLENGED THE SAFETY OF HIS CONVICTION ON THE GROUNDS THAT HIS RIGHTS WERE INTERFERED WITH. THE APPEAL COURT WAS SATISFIED THAT THE DEFENDANT HAD SHOWN THAT UNLAWFUL ACTS INFECTED THE PROCEEDINGS AGAINST HIM AND THE COURT WOULD NOT TOLERATE, FAR LESS ENDORSE, ACTIVITIES WHICH ARE AN AFFRONT TO THE INTEGRITY OF THE JUSTICE SYSTEM.

THE ONLY DIFFERENCE TO THE CASE MENTIONED, AND ENCLOSED, AND MY OWN, IS THAT THE UNLAWFUL ACTIVITIES WHICH INFECTED MY TRIAL WERE THE UNLAWFUL ACTS OF MY TRIAL JUDGE AND OF THE JUDGES WHO CONSIDERED MY APPLICATION SEEKING LEAVE TO APPEAL.

CASE REFERENCE TAKEN FROM THE TIMES LAW REPORTS MAY 12 2005

THE COMMISSION HAS STATED THAT I ASKED "THE COURT"
TO OBTAIN MY MEDICAL NOTES AND TO CONSIDER THEM IN
CONJUNCTION WITH MY GROUNDS OF APPEAL

THIS IS A FURTHER DISTORTION OF THE FACTS.

THE MEDICAL REPORT SUBMITTED AS EVIDENCE WAS
ORDERED BY THE TRIAL COURT AND SUPPORTS MY CASE
DEFENCE IN ITS ENTIRETY. IT IS AN INDEPENDENT REPORT
CONDUCTED BY A DOCTOR I HAVE NEVER MET PRIOR TO
THE DATE OF HIS EXAMINATION AND WAS PAID FOR BY
THE TRIAL COURT. THE DOCTOR CONCLUDED THAT MY
IDEA, OR WAY OF GETTING INTO COURT, WAS NOT OVER-
VALUED OR DELUDED, AND THAT WHILST I KNOW
IMPORTATION OF CANNABIS IS ILLEGAL, I DID SO AS A
LAST RESORT BECAUSE OF THE FUNDAMENTAL FAILURES
OF THE COURTS TO PROTECT MY LAWFUL RIGHTS.

ALTHOUGH I HAVE NOT ASKED THE COMMISSION TO REVIEW
THE UNLAWFUL CONFISCATION ORDER AGAINST ME, THE COMMISSION
HAS COMMENTED THAT IT WAS OPEN TO THE COURT TO FORM
A CONCLUSION THAT I HAVE SUMS TOTALLING £85,000
IN UNDISCLOSED BANK ACCOUNTS AND DESPITE THE FACT THAT
THIS IS IMPOSSIBLE FOR ME TO DISPROVE, THE COMMISSION
APPEARS TO ENDORSE THE RULING OF THE COURT THAT I
SHOULD SERVE AN ADDITIONAL SENTENCE FOR NOT BEING ABLE
TO PAY THAT SUM.

THE ISSUE OF THE CONFISCATION WAS PRESENTED TO
THE COMMISSION AS FURTHER EVIDENCE OF THE BIAS
AND UNFAIRNESS INVOLVED IN MY CASE.

I HAD NOT SOUGHT TO APPEAL AGAINST THE ORDER

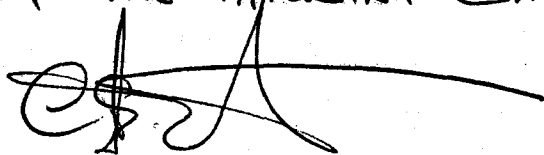
BECAUSE IT IS CLEAR THAT I'M BEING DENIED ACCESS
TO COURT AND IN ANY EVENT IF THE COMMISSION
ACTS AS IT IS EXPECTED, AS AN INDEPENDENT PUBLIC
BODY AND ACCORDING TO THE RULE OF LAW THEN THE
ISSUE OF THE CONFISCATION CAN BE DEALT WITH WHEN
THIS MATTER IS PROPERLY REFERRED TO THE COURT OF
APPEAL.

THE VIOLATIONS OF MY RIGHTS AND OF THE RULE OF
LAW IS THE FOUNDATION OF MY DEFENCE AND APPLICATION
IF THERE IS NO SUCH DEFENCE AVAILABLE IN LAW, THEN
IT IS INCUMBENT ON THE COMMISSION TO SAY SO IN
THE CLEARST POSSIBLE FORM.

I HOPE, FOR THE BENEFIT OF THE RULE OF LAW AND
THE CONSTITUTION OF THIS COUNTRY, THAT THE
COMMISSION, IN ITS FINAL DECISION, DOES THE RIGHT
THING AND REFER THIS MATTER TO THE COURT OF APPEAL.

THIS SUBMISSION IS MADE IN RESPONSE TO THE PROVISIONAL
VIEW OF THE CRIMINAL CASES REVIEW COMMISSION.

BY THE APPLICANT CAUL SILFORD GRANT.



29TH DECEMBER 2005.

ENCs.

ANNEX

IN ADDITION TO MY FINAL SUBMISSION BEFORE THE COMMISSION MAKES ITS FINAL DECISION.

I HAVE RESEARCHED BOTH COLLINS AND CHAMBERS ENGLISH DICTIONARY FOR THE INTERPRETATION OF THE FOLLOWING SUB HEADINGS (UNDERLINED).

SELF-DEFENCE = (1) THE ACT OR SKILL OF DEFENDING ONESELF AGAINST PHYSICAL ATTACK. (2) THE ACT OF DEFENDING ONE'S ACTIONS, IDEAS, OR RIGHTS.

EXCUSE = (1) AN EXPLANATION OFFERED TO JUSTIFY AN ACTION WHICH HAS BEEN CRITICIZED. (2) TO PUT FORWARD A REASON OR JUSTIFICATION FOR AN ACTION, FAULT OR OFFENDING PERSON.

MOTIVE = THE REASON, WHETHER CONSCIOUS OR UNCONSCIOUS, FOR A CERTAIN COURSE OF ACTION

JUSTIFY = (1) TO PROVE SOMETHING TO BE JUST OR VALID; THE IDEA OF THE ENDS JUSTIFYING THE MEANS. (2) TO DEFEND AN ACTION

JUSTICE = (1) THE QUALITY OF BEING JUST. (2) THE ADMINISTRATION OF LAW ACCORDING TO PRESCRIBED AND ACCEPTED PRINCIPLES

FAIR = (1) REASONABLE AND JUST. (2) IN AGREEMENT WITH RULES

IMPARTIAL = NOT FAVOURING ONE SIDE OR THE OTHER

INDEPENDENT = FREE FROM THE INFLUENCE OR CONTROL OF

I HAVE TAKEN THE FOLLOWING FROM ARCHBOLD 2005

MAGISTRATES' COURTS ACT 1980 SEC. 101

" WHERE THE DEFENDANT TO AN INFORMATION RELIES FOR HIS DEFENCE ON ANY EXCEPTION, EXEMPTION, PROVISIO, EXCUSE OR QUALIFICATION, WHETHER OR NOT IT ACCOMPANIES THE DESCRIPTION OF THE OFFENCE OR MATTER OF COMPLAINT IN THE ENACTMENT CREATING THE OFFENCE OR ON WHICH THE COMPLAINT IS FOUNDED, THE BURDEN OF PROVING THE EXCEPTION, EXEMPTION, PROVISIO, EXCUSE OR QUALIFICATION SHALL BE ON HIM ... "

THE COMMISSION IS REMINDED TO CONDUCT ITS OBLIGATIONS WHILST BEARING IN MIND MISCONDUCT IN JUDICIAL OR PUBLIC OFFICE AND THE PREVENTION OF CORRUPTION ACTS 1889-1916.

THE OFFENCE OF MISFEASANCE IN A PUBLIC OFFICE IS COMMITTED BY A PUBLIC OFFICER ACTING AS SUCH WHO WILFULLY NEGLECTS TO PERFORM HIS/HER DUTY AND, OR WILFULLY MISCONDUCTS HIMSELF/HERSELF TO SUCH A DEGREE AS TO AMOUNT TO AN ABUSE OF THE PUBLIC'S TRUST IN THE OFFICE HOLDER, WITHOUT REASONABLE EXCUSE OR JUSTIFICATION.

FINALLY, ALTHOUGH IT IS CONTENDED THAT IT IS NOT NECESSARY IN THIS CASE TO PUT FORWARD NEW INFORMATION OR EVIDENCE, NONE THE LESS, A FRESH ARGUMENT IS OFFERED HERE.

MISTAKE OF FACT IS A DEFENCE TO BOTH STATUTORY