

Re: Thank you for contacting Keir (Case Ref: LO29463)

From: Julian Brennan

To: keir.starmer.mp@parliament.uk

Date: Tuesday, 19 December 2023 at 14:10 UTC

Dear Ben

I think someone got the wrong end of the stick about the correspondence I sent for Keir Starmer. The letter was not about a complaint but about his personal interests and anticipated legal proceedings. The correspondence was for him personally.

Things have moved on since that time and I am now sending you a number of important documents for you to pass on to Sir Keir (33pp total). Please see the attached. They are Exhibits SFO/JFB/2a; 6-8; 11; 18-19; 23-24; and 26. Please ensure these are provided to Sir Keir on his return from Edinburgh. He will need to speak to his personal Solicitor ASAP in respect of both civil and criminal matters, and resign by the end of the week.

Yours sincerely

Julian Brennan

On Thursday, 30 November 2023 at 16:47:59 UTC, Keir Starmer MP <keir.starmer.mp@parliament.uk> wrote:

Dear Julian,

Thank you for taking the time to write to Keir. I am sorry to hear about the issues you have described.

Our office does not process formal complaints of this nature. Below, I have listed links to external sites which may be more relevant for the issue you are raising. Please note that our office is not responsible for the content of external sites.

Labour Party complaints

To raise a complaint with the Labour Party, you may do so using the online form at this webpage: <https://labour.org.uk/complaints/making-a-complaint/>

This will then be handled by the Party's Complaints Team who will assess your complaint in line with our rules and procedures and be in contact if necessary, or should they need any further information.

Complaints about Members of Parliament

To raise a complaint about a Member of Parliament, please view the information on the Parliament website here: <https://www.parliament.uk/mps-lords-and-offices/standards-and-financial-interests/parliamentary-commissioner-for-standards/parliamentary-commissioner-for-standards/>

Complaints about councillors, local government and social care

To raise a complaint about a councillor, or other individuals or organisation in local government and social care, please view the information on the Local Government and Social Care Ombudsman website here: <https://www.lgo.org.uk/how-to-complain>

If you are a constituent of Holborn & St Pancras, please reply with your full name and address, and we may be able to assist you further. Please note that, due to Parliamentary protocol, we cannot offer more detailed advice or assistance to those living outside Keir's constituency. If you have any further concerns and are not a constituents of Keir's, please feel free to contact you own MP. You can find out who your MP is

here: <https://members.parliament.uk/FindYourMP>

Thank you again for taking the time to contact our office, and I am sorry we cannot assist more directly.

Yours sincerely,

Ben
Office of Keir Starmer MP
Leader of the Opposition



SFO EXHIBITS RE SIR KEIR STARMER.pdf

11.6MB

Julian Brennan
3 Byland Road, Skelton, Saltburn-by-the-Sea TS12 2NJ

21 November 2023

The Rt Hon Rishi Sunak MP
Member of Parliament for Richmond (Yorks)
To be sent via rishi.sunak.mp@parliament.uk

And by Royal Mail Special Delivery to:

House of Commons
Westminster
London SW1A 0AA

and

Unit 1, Omega Business Village
Northallerton
North Yorkshire DL6 2NJ

Dear Mr Sunak

Your Criminal Conduct

I write in the public interest and in accordance with my duties under Peelian Principles to you as the Member of Parliament for Richmond (Yorks) – not to you in your capacity as Prime Minister – to inform you that you must “resign” as a Member of Parliament by (having regard to Part 1, Chapter 3, paragraph 2.33 of *Erskine May*) applying to the Chancellor of the Exchequer to appoint you to the office of Crown Steward and Bailiff of the three Chiltern Hundreds of Stoke, Desborough and Burnham. This is because of your criminal offences.

During the Conservative Party leadership election in October 2022 you, together with another Member of Parliament, committed the **offence of conspiracy** (*per* section 1 of the Criminal Law Act 1977) and, on the facts, acted in ways which mean The Crown can charge you with “conspiracy to defraud” in respect of the agreement the two of you reached and entered into.

In accordance with my residual duties as a UN Human Rights Defender I inform you of your Constitutional Right to **non-self-incrimination** and suggest that it is in your personal interests to obtain, as soon as possible, the professional advice of your personal Solicitor.

As you and the other MP were not Ministers of the Crown at the time the first offence was committed you **cannot** lawfully be assisted by a Civil Servant, a Special Adviser or a Solicitor or Barrister employed by, or engaged by, HM Government and/or paid for by the Exchequer. If you were to seek such assistance you would commit an offence under section 45 of the Serious Crime Act 2007, as the acts of the other person(s) would necessarily involve him/her(/them) committing the Common Law offence of Misconduct in Public Office and statutory Fraud due to breaching section 4 of the Fraud Act 2006 (as read with S. 5). Any related Government document produced to assist you would constitute an “article” within the meaning of section 7 of the 2006 Act. If you do anything to involve a Crown Servant doing anything to help you other than to facilitate your resignations you will knowingly involve him/her acting in breach of the Civil Service Code of Conduct and, as Minister for the Civil Service, induce that person to act in breach of his/her contract of employment.

By taking the Chiltern Hundreds you will necessarily vacate the position of Prime Minister. The offences you committed as a Privy Counsellor subsequent to committing the offence of

conspiracy mean that you have no alternative but also to resign as a member of His Majesty's Privy Council.

In order to ensure a smooth transition to temporary/interim arrangements for the continuation of the country's governance, and the effective maintenance of the round-the-clock readiness of the UK's nuclear deterrent in defence of the Realm, I suggest that you speak on Privy Council terms with Jeremy Hunt about leaving the Commons etc and then inform His Majesty the King of your intention to resign as Prime Minister etc with effect from **10.00am on Saturday 25 November**. This will allow you to act lawfully from your receipt of this correspondence and for you, as First Lord of the Treasury, to avoid acting in breach of both sections 3 and 4 of the 2006 Act. With your resignation and the consequential actions being announced publicly over the weekend (ie between the close of the world's financial markets in the United States and them opening in New Zealand) HM Government and the Bank of England will be able to take steps to reassure the markets and avoid/mitigate any possible "run on the pound" and reductions in the share prices of UK companies.

Your original criminal act placed the matter **outside** of the Exclusive Cognisance of Parliament. This means that if you act in any way to further, in or through Parliament, any matter that came within the scope of the original illegal agreement, and you do not voluntarily resign the public offices you currently hold and make arrangements through your Solicitor to be interviewed under caution by the police, the full details of your offences will be referred to the appropriate authorities for you to be arrested. Given the personal view you expressed earlier today through an online post (Appendix A) I do not expect things to come to that as you will accept responsibility for your crimes and, in accordance with law, face the consequences of your unconscionable conduct.

Neither you nor any other person should damage, delete, destroy or dispose of any "document" (inc. SIM Cards, PC Hard Drives etc) which might be required for legal proceedings. If you do so, or request/direct another person to do so, you will commit a further criminal offence. Such documents include the Exhibits I sent with my e-mail of 1 June 2023 to the GLD Solicitor who was acting for you in relation to the Covid-19 Inquiry Judicial Review (Appendix B). My full correspondence of that date (letter at Appendix C) will be an Exhibit for offences about which the Commissioner of the Metropolitan Police, Sir Mark Rowley QPM, was notified on 5 April 2023.

I expect HM Government to fulfil its legal obligations to me as a former HRD and ensure the support and protection to which I am entitled (and have been since 9 February 2005) is given effect as necessary. You are able to read my letter of 29 January 2022 to the (then) Met Commissioner Dame Cressida Dick QPM.

Yours sincerely

A handwritten signature in blue ink that reads "Julian Brennan". The signature is written in a cursive style and is positioned above a light blue rectangular background.

Julian Brennan

Cc: Rt Hon Sir Keir Starmer KCB KC MP, Leader of HM Official Opposition
leader@labour.org.uk

Richard Brooksbank, Chairman of Richmond (Yorks) Conservative Association
office@richmondconservatives.org.uk

Letter for the personal attention of Keir Starmer

From: Julian Brennan

To: leader@labour.org.uk

Cc: keir.starmer.mp@parliament.uk; keir.starmer.constituency@parliament.uk;
keir_starmer@labour.org.uk; k.starmer@doughtystreet.co.uk

Date: Thursday, 16 November 2023 at 23:46 UTC

Please ensure the attached letter is passed on to, or forwarded to, Sir Keir Starmer. Thank you.
Julian Brennan



Letter of 16 November 2023 to Sir Keir Starmer.pdf
661.2kB

Julian Brennan

3 Byland Road, Skelton, Saltburn-by-the-Sea TS12 2NJ

16 November 2023

The Rt Hon Sir Keir Starmer KCB KC MP
c/o The Labour Party
160 Blackfriars Road
London SE1 8EZ

To be e-mailed via leader@labour.org.uk

FOR THE URGENT AND PERSONAL ATTENTION OF KEIR STARMER

Dear Sir Keir

Your criminal conduct and your liabilities in civil law

On 30 April 2023 you stated publicly on Sky Television that you accepted “**full responsibility for every decision of the Crown Prosecution Service when I was Director of Public Prosecutions**”. As a result of your statement I later informed you that I intended to submit to you a Letter Before Claim for compensatory damages due to the Misfeasance in Public Office for certain financial losses, and asked you to provide me with the details of your personal Solicitor where I could send the letter. You didn’t reply. I am waiting for the details of your Solicitor.

That “**full responsibility**” includes conduct which constitutes or amounts to an attempt to pervert the course of justice; the fraudulent non-disclosure of information; breaches of Convention rights coming within Article 6 and 10(1) (trial), Article 8(1) (home) and Article 8(1) and Article 14 (health and disability), Article 1 of the First Protocol (company shares and business assets/documents); and statutory rights coming within the Disability Discrimination Act 1995 and the Equality Act 2010. On and after 1 May 2023 you omitted to take various steps in accordance with what you had said. Your omissions included informing various persons of their causes of action in law and others of the correlative legal liabilities.

As to your personal position I refer you to my letter of 26 September this year, and in particular to the following extract:–

“I have put to you that, in this matter, you could act in accordance with your relevant legal duty by honestly disclosing information to The Rt Hon Rishi Sunak MP in his legal capacity as First Lord of the Treasury. That would have given effect to your legally binding duty to serve the King according to the laws of the Realm and “**cause it to be revealed**” that HM Treasury was/is exposed to the risk of very substantial financial loss due to fraud.

“If you did not wish to disclose the information to the Prime Minister you could have done so privately on Privy Council terms to all or any of the following Privy Counsellors in the Shadow Cabinet: Angela Rayner; Rachel Reeves; David Lammy; Yvette Cooper; Nick Thomas-Symonds; Pat McFadden; Ed Miliband; Jonathan Ashworth; Hilary Benn; Baroness Smith of Basildon; Sir Alan Campbell; Lord Kennedy of Southwark; Emily Thornberry. Your non-disclosures to all members of the Shadow Cabinet before and after 4 September this year constituted acts of bad faith in relation to the Labour Party Rule Book 2023 and were in breach of your contract with the Labour Party as an individual member.

“With regard to damages that could be awarded, and the amounts that HM Treasury and the Government’s insurers need to take into account in relation to News Corp, I refer you to the paragraph which began at the end of page 3 of my letter of 16/9/23. For ease of reference it is set out below [*with original emphasis*]:–

‘Importantly, your disclosure of information to Mr Sunak extends not merely to the rights of News Corp to recover damages in the High Court of Justice in London (due to it being a Third Party to the contract of 10 July 2009, and having a right to damages for the acts of CPS employees and Attested Constables serving in Kent Constabulary who aided and abetted fraudulent acts/omissions), but also New Corp’s legal right to recover in the High Court of Chancery in the U.S. State of Delaware. Depending on what New Corp’s lawyers advise the sum of money that could be awarded in damages could easily range from **£1.2 billion to £2.5+ billion**. You should have regard to the fact that at no time has any Defendant (including yourself) challenged the amounts of money involved. All evidence supporting the valuations is contemporaneous and relates to properly based projections, and not to ‘hindsight’ from a later date. Any challenge by you or another would run the risk that a Court could correctly identify that the documented calculations of value and loss at material times were on the ‘conservative side’ and then agree the evidence-based sums as a factual base from which higher assessments can be justifiably and fairly made. This could mean the Court would not require News Corp to speculate about any hypothetical outcome, but would allow it to assess probable growth, profitability and shareholder value according to relevant historic facts and activities. A very easy example in relation to profitability is the additional advertising opportunities around the U.S. Super Bowl that would have been realised through 21C; the best measure of share price growth is the transaction which was completed with the Disney Corporation. The variables are enormous and could allow for an assessment of damages in the United States of America in News Corp’s favour being in excess of **US \$5 billion**.’

“Following the announcement on Thursday (the 21st) that Rupert Murdoch is to become Chair Emeritus of both Fox Corporation and News Corp following the two companies’ AGMs in November, and that (in addition to continuing in his currently held positions at Fox) Lachlan Murdoch will become the sole Executive Chair of News Corp, I think it is entirely rational and appropriate to assess unlawful financial losses suffered by News Corp at 12 December 2017 as being at least **£4.86 billion sterling**. That sum is based on a sum of £6 billion being added to the sale price paid by Disney for 21CF and 81 per cent of 21C Ltd having previously become part of News Corp.

“My Claim in the High Court will put a value of 480,000 shares in 21C Ltd (which on 17 April 2009 were being reserved for [the planned] Fraser Anslow IBC, and which were to be retained after the planned transaction with News Corporation) as being worth £240 million. That is the level of anticipated investment capital that would, on average, have generated about £12 million net each year for the planned philanthropic and charitable work that was finalised and agreed on 15 April 2009 by the three relevant Futromedia Ltd shareholders (each of whom would personally have an equal third stake). A sum of £10 million of the annually anticipated income was to have been donated to others in a way that would have assisted them to secure match

funding for water projects in the developing world (mostly Africa). Part of the Exemplary Damages that will be sought from Kent Police, the CPS and others will include very substantial sums to reflect the charitable losses. Due to my age now meaning the earlier methodology of giving is no longer viable I will ask the Court for **all** the money awarded to be channelled and distributed by a Court-appointed Solicitor to *bona fide* organisations with good reputations for performance and effectiveness in the related fields. That will be in addition to the sums of personal money that I was to, and intend to, donate.

“As you know, under section 1 of the Fraud Act 2006 a person is guilty of fraud if s/he is in breach of section 2 (Fraud by false representation); section 3 (Fraud by failing to disclose information); or section 4 (Fraud by abuse of position). Each of those sections must be read with S. 5 of the Fraud Act. Section 5 shows that “Gain” and “Loss” in sections 2, 3 and 4 extend to “**gain or loss in money or other property**” and include “**such gain or loss whether temporary or permanent**”, and that “**property**” means “**any property whether real or personal (including things in action and other intangible property)**”. Subsection 5(3) states that: “**Gain**” includes “**a gain by keeping what one has, as well as a gain by getting what one does not have**”. Subsection 5(4) states that: “**Loss**” includes “**a loss by not getting what one might get, as well as a loss by parting with what one has**”. There is **no** issue of “**remoteness**” in relation to damages applying, as the Misfeasance of both Kent Police and the CPS in relation to the contract of 10 July 2009 began later on 11 September 2009 (after Kent Police had twice accepted the validity of the contract in respect of my rights). Due to the three S. 1 offences of fraud being “**entirely offender focussed**” the chronology is important.

“The CPS acted in abuse of power and aided and abetted the offence of perjury in furtherance of fraud in relation to the terms of that contract. At least one officer of Kent Police and one employee of the CPS acted criminally in relation to the signed contract of 10 July 2009 which had been ordered by the Crown Court to be disclosed. The contract was/is a “**valuable security**” within the meaning of section 20(3) of the Theft Act 1968; and subsection 20(1) applies. Despite the theft and fraud being reported to the Police no action was taken. In relation to the matters coming within the scope of that contract “**Joint Enterprise**” applies to the false and malicious accusations about events on 17/18 April 2009, and the related perjury. That affected you personally and directly as the Director of Public Prosecutions from November 2010 onwards. That was **after** you had been informed that the CPS had a private civil law interest in continuing with the prosecution in abuse of power. As a matter of fact and law, what you and other CPS employees (and Attested Constables of Kent Police) did and did not do in November/December 2010 constituted a clear abuse of power and an act in breach of sections 3 and 4 of the Fraud Act.

“In respect of the Tort of Misfeasance in Public Office (*per Three Rivers District Council v. Governor and Company of the Bank of England* (No. 3) [2003] 2 AC 1) the requirements of “**proximity**” and “**causation**” in respect of myself and others who come within the category/class of “**persons had a financial interest in the performance of the contract of 10 July 2009**” were/are satisfied. That included/ includes New Corporation. In relation to your current position as Leader of the Labour Party and to the private meeting that you had with Rupert Murdoch in early July this year you acted in breach of sections 3 and 4 of the Fraud Act 2006 (as read by S. 5). Subsequent to that you acted (yet again) in breach of section 3 of the 2006

Act with the Labour Party and with Sue Gray. Any public denial of this by any person *other than* someone appointed to represent you legally in respect of my notified Claim for damages will constitute a criminal offence if you allow it. If you personally deny it you will act in breach of section 2 of the 2006 Act. If another person other than a member of your appointed legal team denies it, additional criminal offences will apply. You now have to decide how you comply with your duty to honestly disclose related information to the Shadow Cabinet, the Parliamentary Labour Party and the Labour Party's National Executive Committee.

“Given that honest disclosure by you would necessarily have been followed by your resignation as Leader of His Majesty’s Most Loyal Opposition and as Leader of the Labour Party it is self-evident that you have acted criminally under S. 1 of the Fraud Act 2006. Your fraudulent acts and omissions continue, as do your non-disclosures of information. None of your frauds in breach of section 3 are time expired. None of your frauds have been expunged. I refer you to the Fraud Act’s Explanatory Notes, and to its “*Commentary on Section 3*”. I suggest that you disclose to the following (in addition to myself and to Sue Gray) all information regarding the relevant causes of action, and do so without any further delay:–

Rupert Murdoch
Executive Chair
News Corp

Lachlan Murdoch
Executive Chair and Chief Executive Officer
Fox Corporation

Rebekah Brooks
Chief Executive Officer
News UK

Charlie Redmayne
Chief Executive Officer
HarperCollins UK

Sharon Graham
General Secretary, Unite

The Rt Hon Rishi Sunak MP
First Lord of the Treasury


“In relation to the amounts of money set out on page 2 of my letter of 16 September 2023 I have considered the Bank of England’s decisions of 21 September and inform you that in my Claim against you personally the applicable interest rate on damages that will apply from 11 September 2023 is 4 per cent.”

[**NB:** The second “2023” above should have been “2009”. My apologies for the error.]

For complete clarity I set out below the minimum amount of £5 million in damages/interest I believe I am certainly entitled to claim from you personally for the Tort of Misfeasance in Public Office, and which will be explained fully in my Letter Before Claim:–

- £2 million in relation to breaches of the contract of 10 July 2009 and the related illegal non-disclosures by the CPS;
- £1.2 million due to the unlawfully caused losses relating to MeiGuo Ltd;
- £1.8 million interest on the above two sums.

Yours sincerely



Julian Brennan

Thank you for contacting Keir (Case Ref: LO29463)

From: Keir Starmer MP (keir.starmer.mp@parliament.uk)

To: julianbrennan

Date: Thursday, 30 November 2023 at 16:47 UTC

Dear Julian,

Thank you for taking the time to write to Keir. I am sorry to hear about the issues you have described.

Our office does not process formal complaints of this nature. Below, I have listed links to external sites which may be more relevant for the issue you are raising. Please note that our office is not responsible for the content of external sites.

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If you are a constituent of Holborn & St Pancras, please reply with your full name and address, and we may be able to assist you further. Please note that, due to Parliamentary protocol, we cannot offer more detailed advice or assistance to those living outside Keir's constituency. If you have any further concerns and are not a constituents of Keir's, please feel free to contact your own MP. You can find out who your MP is here: <https://members.parliament.uk/FindYourMP>

Thank you again for taking the time to contact our office, and I am sorry we cannot assist more directly.

Yours sincerely,

Ben
Office of Keir Starmer MP
Leader of the Opposition

Julian Brennan

3 Byland Road, Skelton, Saltburn-by-the-Sea TS12 2NJ

30 November 2023

The Rt Hon Sir Keir Starmer KCB KC MP
c/o The Labour Party
160 Blackfriars Road
London SE1 8EZ

To be e-mailed via leader@labour.org.uk and keir_starmer@labour.org.uk

FOR THE PERSONAL ATTENTION OF KEIR STARMER

Dear Sir Keir

Re: Your criminal conduct and your liabilities in civil law

I write further to my letter of 16 November 2023 to which I have received no reply.

First, I apologise for an error in that letter. There was the omission of the word “**not**” between the words “*included*” and “*informing*” in the penultimate line of the second paragraph. So context is clear, I show the last two sentences of that paragraph as they should have read:-

“On and after 1 May 2023 you omitted to take various steps in accordance with what you had said. Your omissions included not informing various persons of their causes of action in law and others of the correlative legal liabilities.”

Most significantly you should have informed the former Chair of News Corp, K. Rupert Murdoch, of that company’s cause and right of action as the Third Party to the contract of 10 July 2009 and the related frauds which, following my letters of 22 November 2010 and 8 June 2011 to you in your then capacity as Director of Public Prosecutions, you should have addressed. Also, you should have informed your successors as DPP about the CPS’s legal liabilities for compensatory damages to News Corp (as well as to myself and others). As you know, litigation is not time-barred due to section 32 of the Limitation Act 1980. Your failures to disclose information and your omissions over the aforementioned contract etc are not solely civil law matters but were breaches of both section 3 and section 4 of the Fraud Act 2006 (as read by section 5) and constitute criminal acts under section 1 of the 2006 Act.

Circumstances are such that on Monday this week I decided to bring forward my report of your criminal conduct. It will form part of my report of 1 December 2023. The reason for this is that the victims of your illegal conduct in breach of sections 3 and 4 of the Fraud Act include the Labour Party. You should already have resigned from your position as Labour Party Leader as it is simply not possible for you to remain in that position and lead the Labour Party into the next General Election. The public interest does not permit the next occupant of 10 Downing Street who is elected in a General Election to be a person who has acted criminally. It would cause an unprecedented and dangerous Constitutional crisis for the Sovereign of the United Kingdom to be in a position of either not being able to comply with the duties of his Coronation Oath when appointing a Prime Minister or not appointing as Prime Minister the leader of the party that wins a governing majority in a General Election. The only way this can be avoided, and for a level playing field to exist during the run-up to that election, is for the process for any necessary party leadership election to be triggered as soon as possible and for the General Election not to be held before Thursday 26 September 2024.

I now turn to my personal Claim against you.

You will have noted that the figure of £5 million in damages/interest which I informed you about in my letter of 16 November 2023 was stated as being “*the minimum amount*”. You should inform your personal Solicitor that *the maximum amount* will include my losses of \$9,311,860 (*per* the \$/£ exchange rate of 0.79 at close of business yesterday) which converts to £7,356,370. Interest on that sum from 30 December 2011 to today’s date is £3,509,290, making a total additional sum of £10,865,660.

In relation to the additional compensatory sum I refer you to the News Corporation Investment Calculator attached (two pages) and to my correspondence of 1 December 2021 to you (6 pages) which is also attached. The 500,000 Ordinary Shares in News Corporation at \$10.66 on 29 June 2009 was set out in the page titled “Proposed Deal” that formed part of the basis for the contract of 10 July 2009. You are aware that **none** of the figures are inflated – and have never been challenged – and that the totality of fraudulent business losses caused to News Corp runs into the billions of pounds. My Claim against you personally does not affect the major Claim against Kent Police and the Crown Prosecution Service over Futromedia Ltd and 21C Ltd losses.

I suggest you instruct the Solicitor you intend to engage over civil law matters to write to me. Given the crime report I intend to make I have no intention of writing to you again or of engaging with the lawyers you intend to engage over criminal matters. I expect to be a witness for The Crown in a trial that involves you. My “Personal Victim Statement” will refer to your repeated refusal to respect my engaged Convention rights and my rights as a disabled person under both the Disability Discrimination Act 1995 and the Equality Act 2010.

Also attached are my one-page e-mail of 1 December 2021 to the Chief Constable of Kent Police; my e-mails of 16 and 20 May 2022 to the Office of the Police and Crime Commissioner for Kent (3-pages); my one-page e-mail of 7 January 2009 to Cardiff Magistrates Court (see *Niemietz v. Germany* [1992] 16 EHRR 97, which was referred to in the Table of Cases attached to my letter of 27 September 2010 to you); and paragraphs 52-56 of the ECHR Judgment of 30 April 2009 in the First Section case of *Glor v. Switzerland* (Application No. 13444/04) (2-pages). In relation to my legal status as a “Vulnerable Adult”, and a “Disabled Person”, you should have regard to the massively damaging discrimination against me and related applicable “margin of appreciation” issues.

Yours sincerely

A handwritten signature in black ink that reads "Julian Brennan". The signature is written in a cursive style with a large, stylized initial 'J'.

Julian Brennan



Investment Calculator

[Current Stock Information](#) | [Historic Stock Lookup](#)

View: **NWS (Common Stock)**

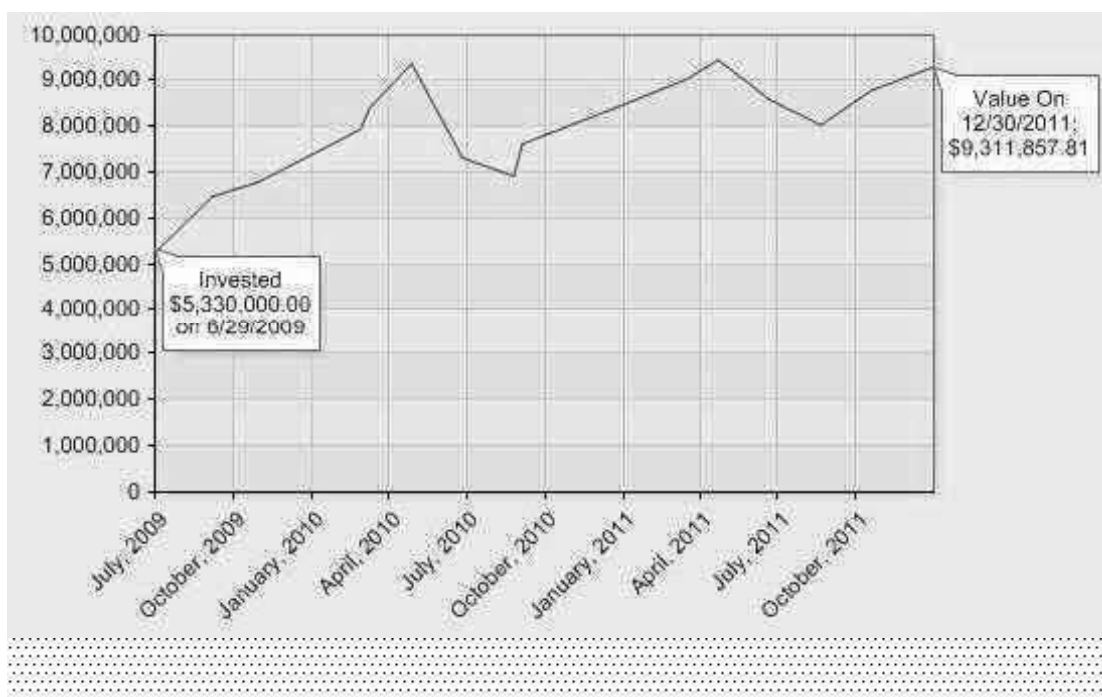
I invested **5330000** **Dollars (USD)**

on **January** **1** **2009** **Calculate**

Reinvest Dividends:

Calculate Current Value and Shares Since: June 29, 2009

Investment Date:	Original Shares:	Original Value:	Current Shares:	Current Value:	Percent Return:
Jun 29, 2009	500,000	\$5,330,000.00	512,203	\$9,311,859.06	74.71%



Adjustments

Date	Reason	Factor	Shares	Price	Value	%
Jun 29, 2009	Initial Investment		500,000	10.66	\$5,330,000.00	0.00%
Sep 4, 2009	Dividend	0.060	502,323	12.91	\$6,485,000.00	21.67%
Mar 8, 2010	Dividend	0.075	504,578	16.71	\$8,431,504.65	58.19%
Sep 3, 2010	Dividend	0.075	507,092	15.05	\$7,631,747.92	43.18%
Mar 14, 2011	Dividend	0.075	509,235	17.75	\$9,038,930.68	69.59%
Sep 12, 2011	Dividend	0.095	512,203	16.30	\$8,348,916.53	56.64%
Dec 30, 2011	Current Investment		512,203	18.18	\$9,311,859.06	74.71%

The Investment Calculator page and related information is provided by Mergent, a third party service. News Corporation does not maintain this page and is not responsible for the accuracy, completeness or timeliness of the information. The results are for illustrative purposes only and should not be relied on for investment purposes. The timing and price of dividend reinvestments, taxes, commissions and other factors may affect the values shown. Please note that historical investment performance is not intended to indicate future performance.

Letter for the personal and urgent attention of Sir Keir Starmer QC

From: Julian Brennan

To: k.starmer@doughtystreet.co.uk

Cc: david_evans@labour.org.uk

Date: Wednesday, 1 December 2021, 21:00 GMT

Please see the attached letter with appendices (total 5pp).

It requires urgent action.

J. F. Brennan



Letter of 1 December 2021 to Sir Keir Starmer (with Appendices).pdf
1.2MB

Julian Brennan

3 Byland Road, Skelton TS12 2NJ

1 December 2021

The Rt Hon Sir Keir Starmer KCB QC MP
c/o Doughty Street Chambers
53-54 Doughty Street
London WC1N 2LS

via k.starmer@doughtystreet.co.uk

Dear Sir Keir

I have written to you on various occasions regarding certain acts and failures to act when you were Director of Public Prosecutions and responsible for the Crown Prosecution Service. Not once have you shown me the courtesy of replying. I am still waiting for you to provide me with an appropriate e-mail address which I can use to send you pdf files of legal documents that contain sensitive material. My need for an e-mail address is due to my disability. I have assured you that the address would be treated as confidential. There is no good reason why you cannot respond positively. It appears that you are seeking to avoid accountability.

You are aware that I am disabled within the meaning of section 6 of the Equality Act 2010 (first determined medically and Judicially under the Disability Discrimination Act 1995) and that section 28(1) of the Limitation Act 1980 applies to the causes of action I am able to issue in respect of Misfeasance in Public Office. You are also aware that in relation to this matter my Convention rights coming within the scope of Article 10 (receiving and imparting information) have been “engaged” at all material times, and that Article 14 (the enjoyment of rights without discrimination) has applied and applies in relation to Article 10.

You are aware also that you are responsible personally for a related non-disclosure of a relevant interest, and that recently when you used your former position as DPP to support the “positioning” of yourself as the next Prime Minister of the UK you wilfully misled many others. That happened on 29 September this year when you were acting in the position of Labour Party Leader (Appendix A). However, due to the fact that the Code of Conduct for Members of Parliament applies to “*all aspects*” of an MP’s public life, what you said had the effect of “reviving” a previous misleading statement on the same issue which you made in Parliament in 2015.

The issue you must address now is your non-compliance with an obligation to Parliament and your subsequent failure to correct the important omission. I refer you to the Westminster Hall debate on The Crown Prosecution Service held on Tuesday 23 June 2015, and refer you to *Hansard* HC Deb 23 June 2015 c225WH (Appendix B). At the beginning of your contribution to that debate you declared your interest as a former DPP, and did so quite properly. However, what you said later [recorded at Col. 225WH] required a further – and more specific – declaration of interest, which you did not make.

What you stated at that point in the debate was not true. Further, it had the effect (whether unintended or not) of gaining from the Solicitor General an endorsement of an unethical and unlawful decision taken by a Crown Prosecutor when you were DPP. That decision was to proceed with a prosecution in the Crown Court, and to put the case to a Jury, when it was known *before* trial that: (a) the principal prosecution witness intended to perjure herself (and did so), and (b) the CPS and the Police had wilfully not disclosed an essential document of

evidence that not only would have assisted the defence but also would have undermined the credibility of the witness in question, and allowed for the inclusion of rebuttal evidence that would have proved the perjury. The Crown Prosecutor was under an obligation to act in the interests of justice, but did not do so. Instead, the CPS acted improperly with the definite intention of obtaining a wrongful conviction; doing so in breach of Articles 6, 8 & 10 and Article 1 of the First Protocol. There was an abuse of process and an affront to justice. Issues of criminal law arise regarding the application of section 7 of the Perjury Act 1911 in relation to the witness's offence under S. 1 (Appendix C). The Officer in the Case, who also acted knowingly, has been reported for the Common Law offence of Misconduct in Public Office.

In all the circumstances a very significant problem now exists for you personally, and you will no doubt wish to act without delay so as to avoid possible damage to your reputation. On the assumption that you inadvertently failed to make a necessary declaration your repeated positive references to what you did when head of the CPS – including one made during PMQs on 17 November during an exchange with the Prime Minister over Standards in Public Life – leave you vulnerable to accusations of dishonesty. I suggest that you must correct the public record in order to avoid your possible dishonesty being realised as fact.

In encouraging you to do so, I warn you that you should not use the cover of Parliamentary Privilege to say or do anything that could harm my reputation or standing. You may be protected from a Claim for Defamation or Malicious Falsehood, but you are not immune from factually correct statements being made publicly about the CPS under your leadership and it acting – possibly with your knowledge – in a way that pursued an innocent individual wrongly, and in abuse of process, with the intention of securing a conviction for a serious offence he did not commit, doing so: on the basis of perjured evidence made maliciously in furtherance of fraud; in the full knowledge that a conviction would in all probability lead to a significant term of imprisonment; and when the accused had actually been the victim of a lengthy and sustained assault resulting in actual or grievous bodily harm committed against him as a Vulnerable Adult by his Designated Carer who had a legal duty of care.

I encourage you now to re-read the above paragraph so the provable facts finally “sink in” and so you take account of the very serious effects of your continuing failures to disclose information and to correct misleading statements you have made. You will understand that, to my ears, your statement about “Justice” in your speech of 29 September sounded a complete sham.

With the above as context, perhaps others will see a possible reason for you over-shadowing Angela Rayner's launch of “*Labour's plans to clean up politics*” on Monday in a major speech to the Institute of Government. Your very odd and seemingly “inexplicable” decision to hold a major reshuffle of the Shadow Cabinet to coincide with that launch, and for the knowledge of it to be briefed to the press and media in advance, might be seen as intentional in order to downplay the importance of the issue and to diminish how your own conduct might be viewed at a later date. Swift action by you now to remedy your various failures to disclose information will, I imagine, allay suspicions about how you operate and could defeat opinions about you being hypocritical, dishonest and untrustworthy. It is for you to act.

Yours sincerely

A handwritten signature in black ink that reads "Julian Brennan". The signature is written in a cursive, slightly slanted style.

Julian Brennan

cc: Mr David Evans, General Secretary of the Labour Party (via david.evans@labour.org.uk)

The Solicitor General: I am sorry to disagree with the hon. Gentleman, but therein lies the problem. If we as politicians and commentators start making such value judgments, we undermine confidence in the independence of the prosecutorial system. We must trust an impartial and objective application of the threshold test. Any questioning of that causes me and many others great concern about the integrity of our prosecutorial system.

Keir Starmer: Does the Solicitor General agree that, when a case is charged and the judge decides that there is a case to answer, that case is properly brought, even if there is an acquittal? It is important to our criminal justice system that we adhere to that. The mere fact that a case, high-profile or otherwise, does not end in a conviction is not a test of whether the charging decision was right or wrong. A better test is whether the judge left it to the jury. If that is so, it normally means that the case should have been brought.

The Solicitor General: I am grateful to the hon. and learned Gentleman. He presages the point that I was going to make about sufficiency, and about the checks and balances throughout the court process. Arguments can be made about the sufficiency of the evidence at the beginning of a case, at the end of the prosecution case, and, indeed, in some rare circumstances whereby judges withdraw cases from juries—it does not often happen—at the end of defence cases, but the power remains.

In making such criticisms, we are also in danger of calling into question the jury process and indeed the whole system, which is so integral to the rule of law in this country. I was asked—rhetorically, perhaps, but I will give an answer—what strategy this Government have. It is a criminal justice system that upholds the rule of law, enhances public confidence in the system and ensures that there is a consistent approach to bringing cases and sentencing, so that the public feel confident and are protected by due process within the system. That is nothing new—it has been with us for generations—but this Government believe in it as passionately as previous Governments, of whatever colour.

I want to deal with each contribution in turn, but particularly with the opening speech by the hon. Member for Erith and Thamesmead and her experience of giving evidence in a trial. It does not sound to me as though best practice was followed in her case. I am glad she has brought it to the attention of the House, because those with responsibility for the administration of justice, not only in the magistrates court in Bexley but elsewhere, will do well to remember that the housing of witnesses for the prosecution with either defendants or their families is wholly inappropriate and leads to all sorts of complications that I need not recite here.

[NADINE DORRIES *in the Chair*]

The hon. Member for Erith and Thamesmead asked specific questions about witness care officers. I accept that the numbers have been reduced in line with other staff reductions, but, importantly, those reductions have been accompanied by reforms to better target our limited resources to help witnesses who are intimidated or vulnerable, and those who are in greatest need. Even more is being done with regard to the change of culture to which my hon. Friend the Member for Cheltenham referred. For example, the Government are now improving access to information for victims through the new online

and telephone-based victim information service that was launched in March. The increasing commissioning of victims' services through local police and crime commissioners will create a more responsive service—a more localised service—that I do not believe will create a postcode lottery, but will emphasise best practice from which other areas can learn. Although I accept there have been reductions in expenditure, the change in culture that everybody in the system—counsel, solicitors, and lawyers in their role in explaining matters and reassuring and supporting witnesses and victims—has experienced continues to grow.

Alex Chalk: On precisely that point, if counsel apply the victims' charter and explain the situation to witnesses and victims as they come to court, it can have an extraordinary impact on how they end up viewing the criminal justice system, and it does not cost a penny.

The Solicitor General: Very much so. A lot of us who pioneered such work in the '90s now find that a lot of what we said and believed then is becoming standard practice, and that is absolutely right. We have heard reference to the victims' right to review, and, as was made clear in an intervention on the hon. Member for Rochdale (Simon Danczuk), there is an ongoing process in relation to a particular case that means that it would be inappropriate for me to comment on it. However, I hear what the hon. Gentleman says, and I will come back to his point about historical child sexual exploitation in a moment.

Importantly, the new victims' right to review scheme that was established last year gives victims a further opportunity to ask the Crown Prosecution Service, with the help of independent advice, to consider again the merits of particular decisions. So far, between June 2013 and the end of September last year, 263 decisions have been overturned by the new system. It is a small proportion of the number of Crown Prosecution decisions that are made, but it is an extra safety valve that goes a long way, as I said in relation to our strategy, to enhance public confidence in the criminal justice system.

I have referred en passant to the hon. Member for Rochdale, who talked with his usual power about child sexual exploitation. It is a national emergency. I entirely agree with him, and so do the Government. The way in which complainants were dealt with historically in towns such as Rotherham and the town that he represents was wrong. There was far too much emphasis on the reliability of the individual witness, who was often very young and vulnerable, rather than an overall view of the merits of the case. That is rightly acknowledged to have been an incorrect approach. The thrust of the work being carried out by the Crown Prosecution Service now very much reflects the fact that lessons have been learnt, and there are a number of marked successes when it comes to convictions in such cases. A number of so-called celebrities have rightly been brought to justice, and young victims in larger conspiracy-based cases involving many young and vulnerable complainants have now had their voices heard, as the hon. Gentleman says, and can now see that some justice has been brought in order to help them get on with lives that have been torn asunder by the abuse that they suffered.

The hon. Member for Torfaen rightly talked about pressure and efficiency and how decisions are to be made where there is a reduction in the number of

So, you see, family life taught me about the dignity of work and the nobility of care.

But, even with a name like Keir, I was never one of those people reared for politics. I became the first person in my family to go to university, the first to go into the law.

Every day as a lawyer, if you are a young radical as I was, you think of yourself as working for justice.

You see people getting a raw deal and you want to help.

Justice, for me, wasn't a complicated idea. Justice, to me, was a practical achievement. It was about seeing a wrong and putting it right.

That is my approach in politics too. Down to earth. Working out what's wrong. Fixing it.

I had the great honour of becoming this country's chief prosecutor, leading a large organisation; the Crown Prosecution Service.

Three very important words.

Crown brings home the responsibility of leading part of the nation's legal system. Prosecution tells you that crime hurts and victims need justice to be done. Service is a reminder that the job is bigger than your own career advancement.

I will always remember the day that John and Penny Clough contacted my office. Their daughter Jane was a nurse who had been the victim of terrible domestic abuse. After repeated assaults, Jane had summoned the great courage to report her partner. He was arrested and remanded in custody.

7 Aiders, abettors, suborners, &c.

- (1) Every person who aids, abets, counsels, procures, or suborns another person to commit an offence against this Act shall be liable to be proceeded against, indicted, tried and punished as if he were a principal offender.
- (2) Every person who incites . . . **F1** another person to commit an offence against this Act shall be guilty of a misdemeanour, and, on conviction thereof on indictment, shall be liable to imprisonment, or to a fine, or to both such imprisonment and fine.

Textual Amendments

F1 Words repealed by Criminal Attempts Act 1981 (c. 47), **Sch. Pt. I**

Copy of correspondence sent to Sir Keir Starmer

From: Julian Brennan

To: alan.pughsley@kent.pnn.police.uk; cc.staff.officer@kent.pnn.police.uk

Cc: k.starmer@doughtystreet.co.uk; j.ahadi@doughtystreet.co.uk

Date: Wednesday, 1 December 2021, 22:02 GMT

For the personal and urgent attention of the Chief Constable

Dear Sir

Please see the attached correspondence sent to Sir Keir Starmer about an hour ago.

You will see that in my letter I make reference to my report regarding the Common Law offence of Misconduct in Public Office. A copy of the most up-to-date CPS Guidance on Misconduct in Public Office is attached hereto. In relation to that offence - and the other criminal offences I reported - I inform you that I am still waiting to be provided with the relevant Incident Numbers. Please would you ensure that my earlier request is acted on. Thank you.

You will see from my letter to Sir Keir that I refer to "causes" of action (plural). An issue regarding the possibility of shared liability with the Crown Prosecution Service over one particular issue (involving a loss of £1.2 million) arises. It is in a letter which I am in the process of writing to you. In the meantime you should share this correspondence with Kent Police's insurer(s). I will of course write to the current Director of Public Prosecutions after you have had the opportunity of considering the issue and seeing whether, on the facts, you are able to reduce the total sum of money owed to me. Neither you personally nor the DPP will want any insurance company to have to pay out a sum that should actually be paid by another.

I inform you that I am still waiting to receive a copy of the signed contract of 10 July 2009, which is in the possession of Kent Police and the CPS.

This correspondence is being copied to Ms Julie Ahadi, Director of Operations and Strategic Planning at Doughty Street Chambers, so as to ensure that Sir Keir Starmer receives the important personal correspondence and is certain to be in a position to act in accordance with his legal duties.

Yours faithfully

Julian Brennan



Correspondence sent to Sir Keir Starmer on 1 December 2021.pdf
1.3MB



CPS Guidelines on Misconduct in Public Office.pdf
4.4MB

E-mail for the attention of Laura Steward

From: Julian Brennan

To: contactyourpcc@kent.police.uk

Date: Monday, 16 May 2022 at 16:15 UTC

Dear Ms Steward

A week has passed since you could reasonably have been expected to reply to my e-mail of 5 May, yet I have received no response. Please provide me with the information I requested. When you do so please inform me also of (a) the date when the matter was referred to the Commissioner's Office, and (b) by whom, and/or on whose authority, the matter was referred.

In relation to the above, I highlight that in dealing with all issues Mr Scott will need to have regard to the fact that I was at all material times Disabled. This has been determined and confirmed medically and Judicially at various times. (PC [REDACTED] has a note of the fact of my Disability in her Pocket Notebook for 10 September 2009). At particularly relevant times in 2009 I was a Vulnerable Adult. Again, this was known to Kent Police at material times.

Please find four documents attached:-

- (1) Further Submission to the Court, 7 January 2009, for Case 08784400;
- (2) Section 59 of the Safeguarding Vulnerable Groups Act 2006;
- (3) Schedule 4 to the Safeguarding Vulnerable Groups Act 2006;
- (4) Letter of 28 January 2022 from the Department of Works and Pensions.

The District Judge in the above case confirmed my disability (then under DDA 1995) and dismissed the Claimant's case for abuse of process. The decision was not appealed, and Companies House accepted a request for a "Reasonable Adjustment" later on in 2009.

In respect of my position as a Vulnerable Adult at material times it is particularly important that the Commissioner considers the signed contract of 10 July 2009 between [REDACTED] and myself. The document is in the possession of the Chief Constable.

You will see from the letter from the DWP that I am "Severely Disabled". There has been no interruption to my Disability from 7/1/2009 to the present date.

Yours sincerely

Julian Brennan



Further Submission, 7 January 2009.pdf
5.2MB



Section 59 of the Safeguarding Vulnerable Groups Act 2006.pdf
208.6kB



Schedule 4 to the Safeguarding Vulnerable Groups Act 2006.pdf
289.4kB



Letter of 28 January 2022 from DWP.pdf
1.3MB

Protection - Human Rights and Disability

From: Julian Brennan

To: contactyourpcc@kent.police.uk

Date: Friday, 20 May 2022 at 02:41 UTC

Dear Ms Steward

Now that you've had time to consider Kent Police's repeated failure to respect my status as a Disabled Person I am sending two other documents: (1) The UN Convention on the Rights of Persons with Disabilities, which the UK ratified on 26 February 2009; and (2) The Optional Protocol to the UN Convention on the Rights of Persons with Disabilities, which the UK ratified on 7 August 2009. Of course, the provisions of the legal texts are to be viewed as context in relation to Kent Police and its related legal duties; not as texts which created direct duties.

There is a specific factor that does have direct application however. The protection to which I was entitled at various material times due to my position as a Human Rights Defender means the UK Government and pan-national organisations, such as the United Nations, will have regard to the fact that I was acting in that capacity as a Disabled Person and will therefore apply additional legal protection for me as a result of the ratified Treaty and Protocol. The fact of the matter is that direct legal rights which applied to me as a Human Rights Defender - most particularly my legal rights as the owner of very many important documents which were stolen from me - were breached and disregarded by Kent Police (as is still happening) and by the former Police & Crime Commissioner, Ann Barnes. The related illegal acts and failures to act occurred at various times from 2009 onwards.

There are three other, related, documents attached which need a little bit of explanation. Following yesterday's announcement by the Metropolitan Police that Operation Hillman has come to a close, I am able to raise issues which I had agreed to be silent about during the course of the Met's investigations etc, I have included a redacted copy of my letter of 29 January 2022 to the then Commissioner of the Metropolitan Police, Cressida Dick. You will see that I was correct on the law in relation to the gathering of 20 May 2020 in the garden of 10 Downing Street and about how Regulations 6 and 7 of The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 (SI 2020 No. 350) should be viewed in relation to possible offences under Regulation 9(1). From the Met's media statement you will see that the Downing Street gathering of 20 May 2020 was dealt with as I had stated. I raise this as it relates to a matter of law that affects the position of Mr Pughsley. I direct you to the last paragraph of my letter to Cressida Dick, and direct you also to the last paragraph of my letter of 1 May 2019 to Kent Police. The issue of law is one of the commonalities of all the Interested Parties that I have listed for the Misfeasance proceedings. You will see that in January I engaged my right to protection as a former HRD. That applies now and to the matters I raised with Mr Pughsley in April.

Please feel free to ask any questions if you are unclear about anything, and I will endeavour to clarify or elucidate.

Yours sincerely

Julian Brennan



UN Convention on the Rights of Persons with Disabilities.pdf
196kB



Protocol to the UN Convention on the Rights of Persons with Disabilities.pdf
101.5kB



Redacted letter of 29 January 2022 to the Commissioner of the Metropolitan Police and Appendix.pdf
2.8MB



Met announcement on conclusion of Operation Hillman.pdf
339.8kB



Page 5 of letter of 1 May 2019 to Kent Police.pdf
513.8kB

Case No: 08784400 - Dept of Trade v Brennan (Follow-up)

From: Julian Brennan

To: sharon.gerrard@hmcourts-service.gsi.gov.uk

Cc: dcross@companieshouse.gov.uk

Date: Wednesday, 7 January 2009, 22:09 GMT

Dear Mrs Gerrard

Please find attached the three pdf files - a copy of my Submission and two authorities. My apologies for the delay. For the first document your pdf print wizard may need to be adjusted to "Shrink to Printable Area". This will give optimum results. Please feel free to contact me if you encounter any difficulties.

Yours sincerely

Julian Brennan



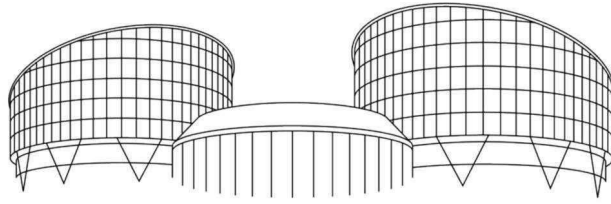
Defendants Further Submission.pdf
79.1kB



Lewisham v. Malcolm.pdf
211.2kB



Niemietz v. Germany.pdf
80.4kB



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FIRST SECTION

CASE OF GLOR v. SWITZERLAND

(Application no. 13444/04)

JUDGMENT

STRASBOURG

30 April 2009

FINAL

06/11/2009

This judgment has become final under Article 44 § 2 of the Convention.

on his personal development and physical integrity. However, in spite of his illness, which allegedly made him unfit for military or civilian service, the applicant had had to pay the military-service exemption tax. In this way Swiss law sought to benefit from a medical condition for which the applicant was not responsible. In his view such a measure clearly interfered with his private and family life. That being so, the applicant considered that Article 14 should be taken into account.

2. *The Court's assessment*

52. The Court reiterates that the concept of “private life” is a broad term not susceptible to exhaustive definition (see, for example, *Hadri-Vionnet v. Switzerland*, no. 55525/00, § 51, 14 February 2008, and *Pretty v. the United Kingdom*, no. 2346/02, § 61, ECHR 2002-III). On several occasions the Court has admitted that private life covers the physical integrity of the person (see, among other authorities, *Costello-Roberts v. the United Kingdom*, 25 March 1993, § 36, Series A no. 247-C, and *X and Y v. the Netherlands*, 26 March 1985, § 22, Series A no. 91).

53. The Court also reiterates that the Convention and its Protocols must be interpreted in the light of present-day conditions (see *Marckx v. Belgium*, 13 June 1979, § 41, Series A no. 31, and many subsequent cases, such as *Vo v. France* [GC], no. 53924/00, § 82, ECHR 2004-VIII, and *Emonet and Others v. Switzerland*, no. 39051/03, § 66, 13 December 2007). It notes that the present case concerns possible discrimination against a person with a physical disability, even though it is only considered a minor disability by the domestic authorities. It also considers that there is a European and worldwide consensus on the need to protect people with disabilities from discriminatory treatment (see, for example, Recommendation 1592 (2003) towards full social inclusion of people with disabilities, adopted by the Parliamentary Assembly of the Council of Europe on 29 January 2003, or the United Nations Convention on the Rights of Persons with Disabilities, which entered into force on 3 May 2008).

54. The Court considers that a tax collected by the State which has its origin, as in the present case, in unfitness to serve in the army for health reasons – that is, a factor outside the person’s control – clearly falls within the scope of Article 8 of the Convention, even if the consequences of the measure are above all pecuniary (for cases concerning the “family” aspect of Article 8, see, for example, *mutatis mutandis*, *Marckx*, cited above, § 31; *Pla and Puncernau v. Andorra*, no. 69498/01, § 55, ECHR 2004-VIII; *Petrovic v. Austria*, 27 March 1998, § 29, *Reports* 1998-II; and *Merger and Cros v. France*, no. 68864/01, § 46, 22 December 2004; in this last case the Court declared that “family life” did not include only social, moral or cultural relations, but also comprised interests of a material kind).

55. In addition, the Court reiterated the principle that the complaint to be submitted to the Court must first have been made to the appropriate national courts, at least in substance, in accordance with the formal requirements of domestic law and within the prescribed time-limits (see *Ankerl v. Switzerland*, 23 October 1996, § 34, *Reports* 1996-V). In the instant case it considers that the applicant did raise the substance of the complaint of a violation of Article 14 taken in conjunction with Article 8 before the domestic authorities when he affirmed that he had been required to pay the exemption tax and prevented from doing his military service even though he had always maintained that he was willing to do it. He had thus exhausted the domestic remedies.

56. The Court notes that the complaint under Article 14 of the Convention taken in conjunction with Article 8 is not manifestly ill-founded within the meaning of Article 35 § 3 of the Convention. It further notes that it is not inadmissible on any other grounds. It must therefore be declared admissible.

URGENT LETTER FOR THE PERSONAL ATTENTION OF ALEX BURGHART

From: Julian Brennan

To: ministerial.correspondence@cabinetoffice.gov.uk

Cc: independent.adviser.correspondence@cabinetoffice.gov.uk

Date: Thursday, 14 December 2023 at 16:29 UTC

Good afternoon

Attached is an urgent letter to Alex Burghart. It is for his personal attention as it relates to his duties under the Ministerial Code. It does **not** come within the scope of Carltona Principles. Please respect Mr Burghart's Convention rights under Article 8 (correspondence) and Article 10 (receiving and imparting information) and ensure it is provided to him. Given the urgency of the issues, and the Minister's other commitments, it would be helpful to him for the correspondence to be printed out and put in his Red Box for delivery this evening.

This correspondence is being copied to Sir Laurie Magnus for his personal attention. It relates to information I provided to him over the last couple of days.

Thank you.

Julian Brennan
3 Byland Road, Skelton TS12 2NJ



Urgent letter to Alex Burghart MP, Parliamentary Secretary, 14 December 2023.pdf
6.6MB



Fraud Act 2006

2006 CHAPTER 35

Fraud

3 Fraud by failing to disclose information

A person is in breach of this section if he—

- (a) dishonestly fails to disclose to another person information which he is under a legal duty to disclose, and
- (b) intends, by failing to disclose the information—
 - (i) to make a gain for himself or another, or
 - (ii) to cause loss to another or to expose another to a risk of loss.



Fraud Act 2006

2006 CHAPTER 35

Fraud

5 “Gain” and “loss”

- (1) The references to gain and loss in sections 2 to 4 are to be read in accordance with this section.
- (2) “Gain” and “loss”—
 - (a) extend only to gain or loss in money or other property;
 - (b) include any such gain or loss whether temporary or permanent;and “property” means any property whether real or personal (including things in action and other intangible property).
- (3) “Gain” includes a gain by keeping what one has, as well as a gain by getting what one does not have.
- (4) “Loss” includes a loss by not getting what one might get, as well as a loss by parting with what one has.

*These notes refer to the Fraud Act 2006 (c.35)
which received Royal Assent on 8 November 2006*

FRAUD ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 3: Fraud by failing to disclose information

18. **Section 3** makes it an offence to commit fraud by failing to disclose information to another person where there is a legal duty to disclose the information. A legal duty to disclose information may include duties under oral contracts as well as written contracts. The concept of “legal duty” is explained in the Law Commission’s Report on *Fraud*, which said at paragraphs 7.28 and 7.29:

“7.28 ...Such a duty may derive from statute (such as the provisions governing company prospectuses), from the fact that the transaction in question is one of the utmost good faith (such as a contract of insurance), from the express or implied terms of a contract, from the custom of a particular trade or market, or from the existence of a fiduciary relationship between the parties (such as that of agent and principal).
- 7.29. For this purpose there is a legal duty to disclose information not only if the defendant’s failure to disclose it gives the victim a cause of action for damages, but also if the law gives the victim a right to set aside any change in his or her legal position to which he or she may consent as a result of the non-disclosure. For example, a person in a fiduciary position has a duty to disclose material information when entering into a contract with his or her beneficiary, in the sense that a failure to make such disclosure will entitle the beneficiary to rescind the contract and to reclaim any property transferred under it.”
19. For example, the failure of a solicitor to share vital information with a client within the context of their work relationship, in order to perpetrate a fraud upon that client, would be covered by this section. Similarly, an offence could be committed under this section if a person intentionally failed to disclose information relating to his heart condition when making an application for life insurance.



Fraud Act 2006

2006 CHAPTER 35

Fraud

7 Making or supplying articles for use in frauds

- (1) A person is guilty of an offence if he makes, adapts, supplies or offers to supply any article—
 - (a) knowing that it is designed or adapted for use in the course of or in connection with fraud, or
 - (b) intending it to be used to commit, or assist in the commission of, fraud.
- (2) A person guilty of an offence under this section is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum (or to both);
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 10 years or to a fine (or to both).
- (3) Subsection (2)(a) applies in relation to Northern Ireland as if the reference to 12 months were a reference to 6 months.

Julian Brennan

3 Byland Road, Skelton, Saltburn-by-the-Sea TS12 2NJ

10 October 2023

David Evans
General Secretary and Registered Treasurer
Labour Party
160 Blackfriars Road
London SE1 8EZ

To be e-mailed via david-evans@labour.org.uk

FOR THE URGENT AND PERSONAL ATTENTION OF DAVID EVANS

Dear Mr Evans

Sir Keir Starmer – acts of fraud under of section 1 of the Fraud Act 2006

I write to inform you that in delivering his leader's speech this afternoon the Leader of the Labour Party, Sir Keir Starmer, committed offences under section 1 of the Fraud Act 2006. I explain from B on page 2 onwards.

Having regard to Chapter 1, Clause II.1 of the party's Rule Book 2023, an emergency meeting of the party's National Executive Committee will need to be convened as soon as possible tomorrow morning so the matter can be reported and Sir Keir can be: (a) given the opportunity to resign his position voluntarily and accept the administrative suspension of his membership for his breaches of contract as an individual member; or (b) required to recuse himself and leave the meeting so the NEC can consider and vote on both a motion of "No Confidence" in him and a proposal for his membership to be suspended immediately.

Taking account of Chapter 1, Clause III.1.A, it seems to me that one or other course of action set out in the paragraph above will allow the NEC to agree an outline plan and truncated timetable for an urgent leadership election to be held; and for related proposals to be put to a special session of the party's Annual Conference tomorrow, with the necessary issues being put to the Conference Arrangements Committee so it can fulfil its necessary duties under Chapter 3, Clause II.2.

A. Constitutional Rights

Sir Keir Starmer personally faces a number of very serious issues. These include being a named Defendant in anticipated High Court proceedings; the subject of a possible pre-action Application to the Court; and the fact that, at an appropriate time, he will be reported to the relevant authority/authorities for his criminal offences. The victims of his illegality include myself. I have a previously declared pecuniary interest, though this does not conflict with either my acts in the public interest or the continuing exercise of my residual duties as a former UN Human Rights Defender.

It is important that Keir Starmer's rights in law are respected – first and foremost his Constitutional right to not incriminate himself. In law he is not guilty of any criminal offence unless and until he has (being fit to do so) pleaded guilty to a specific charge put to him and his plea has been accepted by the relevant Court, or he has been found guilty in accordance with law. The seriousness of his offences and where they were committed means he will probably be tried in the Central Criminal Court of England and Wales (ie the Old Baily).

This issue was always going to have significant implications for the Labour Party as what I refer to above would (and will soon) enter the public domain. The most serious issue relates to Rupert Murdoch and to vast amounts of money which News Corp – but for the fraud offences – might have gained between 2009 and the present. Keir Starmer committed a section 3 offence against Rupert Murdoch in early July and subsequently.

B. Section 3 Fraud

A Claim for compensatory losses of more than £100 million sterling is to be issued in the High Court of Justice for the Tort of Misfeasance in Public Office. The Defendants will include the Chief Constable of Kent Constabulary and the Director of Public Prosecutions. The current office holders will be sued vicariously for the conduct of other persons. One of those individuals is Keir Starmer, and that relates to his unlawful conduct when he was DPP and to very serious misconduct issues in breach of trust. In respect of certain criminal acts, and liability for intentional torts, principles established by the Appellate Committee of the House of Lords in *Lister & Ors v. Hesley Hall Ltd* [2001] UKHL 22 might apply.

Nothing is out of time. Both sections 28 and 32 of the Limitation Act 1980 apply, and the Crown has accepted that I am able to issue the Claim, My swearing of a related pre-action Affidavit yesterday afternoon was approved by a Judge in Chambers.

An important issue is that both the main Defendants referred to above are liable in law for very substantial losses which, given the sums involved, will involve HM Treasury. This resulted from illegal and fraudulent conduct over a personal and business contract between myself and another person signed on 10 July 2009. Another Party was defrauded as well as myself (and other shareholders in a company referred to in the contract). News Corporation was a Third Party to the contract and had/has rights of action in both the UK and the USA. The proper construction of the contract I refer to above shows that it was the intention of the two signatories to the contractually binding “Finalised Agreement” that section 1(1) of the Contracts (Rights of Third Parties) Act 1999 would apply. As a matter of law Keir Starmer is responsible for illegal acts and omissions resulting from unlawful decisions made by Crown Prosecutors – one of which was in breach of an Order about the disclosure of the signed contract of 10 July 2009 made by a Judge in open Court.

C. Sue Gray

When Keir Starmer offered Sue Gray the job of Chief of Staff in his office he acted in breach of section 3 of the Fraud Act 2006 due to him dishonestly failing to disclose information about him being involved in civil proceedings that would occur before the next General Election; meaning, due to the scandal that would come out, that he would not become Prime Minister. He subsequently committed a further section 3 offence with Ms Gray; doing so by not disclosing to her that she had a right to make a Claim for damages from him due to the Tort of Deceit. He acted in breach of section 4 when he allowed her to start work in that position after he had been informed of action being taken against him. The letter making the job offer to Ms Gray and the contract of employment resulting from her acceptance were *void ab initio* at the two material times. The financial victims of Keir Starmer’s illegal acts were Sue Gray and (due to her salary being paid with Short Money) Parliament & HM Treasury. As a MP he committed an act in contempt of Parliament, doing so in full knowledge of the serious nature of it being evident from the motion he moved on 21 April 2022.

There is a certain logic to a breach of section 3. When more than one victim is involved the principal victim **cannot** excuse the perpetrator of the offence when s/he finds out what happened. Fraud is an offender-focussed crime which is committed at the moment all the ingredients of a specific breach of section 2, 3 or 4 are met. With that being so, if the principal

victim of a fraud (in this case Sue Gray) agreed with an offender (in this case Keir Starmer) to “let him off” his offence and the two of them then continued to pursue the previously agreed course of conduct a result of that would necessarily have involved the commission of a new offence under section 4 of the Fraud Act. This would be due to the principal victim dishonestly making fraudulent gain at the expense of the second victim.

Whilst Ms Gray is unaware of the fraud committed against her by Keir Starmer she cannot be deemed to act dishonestly against The Exchequer by drawing her salary because she lacks the knowledge to have formed the necessary *mens rea* of dishonesty which is the gravamen of a fraud. I am reasonably certain that Sue Gray does **not** know because she continues to work as Keir Starmer’s Chief of Staff. With my knowledge of certain facts, and due to my assessment of Sue Gray’s character and my assessment of Keir Starmer’s character, I reasonably conclude – as the “reasonable bystander” would do objectively on the basis of the same knowledge – that Ms Gray is **not** a party to a conspiracy to commit fraud under section 12 of the Criminal Law Act 1977. Everyone who honestly disclaims knowledge of any information which Keir Starmer should have honestly disclosed to her or another in accordance with his legal duties will confirm the fact of his section 3 offences.

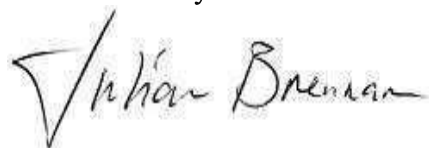
D. Bad Faith

In his speech today Keir Starmer referred to “*service*” and a “*bond of trust*”, doing so at the very moment he was acting in a way that was in breach of the implied term of trust and confidence in the contract which exists between each individual Conference delegate and the Labour Party. He had the audacity of speaking about a “*partnership between people and politics*”, whilst not making a single reference to his disastrous failings and conduct in dereliction of duty as the Leader of the Opposition in relation to the Covid-19 Pandemic – from day 1 of his tenure on 4 April 2020 – and his total incompetence as Shadow Secretary of State for Brexit going back all the way to 13 March 2017. His misleading, self-serving statements on live television going out to the whole country can do nothing other than destroy any chance of trust and any form of partnership with anyone but those who care nothing for the essential preconditions of integrity and lawfulness in our political leaders. Keir Starmer is dishonest and untrustworthy, and he is not a fit and proper person to hold public office.

The more people think that Keir Starmer is acting honestly and can be trusted the more his frauds and their extent are confirmed. The rapturous applause, the standing ovations and the personal endorsements Keir Starmer received this afternoon as a result of what he said and did not say in his speech confirmed his breaches of sections 2, 3 and 4 of the 2006 Act.

As the Labour Party’s Registered Treasurer you will surely realise that all the donations which have been made to the Labour Party nationally because of the false beliefs about Keir Starmer which have been established through his dishonesty can be recovered by the donors and should not be retained. You will have to report this to the NEC tomorrow. In respect of the Unite donation that I have referred to in previous correspondence I suggest it would be appropriate for you to speak confidentially with Sharon Graham and Diana Holland at your first opportunity.

Yours sincerely



Julian Brennan

Documents attached to the letter of 10 October 2023 to David Evans

	<u>Pages</u>
E-mail of 20 May 2022 to Laura Steward	1
Copy of letter of 23 April 2023 to Antonia Romeo	3
Exhibit MPS-1	4
Letter of 4 April 2023 to Sir Mark Rowley	8
E-mail of 24 May 2020 to the Home Secretary	9
E-mail of 24 May 2023 to the Home Office	10
Letter of 15 May 2023 to Boris Johnson, without attachments	11
E-mail of 1 June 2023 to Sharanjeet Sidhu	14
<i>Observer</i> Article, 9 July 2023	15
E-mail of 1 December 2021 to Alan Pughsley	19
Redacted copy of letter of 10 August 2023 to Sir Keir Starmer	20
<i>Guardian</i> Article, 9 September 2023	22
Exhibit JFB/ABdPJ/30	24
<i>Daily Telegraph</i> Article, 9 October 2023	25
<i>Guardian</i> news update, at 8.57am on 10 October 2023	30
E-mail of 3 November 2021 to Sir Keir Starmer	31
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Fraud Act 2006 Explanatory Notes – Commentary on Section 3	39
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Paragraphs 17-18 of <i>Prest v. Petrodel Resources Limited</i> [2013] UKSC 34	42
Paragraphs 62-63 of <i>Ivey v. Genting Casinos (UK) Ltd</i> [2017] UKSC 67	43
Correspondence sent to Alan Pughsley on 29 April 2022	44
Letter of 24 June 2014 to the Home Office	48
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Letter of 16 September 2023 to Sir Keir Starmer, without attachments	51
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Section 4 of the Fraud Act 2006	59
Section 12 of the Criminal Justice Act 1987	60
