

Cawdy  
St Bridget's Lane  
West Kirby  
Wirral CH48 3JT  
0151 625 6211

Detective Inspector Nick Sumner  
c/o Homicide & Serious Crime Command  
Room 328, Victoria Block  
New Scotland Yard, Broadway  
London, SW1H 0BG.

2 May 2009

Dear Inspector Sumner,

1. Michael Redfern QC Inquiry into Body Parts & Harvesting Organs Without Disclosure. Whitehaven Inquiry.
2. The Archer Inquiry. Independent Public Inquiry Report on NHS Supplied Contaminated Blood and Blood Products, 24 February 2009 :- [www.archercbbp.com](http://www.archercbbp.com) "To investigate the circumstances surrounding the supply to patients of contaminated NHS blood and blood products ; its consequences for the haemophilia community and others afflicted ; and suggest further steps to address both their problems and needs of bereaved families". Chairman, The Rt. Hon. Lord Archer of Sandwell QC - Formerly Solicitor General.
3. Corporate Manslaughter and Corporate Homicide Act 2007 where gross failures in the management of health and safety have resulted in a fatality and which Act came into force 6 April 2008.
4. Criminal Justice Act 2003. Section 146, Increase in sentences for aggravation related to disability.
5. Multiple breach of EC Duty by the UK member state to transpose EC directives and Euratom directives into UK domestic law concerned with health, safety and with product liability. Breach of EU Treaty and OSPAR Treaty Obligations. European Communities Act 1972 and Community Offences.

6. CERRIE Minority REPORT 2004. UK Department of Health and Department of the Environment [DEFRA] Committee Examining Radiation Risks from Internal Emitters [CERRIE]. by Bramhall, Busby and Dorfman. ISBN0-9543081-1-5.

Committee established by Michael Meacher MP, former Minister of the Environment sacked by PM Blair for publishing report on the health effects of exposure to radioactive pollution. Threats of legal action were made to individual members. Report contains further details of reprisals taken against scientists and others who expose threats to public health. NB.

Thank you for making telephone contact on receipt of a copy of my letter dated 20 April 2009 to the Redfern Inquiry. The letter to the Redfern Inquiry explains my background and my exposure to dangerous chemical and radioactive substances at work causing prescribed industrial disease requiring blood transfusion. Prescribed industrial disease caused by defective products and giving rise to the offer of treatment with defective blood products. The first and second industrial poisoning events resulted directly from non implementation of European law where a further exposure of disabled 'subgroups' to dangerous chemical and radioactive substances at work was a medical experiment funded by the Health and Safety Executive, Bootle and the Health Protection Agency, which experiments were carried out by the University of Liverpool and the Royal Liverpool University NHS Teaching Hospitals. A politically sensitive and complex investigation now corroborated by other independent sources describing death and disease, financial fraud, product liability and a cover-up using fraudulent science. Circumstances requiring a proper police investigation and judicial review.

The Liverpool NHS Hospitals have a previous record of harvesting dead babies and their body parts. The results of medical experiments involving my exposure at work in St Helens MBC on European Regional Regeneration and Environmental Clean-up were published in the British Journal of Haematology by HSE staff and by Dr David Galvani et al, University of Liverpool. These medical experiments are contrary to the Helsinki Declaration by doctors to do no harm to patients and to Nuremberg Tribunal. Circumstances contrary to European law and European Convention on Human Rights enforceable on European Regional Development Programmes in UK but unfortunately subject to the usual cover-up which perverts the course of justice.

Under the National Insurance Industrial Injuries Legislation the burden of

proof is on the claimant to establish the cause of their injury or disease and disability. This requirement has prompted my investigations of two separate poisoning events [1] at Shell Research Ltd, Chester and [2] at St Helens MBC. The resulting assessment of disability and state pension entitlements as well as contributory occupational pension entitlements under both the Shell and the Local Government Pension schemes is an issue for my repeated applications for judicial review QBD of both civil and the criminal aspects of a situation known to the EU member states through the Citizens Petition No. 63/93. A subsequent report back by Mrs Banotti to the European Parliament disclosed human rights abuse of disabled persons in the EU. The abuse of UK disabled sub-groups is described for your information and attention. The matter has been brought to the attention of three of your Commissioners.

The first poisoning occurred during my oil products research at Shell Research Ltd, Thornton Research Centre, via, long-term contact, 1961-1968, with Shell Special Boiling Point Solvents, SBP 2 & 3, containing appreciable amounts of Benzene, C<sub>6</sub>H<sub>6</sub>/homologues. My research confirming my exposure is reported with data in the possession of Shell Research Ltd. However, an undisclosed factor was radionuclides emanating from a Cobalt 60 Reactor on the Thornton site used for development of lubricants for the British Nuclear Industry ; cutting fluids for machining uranium fuel rods and lubricants for hostile environments in Calder Hall, Britain's first nuclear power station. My Prescribed Industrial Disease was established after a Shell admission of benzene, C<sub>6</sub>H<sub>6</sub> contact, via, Shell SBP solvents used for de-oiling engine parts for examination and used in oil products development. HMI of Factories was able to confirm benzene content of SBP solvents, via, Shell Stanlow Refinery Operating Reports and the belated Shell admission was sufficient for a DHSS Medical Tribunal to find a disablement for life assessment of the prescribed industrial disease, PD7 in my case without a full hearing and examination of witnesses. Furthermore, experiments by Senior Shell Scientist Andrew Butlin carried out at my request in the laboratories where I worked confirmed that use of SBP solvents created a dangerous working environment with over 25 ppm benzene, C<sub>6</sub>H<sub>6</sub>. A danger level for benzene which was subsequently reduced to only 7 ppm exposure.

The Shell Cobalt 60 Reactor at Thornton was dismantled in an unauthorised manner which fact was discovered by an investigating journalist, John Dyer, of 14 Barrington Road, Liverpool. [ See <http://www.nuclearcrimes.com> ] Furthermore, the Shell "50 years Thornton Research Centre" publication subsequently confirms the existence of the Cobalt 60 Reactor at Thornton

Research Centre mentioned by John Dyer and its location in relation to my places of work at Thornton Research Centre. I understand the Dutch police investigated similar mal practice in Shell sites in the Netherlands. After the DHSS Medical Tribunal made a determination of Industrial disease in my favour, Shell wished to settle my personal injuries claim on a full liability and "generous judge" basis. In the mean-time, I completed retraining for the LL.B degree necessary to continue my career with Shell. The National Insurance legislation provided a retraining scheme which applied in my circumstances but after inter LLB, Shell sponsored my retraining full-time. The "settlement was in the hands of lawyers" and my subsequent investigation shows this to be a fraudulent settlement, due to non disclosure of a relevant Shell Contributory Pension Trust Deed providing full disability and partial disability pensions. Moreover, medical information on the true damage to my DNA and genetic and carcinogenic effects of the poisons was withheld by the haematologist, Professor Sir David Weatherall consulted at the University of Liverpool after providing my blood and bone marrow samples for the purpose. This harvesting of my vital medical data was not disclosed. Professor Weatherall has subsequently advised the information is with the University of Liverpool.

Behaviour by the trade union solicitors, Thompson, Manchester and counsel instructed, did not protect their client interests and non disclosure of the Shell Pension Trust Deeds and medical non disclosure of injury damage to my bone marrow rendered consultations with actuaries and the entire negotiation by the trade union solicitor Thompson fraudulent. Shell reneged on the settlement they agreed with my former solicitor, D P Roberts of Birkenhead, who agreed a change of solicitor to Thompsons a trade union solicitor at my request, because of their expertise on employment with Shell Group suitable for disabled staff with occupational disease ; their pensions expertise utilising actuaries Duncan Fraser & Co ; medical expertise with occupational health experts like Professor Weatherall and disablement resettlement officer, Department of Employment.

During legal negotiations and awaiting reassignment after graduation, my career with Shell Research Ltd was terminated with a contrived redundancy, after an unsuitable offer of continued employment "as an Engineer" with "continued exposure to benzene, specified dangerous in the Directive 67/548/EEC" with Shell Expro Ltd, London. Please note that the alleged "offer of job swap/transfer to Shell Expro Ltd" was only made by Shell Research Ltd and a job offer was not made to me by Shell Expro Ltd who



were notified of my disability at two interviews in the Shell Centre, London. Shell Expro Ltd staff thanked me for my candour. Negotiations only continued on a fraudulent basis and by threats made to induce withdrawal of my pending legal action in an Employment Tribunal for reinstatement in accord with the Disabled Persons Employment Acts 1944 & 1958 with liability of criminal sanctions for Shell ; but while Shell continued to suppress the Shell Pensions Trust Deeds describing full and partial disability pensions, and Shell suppressed full medical effects of my exposures to benzene and to radionuclides emanating from the Cobalt 60 reactor work at Thornton which had no warning sign. This first exposure and my resulting sensitivity to dangerous chemical and radioactive substances, is relevant to the second experimental poisoning event at St Helens MBC due to their non compliance with European EC directives and Euratom directives on European Regeneration Programmes on Merseyside. An unlawful series of moves taken by emanations of the UK member state with impunity.

The second poisoning at St Helens MBC occurred while I was again registered disabled person under the Disabled Persons Employment Acts 1944 & 1958 and entitled to automatic transfer to safe work under the provisions of the Further and Higher Education Act 1992 with [directive 77/187/EEC] and the Health and Safety at Work Act 1974. Circumstances ignored by the Leader Cllr Mrs Marie Rimmer and Deputy Leader of St Helens MBC, Cllr Dave Watts both acting unlawfully, under delegated powers of the Council and contrary to the policy, practices and procedures of St Helens MBC. My post as Further Education Officer was a politically restricted post under local government legislation. My employment transfer to the further education service, which was taken out of LEA control, was blocked by these two local politicians for the preferment and advancement of a de-selected Labour MEP, Les Huckfield and former leader of the "Get Britain Out of Europe Campaign" in the European Parliament. Political unrest existed on Merseyside, circa 1989-1993, and previously local Merseyside politicians, Liverpool Cllrs. Hatton, Mulhearn, etc, were prevented from day to day involvement [ using European Funded "Technical Assistance"] in the Merseyside Integrated Development Operations, 1989-1993 and onwards, which posts were retained for local government officers. The unlawful blocking and unlawful termination of disabled employment was achieved by another "contrived redundancy" and during an HSE experiment with deliberate exposure to dangerous chemical and radioactive substances, contrary to my medical advice and subject to my complaints to the CEO of the Health and Safety Executive, Bootle, and complaints to HSE doctors, Dr Marsh and Dr Sen of the Health and Safety

Executive, Bootle, Merseyside. In fact these experiments on "disabled subgroups" were organised by the HSE. This duplicity was unbeknown to me at that time. Likewise the fate of other members of these "sub-groups" subject to these "experiments" needs police investigation.

The political sensitivity and the subsequent cover-up of these events is illustrated by the following facts which will be stated again in my updated application for judicial review of multiple breach of EC and Euratom directives by the UK member state ;-

+ a. The Deputy Leader of St Helens MBC and the Chairman of Governors of St Helens College, Cllr. Dave Watts was party to the blocking of my transfer rights, under European Directive 77/187/EEC and the Further and Higher Education Act 1992 ; Disabled Persons Employment Acts 1944 & 1958 and the Health and Safety at Work Act 1974 ; an automatic transfer to St Helens College existed under my contract of employment and European law protection of employment transfer directive 77/187/EEC. The employment rights were recognised in the administrative memoranda issued by the Department of Education & Science to Mr Mainwaring, the newly appointed Director of Community Education, St Helens MBC ; to Mr J W West, Principal of St Helens College and the same memoranda was issued to the Chancellor and Vice Chancellor, University of Liverpool and CEO of NHS Hospitals. Councillor Dave Watts subsequently became a Member of Parliament for St Helens and later the Parliamentary Private Secretary, PPS, to John Prescott, Deputy Prime Minister, to the Prime Minister Tony Blair. Please note that David Watts MP was not only a member of Parliament for St Helens but as PPS to John Prescott, he was also a member of the Executive.

+b. The Leader of St Helens MBC, Cllr Mrs Marie Rimmer, was a party to the decision blocking my automatic transfer to St Helens College under the Directive 77/187/EEC. A Council Leader acting unlawfully, under delegated powers of St Helens MBC and contrary to the policies, practices and procedures of St Helens MBC and contrary to my medical advice and contrary to various statutory complaints made at the time, under the Education Acts 1944, Health and Safety at Work Act 1974 and Disabled Persons Employment Acts 1944 and 1958. Behaviour by the Labour Leader, exhibiting Cllr Rimmer's political correctness, which attitude was conveyed to me by the Acting Director of Education, Mr Malcolm Roxburgh, that the Leader of the Council, Cllr Rimmer disapproved of my appointment as Governor of St Anselm's College an R.C. Grammar School, Birkenhead, a

Christian Brothers Foundation. I was educated at St Anselm's College, a grammar school which was disclosed on my application details when I joined St Helens MBC in 1975. Moreover, Education law provided for the re-entry of St Anselm's College to the state education system of Wirral MBC, a member of the Merseyside Integrated Development Operation, MIDO, receiving ESF and ERDF European Objective 1 & 2 Resources.

+c. The Department of Employment, who administered the disabled persons employment legislation and needed to be kept informed of change, advised taking Employment Tribunal proceedings in the Employment Tribunal, Liverpool, where the Department of Education & Science were joined in preliminary proceedings on the effect of European law on my contract of employment with St Helens MBC and its College of Further Education. Moreover, legal counsel Mr Moran, appointed by the Treasury Solicitor in HMG of Sir John Major, advised the Employment Tribunal Liverpool, that the behaviour of St Helens MBC in not transferring a disabled education officer to safe work but exposed that disabled person to infections and to predictable contact with dangerous chemical and radioactive substances in an unsuitable work location in St Helens MBC was criminal behaviour. This situation was further aggravated by continuous non disclosure by St Helens MBC before the Employment Tribunal of the dangerous chemical and radioactive substances known to pollute the St Helens canal and the polluted regeneration sites in St Helens MBC, which justified the European resources for regeneration and clean-up. The Employment Tribunal, Liverpool, in proceedings of many years duration, was good evidence of St Helens MBC non compliance with European law and non disclosure of dangerous chemical and radioactive pollution known to St Helens MBC because access was available with Directive 90/313/EEC. Legally qualified Chairman and the Employment Tribunal, Liverpool, was advised accordingly at regular intervals.

+d. Although proceedings in the Employment Tribunal Liverpool, were a defective legal and administrative process to enforce the "enforceable community rights of disabled employees" particularly their safety, pension and state entitlements, it was required by Department of Employment of a claimant already in receipt of Industrial Injuries Disablement Benefit till retirement age 65. Matters proceeded through English legal system, via, Judicial Committee of the House of Lords to European Court of Human Rights. The ECHR advised it was responsibility of European Commission to enforce European law in UK member state. European law concerned with health and safety and criminal sanctions for enforcement were available.

+e. The advice of trade union solicitors Thompson in this situation was that effective remedy was judicial review for enforcement of "enforceable Community rights" under European Communities Act 1972, but the trade union ASTMS did not do judicial review on behalf of their members ; ASTMS only do tribunal work, which demonstrates another aspect of the unenforceability of European employment law in UK and where ASTMS members are abandoned by the trade union movement. This long term legal activity undertaken by me has shown that even trade union representatives on UK Employment Tribunals fail to uphold the supremacy of European law on matters of health and safety. Union representatives on EAT include former Labour trade union boss, Lord Morris, subsequently elevated to the House of Lords. Furthermore, legally qualified Chairman of UK Employment Tribunals do not uphold the supremacy of European law either on matters of health and safety. Please note the lack of professional integrity of the Chairman Mr Homfrey of the Employment Tribunal, Liverpool, [Case No. 24826/93] who denied being handed a doctor's note by me, which was handed over in front of tribunal staff and solicitors. The doctor's note stated incontrovertible medical facts, that I was an out patient at the Royal Liverpool University NHS Teaching Hospital and that I was suffering the prescribed industrial disease Benzene, C<sub>6</sub>H<sub>6</sub>, poisoning. Solicitors and counsel in UK government service are in denial of EU citizen's "enforceable community rights under the European Communities Acts 1972". This widespread unprofessional behaviour leads to a defective administrative tribunal process and is a disciplinary matter and a restrictive practice condoned by the Law Society and by the Labour Minister of Justice which perverts the course of justice. The European Commission needs to take appropriate action against named solicitors and named counsel in the UK member state and against their professional bodies ;- the Law Society and the Bar Council.

+f. I understand that the Metropolitan Police has a particular responsibility for European law enforcement and for cooperation with other EU member states. This arises under the Corpus Juris introducing penal sanctions for the purpose of the financial interests of the European Union. See ISBN 2-7178-3344-7, translated by Professor Spencer, University of Cambridge. Furthermore, an instrument targeting fraud is Council Regulation [EC and Euratom] 2988/95 of 18 December 1995 on protection of the European Communities Financial Interests. Moreover, the Community power to protect European Environment was declared in the Court of Justice of the European Communities, Case C-176/03. See Times Law Report, 28 September 2005, "European rules must be effective, proportionate and the use of dissuasive



criminal penalties was an essential measure for combating serious environmental offences". There is substantive European law and English law which justifies my application for judicial review and for my complaints to the Metropolitan Police.

+g. CERRIE Minority Report 2004.

This report confirms reprisals and the threatening manner adopted by HMG to prevent unacceptable behaviour by public officials being exposed for appropriate sanctions. Minister Michael Meacher MP was sacked for publication of the CERRIE MINORITY REPORT 2004. The experimental medical activities on disabled "subgroups" by the Health and Safety Executive, Health protection Agency, the University of Liverpool and the Royal Liverpool NHS Teaching Hospitals are part of the unacceptable culture condoned by the General Medical Council and some senior members of the medical profession. In one notable example, these activities involved public officials causing the death from the poison, sarin, of the RAF National Serviceman Ronald Maddison at Porton Down. See publication, "Gassed" by Rob Evans, ISBN 1-84232-071-8. The unlawful death of Ronald Maddison was investigated by Wiltshire police. The deaths and disease of "disabled sub-groups" resulting from the non implementation of European law on health and safety needs a proper police investigation. The many deaths and resulting ill health of patients and workers requires participants in the experiments and victims of non disclosure to be identified and those responsible for abuse of human rights should be held to account. Activities causing death and disease should not be covered up and pervert the course of justice. Reprisals against scientists and researchers are described in the CERRIE MINORITY REPORT 2004 which require investigation.

+h. Other reprisals against whistleblowers are well documented. See\* Paul van Buitenen MEP, former auditor with European Commission, Brussels, fighting fraud in the European Community. ISBN 1-90230-146-3. Whistleblower Stanley Adams, See\* his publication, "Roche v Adams". ISBN 0 22402180 X. Adams blew the whistle on illicit trading practices in the multi-national drug company Hoffman-La Roche. Adam's wife, Marlene, was notified of state threats against her husband and committed suicide. See\* also the Introduction in Roche v Adams by Rt. Hon. The Lord Gardiner PC, CH, Lord Chancellor 1964-1970. Clearly these criminal matters are continuing and require police investigation. People responsible for avoidable deaths, disease, injury, fraud and cover-up should be held to account when law exists.

+i. Product Liability. Benzene, C<sub>6</sub>H<sub>6</sub> and Shell products causing a known prescribed industrial disease, PD.7 :- Special Boiling Point, SBP solvents, gasolines, and a wide range of petroleum products, pesticides, agricultural chemicals, printing inks, all products made with dangerous "active" chemicals specified in the Directive 67/548/EEC, usually contained in benzene and homologue solvents. Please note the following :-

\*See, International Programme On Chemical Safety. Environmental Health Criteria 150. Benzene. World Health Organisation. ISBN 92 4 157150 0. WHO Geneva. 1993. A World Health Organisation Report which contains the collected views of an international group of experts. An authoritative study dealing with sources of human and environmental exposure. Metabolism, reproductive toxicity, mutagenicity, etc, etc. Effects on humans and evaluation of human health risks.

\*See, EC Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the EU Member States concerning liability for defective products.

\*See H M Factory Inspectorate Booklet No. 4. Benzene : Toluene and Xylene : Styrene. HMSO 1966.

\*See, Shell Research Ltd, IRR 385, April 1967. author, D C White et al. "An investigation into the potential toxicity hazard of gasolines containing high concentration of benzene". The results show clearly the real dangers to the public of contact with dangerous concentrations of benzene C<sub>6</sub>H<sub>6</sub>, that is over 7ppm, while re-fuelling cars with petrol. Benzene is cumulative in its toxic effects, crosses the placenta and gives rise to chronic poisoning which causes death and disease. This Shell report was notified to Minister Ben Bradshaw MP, Local Environmental Quality Minister, DEFRA and to Dr Alister Vale, National Poisons Information Service, City Hospital, Birmingham, BH18 7QH. Also, Shell Report IRR 385 supplied to the University of Liverpool and the Royal Liverpool University Hospital to be included in my medical records and made available for the benefit of a driver of a petrol tanker delivering petrol to UK garages, who was suffering a toxic anaemia treated by the Royal Liverpool University Teaching Hospital. Shell IRR 385 Report supplied to QBD, high court, London and to the District Court, Family Division, Derby Square, Liverpool, for consideration in legal proceedings.

\*See also, the research of Professor C. R. Richet, Nobel Prizeman in

Physiology/Medicine, 1913 for research on Allergy, Anaphylaxis and Antihistamines. John Wiley & Sons, New York. Publication "Serendipity" by Professor Royston M Roberts. ISBN 0-471-60203-5.

N.B. Allergy and sensitivity induced by industrial poisoning causes a danger of death in any subsequent poisoning events. The "experiments" by the Health and Safety Executive and the University of Liverpool reported in the British Journal of Haematology by HSE and Dr David Galvani et al were reckless and irresponsible with regard to my health and safety and the known risks to my health. Obviously, this resulting disabling condition was the reason I could not pursue my career as a research engineer.

Please note the reckless legal advice given to my former wife, Mrs A M Featherstone by her solicitor Cheesman, North John Street, Liverpool and of Counsel Kevin Reade in the Liverpool District Court, Family Division, before HHJ Roddy & HHJ Smith. Incitement to cause harm and abuse of a disabled husband and contradiction of European law was held "reasonable" by the District Court, Family Division, Liverpool. The transcript of the complete hearing is withheld. Prior to commencement of divorce proceedings the District Court, Liverpool, was notified of incorrect legal advice concerning specific EC directives concerned with health, safety and employment which applied to the defendant disabled spouse.

+j. Doctors, Lawyers, Toxicity and European law. Please see the letter enclosed, dated 23 March 2000 from Dr Martin Wilks, Consultant Toxicologist, Guy's & St Thomas' Hospital, London. Doctors can turn a blind eye to cases of poisoning, particularly industrial poisoning and carry out no proper investigation of a poisoning event. Adoption of Dr Shipman's approach, turns the UK National Insurance Industrial Injuries Legislation into a Ponzi scheme. While saving the public purse, negligent and dishonest doctors are depriving and defrauding patients of their entitlements and their safety.

The freedom of access to environmental information in Europe, Council Directive 90/313/EEC of 7 June 1990 is enforceable by judicial review. The question now arises whether the Queens Bench Division of the High Court, London, will comply with repeated requests for judicial review in cases of avoidable death and disease arising out of UK non compliance with European law. There is a case to be stated of incitement to cause harm by solicitor and counsel in the Liverpool District Court Family Division, before HJJ Roddy and HJJ Smith where court transcript is withheld.

The death of Russian emigre Alexander Litvinenko was investigated by the

police. I understand that polonium 210 poisoning was considered by a lady doctor in NHS where subsequently disagreement and conflict of evidence emerged in matters brought before the General Medical Council. However, the deaths from leukaemia of two pupils attending Neston County High School, South Wirral, a school close to the BNFL/URENCO Capenhurst uranium fuel enrichment plant, was investigated by sixth form pupil Robert Lake in his report "A survey of alpha-radioactivity in the Neston area". Robert Lake considered Radon to be a factor although Wirral is not a Radon area. There are other factors, besides Radon, to be considered when investigating causes of death from leukaemia. The effects of environmental pollution of radionuclides from the BNFL nuclear plant and benzene from nearby Shell Stanlow Refinery are circumstances to be considered. Both these industrial sites are close to the school where the two pupils died and emit man made pollutants known to be carcinogenic. The question arises why these factors were not taken into account in the investigation of these two deaths. This matter was raised at a Stakeholder Meeting in Capenhurst CE Primary School, attended by the Chief Constable, Cheshire Constabulary and by the Health Protection Team, Countess of Chester Health Park. Other deaths raised with Cheshire Police was the death of a child sniffing petrol reported on BBC News. Shell Report IRR 385, April 1967 is clearly relevant to this death where no warning of toxic danger is given for petrol.

+k. UK Courts and Administrative Tribunals.

Breach of EU Treaty Obligations by the UK member state, European Communities Act 1972 and multiple breach of EC Duty to transpose EC directives and Euratom directives on matters of health and safety into UK domestic law creates not only defective domestic legislation but also produces a defective legal process as well as a defective investigative process. The rule of law applies to all especially those persons who take an oath to uphold the law.

Moreover, danger occurs in the prosecution of parents, or, child minders for murder of children in their care when other factors such as an unborn child's exposure to dangerous chemicals, benzene in petrol which crosses the placenta, or, radioactive substances damaging the unborn, which should be considered by police and "forensic experts" in medicine, law and toxicology.

There is judicial failure to comply with the judicial oath taken by all UK judges to uphold the law, including European law ; judicial failure to use Article 234



reference to the European Court of Justice on matters of European law and judicial failure to interpret legislation to give effect to the objectives of European law.

This state of affairs arises due to a constitutionally dubious and procedurally improper manner taking place in both Houses of Parliament enacting defective legislation and in subsequent judicial reasoning in UK courts. A clear breach of EU Treaty Obligations by the UK member state. The Equitable Life Assurance scandal is just one result.

In Ireland for example, an EC directive is incorporated directly into domestic law, while in the UK the matter of transposition of European directives into UK domestic law can be taken up to the House of Lords, thus delaying the effectiveness of European law directives for many years. The Article 234 reference procedure is avoided by Ministers, their lawyers and UK judiciary.

This appears to be happening again in the Georgina Downs application for judicial review of a single EC directive, 91/414/EEC affecting health and safety aspects of European law which has resulted in a decision of QBD high court. This decision is being appealed by the UK minister of state, DEFRA, whereas, Article 234 reference to ECJ, seems a more appropriate action for guidance.

Yours sincerely,

James A Featherstone  
European Citizens Petitioner No. 63/93.



Enclosures :-

1. Copy of a letter, dated 23 March 2000 to JAF from Dr Martin Wilks, Consultant Toxicologist, Guy's Hospital, Medical Toxicology Clinic, London.
2. Copy of a DEFRA letter, dated 12 March 2008 to JAF concerning UK failure to implement Council Directive 96/29/Euratom.
3. Copy of letter, dated 27 February 2009 to JAF from the National Fraud Strategic Authority stating that the NFSA does not have a remit over the application of European law.

# **Guy's & St Thomas'**

**HOSPITAL TRUST**

## **GUY'S HOSPITAL MEDICAL TOXICOLOGY CLINIC**

**Dr G N Volans BSc MD FRCP Director**  
**Dr V Murray MSc FFOM Consultant**  
**Dr A Jones BSc MD FRCPE Consultant**  
**Dr K Gupta MD MRCPsych Consultant**  
**Dr M Wilks MD PhD Consultant**  
**Dr R O'Flynn MRCPsych Honorary Consultant**  
J Bradley Secretary

2<sup>nd</sup> Floor, Thomas Guy House,  
St Thomas Street, London SE1 9RT  
Tel: 0171 955 5000 ext. 5696  
Fax: 0171 955 2319

### **Medical Toxicology Clinic:**

MW/VC

23 March 2000

Mr James A Featherstone  
"Cawdy"  
St Bridgets Lane  
West Kirby  
Wirral, CH48 3JT

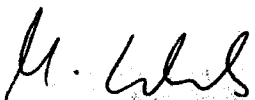
Dear Mr Featherstone

Thank you for your letter dated 10 March 2000 with the relevant enclosures.

As I understand it you would like us to obtain information from your employer regarding dangerous chemical substances which you may have been exposed to in the past. Unfortunately this is not something that our Unit can do. Firstly we can only act on instruction of medical practitioners and secondly we have no powers to obtain disclosure of such information from employers or other sources. I would therefore suggest that you contact your legal advisor for the way forward in this particular matter.

I am regrettably unable to be more helpful.

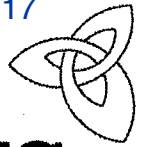
Yours sincerely

  
**Dr Martin Wilks**  
**Consultant Toxicologist**

...continued...

**James A FEATHERSTONE**

Copy to:  
Dr V J Martlew  
Consultant Haematologist  
Royal Liverpool University Hospitals  
Prescot Street  
Liverpool, L7 8XP



**defra**  
Department for Environment  
Food and Rural Affairs

Area 4C  
Ergon House  
Horseferry Road  
London  
SW1P 2AL

James A Featherstone Esq  
Cawdy  
St Bridgets Lane  
West Kirby  
Wirral  
CH48 3JT

**Your ref:**

**Our ref:**

**Date:** 12 March 2008

Dear Mr Featherstone

**Re: Council Directive 96/29/Euratom and SIs 2006/1379 and 2007/3245**

Thank you for your letter of 10 March about the above statutory instruments.

As requested, please find enclosed a copy of the associated explanatory memorandum for these statutory instruments which contain both the Transposition Note and Regulatory Impact Assessment.

The UK believed that it had fully transposed Articles 48 and 53 of the Directive. However, a small loophole – albeit one that has been technically difficult to resolve – was only identified after the due date for transposition.

Yours sincerely

Fiona Shand  
Radioactive Substances Division

**Direct line:** 020 7238 1733

**Email:** [fiona.shand@defra.gsi.gov.uk](mailto:fiona.shand@defra.gsi.gov.uk)





## National Fraud Strategic Authority

J A Featherstone Esq  
Cawdy  
St Bridget's Lane  
West Kirby  
Wirral  
CH48 3JT

26-28 Old Queen Street  
London SW1H 9HP  
[www.attorneygeneral.gov.uk/nfsa](http://www.attorneygeneral.gov.uk/nfsa)

T 020 7210 1150  
F 020 7210 1154  
E [stephen.low@attorneygeneral.gsi.gov.uk](mailto:stephen.low@attorneygeneral.gsi.gov.uk)

27 February 2009

Dear Mr Featherstone

### European Law

I write in reply to your letter of 2 December 2008 and I apologise for my oversight in not replying earlier.

The NFSA's remit is to develop and manage the national fraud strategy in the UK and to take forward the recommendations of the Fraud Review. The NFSA does not have a remit over the application of European Law. I regret I am unable to assist you further in this matter.

Yours sincerely

Stephen Low