

[Skip to Navigation](#)

- [Back To TPUC.ORG](#)

John Harris - Public Defender (founder of TPUC) stands up for our Constitutional Law

John Harris – A Public Defender

As the founder of TPUC and first Public Defender I will now show you how I stood up for our Constitutional Law and our Rights by defeating Drakes Bailiffs and a Magistrate Court over a fixed penalty fine.

On Thursday 16th November 2006 I was given a fixed penalty fine for talking on my mobile phone whilst driving by Thames Valley Police. After refusing to pay and asking for a trial to present my case, I heard no more from the police or the court service.

On the morning of Wednesday 13 June 2007 (some 7 months later) Gillian Wood a Bailiff with Drakes Bailiffs (Acting of behalf of HMCS Hertfordshire Magistrate Court) came to my house and knocked on my front door.

On greeting her with a bemused look I asked her what she wanted to which she replied 'I have a [Notice of Distress](#) from HMCS Hertfordshire requiring you to pay £290 for an un-paid fine' to which I replied 'oh the fine for talking on my phone for £30' she replied 'you were fined on the 16th November 2006 and if that is the only one you recall that must be it'. So the conversation went on.

I first queried the amount she was asking for, being a massive jump from £30 to £290, of which she replied 'it was all costs that had amounted since I had been tried by HMCS Hertfordshire Magistrates Court and found guilty of none payment'. I then enquired what she thought she would do if I refused to pay, to which she replied 'I will enter your house and remove goods to the effect of the sum owed and take them away to be auctioned to meets the cost of the fine', of which if she informed me 'would increase the amount owed by me to £420'. So I said quite nicely 'you are not entering my house as you have no right to' to which she informed me 'Ok then I will take your van' to which I replied 'my van is worth about £5000 that's a bit excessive don't you think' after which she parked her own van in front of mine so it could not be moved.

So after a while of standing by her van talking to her, trying to explain to her in vain that she had no legal right to enter my house or take my van, she decided to ring the Police, who promptly turned up after about 3 minutes.

My first question to the first Police officer a PC 343 P.M. Mowbury was 'how come you got here so quickly and why did you attend so promptly? He replied 'because the Bailiff said you had threatened her'. To this I replied 'firstly that is something I did not do' and secondly 'I now see the Police as being nothing more than backup to a legalized mafia trying to extort money for fines that are not legal in the first place' I also reminded officers PC 343 P.M

Mowbray and PC 203 (A. Pavely) that they were failing in their duty to protect my property which was their duty under Constitutional Law. They then totally ignored me and turned their attention to the bailiff Gillian Wood who explained to them that she wanted to seize my van.

Once they had finished their conversation the Police Officers turned their attention back to me and I was told very abruptly by PC Mowbray to allow the bailiff to remove my vehicle and not to hinder her as I would be arrested. What I would like to point out here is my van had over £10,000 worth of tools in it, as I am a Carpenter and I simply enquired of PC Mowbray 'who would be responsible for the security of my tools'. To which he replied 'stop avoiding the issue and delaying the bailiff and get your F***** tools removed from the van. Also I would like to say that even though PC Pavely was confused about how she should conduct herself within the law, at no time was she abusive to me in any way.

The Bailiff then called her office for a lorry to come and remove my vehicle, after my son and I removed my tools under protest. The lorry came from Drakes group depot at Phoenix Wharf, Towpath Road, London and removed my van to their yard. The bailiff left quite soon after that.

I then set about getting my vehicle back by firstly ringing the so called HMCS Hertfordshire Magistrates Court, of which I found to my amazement does not actually exist. After numerous phone calls and going around the houses for an hour, I finally found someone who could help at Stevenage Magistrates court. The lady I spoke to advised me to call Watford magistrates Court, for they would be able to deal with my query. I did not call I went directly to them and asked the lady on the reception for a Statutory Declaration. After a short glum look from this lady on reception, she made a phone call and said I would have to go to Hemel Hempstead Magistrates Court to apply for the Statutory Declaration, but I could not do it until Friday 15 June 2007, so I thanked her and left.

On Friday 15 June at 10.00am I turned up at HHMC and asked the receptionist for the forms to be able to apply for a Statutory Declaration and I must say the lady by the name of Jean, on the reception, was incredibly helpful. After about 20 minutes they finally found the forms I needed so I set about filling them in, only to be told 1 hour later that the form I had just filled in was the wrong one and I needed to fill in another. So I obliged and filled the form in again and this is what I wrote.

1. Under the Bill of Rights 1689 section 2 clause 12 it was illegal in the first place to give me a fixed penalty fine before presenting me in a court of law so the fine is not valid.
2. The Court Service broke Common Law (Constitutional Law) by not allowing me a chance to defend myself and for failing to notifying me that I was to be tried in front of a court.
3. How could I be tried in front of a court that does not exist and does not have a physical place of being, so how could I be called in front of this court in the first place?
4. The Court Service is in failure of my rights as I was not notified of a case against me, nor did they ever notify me of their intent. They also failed to allow me to defend myself against the fine which is my right.
5. The Bailiff acted unlawfully by removing my van which was excessive considering the amount of the original fine, which means the forfeiture that was forced upon me by the Police and the Bailiff was in direct contravention of the Bill of Rights 1689 and in result unlawful.
6. The Police failed in their duty to protect my property and to serve and protect said property and myself as an English subject protected under Constitutional law.
7. How can it be lawful that a court that does not exist can issue a Notice of Distress against me?

8. How can it be lawful that a Bailiff can carry out a Notice of Distress when it has been issued from a court of law that has no being? So in fact this has been issued unlawfully and under false pretenses?

After filling out the Statutory Declaration I sat and waited to go in front of a magistrate which happened some minutes later. On entering the court I was asked to stand in the witness box and was not even asked why I was submitting a Statutory Declaration. The Usher took my Declaration from me and handed it to the Magistrate (Ms B Mouli), who read through what I had written. After a short space of time Ms Mouli looked at me, then looked at the Statutory Declaration presented to her and done no more than just signed it. Not a word was spoken by me, the usher or any of the Magistrates and the whole process took no more than 3 minutes.

After leaving the court I headed home and instantly rang Drakes Bailiffs to inform them of what I had just done, to which they replied they had just received a fax from HHMC telling them to release my van as payment was no longer due.

As you can see from the date this all started it is now quite a while ago and still till this day I have never heard from the Court about the original £30 fine and nor have I ever paid it.

The truth of the matter is this, if I had been given my rights in the first place and I had been allowed to defend my self in a real court of law, I could have defeated the fixed penalty fine with the use of the Bill of Rights 1689 alone. But because of a mere lack of memory about the fine in the first place, and a subsequent stroke of luck in having a bad memory concerning the fine, I was able to prove so much more.

Most of what I wrote down on the Statutory Declaration had no significance what so ever in fighting against the fixed penalty fine imposed on me, the only point I needed to write down was the fact it was invalid in the first place and directly contravened my rights in law, laid down by one of the most powerful documents, that forms part of our Constitutional Law namely the Bill of Rights 1689.

What this did serve to prove is how this so called Lawful Court broke every right I have and are quite prepared to do this to people who do not understand they have Constitutional Law to protect them. It also proved that Drakes Bailiffs are nothing more than legalised mafia preying on people who, through no fault of their own, do not think they can defend themselves, when presented by these people, who are nothing more than bullies and the Police are quite happy to act as their personal body guards, responding to a Bailiffs lies, rather than fighting real crime on the streets.

In reality Gillian Wood should have been charged with wasting Police time, as the lie she used to get the Police their in the first place were completely unfounded, for at no time was I questioned, or was the matter mentioned about my so called threats to her person and nor did Gillian Wood ever mention it to the Police. If that was the reason the Police responded in the first place, then why was I not questioned about it? And why was there no report filed about the matter.

I set up TPUC to allow the people of England to understand they have birthright laws that are there to protect them. People like Drakes Bailiffs, the Police and the Courts can not do as they please and they must at all times act within the constraint of the Law, Constitutional Law, our birthright Law, Law that supersedes any Law this Treasonous Government has implemented.



- [Email this page](#)
- [Printer-friendly version](#)

Today's recent popular content

['Blair covering up...](#) (72,598)

[People who are refusing to pay](#) (9,825)

[Hall of Shame](#) (5,205)

[Bribery, Corruption and Fraud at...](#) (4,803)

[What does Article 61 \(Lawful...](#) (4,116)

Recently Emailed

[What does Article 61 \(Lawful...](#)

[Don't read this NWO](#)

[My use of NO CONTRACT - RETURN...](#)

[Dead Beat Dads try the name...](#)

[The contract called the Treaty...](#)

Hall of Shame

[NEWCASTLE CITY COUNCIL](#)

[Gateshead Council](#)

[Traffic Penalty Tribunal](#)

[NOTTINGHAM CITY COUNCIL](#)

[NORTHAMPTONSHIRE POLICE AUTHORITY](#)

[more](#)