

The Cat Is Out Of The Bag

Roger Hayes

This article is a continuation of the non-payment of council tax saga... now in its 3rd year.

The story so far: The council have demanded council tax from me, which I have refused to pay for 3 years - on the grounds that there is no lawfully enforceable contract between me (Roger Hayes) and the council. The council is refusing to provide me with a lawful contract because they think they have the right to demand that I pay council tax... which they do not. I am happy to pay my council tax - but only when the Council has agreed to provide me with a lawful contract... this is my right. The benefit of a contract is that it makes the council agree terms and conditions with me and prevents them acting in an arbitrary fashion i.e. it brings power back to the people.

The fact is that the council has no right to demand council tax from me (Roger Hayes) - but they DO have the right to demand it from the legal fiction MR ROGER HAYES... but that isn't me. If readers are not familiar with the legal fiction - please refer to

previous articles or the UK Column web site www.ukcolumn.org.

On the 11th January 2011 in the county court of Birkenhead, in front of witnesses, the court conceded to the right of Roger Hayes to act as 'third party representative' for MR ROGER HAYES. In essence the court agreed that they they were two entirely separate entities. This is an extraordinary development to put it very mildly.

The court did not however concede without putting up a very vigorous fight... this is how events unfolded in the court room.

Judge: Can we first find out who is in the court... is MR ROGER HAYES in the court?

Me: Sir, I am third party representative for MR ROGER HAYES.

Judge: Are you MR ROGER HAYES?

Me: No sir, I am the third party representative for MR ROGER HAYES... you may address me as Roger.

Judge: I will not address you as Roger, I will call you MR HAYES

Me: Sir, I am not MR

HAYES, the court is required to address me as I request and I request that you address me as Roger. (NOTE - court protocol dictates that a defendant or respondent can be addressed the way they choose - the Judge then referred to me as 'the gentleman' but avoided referring to me as MR HAYES).

Judge: If you are not MR ROGER HAYES then I will take note that MR ROGER HAYES is not represented in court.

Me: In that case sir, you will have to also note that the council is not represented in court.

(NOTE. This would mean that the case would have to be dismissed, finding for the defendant, because the plaintiff had not appeared)

Judge: I can see that that the council has representation in the court.

Me: Then you will have to acknowledge that MR ROGER HAYES has representation in the court. We are all equal in the eyes of the law... if council has third party representation then so does MR ROGER HAYES. The council is a corporation and so is MR ROGER HAYES.

Judge: MR ROGER HAYES is

not a corporation.

Me: Yes it is.

Judge: No it isn't, it is a PERSON.

Me: A PERSON is a corporation.

Judge: No it isn't.

Me: Define person.

Judge: I don't have to.

Me: Then let me do it for you sir. A PERSON is a corporation (NOTE: This is defined in a law dictionary)

Sir, are you familiar with the Cestui Que Vie Act of 1666?

Judge: I am familiar with many laws.

Me: Sir, I asked if you were familiar with the Cestui Que Vie Act of 1666, if you are not Sir, then with respect you are not competent to judge in this matter and that gives rise to a claim of denial of due process.

Judge: Let's hear from the council.

Me: Sir we can only move on to the council's presentation when the court has confirmed that MR ROGER HAYES is represented in court.

Judge: Fine.

And the case continued... with me (Roger Hayes) acting as third party representative for the

legal fiction MR ROGER HAYES and with the judge eventually telling the council to go away and prove its case. The Judge was obviously very keen to avoid a charge of denial of due process i.e. a challenge to his competence. It was much easier for him to side with me and pass the buck back to the council. Smart judge.

So what does this all mean? Well In very simple terms, it is SEISMIC i.e. extremely significant. It means that the court has accepted that the council's claim is against the legal fiction MR ROGER HAYES and not me the flesh and blood man Roger Hayes. The court has also accepted that I (Roger Hayes) can act as a third party representative to defend the claim against MR ROGER HAYES.

The legal fiction cat is now truly out of the bag (although for me this is the second time I have achieved this in court). If the council goes on to win its case, then the court will find against the legal fiction MR ROGER HAYES, but significantly, they will not have found against me Roger Hayes... because as the court agrees... MR ROGER HAYES is a corporation... which isn't me. One important thing is now clearly established - I, Roger Hayes, am not liable for council tax. AND NEITHER ARE YOU.