

John,

12th June 2008

This is the 'dossier' I referred to.

I have recommended rights changes

1. To ~~insert~~ ^{add} the Charter of Liberties (which preceded Magna Carta)

2. To leave the Declaration of Rights, but remove 'Bill of Rights', since it is statute law + can be altered, whereas the

Declaration of Rights is outside
parliamentary control.

I'd like to discuss

David



FREEDOM and LIBERTY
Under Britain's Laws

OR

FOREIGN CONTROL
Under European Laws

(I)

IN A NUTSHELL – MAKE YOUR OWN CHOICE ON YOUR COUNTRY'S FUTURE – BRITAIN IS ON THE BRINK

A STATEMENT OF FACTS AND QUESTIONS ABOUT THE BRITISH CONSTITUTION AND THE EUROPEAN UNION
TO PUT OUR PEOPLE IN THE PICTURE – OUR AIM IS EDUCATIONAL

At the moment the United Kingdom is still an independent country. Its people are still called British. The British people have been living in freedom under their own written laws for nearly 800 years. Isn't it time for these laws to be taught in our schools and universities? Our laws are based on a written Constitution founded on:

- AD 871 - Common Law codified by King Alfred the Great
- AD 973 - Coronation Oath of the Sovereign, who promises to uphold the people's laws and customs
- AD 1215 - Magna Carta (The Great Charter) affirmed the people's liberties and Common Law. Parliament has no constitutional power to amend or repeal the fundamental Common Law basis of Magna Carta and the British Constitution.
- AD 1688-1701 – The Declaration of Right, Bill of Rights and Act of Settlement reaffirm the fundamental rules and principles that the British people have chosen to live by and are part of the British Constitution. The Sovereign, the Courts, Parliament and the Civil Service are bound to uphold British Rights and Liberties as embodied in the British Constitution.

The United Kingdom's Sovereign Head of State is Her Majesty The Queen. The British people gave to Her Majesty at her Coronation the right on their behalf to give *consent* or *refusal* to Acts of Parliament proposed by Her Government. Her Majesty The Queen and all Members of the Government have sworn oaths to uphold the British Constitution which states 'That no foreign prince, person, prelate, state, or potentate hath, or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm'.

Why therefore are our leaders wishing to ratify the Lisbon treaty on the European Constitution which will hand over jurisdiction and control of Britain to the European Union – a foreign power? This breaks their oaths and would seem to be an act of treason.

Do you realise that if our Government ratifies the new Treaty on the European Constitution that eventually the suggested published plan by the EU is for Britain to cease to exist, becoming twelve regions within the EU?



FREEDOM and LIBERTY
Under Britain's Laws

OR

FOREIGN CONTROL
Under European Laws

There appears to be a disturbing undercurrent within Britain that would illegally set aside our written Constitution, which embodies our individual and national freedoms. Surely our elected government should alert us that ratification of the Lisbon Treaty will destroy the British Constitution. Our national free press could also consider providing true factual support if they have the best interests in their hearts for Britain's people.

Do the British people wish to be part of the EU supranational state, or to be a free Britain whose successful, self-governing people have friendly trading relations with the whole world? It is still your own choice.



What will you tell your children and grandchildren when they ask what you did in 2008 to protect their Liberty and Freedom?

IF YOU WISH – IT IS 'YOUR OWN CHOICE' – YOU MAY CONTACT AND URGE YOUR MP TO REJECT THE EU'S LISBON 'CONSTITUTION' TREATY.

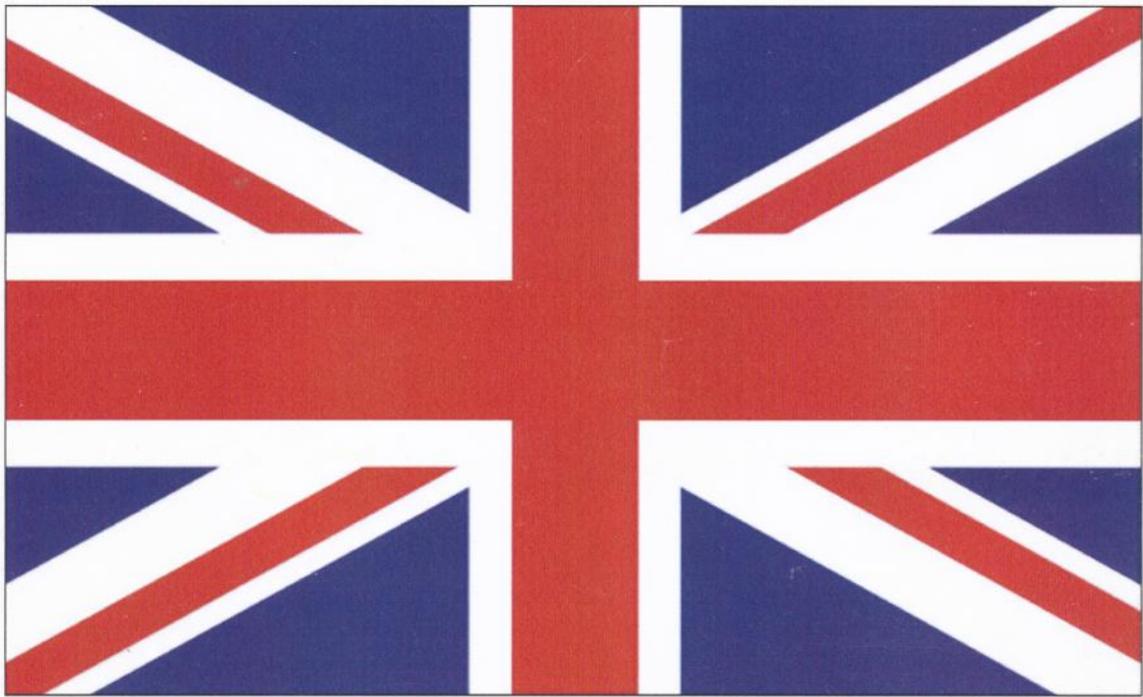
SHOULD THIS TREATY BE RATIFIED AND THEREBY BREAK THE BRITISH CONSTITUTION, THE PEOPLE OF BRITAIN HAVE A LEGAL RIGHT UNDER THE BRITISH CONSTITUTION TO PETITION HER MAJESTY THE QUEEN FOR REDRESS. IF YOU WISH TO JOIN THE PETITION FOR REDRESS, PLEASE REGISTER YOUR NAME FOR THE PETITION BY EMAILING yournchoiceuk@comcast.net WITH YOUR NAME AND POST CODE.

FOR MORE DETAILED INFORMATION PLEASE VIEW www.britsattheirbest.com.

YOU MAY REPRINT 'THE NUTSHELL'

PLEASE PASS THIS ON TO FRIENDS

FREEDOM and **LIBERTY**



OR

FOREIGN CONTROL

MAKE YOUR OWN CHOICE

OUR AIM IS EDUCATIONAL

FREEDOM AND LIBERTY

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Sovereignty**

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The Nutshell provides you with a vital overview of the constitutional basis for your rights and liberties.

Subsequent sections in this dossier suggest how those rights and liberties are being affected.

(II)

Britain and the European Union. From the Brits at their Best website:
http://www.britsattheirbest.com/freedom/f_your_own_choice.htm

Make Your Own Choice

Britain on the Brink

To put the people in the picture - our aim is educational.

YOUR OWN CHOICE is a group of patriotic volunteers who are dedicated to explaining the historic independence and freedom that belong to the British people in covenant with their Sovereign and under the rule of Common Law.

We realise that because of their distrust of politicians and their lack of interest in the subject, due mainly to misinformation and confusing facts, many British people are unaware that the future of their Liberty and their Country is in their own hands. We believe that the British people must have a full and proper understanding of the Constitutional issues involved in Britain's membership of the European Union. Isn't this simple common sense? Our people must be trusted to make up their own minds on such a fundamental decision as Britain's permanent incorporation into the EU superstate.

We will explain the source of our constitutional rights and liberties and what the government's policy toward the European Union will mean for you and for your children so that you can make your own choice. You will see

- 1) The Primary Sources of the British Constitution and Liberty**
- 2) Your Sovereign's Constitutional Covenant with You**
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Please read our information and then make your own choice. If you already feel fully informed about the British Constitution, Common Law, the Coronation Oath, and the European Union, you may wish to proceed to 5) Our Proposal, Your Own Choice. There we make an interesting proposition to every reader.

Our Sovereign Liberty is founded in history and in law

1) THE PRIMARY SOURCES OF THE BRITISH CONSTITUTION AND OUR LIBERTY

Our freedoms existed before Parliament. They flow from Common Law, Magna Carta, and our Constitutional Covenants with our Monarch.

- The British people developed Common Law to settle their differences peacefully and fairly. King Alfred the Great (AD 871- 899) codified Common Law, thereby helping to establish the constitutional basis of British freedoms.
- In AD 1215, Magna Carta, the Great Charter, set out the people's liberties and rights under Common Law. These liberties were confirmed as the people's birthright long before Parliament existed. They include the right to trial by jury and the right to have a voice in determining taxation. In 1297 the Model Parliament confirmed Magna Carta in statute law. Since then Magna Carta has been re-confirmed many times.
- Parliament has no Constitutional power to amend or repeal the fundamental common law basis of Magna Carta, albeit it has amended or repealed many clauses in statute laws. Magna Carta remains in force to this day and is a principal part of the British Constitution. Sir Winston Churchill said about it, "In subsequent ages when the state swollen with its own authority has attempted to ride roughshod over the rights and liberties of the people it is to this doctrine that appeal has again and again been made and never as yet without success".
- Magna Carta is the foundation of our liberty. It takes the power of enforcement away from the state and secures it to the people. It does this by mandating the right to trial by jury.
- Our Common Law is ultimately superior to the statute law created by Parliament. A jury always has the right which is to give a *not guilty* verdict even if it runs counter to the interpretation or logic of statute law. Thus the people have the power to decide that a law is unjust and overturn it. The jury also ensures that the punishment fits the crime. The power of the state is thus limited so that statute law

cannot become tyrannical. This is one of the Constitutional mechanisms that have defended our liberty for nearly 800 years. The true importance of jury trial is that it limits the power of the state by giving the people the power of enforcement. By this means the British people have successfully inhibited tyranny and despotism.

- That the Common Law is the Birthright of the people and may never be taken away is recorded in the Act of Settlement 1701.
- The principles of Magna Carta, Common Law, the Declaration of Right, the Coronation Oath and the Act of Settlement are all *written* parts of the British Constitution. They describe the fundamental rules and principles that the British people have chosen to live by.
- The Sovereign, the Courts, Parliament, and the Civil Service are all bound to uphold British rights and liberties as embodied in Magna Carta, Common Law, the Declaration of Right, the Coronation Oath and the Act of Settlement. This is what we mean when we say we are a sovereign country ruled by law, not by personality or personal whim, not by politics, and *not by any other nation-state*.
- 'The rule of law' means that laws are known and declared beforehand so that the actions of an individual or the State that contravene the law can be challenged and redressed.
- The ultimate consequence of the rule of law is the power of the courts or juries to declare that unconstitutional law is void.
- Constitutionally and traditionally, the House of Lords is the High Court of Parliament, and is the supreme and ultimate Court. In the 17th century the Lord Chief Justice ruled that the authorities could not pressure a jury and that juries have an inalienable right to freely decide guilt and innocence.

2) THE COVENANT BETWEEN YOUR SOVEREIGN AND YOU

When Queen Elizabeth II swore her Coronation Oath she contracted to govern us according to our laws and customs and promised that "I will cause law and justice in mercy to be used in all my judgments". Politicians would like you to believe that the Coronation Oath is just dramatic spectacle, but the Coronation Oath is made between

you and the Sovereign and confirms that 'we have a constitutionally limited Monarchy' under the rule of Common and Statute Law.

Our history makes this clear -

- In AD 973, Edgar the Peaceful took the first Coronation Oath, as have all his successors. The Oath is a Covenant between the Monarch and the people, and calls on the Sovereign to protect the people's Common Law and to promote justice, peace, equity, and mercy.
- In 1689, William and Mary accepted the people's Declaration of Right, coupled with the changes to the Coronation Oath. These limited the powers of the Crown and completed the settlement of the Glorious Revolution. The Oath became an undoubted and express contract for the governing of Britain and took place not between Parliament and the Crown but between the people and the Crown. The Covenant between the people and Monarch is made for the duration of His or Her Reign.
- It is the Sovereign's duty to ensure redress and remedy and to protect the people. Should a breach of the Constitution arise through mishap or mischief it must be recognised as misgovernance and declared unconstitutional. The Monarch's grant of Royal Assent empowers an Act. The Sovereign has a Constitutional duty to refuse the Royal Assent to any unconstitutional proposals from wherever they may arise, even from Parliament.
- The Glorious Revolution of 1688/89 confirmed the principle that in Britain's Constitution the power of the Common Law is the supreme authority, *not* the Crown and *not* Parliament, *not* any politician, and *not* any other nation state or transnational organisation. The Sovereign is the defender of the law.
- The Declaration of Right 1689 states 'That no foreign prince, person, prelate, state, or potentate hath, or ought to have any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm'. According to the British Constitution, to give the EU authority over the British people is unconstitutional.
- The Sovereign has the constitutional power to call His or Her Parliament or to dissolve and call a General Election, then to appoint a Prime Minister who is charged

to form a Government to advise the Crown on policy. The 'Crown in Parliament' is said to be 'Sovereign'.

- The House of Lords and House of Commons are principally advisory in their constitutional capacity of law making. They publish, debate and decide upon the context and content of bills. A bill is of no force or effect until it is enacted by the Monarch, granting Royal Assent. The Sovereign power is vested in the institution of the Crown, constrained by the rule of our constitutional laws. The Prime Minister is no more than the leading advisor to the Sovereign.
- The Prime Minister and all Members of both Houses of Parliament are required to swear the oath of allegiance to the Sovereign to serve the Crown before they can be part of the legislative process. Consequently Parliament is bound not to adopt any legislation that would breach the British Constitution. MPs are subject to the law; the Coronation Oath is part of that law. It is a constitutional contract for the defence of every British subject's Liberty. The defence of Liberty should therefore be *the* public policy. As Liberty has also made us prosperous, it is a practical policy. The primary public charge of our MPs is the defence of the individual subject's Liberty.
- Constitutionally MPs are not delegates of a political party but representatives of their constituencies and the British people. The public trust is that they should represent the will of their constituents with the freedom of their consciences but always in accordance with the British Constitution. Thus the Liberty of the subject must always be upheld by Parliament.
- The opening words of every Act of Parliament and the Declaration of Right confirm that the Monarch is not subject to any foreign power.
- By definition sovereignty is indivisible. It must remain free from external control and interference. To remove sovereignty from the Crown is to undermine the Liberty of the people and is unconstitutional.
- A referendum could never legitimize the diminution or destruction of our nation's Sovereignty and our freedom. Any referendum that did would amount to treason under the existing principles of the Constitution and Constitutional Law. The Monarch would be placed in an untenable position, unable to honour Her sworn contract with Her subjects. A new legal order would be needed, probably requiring

the abdication of the Monarch, the renunciation of the Coronation Oath and the dissolution of Government.

- A referendum may only be used to determine the *views* of the voters. It cannot be used to breach the principles of Common Law and the British Constitution.
- To conclude, the priority of the Sovereign and the British Constitution is to maintain and defend the British people's Liberty and individual, spiritual, civil, and property rights. It is not for the State (as in administrative or police states) to impose rules by decree. Under our system the individual's Liberty is the primary and essential duty of the Crown and Parliament.

3) THE EUROPEAN UNION AND THE BRITISH CITIZEN

- In 1960 and again in 1971 the Government's legal advisors warned that to sign the Treaty of Rome would mean the loss of the British people's sovereignty – our independence and freedom from external control. To remove sovereignty is unconstitutional. Nevertheless, on the advice of her Ministers the Treaty of Rome was agreed.
- In 1972 Parliament passed the European Communities Act, which took us into the European Economic Community (the EEC), which has since transformed itself into the European Union (EU). The Act was passed after the British people were told falsely by their leaders that they were entering only a trading agreement, a Common Market, and that no 'loss of essential sovereignty' could arise.
- British voters were asked in 1975 if they wished Britain to continue as a member of the Common Market. Again the British people were falsely told that remaining in the European Union would entail no loss of freedom. The British people have *never* agreed to being governed and controlled by the European Union – a different proposition altogether.
- In 2003 the then Lord Mayor of London, himself a Recorder addressing members of the legal profession on the subject of "The City and the Law", said that if British Law were in conflict with EU law, the latter would prevail. His conclusion was that Parliament was no longer Sovereign. There was no dissent from his audience. This implies that this audience of lawyers accepted that sovereignty had indeed been

surrendered. This is not consistent with our Constitution, nor with recent Court judgements, which uphold our Sovereignty as indivisible and confirm its place as beyond the official powers of Parliament to diminish or to divide.

- To restore the British people's loss of freedom, it is within the authority of Parliament to withdraw from the EU. It has every obligation to do so because Britain's loss of sovereignty to the EU is an outrageous breach of our Constitution including the Sovereign's Oath to her people.

A brief description of EU plans

The EU "Constitution" or substitute Treaty would further that process. We would see:

THE VIOLATION AND DESTRUCTION

of the British Constitution

THE BREAK UP

of the United Kingdom into 12 EU Regions

THE END

of our country and self-government

THE LOSS OF OUR LIBERTIES

to be replaced by rules handed out by unaccountable politicians

THE SUBVERSION OF SEPARATION OF POWERS

by ending jury trial and habeas corpus, and boosting state control

THUS CREATING

an embryonic police state by the unification of the power to legislate with the power to enforce; and by allowing imprisonment without cause or charge

THE ABANDONMENT
of the Pound Sterling

GIVING UP
economic control of the United Kingdom to the EU

RELINQUISHING
the United Kingdom's international role, including its seat at the
United Nations and NATO

HIGHER TAX INCREASES
including items not now VAT rated

LOSING
United Kingdom resources and pension funds

TERMINATING
the Anglo/US special relationship

INCREASING IMMIGRATION SUBSTANTIALLY
DISENFRANCHISING THE BRITISH VOTER & WORKER WITH UNCONTROLLED ACCESS
TO BRITISH JOBS & ELECTIONS
by all EU citizens

Remember, jobs are dependent on trade with the EU, NOT on membership of the EU.

4) THE RIGHT TO PETITION

Only now, at this late hour, do increasing numbers of British people realise the enormity and consequences of the massive and secretive transfers of power to Brussels, made piecemeal by successive governments as the Common Market has transformed itself into the EU. Only now are we awakening to the threat to British independence, the loss of our right to govern ourselves, the loss of our freedoms, and the changes it will make to our lives and the lives of our children and future generations.

The people have spoken clearly and repeatedly about their concern in polls, but the MPs refuse to listen. They do not admit they have made a dreadful mistake.

The British people must know the truth about the EU before the government, opposition parties and self-interested groups with vast funds start a comprehensive campaign to influence the electorates' opinion on the EU. There must be an open and honest public debate about the real implications. Remember, jobs are dependent on trade with the EU, not on membership of the EU.

Already the EU plan for regional government is being gradually implemented though it is yet another breach of British Constitutional law. This may be what the British people want. If it is not, then the people must take action by speaking out before it is too late.



- The British Constitution states that it is the true right of all subjects to petition their Sovereign and "all commitments and prosecution of such petitioning are illegal". A Petition to our Sovereign is our lawful remedy, for the Sovereign has the Constitutional duty and responsibility to defend our laws and freedoms.
- It is not sedition for the people to advise their Sovereign that she has been misled by her Ministers or mistaken in giving her Royal Assent to treaties that destroy our sovereignty.
- If the British people are in favour of repealing the 1972 European Communities Act it is right that a petition to the Queen, our Sovereign, should be implemented demanding constitutional redress.

- Since Parliament is not representing us, people have called for a referendum. As you have seen, a referendum cannot be binding since it would be in breach of our Constitution, and sheer madness to risk our country and our Constitution on the basis of one vote.
- We have an inalienable right of petition that connects us directly to our Sovereign as the Constitutional upholder and defender of our Constitutional rights.
- As Her Majesty succinctly said during her visit to Canada in 1964, "The role of a Constitutional Monarch is to personify the democratic state, to legitimate authority, to assure the legality of its measures and to guarantee the execution of its popular will."

5) YOUR OWN CHOICE

If you respect and believe in your Sovereign Country and if you treasure your birthright of Liberty under the rule of law, which has assured the freedom that we have enjoyed for centuries and which previous generations have striven to secure for us and our children, then you must let your views be known. Apathy is tantamount to surrender. You must make your own choice.

THIS IS DECISION TIME.

Do nothing, and the EU will control your country.

**IF YOUR OWN CHOICE IS TO LIVE FREE
YOU HAVE THE RIGHT TO PETITION
THE QUEEN**

**TO INITIATE BRITAIN'S WITHDRAWAL FROM THE EU AND TO REFUSE HER
ROYAL ASSENT TO ANY ENCROACHMENT UPON OUR SOVEREIGNTY.**

To establish the strength of THE NATION'S feeling for withdrawal from the EU and for
Constitutional redress,

please register your approval for the Petition to The Queen by emailing your name and
postcode to yourownchoiceuk@comcast.net

(Your name and postcode will NOT be used for any other purpose.)

All that is fair, kind, honest and generous in the British nation is being steadily, surreptitiously and stealthily replaced with all that is undemocratic, dishonest, and corrupt in the European Union. The British democratic principle in which the people are sovereign and enjoy their freedom under the law is being destroyed. Government as the servant of the people is being exchanged for the undemocratic totalitarian European way, where the state is sovereign and the people are the servants of the state and suffer the whim of arbitrary rule. France was ruled by Napoleon; Portugal by Salazar; Spain by Franco; Germany by Hitler; Italy by Mussolini; and further east Russia was ruled by Stalin. All of these populations became dependent upon the benevolence or not of these rulers. Absolute power corrupts absolutely; history has told its own tale.

Discuss the situation with your families, friends, and acquaintances. Form groups to speak to your MP and local leaders in District and County Councils, Industry, Farming, Police, Fire Service, Health Services and the public at large. Get the local and national media to become involved in publicising the enormity of the real effects of the EU.

And please consider registering your Vote for a Petition to The Queen by immediately emailing your name and post code in a vote of support to yourownchoiceuk@comcast.net

At a time when the teaching of British history and the British Constitution in our schools is almost non-existent, our sole aim is educational. The people of Britain need the facts.

They need them now – and free of party politics.

YOUR OWN CHOICE is an independent, non party-political, self-funding, non-profit-making organisation allied to no sectional interest and staffed by unpaid volunteers dedicated to informing the British public about membership of the EU.

**(III) Documents and correspondence relating to
British Sovereignty**



SECOND SUPPLEMENT TO
The London Gazette
EXTRAORDINARY
OF WEDNESDAY, 6th FEBRUARY, 1952
Published by Authority

Registered as a Newspaper

FRIDAY, 8 FEBRUARY, 1952

At the Court at *St. James's*, the 8th day of
February, 1952.

PRESENT.

The QUEEN'S Most Excellent Majesty
in Council.

Her Majesty, being this day present in
Council, was pleased to make the following
Declaration:—

“Your Royal Highnesses, My Lords, Ladies
and Gentlemen:

By the sudden death of my dear Father,
I am called to assume the duties and respon-
sibilities of Sovereignty.

At this time of deep sorrow, it is a pro-
found consolation to me to be assured of
the sympathy which you and all my Peoples
feel towards me, to my Mother, and my
Sister, and to the other members of my
Family. My Father was our revered and
beloved Head, as he was of the wider Family
of his subjects; the grief which his loss
brings is shared among us all.

My heart is too full for me to say more to
you to-day than that I shall always work, as
my Father did throughout his Reign, to up-
hold constitutional government and to ad-
vance the happiness and prosperity of my
Peoples, spread as they are all the world
over. I know that in my resolve to follow
his shining example of service and devotion,
I shall be inspired by the loyalty and affec-
tion of those whose Queen I have been
called to be, and by the counsel of their

electd Parliaments. I pray that God will
help me to discharge worthily this heavy
task that has been laid upon me so early in
my life.”

Whereupon the Lords of the Council made
it their humble request to Her Majesty that
Her Majesty's Most Gracious Declaration to
Their Lordships might be made public, which
Her Majesty was pleased to Order accordingly.

F. J. Fernau.

At the Court at *St. James's*, the 8th day of
February, 1952.

PRESENT,

THE QUEEN'S MOST EXCELLENT
MAJESTY.

*His Royal Highness The Duke of
Gloucester.*

*His Royal Highness The Duke of
Edinburgh.*

Lord Chancellor.

Archbishop of York.

Prime Minister.

Lord President.

*Mr. Speaker of the House of
Commons.*

Lord Privy Seal.

Earl Marshal.

Master of the Horse.

Duke of Buccleuch and

Queensberry.

Lord Chamberlain.	Home Secretary Sir David Patrick Maxwell Fyfe.
Earl of Shaftesbury.	Mr. Secretary Eden.
Earl of Home.	Mr. Secretary Lyttelton.
Earl Stanhope.	Mr. Secretary Head.
Earl De La Warr.	Mr. Secretary Stuart.
Earl of Drogheda.	Sir William Forbes Erskine.
Earl of Bessborough.	Major the Honourable Gwilym Lloyd George.
Earl Winterton.	Mr. Amery.
Earl Howe.	Sir Charles Philips Trevelyan.
Earl of Listowel.	Sir Frederick Hugh Sykes.
Earl of Selborne.	Mr. Arthur Greenwood.
Earl of Halifax.	Mr. Herbert Morrison.
Earl of Gowrie.	Mr. Walter Elliot.
Earl Mountbatten of Burma.	Sir Percy Loraine.
Earl Jowitt.	Mr. Hore-Belisha.
Viscount Mersey.	Mr. Ernest Brown.
Viscount Swinton.	Mr. C. R. Attlee.
Viscount Samuel.	Sir Alfred Duff Cooper.
Viscount Davidson.	Sir Donald Somervell.
Viscount Weir.	Mr. Chancellor of the Exchequer.
Viscount Simon.	Captain H. F. C. Crookshank.
Viscount Stansgate.	Sir Andrew Rae Duncan.
Viscount Templewood.	Mr. Hugh Dalton.
Viscount Hall.	Sir Walter Womersley.
Viscount Bruce of Melbourne.	Honourable Vincent Massey.
Viscount Hudson.	Mr. Tom Williams.
Viscount Waverley.	Sir Sidney Abrahams.
Bishop of London.	Mr. Harold Macmillan.
Lord Ismay.	Sir Percy Grigg.
Lord De L'Isle and Dudley.	Honourable Sir Arthur Fadden.
Lord Leathers.	Mr. R. K. Law.
Lord Denman.	Mr. Osbert Peake.
Lord Stanmore.	Mr. Geoffrey Lloyd.
Lord Hardinge of Penshurst.	Sir Alan Lascelles.
Lord Alness.	Sir Ben Smith.
Lord Wigram.	Mr. R. Assheton.
Lord Kennet.	Mr. W. Mabane.
Lord Hailey.	Mr. W. Paling.
Lord Chatfield.	Captain C. Waterhouse.
Lord Porter.	Mr. Chuter Ede.
Lord Hankey.	Sir John Beaumont.
Lord Nathan.	Mr. Duncan Sandys.
Lord Reith.	Miss Florence Horsbrugh.
Lord Merriman.	Sir Geoffrey Shakespeare.
Lord Cherwell.	Mr. H. G. White.
Lord Killearn.	Mr. G. A. Isaacs.
Lord Ammon.	Mr. Aneurin Bevan.
Lord Goddard.	Mr. E. Shinwell.
Lord Courthope.	Mr. A. Barnes.
Lord Altrincham.	Mr. J. Griffiths.
Lord Pethick-Lawrence.	Lieutenant-Colonel Sir Cuthbert Headlam.
Lord Henderson.	Mr. M. S. McCorquodale.
Lord Morrison.	Mr. P. J. Noel-Baker.
Lord Shepherd.	Sir Alfred Bucknill.
Lord Citrine.	Honourable Walter Nash.
Lord Normand.	Mr. John Strachey.
Lord Oaksey.	Sir Hartley Shawcross.
Lord Morton of Henryton.	Mr. F. J. Bellenger.
Lord Clydesmuir.	Mr. Creech Jones.
Lord Reid.	Mr. Hector McNeil.
Lord Macdonald of Gwaenysgor.	Mr. Clement Davies.
Lord Radcliffe.	Mr. Arthur Henderson.
Lord Wilmot of Seimeson.	Sir Francis Evershed.
Lord Silkin.	Mr. Harold Wilson.
Lord Ogmores.	Mr. Hugh Gaitskell.
Lord Tucker.	Honourable Sir Malcolm Macnaghten.
Lord Asquith of Bishopstone.	Mr. G. Buchanan.
Lord Cohen.	
Lord Milner of Leeds.	

Sir Frank Soskice.
Sir John Singleton.
Sir Alfred Denning.
Mr. H. A. Marquand.
Dr. Edith Summerskill.
Sir David Jenkins.
Mr. John Dugdale.
Sir Lionel Leach.
Sir Ronald Ian Campbell.
Mr. P. Gordon-Walker.
Mr. Maurice Webb.
Honourable Sidney Holland.
Sir Francis Hodson
Mr. Alfred Robens,
Mr. G. A. Brown.
Sir John Morris.
Honourable Kenneth Younger.
Sir Walter Monckton.
Mr. Buchan-Hepburn.
Captain Peter Thorneycroft.
Mr. J. P. L. Thomas.
Mr. David Eccles.
Sir Thomas Dugdale.
Mr. A. T. Lennox-Boyd.
Mr. A. G. Bottomley.
Mr. Douglas Jay.
Mr. R. J. Taylor.
Mr. Charles Williams.

Her Majesty at Her first coming into the Council, was this day pleased to declare that, understanding that the Law required She should at Her Accession to the Crown take and subscribe the Oath relating to the security of the Church of Scotland, She was now ready to do so at this first opportunity, which Her Majesty was graciously pleased to do according to the Forms used by the Law of Scotland, and subscribed two Instruments thereof in the

presence of the Lords of the Council, who witnessed the same. And Her Majesty was pleased to order that one of the said Instruments be transmitted to the Court of Session, to be recorded in the Books of Sederunt, and afterwards be forthwith lodged in the Public Register of Scotland, and that the other of them remain among the Records of the Council and be entered in the Council Book.

F. J. Fernau.

At the Council Chamber, Whitehall, the 7th day of February, 1952.

BY THE LORDS OF HER MAJESTY'S MOST HONOURABLE PRIVY COUNCIL.

PRESENT.

Archbishop of Canterbury.	Bishop of London. Secretary Sir David Maxwell Fyfe.
Lord President.	

It is this day ordered by Their Lordships that His Grace the Lord Archbishop of Canterbury do prepare Special Forms of Service in Commemoration of His late Majesty King George of Blessed and Glorious Memory to be used in all Churches and Chapels in England as defined in the Interpretation Measure, 1925, either on the day of His late Majesty's funeral or on the most convenient day within the octave.

And it is hereby further ordered that Her Majesty's Printer do forthwith print a competent number of copies of the said Forms of Service, that the same may be forthwith sent round, and read in the several Churches and Chapels of England.

F. J. Fernau.

LONDON

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1952

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Your Majesty,

I, David Richard Bourne of 11, High Street, Winchelsea, East Sussex, give you loyal greeting.

I was fortunate to be a Flight Cadet at the Royal Air Force College, Cranwell at the time of your Coronation and was lining the route in Parliament Square on the day. It was a tremendous privilege despite the awful weather and I was extremely proud to be part of the occasion. Now that I am of the age for reflection and wishing to pass on to my children, grandchildren and great grandchildren something of that day I have been researching the whole Coronation process.

Your Privy Council Office has very kindly provided me with a copy of the Second Supplement to the London Gazette Extraordinary of Wednesday, 6th. February 1952 which gives the public report of your Declaration of Sovereignty at your Accession Privy Council. Having just lost your dear Father it must have been a harrowing ordeal for you but, as you so stoically said, you had been called to assume the duties and responsibilities of Sovereignty. From my researches I am under the impression that those duties and responsibilities had passed to you immediately on the death of your Father and that your Declaration was your recognition of that transfer of Sovereignty from him to you? That it was the first public recognition by your Privy Council, who witnessed your Declaration, that "The King is dead; Long live the Queen".

Am I right, therefore, in concluding that, as your Father had been the embodiment of the Sovereignty of the British people up to the moment of his death, that you assumed that embodiment at that moment? That in fact you have been the physical embodiment of the Sovereignty of the British people throughout your reign and that embodiment allows you the style and title of our Sovereign Majesty Queen Elizabeth II of Great Britain and Northern Ireland; and that you will be the embodiment of the Sovereignty of the British people until the moment of your own natural death when it will pass to the the next rightful Heir to the Throne?

Am I also right in believing that the Laws of Treason are there specifically to protect you and your heirs and successors? I take as my guide in the matter of the Laws of Treason Lord Halsbury's Laws of England Vol 11(1) part 2 section (1) Offences against the Sovereign paras 76 to 88? I realise that capital punishment is no longer allowed even in the proven cases of treason.

I shall be most grateful to you if would help me in my researches.

Original Signed

D.R. Bourne.

C.T.C

 11/7/06

Dated 25th. October 2005

Your Majesty,

I wrote to you on the 25th. October 2005 regarding your Declaration Of Sovereignty at your Accession Privy Council held on 8th. February 1952. To date I have had no reply. I have, therefore, enclosed with this letter a copy of my original letter to you asking for your help with my researches into that Declaration and associated subjects. I shall be most grateful to you if you can provide an answer to my questions in that original letter.

Sincerely,

O.S. C.T.C. 2/3/06 

Mr. D. R. Bourne,
11. High Street,
Winchelsea,
East Sussex. TN36 4EA. 22nd. January 2006

850. Statutory conditions of tenure. The descent of the Crown in the present line of succession is subject to certain statutory conditions as follows:

(1) any person who shall be reconciled to, or hold communion with, the see or Church of Rome, or profess the popish religion, or marry a papist, is excluded from inheriting, possessing or enjoying the Crown, and in such case the people are absolved of their allegiance, and the Crown is to descend to such person or persons, being protestants, as would have inherited it in case the person so reconciled etc. were dead¹;

(2) every person inheriting the Crown must take the coronation oath in the form provided by statute²;

(3) every king or queen must make, subscribe and repeat, sitting on the throne in the House of Lords, either on the first day of the meeting of the first Parliament after the accession, or at the coronation, whichever shall first happen, a declaration that he or she is a faithful protestant, and will, according to the true intent of the enactments which secure the protestant succession to the throne, uphold and maintain those enactments to the best of his or her powers according to law³;

(4) any person coming into possession of the Crown must join in communion with the Church of England⁴; and

(5) it is also provided as a fundamental term of the union of England with Scotland that every person who succeeds to the Crown must take and subscribe the oaths for the preservation of the Established Church in England and the Presbyterian Church in Scotland⁵.

854. The ceremonies. The forms and ceremonies observed at the coronation have differed somewhat at the coronations of various Sovereigns¹, but the ceremonies² at the coronation of Queen Elizabeth II were:

(1) the presentation of the Sovereign to the people by the Archbishop of Canterbury accompanied by the Lord High Chancellor, the Lord Great Chamberlain, the Lord High Constable and the Earl Marshal, with Garter King of Arms preceding them, and the recognition of the Sovereign by the people³;

(2) the taking of the coronation oath in the form provided by statute⁴;

861. The Crown's duty towards the subject. The essential duties of the Crown towards the subject¹ are now to be found expressed in the terms of the oaths which every Sovereign is required to take before or at the coronation. The duties imposed by the coronation oath² are:

(1) to govern the peoples of the United Kingdom of Great Britain and Northern Ireland, and the dominions etc. belonging or pertaining to them according to their respective laws and customs³;

(2) to cause law and justice in mercy to be executed in all judgments, to the Sovereign's power;

(3) to maintain the laws of God, the true profession of the Gospel, and the protestant reformed religion established by law, to the utmost of the Sovereign's power;

(4) to maintain and preserve inviolable the settlement of the Church of England, and its doctrine, worship, discipline and government as by law established in England

894. Supremacy of the Sovereign. The law of the constitution clothes the person of the Sovereign with supreme sovereignty and pre-eminence¹. She is, however, bound by the terms of the coronation oath and the maxims of the common law to observe and obey the law².

920. Subjection to the law. Claims made by the Crown cannot be supported by mere pretence of prerogative, since the courts have power to determine the extent and the legality or otherwise of any alleged prerogative¹; nor may illegal acts be rendered justifiable by the plea of the Sovereign's commands² or of state necessity³. The Crown is bound to observe the law both by statute and by the terms of the coronation oath, which embodies the contract between the Crown and people upon which the title to the Crown originally depended, and still in large measure depends⁴. Upon any doubtful point of prerogative the Crown and its ministers must, therefore, bow to the decision of the courts

CORONATION OATH - HISTORICAL NOTE.

The Liber Regalis is the Royal Book of instruction for the crowning and anointing of an English King. It is attributed to Nicholas Lytlington who was the Abbott of Westminster in the 14th. Century. He collated a form of service which had been used at least as early as the Coronation of King Edgar at Bath in 973 who is considered to be the first truly English King as he took for his title Emperor Augustus of all Albion. At his Coronation he was required to make his promise, before the Altar, to the people saying:

"Three things I promise in Christ's name to the Christian People Subject to me: First, the Church of God and the whole Christian People shall have true peace at all time by our judgement; Second, that I will forbid extortion and all kinds of wrong doing to all orders of men; Third, that I will enjoin equity and mercy in all judgements, that God who is kind and merciful, may vouchsafe His mercy to me and to you."

There have been attempts by new Sovereign to avoid making their Coronation Oath or changing the content. However the Oath has remained the solemn compact between the new Sovereign and the people at the beginning of each new reign from Saxon times. The changes in the form of the Oath bring into focus the religious and social pressures at each period in England's history. The dispute between the barons and the King about the use of the royal power at the beginning of the reign of Edward I, for example, was refelected in the oath which the King had to accept as the condition of his Coronation in 1274. "The barons" says the contemporary record "treated the king on the oath before they would proceed with his election.". Note the term "election".

Finally the Coronation Oath was established in our Statute Law under William and Mary in the Coronation Oath Act 1 Wm & M Ch 6 1689. Sir William Blackstone, that most eminent of 18th. Century jurists, stated that the Coronation Oath "However and in what form it so ever be conceived, this is most indisputably a fundamental contract....and to reduce that contract to a plain certainty. So that whatever doubts might formerly be raised by weak and scrupulous minds about the existence of such an original contract, they must now entirely cease; especially with regard to every prince who has reigned since the year 1688.". Therefore the Queen's Coronation Oath of 2nd. June 1953 is an express legal contract between her and each one of her subjects as to how she will govern them. Note- how she will govern them; not Parliament; not the House of Lords; nor the House of Commons. A ring has been used at every Coronation since Edgar in 973. It has been called the Wedding Ring of England, the bond that unites Sovereign and People.

After the Queen's Anointing the Archbishop invoked the same blessing as that made on King Edgar thus: By his holy Anointing pour down upon your Head and Heart the blessing of the Holy Ghost, and prosper the works of your Hands: that...you may govern and preserve the Peoples committed to your charge in wealth, peace and godliness....".

Elizabeth R

I solemnly promise and swear to govern the Peoples of the United Kingdom of Great Britain and Northern Ireland, Canada, Australia, New Zealand and the Union of South Africa, Pakistan and Ceylon, and of my Possessions and the other Territories to any of them belonging or pertaining, according to their respective laws and customs.

I will to my power cause Law and Justice, in Mercy, to be executed in all my judgements.

I will to the utmost of my power maintain the Laws of God and the true profession of the Gospel. I will to the utmost of my power maintain in the United Kingdom the Protestant Reformed Religion established by law. And I will maintain and preserve inviolably the settlement of the Church of England, and the doctrine, worship, discipline, and government thereof, as by law established in England. And I will preserve unto the Bishops and Clergy of England, and to the Churches there committed to their charge, all such rights and privileges as by law do or shall appertain to them or any of them.

The things which I have here before promised, I will perform and keep.

So help me God.

THE CORONATION BROADCAST

When I spoke to you last, at Christmas, I asked you all, whatever your religion, to pray for me on the day of my Coronation—to pray that God would give me wisdom and strength to carry out the promises that I should then be making. Throughout this memorable day I have been uplifted and sustained by the knowledge that your thoughts and prayers were with me. I have been aware all the time that my peoples, spread far and wide throughout every continent and ocean in the world, were united to support me in the task to which I have now been dedicated with such solemnity. Many thousands of you came to London from all parts of the Commonwealth and Empire to join in the ceremony, but I have been conscious too of the millions of others who have shared in it by means of wireless or television in their homes. All of you, near or far, have been united in one purpose. It is hard for me to find words in which to tell you of the strength which this knowledge has given me.

The ceremonies you have seen to-day are ancient, and some of their origins are veiled in the mists of the past. But their spirit and their meaning shine through the ages never, perhaps, more brightly than now. I have in sincerity pledged myself to your service, as so many of you are pledged to mine. Throughout all my life and with all my heart I shall strive to be worthy of your trust.

In this resolve I have my husband to support me. He shares all my ideals and all my affection for you. Then, although my experience is so short and my task so new, I have in my parents and grandparents an example which I can follow with certainty and with confidence. There is also this. I have behind me not only the splendid traditions and the annals of more than a thousand years but the living strength and majesty of the Commonwealth and

Empire; of societies old and new; of lands and races different in history and origins but all, by God's Will, united in spirit and in aim. Therefore I am sure that this, my Coronation, is not the symbol of a power and a splendour that are gone but a declaration of our hopes for the future, and for the years I may, by God's Grace and Mercy, be given to reign and serve you as your Queen.

I have been speaking of the vast regions and varied peoples to whom I owe my duty but there has also sprung from our island home a theme of social and political thought which constitutes our message to the world and through the changing generations has found acceptance both within and far beyond my Realms. Parliamentary institutions, with their free speech and respect for the rights of minorities, and the inspiration of a broad tolerance in thought and expression—all this we conceive to be a precious part of our way of life and outlook.

During recent centuries, this message has been sustained and invigorated by the immense contribution, in language, literature, and action, of the nations of our Commonwealth overseas. It gives expression, as I pray it always will, to living principles, as sacred to the Crown and Monarchy as to its many Parliaments and Peoples. I ask you now to cherish them—and practice them too; then we can go forward together in peace, seeking justice and freedom for all men.

As this day draws to its close, I know that my abiding memory of it will be, not only the solemnity and beauty of the ceremony, but the inspiration of your loyalty and affection. I thank you all from a full heart. God bless you all.



BUCKINGHAM PALACE

The Queen has asked the Private Secretary to thank Mr. Bourne for his letter and to say that it has been passed to the Department for Constitutional Affairs so that this approach to Her Majesty may be known and consideration given to the points raised in the letter.

21st February, 2006



PRIVY COUNCIL OFFICE
2 CARLTON GARDENS LONDON SW1Y 5AA

Tel 020 7210 1040
Fax 020 7210 1079
Alex.Galloway@pco.x.gsi.gov.uk
www.privycouncil.gov.uk

From the Clerk of the Council

21 March 2006

Our ref (please quote): 970(490)

Mr D R Bourne
11 High Street
Winchelsea
East Sussex
TN36 4EA

Dear Mr Bourne,

Your letter of 22 January to The Queen was passed to the Department for Constitutional Affairs, who have in turn passed it to this Office.

As we have already explained, we can answer only questions of fact, and cannot give an opinion on the interpretation of legal or constitutional matters. We simply have no locus to do so, and any opinion expressed by this Office (or indeed any other Government Department or Minister) would have no authority whatever. Interpretation of the law is a matter for the courts.

I am sorry to have to give you a reply that I know will disappoint you. As we have already informed you, further correspondence on this matter will only be acknowledged.

Yours sincerely,

A. K. GALLOWAY

Mr.D.R.Bourne,
11,High Street,
Winchelsea,
East Sussex. TN36 4EA,
23rd.March 2006.

Your Ref: 970(490)

Mr.A.K.Galloway,
Clerk of the Council,
The Privy Council Office,
2,Carlton Gardens,
London. SW1Y 5AA.

Thank you for your most interesting letter of 21st.March 2006. However I am not re-assured that you understood my letter. I did not ask for any interpretation of the law or of constitutional matters either from Her Majesty; or from the Department for Constitutional Affairs; or indeed from the Privy Council. I asked for confirmation of facts.

I asked:

1. Was there a transfer of the Sovereignty of the British People, on the death of George VI, to Her Majesty, as the rightful Heir to the Throne? Her Declaration of Sovereignty on 8th.February 1952 would seem to confirm that such a transfer had taken place.
2. The Privy Council were present at that Declaration, as witnesses, to the fact that Her Majesty now embodied that Sovereignty and was thus our Sovereign Queen. As a witnessed fact did the Privy Council agree that there had been a transfer and embodiment of that Sovereignty in Her majesty thus making Her our Sovereign?
3. My final question was are the Laws of Treason there to protect Her Majesty and Her Heirs and Successors and through Her the Constitution of Great Britain and its People?

These are all facts and could be easily confirmed without recourse to interpretation of any law. I agree that these are Constitutional Matters but the mere confirmation of Her Majesty's Sovereignty, how She became our Sovereign and the name of the set of Laws that protect Her, should be the automatic actions of Her Privy Council whom I presuppose are all sworn to uphold Her in Her State as our Sovereign, and are Right Honourable men and women. However your ambivalent answer throws that all into doubt?

Yours sincerely,

O.S.

CTC

 26/8/06



PRIVY COUNCIL OFFICE
2 CARLTON GARDENS LONDON SW1Y 5AA

Tel 020 7210 1031

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Philip.swan@pco.x.gsi.gov.uk

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Mr D. R. Bourne,
11 High Street,
Winchelsea,
East Sussex,
TN36 4EA

Dear Mr Bourne,

I acknowledge receipt of your letter dated 23 March 2006.

Yours sincerely

A handwritten signature in black ink, appearing to be "Philip Swan".

Philip Swan



INVESTOR IN PEOPLE

Serving Crown, Parliament and People

Your Royal Highness.

I, David Richard Bourne of 11, High Street, Winchelsea, East Sussex, give you loyal greeting.

I wrote to you on 24th. January 2006 and, so far, you have not replied. I had written to the Queen on 25th. October 2005 and again on the 22nd. January 2006. I asked two questions of her that are germane to the questions that I have posed to you. They were: "Am I right, therefore, in concluding that, as your Father had been the embodiment of the Sovereignty of the British people up to the moment of his death, you assumed that embodiment at that moment?" and "Am I right in believing that the Laws of Treason are there specifically to protect you and your heirs and successors?".

Sadly neither the Queen nor her immediate advisers felt that they were capable of giving me an answer and referred my letter to the Department of Constitutional Affairs. They were unable to give me an answer, and did not reply to me, but referred it to the Privy Council. Mr. A.K. Galloway, Clerk of the Council, replied but did not answer my questions.

I am totally surprised that none of these three organisations were able to confirm that the Queen is still our Sovereign yet all have sworn to uphold her in her position and state of being our Sovereign. I have enclosed copies of that sequence of correspondence, together with earlier letters to the Privy Council and their replies.

My questions remain unanswered but the indications are that the Queen is no longer Sovereign and that state is recognised universally in the upper echelons of what originally constituted our Constitutional Monarchy and in the legal profession. Therefore at the moment of her death she will have no Sovereignty of the British people to pass on to you thus you will never become the embodiment of that Sovereignty or be our King. You will be unable to make a Declaration of Sovereignty; nor be able to pass through the sequence of constitutional events which would have seen you confirmed as our Sovereign King at your Coronation after you had sworn your Coronation Oath to us the British people. "The Queen is dead; Long live the King" will not apply in your case as the Succession to the Throne has been broken.

Of course this raises the question of where the Sovereignty of the British people now resides. According to Lord Kilmuir, the then Lord Chancellor, and who witnessed your Mother's Declaration of Sovereignty, warned Edward Heath and Harold Macmillan in 1960 that there would be a loss of Sovereignty in signing the Treaty of Rome. Lord Wilberforce warned Heath again in 1971 that there would be a total loss of Sovereignty in signing the Treaty of Rome. Neither Kilmuir nor Wilberforce warned of the inherent treason in advising your Mother to agree to the signing of the Treaty. Subsequent to the European Communities Act 1972 Parliament, and thus your Mother, accepted the supremacy of EU Law in this country and in that acceptance acknowledged that the Sovereignty of the British people had been

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surrendered to the European Union. Lord Brittan confirmed that fact in a letter to the Daily Telegraph on 14th. November 2003. In it he said that it seemed strange that we British anti-Europeans are so concerned with clawing back our Sovereignty from the EU. He, as a retired EU Commissioner, must surely know where our Sovereignty is presently lodged and if it is within the EU it cannot be embodied in the Queen. Where do you consider our Sovereignty to be lodged?

If you are able to refute my contentions and the conclusions I have drawn I shall be grateful to you if you would provide me with that refutation.

Mr.D.R.Bourne,
11,High Street,
Winchelsea,
East Sussex. TN36 4EA. 4th.April 2006

27



CLARENCE HOUSE
LONDON SW1A 1BA

Private and Confidential

From: The Principal Private Secretary to TRH The Prince of Wales and The Duchess of Cornwall

7th April, 2006

Dear Mr Bourne,

Thank you for your letter of 4th April.

I am afraid that I did not reply to your letter of 22nd January to The Prince of Wales because His Royal Highness does not have anything further to add.

We have a Constitutional Monarchy and where lines are drawn will always be a matter of judgement to be exercised in the circumstances at the time.

Yours sincerely,

Andrew Peat

Sir Michael Peat

David Bourne Esq.,
11 High Street,
Winchelsea,
East Sussex,
TN36 4EA.

Mr.D.R.Bourne,
11,High Street,
Winchelsea,
East Sussex. TN36 4EA.
24th.August 2006.

Lord Falconer of Thoroton QC,
Secretary of State for
Constitutional Affairs,
Selborne House,
54,Victoria Street,
London. SW1E 6QW.

My Lord,

The Rt.Hon.Alderman Sir Gavyn Arthur, then Lord Mayor of London, gave the "Denning Lecture" of 2003 before a distinguished audience of lawyers and business people on the 29th.September 2003, at Gray's Inn, on the subject of "The City and the Law". You may well have been present.

At the outset he gave a summary of our Common Law. He continued saying that that summary was in a certain sense out of date. In fact, he said, there are two systems of law operating in the UK today and that since the enactment by Parliament of the European Communities Act 1972 there had been a quiet revolution in our legal system. He went on to say that it was not until the House of Lords handed down their judgement on the Factortame case that it became apparent that where English Law and the Law of the European Community(EC) conflicted that the EC Law prevailed. From that he drew the conclusion that Parliament was no longer sovereign. As you will know Parliament is made up of Her Majesty the Queen, who is the only person Sovereign in Parliament, and the two Houses which are not sovereign and never have been. Thus such a statement as made by Sir Gavyn places the Sovereignty of Her Majesty in doubt.

In their book "Constitutional and Administrative Law", 8th.edition, Stanley de Smith and Rodney Brazier reached the same conclusion on pages 85/6. As you will know the European Court of Justice found, at appeal, the Merchant Shipping Act 1988 ineffective. As a result de Smith and Brazier concluded "Thus was a statute, which had been passed after United Kingdom accession to the European Community, held to be ineffective by a court outside of the United Kingdom; thus in the Community legal order was the orthodox doctrine that Parliament is competent to make any law whatsoever on any matter whatsoever set to one side. Within the Community legal system, the Queen in Parliament is not Sovereign."

These are but two of several authorities which have made similar statements that place in doubt the Sovereignty of the Queen since the ECA1972 was given the Royal Assent by Her. I would be most grateful to you if you could tell me whether the Queen remains Sovereign in this country as She was when She received that Sovereignty from Her Father, King George VI, on his death on 6th.February 1952? After all She, as a citizen of the European

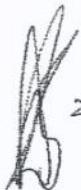
2.

Union, is subject to the law and government of the EU in our Country as are we all since Parliament passed the ECA1972. Or has She accepted mediatisation, and become merely our titular Head of State, as a result of Her Parliament passing the ECA1972? To mediatised is defined by the Oxford Dictionary as to "Annex (principality) to another State, leaving the former Sovereign his title and some rights of government.". While "annex" is defined as "Add as a subordinate part" which would seem to describe exactly our position within the EU as described by Sir Gavan.

Signing up to the Treaty of Rome set in train a sea change in our our sytem of government by constitutional monarchy. I shall be most grateful to you if you could explain the present situation particularly as it affects Her Majesty's statutory position as our Sovereign Queen.

Yours sincerely,

O.S. C.T.C.

 21/9/06



dca

Department for
Constitutional Affairs
Justice, rights and democracy

Constitution Directorate

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Mr D.R. Bourne
11 High Street
Winchelsea
East Sussex
TN36 4EA

1 September 2006

Dear Mr Bourne,

Monarchy and the European Communities Act 1972

Thank you for your letter to Lord Falconer, dated 24 August 2006, regarding the position of the Monarch since the enactment of the European Communities Act 1972. Your letter has been passed to the Constitution Directorate, the lead area on Constitutional matters.

I can confirm that the Queen is Head of State, Head of the Executive, Head of the Judiciary, Commander in Chief of all the armed forces of the Crown and Supreme Governor of the Church of England. However, as a result of a long period of evolution the Monarch's absolute power has been progressively reduced. Ministers of the Crown in the name of the Sovereign govern the United Kingdom. The powers of the Crown, that is the Sovereign in Her constitutional capacity – are executed almost exclusively by Ministers. The enactment of the European Communities Act 1972 has not altered this.

However, as outlined in your letter, one of the most significant new sources of the British Constitution in recent years has been the EU. When Britain signed the Treaty of Rome and passed the European Communities Act 1972, the superiority of European Law was accepted, and Parliament was no longer sovereign (although the UK can leave the EU any time it wishes). As a result, British Courts now have the power to review Acts of Parliament and in light of EU legislation, suspend Statute Law.

Thank you for taking an interest in the work of the Department for Constitutional Affairs.

Yours sincerely,

James Copeland
Constitutional Settlement



INVESTOR IN PEOPLE

Squadron Leader D.R.Bourne RAF R'td,
11,High Street,
Winchelsea,
East Sussex. TN36 4EA.
25th.September 2006.

The Most Reverend and Right
Honourable Rowan Williams,
Archbishop of Canterbury,
The Church of England,
Lambeth Palace,
London. SE1 7JU.

Your Grace,

I wrote to you in February last regarding the XXXVIIth Article of the XXXIX Articles of Religion of the Church of England. I asked if you would provide me with an explanation of that Article's meaning in the present day. Mr.Nunn replied, without giving an explanation in canon law, but referred only to constitutional law. I replied to his letter on the 27th.February 2006 asking for an explanation in canon law but I have yet to have a reply.

In last Friday's Rye and Battle Observer I came across this letter regarding the XXXIX Articles which may explain the lack of reply both from you and from your Secretary Mr.Nunn. The published letter states that the XXXIX Articles of Religion of the Church of England are, according to Fr.Russell Dewhurst of Didcot, Oxfordshire, "not the basis of orthodoxy in the Church of England in any meaningful way - they are not mentioned in most theological colleges, and few clergy have ever read them". While Fr.Christopher Smith, of Beckenham, wrote "we have never been asked to subscribe to them, in fact since 1975, the clergy have only been asked to acknowledge they are part of the 'historic formularies' of the Church of England. Surely, the statement of what the Church of England holds to be 'orthodox' is actually contained not in the Articles, but in the catholic creeds, drawing on the scripture and tradition of the Church."

As a confirmed member of the Church of England these statements have left me in some theological disarray. When I attended the installation of our present Rector he was required to swear to uphold the Articles, in the same way he was required to swear allegiance to Her Majesty and to his Bishop. However these statements by these Clergy would seem to place all of that in some doubt.

I must, therefore ask two questions that this new situation prompts me to ask. If the Articles are merely part of the historic formula for the Church of England, and are not meaningful today, does the Church no longer regard Her Majesty as Sovereign in England and that She can now be subjected to foreign jurisdiction in Her own country? If the Church accepts that She can be subjected to foreign jurisdiction then, presumably, She can be the subject of foreign jurisdiction as far as being the Head of the Church of England is concerned. Given

2.

that Article XXXVII specifically excludes the Pope, as the Bishop of Rome, from jurisdiction here is he now to be given jurisdiction here not only over the English adherents to the Church of Rome but also over those of the Church of England and the Church itself?

I would be most grateful to you if you would reply to my questions as I feel that Mr.Nunn is not qualified to give definitive replies on such important matters of canon law.

Yours sincerely,

O.S. C.T.C.

 20/9/06



THE CHURCH
OF ENGLAND

LAMBETH PALACE

Squadron Leader D R Bourne
11 High Street
Winchelsea
E Sussex
TN36 4EA

Mr Andrew Nunn
*Premises and Administration Secretary to
The Archbishop of Canterbury*

28 September, 2006

Dear Squadron Leader

The Archbishop of Canterbury has again asked me to write thanking you for your 25 September letter. Since I am not qualified to give definitive replies to your questions about Canon Law the matter would have to be sent to the Archbishop's legal advisers for reply. Dr Williams regrets however that the cost of doing that would be disproportionate.

Yours sincerely
Andrew Nunn

Lambeth Palace, London SE1 7JU

(IV)

SYNOPSIS OF EVENTS RELATING TO OUR SOVEREIGNTY

6 February 1952

His Majesty King George VI dies and the Sovereignty of the British people immediately passed to his eldest child Her Royal Highness The Princess Elizabeth to preserve the legitimation of authority that is guaranteed by our Sovereign.

8 February 1952

Our Sovereign Queen called her Accession Privy Council and made her Declaration of Sovereignty, that she on the death of her father was prepared to take on the duties and responsibility of Sovereignty. There was no dissent.

2 June 1953

The Coronation ceremony confirmed that Her Majesty Queen Elizabeth II was our undoubted, and undisputed Sovereign and Constitutional Monarch.

1960

Sir David Maxwell-Fyfe, now Lord Kilmuir, who was present at the Accession Privy Council, warns the Government, that to sign the Treaty of Rome would mean a sacrifice of Sovereignty which is indivisible. He apparently did not mention the treason that would be involved in such a signing.

1972

Mr Edward Heath, Her Majesty's Prime Minister, was briefed by the Law Lords Wilberforce, Diplock and Simon on the supremacy of the European Court of Justice within the EU system of justice. Lord Wilberforce warned Mr Heath that to sign the Treaty of Rome would now mean a total loss of Sovereignty. This meant that Her Majesty The Queen would have to surrender that Sovereignty that made her The Queen, and thus cease to be our Sovereign Queen. To propose such a thing was to propose an act of high treason. Mr Heath ignored the advice and the Treaty of Rome was signed by him, Sir Alec Douglas-Home and Mr Rippon. Parliament ratified that signing in the European Communities Act 1972 (ECA1972), which required Her Majesty The Queen to give the Act her Royal Assent. Thus Her Majesty The Queen and ipso facto, Parliament, ceased to be Sovereign. It is not clear that Her Majesty understands this.

1992

On the ratification of the Maastricht Treaty Mr John Major, the Prime Minister, announced that Her Majesty The Queen was now just another EU citizen with the responsibilities to the EU that new condition placed upon her. At the end of the Coronation Her Majesty The Queen was undoubtedly and undisputedly our Sovereign. These two conditions are mutually incompatible and betoken an act of high treason having been entered into.

Confirmations that Parliament is no longer Sovereign

- a) In their "Constitutional and Administrative Law" De Smith and Brazier concluded that, as a result of the Lords Judgment on the Factortame case where the European Court of Justice had ruled that the Merchant Shipping Act 1988, a British Statute, was ineffective. The Queen in Parliament was no longer sovereign in the EU. "Within the Community legal system the Queen in Parliament is not sovereign."
- b) District Judge Morgan, in his judgment (9 April 2001) on the Metric Martyrs stated that as a result of Parliament passing the ECA1972, "Parliament surrendered its Sovereignty to the European Union."
- c) 29 September 2003. The then Lord Mayor of London the Rt. Hon Sir Gavyn Arthur, himself a Recorder, in his "Denning Lecture", given in Gray's Inn before an audience of distinguished lawyers, came to the same conclusion adding that where EU Law and English Law conflict it is the EU rule that prevails. There was no dissent from his audience.
- d) Mr J. Copeland, writing on behalf of Lord Falconer the Secretary of State for Constitutional Affairs (1 September 2006), stated that Parliament is no longer Sovereign and has not been since it passed the ECA1972.
- e) Her Majesty The Queen, asked (2006) by letter if she was still Sovereign, referred the question to the Department of Constitutional Affairs. They passed it to the Privy Council who declined to give a reply.

From the foregoing it can be seen that on the 8th February 1952 Her Majesty The Queen rightly claimed, without dissent, that She was Sovereign in Great Britain. Her Sovereignty was confirmed through Her Coronation in 1953. "Our Sovereignty is embodied in our Sovereign for her to become the personification of our democratic state." The Queen may only relinquish the Sovereignty through death, or abdication, when it will pass to the rightful Heir to the Throne. To take that Sovereignty from Her in any other manner is an act of High Treason which is a crime as it would destroy our Constitution and Constitutional Monarchy. Yet it would appear that was the outcome of Parliament's ratification of the Treaty of Rome, when it passed the European Communities Act 1972. It would now seem from correspondence (attached) that no one in Authority is prepared to confirm that Her Majesty The Queen is still our Sovereign. The only way that our Constitution and our Constitutional Monarchy may be restored is by our immediate abrogation of the Treaty of Rome and our exit from the European Union.

No one, not even Her Majesty The Queen, is above our Law. Treason has undoubtedly been done and it has been condoned and pardoned but gone unremarked and unpunished.

(V)

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Make Your Own Choice Britain on the Brink

'To put the people in the picture - our aim is educational.'

YOUR OWN CHOICE is the name of a group of patriotic volunteers who are dedicated to explaining the historic independence and freedom that belong to the British people in covenant with their Sovereign and under the rule of Common Law.

We realise that because of their distrust of politicians and their lack of interest in the subject, due mainly to misinformation and confusing facts, many British people are unaware that the future of their Liberty and their Country is in their own hands. We believe that the British people must have a full and proper understanding of the Constitutional issues involved in Britain's membership of the European Union. Isn't this simple common sense? Our people must be trusted to make up their own minds on such a fundamental decision as Britain's permanent incorporation into the EU superstate.

We will explain 1) the Sources of our Constitutional Rights and Liberties; 2) the Constitutional Covenant between the Sovereign and You; 3) the European Union and the British Citizen; 4) Your Right to Petition; and 4) Your Own Choice.

1) THE SOURCES OF OUR BRITISH CONSTITUTION AND OUR LIBERTY

Our freedoms existed before Parliament. They flow from Common Law, Magna Carta, and the Coronation Oaths which are the Constitutional Covenants between us and our Sovereign Monarchs, which affirm that Liberty is our birthright.

The British people developed Common Law to settle their differences peacefully and fairly. King Alfred the Great (AD 871- 899) codified Common Law, thereby helping to establish the constitutional basis of British freedoms. In AD 1215 Magna Carta (the Great Charter) affirmed the people's liberties and Common Law.

Magna Carta says that no one is above the law. It takes the power of enforcement away from the state and secures it to the people. It does this by mandating the right to trial by jury. A jury always has the right to give a "not guilty" verdict even if it runs counter to statute law (the law created by Parliament). Thus the people have the power to decide that a law is unjust and overturn it. The jury also ensures that the punishment fits the crime. The power of the state is thus limited so that statute law cannot become tyrannical.

Parliament has no Constitutional power to amend or repeal the fundamental Common Law basis of Magna Carta. The Act of Settlement 1701 confirmed that the Common Law is the Birthright of the people and may never be taken away.

The principles of Magna Carta, Common Law, the Declaration of Rights (1688/9), the Bill of Rights (1689), the Act of Settlement, and the Covenant with the Sovereign (which is described on the next page), are all *written* parts of the British Constitution. They describe the fundamental rules and principles that the British people have chosen to live by.

The Sovereign, the Courts, Parliament, and the Civil Service are all bound to uphold British rights and liberties as embodied in the British Constitution.

2) THE CONSTITUTIONAL COVENANT BETWEEN OUR SOVEREIGN AND US

In AD 973, Edgar the Peaceful took the first Coronation Oath, as have all his successors. The Oath is a Covenant between the Monarch and the people, and calls on the Sovereign to protect the people's Common Law and to promote justice, peace, equity, and mercy.

In 1688, William and Mary accepted the people's Declaration of Rights, coupled with changes to the Coronation Oath. These limited the powers of the Crown, and established a constitutional monarchy. The Oath became an express legal contract for the governing of Britain. In 1953 at her Coronation, it took place *not* between Parliament and our Sovereign Queen, but between the people and the Queen.

It is the Sovereign's duty to protect the people and redress wrongs. Should a breach of the Constitution arise it must be recognised as misgovernance and declared unconstitutional. The Monarch's Royal Assent empowers an Act. The Sovereign has a Constitutional duty to refuse the Royal Assent to any unconstitutional proposals from wherever they may arise, even from Parliament.

The Glorious Revolution of 1688/9 confirmed the principle that in Britain's Constitution, the power of the Common Law is the supreme authority, *not* Her Majesty The Queen and not Parliament, not any politician, and not any other nation state or transnational organisation

Her Majesty The Queen is bound to defend the people's laws and liberties. The Prime Minister and all Members of both Houses of Parliament are required to swear the oath of allegiance to the Sovereign to serve Her Majesty The Queen before they can be part of the legislative process. Consequently Parliament is bound *not* to adopt any legislation that would breach the British Constitution. The defence of Liberty should therefore be the public policy. As Liberty has also made us prosperous, it is a practical policy.

Constitutionally MPs are not delegates of a political party but representatives of their constituencies and the British people, sworn to defend the people's Liberty. The public trust is that they represent the will of their constituents in accordance with the British Constitution. Thus the Liberty of the subject must always be upheld by Parliament.

3) THE EUROPEAN UNION AND THE BRITISH PEOPLE

In 1960 and again in 1971 the Government's legal advisors warned that to sign the Treaty of Rome would mean violating the Sovereignty of the British people that was embodied in our Sovereign Queen. To remove sovereignty from our Sovereign Queen is an act of high treason. Nevertheless, on the advice of Her Ministers, She ceded Sovereignty to what was to become the EU when Parliament ratified the Treaty of Rome, falsely described to the British people as a trading agreement.

When Her Majesty The Queen gave the Royal Assent to the European Communities Act 1972, this required Parliament to accept the superiority of EU Law over British Law. We were also told that there would be no loss of freedom or essential sovereignty involved. This same mis-representation was used before the Referendum of 1975. No political party has ever been given a mandate to pass government of the British people to a foreign power. Five treaties since the Treaty of Rome was signed have enhanced the power of the EU over us. Some may consider it arguable but we certainly expect that the proposed Constitutional Treaty will undoubtedly complete the process of EU domination over us. We believe it could engineer:

**THE VIOLATION AND DESTRUCTION of the British Constitution and the rule of law. THE
BREAK UP of the United Kingdom into 12 EU Regions.
THE END of Great Britain and our self-government.
THE LOSS OF OUR LIBERTIES to be replaced by rules handed out by
unaccountable politicians.
THE SUBVERSION OF SEPARATION OF POWERS by ending jury trial and habeas corpus,
and boosting state control.
THUS CREATING an embryonic police state by the gradual unification of the power to legislate with
the power to enforce; and by allowing imprisonment without cause or charge.
THE ABANDONMENT of the Pound Sterling.
RELINQUISHING the United Kingdom's international role, including its seat at the
United Nations and NATO
HIGHER TAX INCREASES including items not now VAT rated
LOSING control of United Kingdom financial resources which could undermine our economy
TERMINATING the Anglo/US special relationship
INCREASING IMMIGRATION FROM THE OTHER EU STATES AND ELSEWHERE, THUS
POTENTIALLY DISENFRANCHISING THE BRITISH VOTER & WORKER, COMPETING
WITH THEM FOR BRITISH JOBS & INFLUENCING ELECTIONS**

In our view, these consequences are the natural conclusion of implicit suggestions in the texts of the treaties themselves. These are all in the public realm and open for scrutiny at any time.

4) YOUR RIGHT TO PETITION

Only now, at this late hour, do increasing numbers of British people realise the enormity and consequences of the massive transfers of power to Brussels that have been made piecemeal by successive governments. Only now are we awakening to the potential threat to British independence, the loss of our right to govern ourselves, the loss of our freedoms, and the changes it could make to our lives and the lives of our children and future generations. This may be what the British people want. If it is not, then the people must take action by speaking out before it is too late.

If you respect and believe in your Sovereign Country and if you treasure your birthright of Liberty under the rule of law, which has assured the freedom that we have enjoyed for centuries and which previous generations have striven to secure for us and for our children, then you must let your views be known. Apathy is tantamount to surrender. You must make your own choice.

Article 5 of the Declaration of Rights states that it is the true right of all subjects to petition the Sovereign and all commitments and prosecution of such petitioning are illegal. A Petition to our Sovereign is our lawful remedy, for the Sovereign has the Constitutional duty and responsibility to defend our laws and freedoms.

5) YOUR OWN CHOICE

THIS IS DECISION TIME.

Do nothing, and the EU could control your country.

IF YOUR OWN CHOICE IS TO LIVE FREE, YOU HAVE THE RIGHT TO PETITION
HER MAJESTY THE QUEEN TO INITIATE BRITAIN'S WITHDRAWAL FROM THE EU
AND TO REFUSE HER ROYAL ASSENT TO ANY ENCROACHMENT UPON OUR SOVEREIGNTY.

To establish the strength of THE NATION'S feeling for withdrawal from the EU and for Constitutional redress, please register your approval for the Petition to Her Majesty The Queen by emailing your name and postcode to yourownchoiceuk@comcast.net (Your name and post code will NOT be used for any other purpose.) To read more about your historical rights and freedoms, see www.britsattheirbest.com and click Your Own Choice on the home page.

We believe that everything we consider fair, kind, honest and generous in the British nation is being steadily, surreptitiously and stealthily replaced through increased EU powers. The British democratic principle in which the people are sovereign and enjoy their freedom under the Common Law could be destroyed. We fear that the ideal of government as the servant of the people could end up replaced by an undemocratic system, where the state is sovereign and the people are the servants of the state and suffer the whim of arbitrary rule.

History has set an interesting precedent for us: France was ruled by Napoleon; Portugal by Salazar; Spain by Franco; Germany by Hitler; Italy by Mussolini; and further east Russia was ruled by Stalin. All of these populations became dependent upon the benevolence or not of these rulers. Absolute power corrupts absolutely; history has told its own tale.

Discuss the situation with your families, friends, and acquaintances. Form groups to speak to your MP and local leaders in District and County Councils, industry, farming, police, fire service, health services and the public at large. Get the press to publish the real effects of the EU on you and your families.

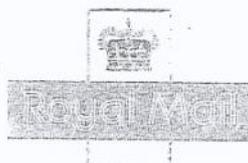
And please consider registering your Vote for a Petition to Her Majesty The Queen by emailing your name and postcode in a vote of support to yourownchoiceuk@comcast.net

Our intention is to petition Her Majesty The Queen should the number of your registration as a percentage of the national population endorse this action.

YOUR OWN CHOICE is an independent, non party-political, self-funding, non-profit-making organisation allied to no sectional interest and staffed by unpaid volunteers dedicated to informing the British public about membership of the EU.

At a time when the teaching of British history and the British Constitution in our schools is almost non-existent, our sole aim is educational. The people of Britain need the facts. They need them now – and free of party politics.

25 September 2007



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Re: "Make Your Own Choice - Britain on the brink!"

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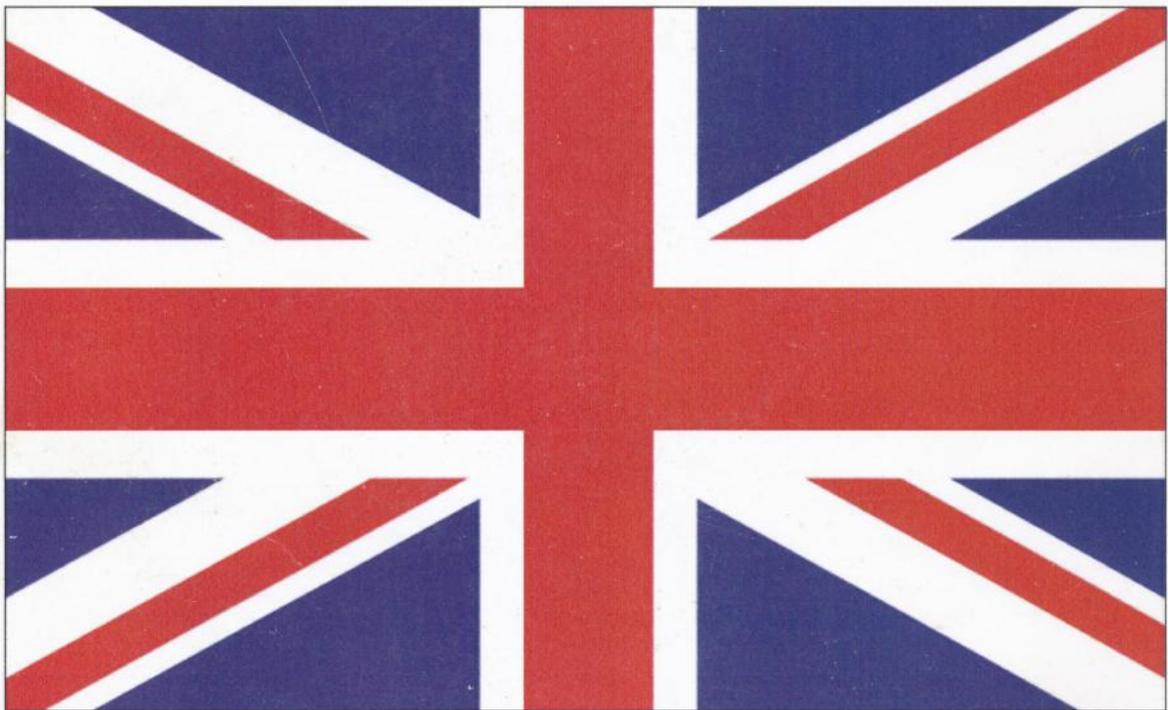
May I take this opportunity to wish you every success in your campaign.

Yours sincerely

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James Kitovitz
Product Manager
Royal Mail Door to Door

FREEDOM and **LIBERTY**



OR

FOREIGN CONTROL

MAKE YOUR OWN CHOICE

OUR AIM IS EDUCATIONAL