

Freedom and Responsibility

Report into the UK Covid Response: UK Government Illegality



Issuance of 'Regulations' beyond the scope of the Public Health Act

- The Public Health Act (1983) specifies that regulations cannot be issued concerning confinement or quarantine [as per 45D(3), which states that 45C cannot include 45G(2) (a)-(d). 45G(2)(d) includes isolation or quarantine].
- Regulations declared on the 23rd of March are thus unlawful and the enforcement of them was illegal.
- Further, the language to declare the situation as a “clear and imminent threat” was contradicted by language that the threat was “moderate” by the Health Secretary on the same day it was issued (10th of February).

Breach of Entrenched Acts of Parliament

- The Charter Confirmation Act (1297) and Bill of Rights (1689) are both fundamental constitutional Acts of Parliament, the text of which specifies that they, unlike other acts, are unrepealable and remain extant.
- These acts enshrine *Natural Rights* (similar to *Human Rights*), including the right to not be confined or detained without trial, the prohibition of torture and respect of legal autonomy. Acts breaching them are *ultra vires*, unlawful.
- Through forcible confinement of citizens without suspicion of a crime, arrest, due process of trial, the UK Government has violated these Acts of Parliament.
- In the case of vulnerable adults and some people living alone (for whom this time is solitary confinement), this amounts to psychological abuse, a form of torture.
- Measures stripping legal autonomy without verification are equivalent to the suspension of the presumption of innocence.

Suspension of Natural Rights in Magna Carta & Declaration of Right

- Constitutional Treaties such as the Magna Carta and Declaration of Right are the place from which the power of the crown and parliament legally stems. Nearly every item within them is also enshrined entrenched acts.
- Through the UK Government suspending the rights similarly enshrined in these treaties, it simultaneously invalidates any such measures as these treaties are the font from which it exerts its power.
- In some aspect these treaties go further than entrenched acts, for example, the Magna Carta stipulates that Government is accountable to the conduct of police and other law enforcement agents.
- In so the Government has also acted illegally through the systematic police abuse of UK citizens during this crisis.

Conflict with UK Human Rights Legislation

- Whilst UK Human Rights legislation is not entrenched and so action breaching the *Human Rights* defined by them is not illegal, judges must interpret the law in a manner most conducive to these rights.
- Many of the rights echo the irrevocable *Natural Rights* previously mentioned and have been violated by forced confinement and other measures.
- Where a judge finds there is a conflict, they rule it so and refer the matter to Parliament for potential resolution.

Accountability

- Members of the Cabinet can be held criminally accountable for their *collective cabinet responsibility* actions as a Government under *joint enterprise*.
- The actions of the UK Government amount to a number of offences, primarily Misfeasance (Misconduct) in Public Office.