

In The High Court
Administrative Court

On the Application of:

Edwin Stratton (Claimant)

v

Waltham Forest Magistrates Court (Defendant)

Claimant's response to the Summary of Grounds
contesting permission for Judicial Review as
submitted by the Interested Party

1. In respect of point 1 raised by learned Counsel for the Interested Party: the Claimant refers this Honourable Court to the to the CPS guidance submitted on 9 October 2008 at the Defendant's Court, again in the claim for Judicial Review on 5th November and 2nd December 2008 (this document is reproduced at page 51 in the Claimant's bundle). The authority cited therein requires that in cases where the abuse of process claimed by a defendant to criminal proceedings arises by merit of unconscionable conduct by the executive; then such a matter cannot be considered in any tribunal below the High Court.

The Claimant has provided a cogent exposition of governmental bias and other common law derelictions of duty that negate the possibility of the fair adjudication of criminal legal issues within that jurisdiction. This claim requires an examination of the Claimant's substantive allegation that the very scheduling of drug property under the Misuse of Drugs Act 1971 is **not** being performed in accordance with this law's stated principles and purposes.

2. With reference to point 2: The issue of the non-existence of a so-called medical necessity defence is entirely irrelevant; crucially the Claimant asserts an abuse of process inherent within the administration of the Misuse of Drugs Act 1971, a claim entirely separate from any human rights claim considered in the case cited.

3. The consequences of the government's acts and omissions cause the discriminatory application of otherwise neutral law in contravention of his human rights. This important claim warrants a full judicial review.

Submitted by the Claimant:

Edwin Stratton

(Assisted by McKenzie friend Darryl Bickler)

30 December 2008