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**Full Time Hon. Adviser 1990-2014 Alice Barker Trust for support immediately after a bereavement.**  
**Described in Parliament as a Social Pioneer. More than 70 MPs formally acknowledged my**  
**“unparalleled expertise on relevant law” and “free public service which no-one else is capable of providing”.**  
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23 October 2014

Dear Parliamentary Commissioner for Standards,

**Chris Grayling MP., Secretary of State for Justice cum Lord Chancellor**

I write to ask whether it is a breach of the relevant standards, for the highest justice minister in the UK, the Secretary of State for Justice cum Lord Chancellor, to defy his "duty of candour", by deliberately (sic) withholding key information from a court of law? That, I allege, Chris Grayling has done, knowing that the outcome could or would have been different, had he acted honourably.

In a preliminary court order in connection with the exhumation of Richard III, the High Court reminded Chris Grayling that he had that "duty of candour".

(Adapted quote from an unrelated legal case)

"They must not only tell the truth.  
They must tell the whole truth.  
They must not misrepresent by words.  
**They must not misrepresent by silence.**  
**They must make a full disclosure,**  
**of everything they know is relevant"**

It is well known that in criminal cases, defendants and others are required to tell the truth, the whole truth and nothing but the truth. It appears that exactly the same principle is enshrined within the "duty of candour".

However, Chris Grayling deliberately withheld details on crucially relevant case law and about events within the Ministry of Justice between 2007 and 2008 inter alia, proving that the law was not adequately understood. At that time, civil servants were unable to get a sound grasp on relevant law. However, at that stage the matter was not raised in the courts. As soon as the issue did come before the courts in 2011, the clear "duty of candour" required that the courts be given a rounded picture on both law and relevant events, in order to reach a sound judgment.

I had sought assurances in connection with the first case (2011-2012) and Richard III (2013-2014), that a rounded picture on law and relevant events would be presented to the courts. Assurances were not given. That was deliberate in view of the detailed correspondence.

Chris Grayling was well aware of events leading up to the High Court judgment on Richard III, because he, Chris Grayling, was openly critical in the news media. He was aware that Lord Neuberger when Master of the Rolls, had asked in the earlier case (2011-2012) at the Court of Appeal stage, about R -v- Jacobson 1880. Lord Neuberger honourably admitted in the Court of Appeal judgment, that he did not understand the significance of that case.

Chris Grayling was well aware of its crucial importance, because I had explained it in terms of chronological developments and why it had been transferred from the Old Bailey to a higher court. It was presided over by a former Lord Chief Justice - the highest judge in the land - because of its significance and the judgment had been checked for accuracy before being delivered. Because of Lord Neuberger's questions in the earlier case (2011-2012) there was a duty to raise and deal with R -v- Jacobson 1880, in the High Court in the case of Richard III (2013-2014).

If, in the criminal courts, others copy the example set by Chris Grayling MP., they will refuse to tell the truth, the whole truth and nothing but the truth and in view of his conduct, they will also see no requirement to admit to that fact, even if a court reminds them of their duty.

In the case of Chris Grayling, an admission is not necessary, because the paper trail is very robust and completely watertight, on what has been done and very consciously so.

It is also a legal requirement that justice not only be done but that it be seen to be done. That principle was upheld in the House of Lords, in the case of the Chilean alleged mass murderer General Pinochet, (1999, 1 All ER 577). He made no allegation of actual bias. He simply submitted that there was the appearance of possible bias. That legal principle was upheld. As one judge said, "public confidence in the integrity of the administration of justice would be shaken", if the mere possibility of bias was suspected and not resolved. Thus, the conduct of any MP but especially the highest justice minister in the UK., must be assessed by that very basic and clear standard.

If not addressed in a formal way, any "reasonable person" could suspect, that Chris Grayling has the power behind the scenes to manipulate the justice system in his own favour, when appearing before any court as a defendant. That also means a "reasonable person" could suspect that the judges are then placed in an untenable position. When having to decide whether or not the most senior justice minister is on the right side of the law, they would have conflicts of interest. They would know that the hand that feeds them is one which has already defied a fundamental principle of law. The law must be upheld, not least as it only sets minimum standards below which none of us must fall. For that reason, all ministers of justice must reach even higher standards of probity.

In short, one of the most crucial legal principles has been openly subverted. If others follow that lead, the outcome would be anarchy in the courts.

Chris Grayling is responsible for the administration of the courts, their purse strings, the appointment of judges and their prospects for promotion. That carries inherent dangers, such as suspicions on the part of the public that he can pull strings behind the scenes when he is a defendant in any case, because judges will now fear biting the hand that feeds them.

Unless resolved, our legal system is now at serious risk of moving progressively towards political control over legal judgments and the selection of compliant judges for that purpose.

Until this fundamental issue has been formally addressed, it may be thought that Magna Carta celebrations should be postponed. To no-one will justice be sold but those who cannot afford it, such as myself - unless I sell my house and become homeless - are denied justice, even when attempting to protect the national interest and with nothing personal to gain. For that reason, I do hope that you have the necessary powers to investigate and report on the matter.

Yours faithfully,

**John Bradfield.**