

What is to come from the EU?

by Anne Palmer.

European Arrest Warrants. OPT Ins and other things

1) I find it difficult to understand why any British Government, British Political Party or Organisation should even ask the question whether this Country with its unique and much envied long standing Common Law Constitution, would even think about abandoning our unique Justice System based on Magna Carta, that far braver people fought and died so that we could continue with out British way of life with our unique Justice System which has indeed been the envy of the World.

2) I firstly mention the European Arrest Warrant (EAW) for noted that, "Under Protocol 36 the Framework Decision on the EAW will continue to apply after Dec 2014, **but it will be subject to the enforcement powers of the Commission and the Jurisdiction of the Court of Justice.** If it is amended before then and the UK adopts it in its amended form under article 9 of protocol 36, it will automatically become a directive subject to the powers of the Commission and the Jurisdiction of the Court." What indeed will the UK Government choose to do, especially if this Country remains in the EU and this will apply for all time coming.

3) However, noted that **if the UK** gives notice that **it does NOT accept these powers** and the extension of the Court's jurisdiction, the EAW framework decision and all other un-amended JHA measures will no longer apply to the UK.

4) A brief mention regarding the European Arrest Warrant in which we have witnessed for ourselves is incompatible with our system and which, if I remember correctly the Conservative Party once opposed it. I also raise this important point re an Arrest Warrant for this new Committee that on reading the

Verbatim Report of the proceedings in the European Parliament in the sitting of Tuesday 3rd June 2003 Re "EU-USA Judicial Cooperation Agreement", in which Commissioner Vitorino, was thanking in particular Mr Hernández Mollar the Chairman of the Committee on Citizens Freedoms and Rights, Justice and Home Affairs, on a bilateral agreement between Member States and the United States of America. "This assessment has to be made taking due account of the fact that this is, as the resident mentioned, the very first Union agreement in the field of Justice and Home Affairs, and it will be an historical precedent". Well it certainly was, and as far as I can tell, there was no debate in this Country BEFORE this action took place on behalf of the United Kingdom Government.

5) To the best of my knowledge, this EU-USA Agreement between the EU-USA was not debated in the United Kingdom Parliament before this agreement was made. It is however recorded in the House of Lords "European Arrest Warrant: EUC Report 23rd April 2002" see columns 219-236. The EU making decisions for this great Country without the people (or Government?) of this Country knowing what they are doing in our name. Did our Government know? Could we "opt out" of this had we have known about it? Could we "opt out" of it now? How is it that foreigners can make these very sensitive and important decisions on our behalf without us knowing?

6) I understand the Death Penalty is still operating in the USA, so are we, in having to comply with the EU-USA Agreement which was made for us by the EU, sending people to their deaths? The decisions the United Kingdom make on the EAW and all 133 OPT out's will affect the people of this Country –for all time- especially if they decide to opt "IN" to anything for the European Union will have control over policing and criminal law for all time coming.

7) I now turn to the "Opt Ins" or "Opt Outs" and I really do find it difficult to accept that a British Government and/or Parliament would even contemplate "Opting IN" to any one of

them. Firstly, and because **“No British Parliament can, under the British Constitution, bind a later Parliament.”** Plus, the people have never been allowed one say before any EEC/EC/EU Treaty was ratified. Edward Heath told the people before the REFERENDUM in June 1975, “There is no question of eroding any national sovereignty; there is no blueprint for a federal Europe. There are some in this country who fear that in going into Europe we shall in some way sacrifice independence and sovereignty. These fears, I need hardly say are completely unjustified”. A lie that was admitted many years afterwards on TV. Noted also however, the United Kingdom has no Constitutional referendum process for they are actually plebiscites as they are **not binding** and are at the discretion of the Parliament. The only clear **“referendum”** for the people is a General Election.

8) Having worked my way down the “Third Pillar” OPT IN or OPT OUT Measures subject to the 2014 Decision”, I note that the ones crossed off the list have been replaced by **EU Directives**, so it seems to be a “lose,” “you lose again” situation.

9) Number 2 in the (OPT IN) list, **“an exchange of liaison Magistrates to improve judicial cooperation between the Member States of the European Union”**. **Why?** To sit in and observe the great difference between the two systems? Most observers certainly cannot take any part in the role of Magistrate or even to observe in the Magistrates retiring room where they make their decision. Magistrates go through a certain amount of training plus, they also so swear yet another special Judicial Oath to the Oath they have already made to the British Crown.

10) There is absolutely no point at all unless there is a proposals **to do away with our long standing Common Law Constitution and Judiciary?** That may even fall under one of the Treason Acts protecting our Constitution?

11) Quite frankly, if we continue to “Opt in” to these

measures, I see absolutely no point in electing a British Government or Parliament especially now that our Governments has set up the **Regions of the European Union** throughout the United Kingdom. (See the [EU's] Localism Act set up by Mr Cameron)

12) Without doubt I believe any "OPT IN" places our own unique legal system into a situation of constitutional crisis, our sovereignty, our Rule of Law. And most certainly our fundamental liberties in jeopardy. I cannot and never will understand how a British Government could even contemplate 'opting in' to any of these proposals. To cede sovereignty (Authority) in this area is to me, basically accepting that the Court of Justice of the European Union (CJEU) as the Supreme Court over all Courts in the United Kingdom including the recent new UK Supreme Court. I therefore look upon these measures as treason. To destroy our Constitution is indeed treason.

13) It is not appropriate to have EU wide harmonised Criminal Procedural Laws. Too many have given their lives to keep our own traditions and we cannot knowingly fail or betray them now surely? They gave their lives so that this Country would always be free from foreign rule. For all the people in this land to be free to govern themselves by their own long standing Common Law Constitution and, in the words that MP's end with having made their Oath of Allegiance before they may take their seats in the House of Commons even though some people may have freely elected them, they say and "ACCORDING TO LAW".

14) This brings me to a 422 page article, **"The European Commission for the Efficiency of Justice" already in preparation for training to the EU way of Justice.** At least look at it and see what is in store for you. Does the EU know something we don't know, **for on page 12 Scotland is already separated from the rest of the UK. Is it a case of Scotland will break away from the rest of the United Kingdom thus**

destroying it completely? Will the other two parts want to break away? Is it all part of "the Plan"? This article is not very easy to get but try.

15) On practical matters we would lose Habeas Corpus and Trial by Jury and possibly Magistrates Courts? I note the EU Commission paper "Brussels, 20.9.2011. COM (2011) 573 final COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Towards an EU Criminal Policy: Ensuring the effective implementation of EU policies through criminal law. It is to THAT we are travelling here in the UK if we do not get out of the EU soon and before 2014.

16) To go along with EU Justice there is a report on **European Judicial Training Dated 2011.** " For EU law to be effective, it has to be applied properly in practice and that starts with the judges, lawyers, prosecutors and notaries working throughout the European Union. **With this in mind, in 2011, the European Commission set the objective of training 700000 legal practitioners – half of all those in the EU – in European Law or the law of another member state, by 2020. So it really looks guys, that if we do not get out of the EU at the latest by 2015 and by using that General Election as the REFERENDUM and vote anyone into Office other than any one of the major THREE Political Parties that have indeed brought us to the place we are in at present.**

17) Finally, it was noted that nine separate changes made recently, to certain parts of our Constitution allegedly for the then forthcoming birth of the new Royal Baby. Nine changes to nine separate parts of our Constitution that many gave their lives for in the saving of it for all of us including all in that Houses of Parliament. I wrote three letters to the Prime Minister one each in each of the three months previous to the Succession to the Crown Bill was made and Act. I received a letter after the Bill became an ACT. Our Bill of

Rights has two codicils at the end which forbids any changes to it and it is there for all the people of this Country to remain in full for all time coming. Noted the changes that have allegedly been made is now in keeping with the EU's Equality Act and the ECHR etc. However, the question remains, **"How could the people's Common Law Constitution be changed without the consent of the people?"** Certainly not by Governments for the Common Law was and is still a protection from the Monarchy and Governments. To destroy the Constitution is indeed an Act of Treason, The Treason Acts of course cannot be repealed for they are there (unless we lose a war) to protect our Constitution for all time. It is the Common Law Constitution for all the people, our Constitution therefore does I suggest, remain in full. Charges of Treason have been tried over many years, all without success. Deliberately so. Our Constitution FORBIDS us to encourage in any way-even and perhaps especially financially- foreigners Governing us- THAT IS WHY WE HAVE FOUGHT IN TWO WORLD WARS. Why are we electing anyone from the three major Political Parties? Why are we paying them? **"...all usurped and foreign power and authority...may forever be clearly extinguished, and never used or obeyed in this realm. ...no foreign prince, person, prelate, state, or potentate...shall at any time after the last day of this session of Parliament, use, enjoy or exercise any manner of power, jurisdiction, superiority, authority, preeminence or privilege...within this realm, but that henceforth the same shall be clearly abolished out of this realm, for ever."**

Addition to the above. A Letter received today 4.10.2013 from an MP representative of our Government. That as all Commonwealth Countries have given their consent to these changes, all is indeed well. However, I believe the Commonwealth Countries have their own unique Constitutions.

The people of this Country have not been asked if the present temporary Government can indeed change our long standing Common Law Constitution that so many gave their lives for in

two World Wars in order to keep not only our way of life, but our own Constitution rather than the Constitutions of foreigners or indeed change our Constitution just to suit foreigners. (Still an ongoing argument)

The European Commission for the Efficiency of Justice

This has 422 pages. At least look at it and see what is in store for you. Does the EU know something we don't know, for on page 12 Scotland is already separated from the rest of the UK. It has a questionnaire at the end! See how you go.

http://www.coe.int/t/dghl/cooperation/cepej/evaluation/2012/Rapport_en.pdf

Date: 17/07/2013 Commission proposes European Public Prosecutor's Office and reform of Eurojust to protect the financial interests of the EU. Once opened this has 8 more leads.

http://ec.europa.eu/justice/newsroom/criminal/news/130717_en.htm

Report on Official Training google in **Report on European judicial training 2011.**

And

http://ec.europa.eu/justice/criminal/european-judicial-training/index_en.htm

And

http://www.encj.eu/index.php?option=com_content&view=article&id=149%3Aecpublicshesreporttraining&catid=22%3Anews&lang=en

European judicial systems Edition 2006 (2004 data) European Commission for the Efficiency of Justice (CEPEJ)

Google in the above.

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES. **Council conclusions of 27 October 2011 on European judicial training** (2011/C 361/03) Official Journal of the

European Union C361 Volume 54 10 December 2011.

European Prosecutors Office

EU Banking Union [http://www.bbc.co.uk/news/business-](http://www.bbc.co.uk/news/business-18409175)

18409175

<http://www.ecb.europa.eu/press/key/date/2012/html/sp120907.en.html>

Towards a banking union

At the European Council of 28/29 June, EU leaders agreed to deepen economic and monetary union as one of the remedies of the current crisis. At that meeting, the leaders discussed the report entitled 'Towards a Genuine Economic and Monetary Union'¹, prepared by the President of the European Council in close collaboration with the President of the European Commission, the Chair of the Eurogroup and the President of the European Central Bank. This report set out the main building blocks towards deeper economic and monetary integration, including banking union.
http://europa.eu/rapid/press-release_MEMO-12-656_en.htm

EUROPEAN DATA PROTECTION SUPERVISOR

Executive summary of the Opinion of the European Data Protection Supervisor on the Commission proposals for a directive amending Directive 2006/43/EC on statutory audit of annual accounts and consolidated accounts, and for a regulation on specific requirements regarding statutory audit of public-interest entities *(The full text of this Opinion can be found in English, French and German on the EDPS*

website: <http://www.edps.europa.eu>)

Towards an EU Criminal Policy: Ensuring the effective implementation of EU policies through criminal law (2012/C 336/04) Google in this below

Brussels, 20.9.2011 COM(2011) 573 final UK Convergence Programme <http://www.comunitanext.org/2011/03/convergence-programmes-of-hungarysweden-and-the-united-kingdom/>

AND

<https://www.gov.uk/government/publications/uk-convergence-programme-2012-13>

European Prosecutor's Office
http://ec.europa.eu/justice/criminal/judicial-cooperation/public-prosecutor/index_en.htm

EU Banking Union <http://www.bbc.co.uk/news/business-18409175>
<http://www.ft.com/indepth/european-banking-union>

Schengen

http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/l33020_en.htm