

**The Paris Peace Conference 1919 Remembered... 100 Years on**  
**18 January to 28 June 2019**

Sponsor: Peter M. Southwood (Dr)  
[www.directionofconflict.org](http://www.directionofconflict.org)

**PUBLIC BENEFIT NOTICE: For release on Friday 19 April 2019**

Open Letter to:

Chair and Members of the Justice Committee  
House of Commons  
London SW1A 0AA

18 April 2019.

Dear Honourable Chair and Members

**Re: Oral Evidence: The Work of the Attorney General (HC 1887, 23 January 2019)**

I am writing to you, with respect to the above testimony, to draw your attention to two false and misleading replies from the Attorney General to your questions:

- Q8 ... Do your ministerial and departmental responsibilities have any conflict with your legal advice responsibilities?
- AG ... I have never heard it once said that an Attorney General, in exercising his quasi-judicial functions, had been wrongly influenced by political considerations.
- Q9 ... You are the chief legal adviser to Parliament, as well as a political appointment of the Prime Minister... I want to get a sense,..., of how you see that role. Ultimately, you are beholden for your job to the Prime Minister.
- AG ... If I am advising anybody, whether it be the House or the Cabinet, I would be no lawyer at all if I allowed my... political view to obtrude into my legal judgment.

The Attorney General could be confident that you would be unable to challenge these answers by the rule that your Committee cannot consider individual legal cases. However, my article no. 2 'A Bleak House Today', published on 6 March 2019, gets around this problem by a primary focus on how English charity regulators politicised charity since 2000.

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**Sponsor's Purpose:**

**To forewarn the public one more time that the world is heading for another Great Power war.**

As in 1919, the reason is the failure of political institutions to apply 'an irenic perspective' even-handedly. Post-Cold War, the term was first defined in English charity law on 9 October 1998, drawing on a United States case of 1917, and affirmed by the Court of Appeal on 28 June 2000.

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Article no. 2 and the accompanying letter is at: <https://www.directionofconflict.org/what-we-do>

In brief, the principle of an ‘irenical perspective’ as judicially defined on 9 October 1998 and emphatically affirmed by the Court of Appeal on 28 June 2000 underpins three cases which I prosecuted between 1995 and 2018. If you read the fully referenced article, you will see how successive Attorneys General were able to undermine the rule of law. The focus is on their role, so the judges are not named. On my testimony, it is beyond argument that all Attorneys General involved, including your witness, did allow their ‘political view to obtrude into [their] legal judgment.’ My evidence is mostly documentary and, therefore, verifiable.

There is one other key issue arising from the testimony of the present Attorney General:

Q15 ... do you think that there is sufficient public – by public, I mean journalistic and civic society – understanding of your role?...

AG ... You lay down a challenge. There is a really important job to be done to explain publicly, to the House and elsewhere, the role of the Attorney General, the importance of the Law Officers’ convention and its centrality, in the **public interest**, to the conduct of good government... [Emphasis added.]

Not one word from him about ‘public benefit’, which is the central organising principle of education, and charity in general, and which is not judicially equivalent to public Interest. (The former requires proof, if not self-evident.) Not one word from him about his role as public protector of charity (though you did not think to ask him about this). No wonder, then, that he and his predecessor, aided and abetted by the Attorney General in 2003 were able to have my claim for judicial review last year, based on a judicially defined ‘irenical perspective’, certified as ‘**totally without merit**’ by the Court of Appeal that had affirmed it.

Thus, I have had to take over as the *de facto* Law Officer for Public Benefit because the *de jure* Law Officers would not do so. Tomorrow I publish my Communique No. 1 concerning the decision of the Public Prosecution Service in Northern Ireland to prosecute Soldier F on two counts of murder and four of attempted murder in relation to events on Bloody Sunday. If you care to read it, you will see the difference that public benefit from an irenical perspective can make without in any way compromising the legal process now underway.

I appreciate that I have left you with much to ponder, if you can face the evidence I have summarised. However, should you be unable to face it, as the Attorneys General have been unable to, that can only postpone the crisis at the price of magnifying it still further.

Yours faithfully,

Peter M. Southwood (Dr)

Law Officer for Public Benefit in England and Wales (*de facto* but not yet *de jure*)

Signed: 18 April 2019 for public release *on Good Friday when it will be uploaded to the website.*

### Linked to Communique No. 1

This Communique offers an illustration of how the second aspect of a ‘Test for Prosecution’, can lead to a different decision when it is based on the legal concept of ‘public benefit’ rather than ‘public interest’. The latter is the one that the Public Prosecution Service in Northern Ireland was legally obliged to apply, as they have done, before deciding whether to prosecute Soldier F. The good faith in which they have so applied it is not in question.

This Communique will be found at [www.directionofconflict.org](http://www.directionofconflict.org) where there is also a provisional timetable for the other letters and articles in this series up to 28 June 2019.

Communique No. 1 *is to be published on Good Friday, 19 April 2019.*

### References

References in this letter (apart from HC 1887) will be found in Article no. 2 which was *published on 6 March 2019.*

(UK) House of Commons Justice Committee, Oral Evidence: The Work of the Attorney General, HC 1887 (23 January 2019, published 25 January) may be found at:

<https://www.parliament.uk/business/committees/committees-a-z/commons-select/justice-committee/inquiries/parliament-2017/work-of-attorney-general-inquiry-17-19/>

### Notes for Editors and Correspondents

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