

Paul Holleran, NUJ Scottish Organiser and Officers of NUJ Glasgow Branch

National Union of Journalists (NUJ) and International Federation of Journalists (IFJ), in particular Paul Holleran, NUJ Scottish Organiser and officers of NUJ Glasgow Branch (the Offenders) knowingly breached criminal law when they accepted a vexatious complaint without legal merit (the Complaint) against an elderly NUJ member (the Referrer). The Complaint unlawfully harasses and intimidates the Referrer in retaliation for his filing legitimate complaints against NUJ/IFJ officials for denial of his civil and human rights.

Referrer

Paul Trummel PhD (RPI ABD), PhD (UW ABD), MS (RPI), MSc (UK), BSc (UK)

UK equivalencies in graphic communication recognized by Boston University, Northeastern University, Rochester Institute of Technology, Fitchburg State College, San Jose State University, Rensselaer Polytechnic Institute, and University of Washington with comparability twice certified by International Education Research Foundation (IERF), a credential evaluation service accredited by US Department of Education

Associate Professor, Communication and Rhetoric (Retired)

Special Doctor of Philosophy Program (SPhD), University of Washington

Fellow, International Society of Typographic Designers (FISTD)

Fellow, Institute of Paper Printing and Publishing (FIOP)

Member, Society of Authors, London

International Federation of Journalists, Brussels (International Press Card)

National Union of Journalists, London (UK Press Card)

A National Union of Journalists, London Freelance (NUJ/LFB) branch member, Paul Trummel has written hundreds of articles on corporate, union, senior and academic abuse, and institutionalized racism. He founded *Contra Cabal* (one of the first electronic magazines to appear on the web) for which he currently develops the site, writes articles, designs pages, and produces graphics.

Published in print since 1944 and on the web since 1992, without a single challenge to the authenticity of his reporting, he has concurrently spent sixty years as a trade union member and elected officer, twenty years as a new media industry CEO and systems designer/consultant, and thirty years as a post-graduate professor teaching computer industry executives and students of journalism, law, and graphic design working on masters or doctoral degrees. He has attended or chaired hundreds of faculty and trade union committee meetings including national conventions.

Alleged Offenders

Scottish Organiser and NUJ Glasgow Branch Officers:

[Paul Holleran](#), NUJ Scottish Organiser
c/o National Union of Journalists, Scottish Office
114 Union Street, Glasgow G1 3QQ

[Ruth Allen](#), NUJ Glasgow Branch Chair
52 Carrington Street, Glasgow, G4 9AL

[Joan MacDonald](#), NUJ Glasgow Branch Secretary
22 Glen Affric Avenue, Glasgow, G53 7XA

[James Doherty](#), NUJ Glasgow Branch National Executive Council Member
Culture and Sport Glasgow
20 Trongate, Glasgow, G1 5ES

[John Matthews](#), NUJ Glasgow Branch Chair, *pro tem*
32 Thornwood Avenue, Glasgow, G11 7QY

DeeDee Cuddihy, NUJ Glasgow Branch Secretary, *pro tem*
c/o National Union of Journalists, Scottish Office
114 Union Street, Glasgow, G1 3QQ

Complaint

The Complaint forms part of a pattern or practice of intimidation and arbitrarily denial of member services to pervert the course of justice. The Offenders have harassed an elderly NUJ member with vexatious complaints in support of an orchestrated NUJ/IFJ campaign of personal derogation and professional abuse to obstruct due process of law. By that, they have knowingly processed a meritless complaint in a procedure which otherwise has a meritorious cause of action.

The Complaint does not conform to moral law or social convention and constitutes harassment and age discrimination of an elderly NUJ member in defiance of Scottish law. It does not comply with Scottish common law insofar as NUJ aims to achieve a practical result by a false pretense. Neither does it conform to NUJ rules in that NUJ Glasgow Branch officers have deprived an elderly NUJ member of his civil and human rights by using a “kangaroo court” (a sham legal proceeding) that denies due process also civil and human rights for political expediency. Neither NUJ rules nor Scottish law permit such behavior; moreover, any legitimate disciplinary complaint against an NUJ member must receive due process by NUJ Ethics Council not by local branch officers.

The Offenders have:

1. Neglected to conform to NUJ Rules 2010.

NUJ Rules 2010. Discipline. 24(b).

The Ethics Council shall be empowered to receive from branches, and union members, complaints about the work or behaviour of union members or about the conduct of candidates in union elections which, in the complainants' view, contravenes the code of conduct.

If after due inquiry, in accordance with the procedures and time constraints laid down in Appendix D, the Ethics Council is of the opinion that a member has been guilty of a breach of the union's code of conduct, it may reprimand the member or refer the matter to the NEC with a recommendation to impose one or more of the penalties outlined in clause (a) of this rule.

2. Claimed full authority of NUJ Glasgow Branch to deal with an ambiguous complaint yet have provided no substantiation of that claim or any of the other wild accusations and false assertions made in the Complaint. Moreover, they have refused or neglected to provide a single document or affidavits filed by the alleged complainants; consequently, the Complaint became moot; however, they continued the harassment.

3. Denied NUJ membership and common law rights by bringing a vexatious complaint and holding a "kangaroo court" unlawfully to adjudicate by railroading, harassing, and intimidating an elderly NUJ member contrary to NUJ rules also established law and its precedents

4. Breached a membership contract without due process under NUJ rules by arbitrarily cancelling an international press card held for many years in violation of the Referrer's employment rights which made him vulnerable to abuse by foreign governments while performing his duties as an investigative journalist.

5. Proceeded with a hearing before similar issues filed under NUJ rules received due process by NUJ or a court of competent jurisdiction. By that, they prejudiced the outcome of a series of complaints spanning several years.

6. Abused the Referrer by bullying and harassment to compromise his rights under NUJ rules which prevented adjudication of civil issues in a court of law and resulted in a criminal cover-up.

7. Committed the Scottish crime of "uttering" by passing off documents and appointments as genuine with intent to deceive and to prejudice the Referrer by using false and misleading email aliases, proxies, and pseudonyms to evade addressing legal issues. A series of Internet denial-of-service attacks occurred each time the Referrer published his findings, the latest sabotage having taken place upon publication of the response to the Complaint.

8. Obstructed due process by neglecting to respond to a request for hard copies of signed minutes of meetings that show the reason for, and alleged resignation of, Allen and McDonald as NUJ Glasgow Branch chair and secretary also signed minutes of the meetings that show the appointment/election of Matthews and Cuddihy as chair and secretary, respectively. NUJ continues to publish McDonald and Allen as Chair and Secretary of NUJ Glasgow Branch despite assertions to the contrary.

9. Committed criminal offences, jointly and severally, as part of a cover-up of criminal activity designed to silence the Referrer for exposing NUJ officials in contravention of Universal Declaration of Human Rights. They have established a pattern or practice of illegal harassment and discrimination by fraudulently denying due process of law and by bringing fraudulent and malicious proceedings against an elderly NUJ member. They have unlawfully convened a hearing of the Complaint *in absentia* which forms part of a deliberate campaign of harassment, abuse, derogation, and age discrimination in violation of The Employment Equality (Age) Regulations 2006 and (Amendment) Regulations 2008.

The latest in a series of vexatious actions, the Complaint abuses trade union process in an attempt to support a cover-up of criminal activity by NUJ officials and officers. It denies access to documents pending investigation of alleged criminal activity under: Trade Union and Labour Relations (Consolidation) Act 1992; Solicitors' Code of Conduct 2007; Solicitors Act 1974; Administration of Justice Act 1985; Courts and Legal Services Act 1990; Fraud Act 2006; Employment Equality (Age) Regulations 2006; Vienna Convention on Consular Relations; and, Universal Declaration of Human Rights.

Facts

Jeremy Dear, NUJ General Secretary and Michele Stanistreet, NUJ Deputy General Secretary allegedly coopted Barry Fitzpatrick, NUJ Head of Publishing and FoC NUJ Officials Chapel to file a false and misleading complaint against a member.

Glasgow NUJ Branch claimed that London Central Branch (with which the Referrer has no connection as a member of London Freelance Branch) asked it to undertake investigation of a complaint in accordance with NUJ Rules then demanded that the member provide a deposition "that can aid us in our deliberations". Effectively, that document (8 Apr 10) retaliates for publishing exposé about involvement of Dear and Stanistreet in fraud and other criminal activity also the Referrer's insistence upon entitlement to NUJ member support, legal representation, and human rights during the previous decade.

Glasgow Branch claimed that it would consider the complaint and start depositions during the week beginning 07 June 2010; however, Fitzpatrick used a time-warp stratagem, delayed service, and withheld documents to deny compliance with deadlines: a ploy commonly used by NUJ officials to delay and deny due process and to create a default. Fitzpatrick dated the letter (8 Apr 10) (the Referrer received a hard copy more than seven weeks later (28 May 10)) and expected a response seven days after service which did not allow enough time to obtain and instruct legal counsel. He further obstructed due process by failing to provide names and addresses of witnesses and neglecting to substantiate his claims, an opinion that his confused letter substantiates.

Fitzpatrick took part in a conspiracy by Dear and Stanistreet to dragoon a NUJ member. He delayed and denied due process of law by trying to force rapid litigation to prevent careful consideration and criticism of the Complaint. Dragooning includes subjugation, persecution, coercion, and threats to Referrer which constitute railroading or sandbagging which has no lawful foundation.

Fitzpatrick's complaint established another pattern or practice of unlawful acts by Dear and Stanistreet using an identical strategy to that previously used by Roy M Mincoff, NUJ In-house Solicitor and his predecessor Claire Susan Kirby (Thompsons Solicitors): both presently under investigation by Solicitors Regulation Authority for professional misconduct after using false and misleading representations and tactics similar to those now used by Fitzpatrick.

Dear perverted the course of justice by misusing his position for personal gain and colluded in manipulation of elections to maintain an illegal *status quo*. He also covered up misappropriation of public funds by denying access to financial and other records.

David Cockburn, Certification Officer, Certification Office for Trade Unions and Employers' Associations Cockburn effectively supported the illegal activities by delaying and denying justice. His actions show an illegal pattern or practice which has adversely affected trade union member rights. They continue to delay investigation and adjudication of a complaint against Jeremy Dear under both NUJ Rules and Trade Union and Labour Relations (Consolidation) Act 1992. By collusion, Cockburn effectively granted Jeremy Dear, General Secretary, National Union of Journalists impunity to extend a seven-year pattern of illegal activity for another year.

Press Complaints Commission has not processed complaints against Jeremy Dear and Timothy R Gopsill, former Editor, Journalist (NUJ magazine) and Mark Thompson, Director-General, BBC relating to a seven-year illegal prior restraint. The need for discussion arose upon substantiation of alleged BBC and NUJ complicity in a seven-year media blackout orchestrated by Dear. BBC did not broadcast or publish anything about the illegal jailing of the Referrer in Seattle despite 900 supportive articles published from Moscow to Madrid. However, BBC gave wide coverage to other NUJ journalists in similar circumstances: Suzanne Breen; Alan Johnston; Shiv Malik; and, Sally Murrer.

As a result of dereliction and machination by Fitzpatrick and repeated unlawful acts by Mincoff, predominant and overriding factors arise. Associated complaints to: National Union of Journalists; National Executive Council (NUJ/NEC); Solicitors Regulation Authority; Certification Office for Trade Unions and Employers' Associations; and, Press Complaints Commission; must receive an independent hearing before any action can occur on new complaints which address similar issues that relate to both Dear and Stanistreet - the originators of this complaint.

Moreover, adjudicating the present complaint in Scotland (outside English jurisdiction) arguably creates an unlawful deception. If depositions and hearings proceed, then they must take place in a court in England (the domicile of the Referrer) after adjudication of other outstanding issues and allowing a reasonable time to employ and instruct legal counsel.

History

Exposure of a decade of lies, deceit, and denial of member services, also denial of legal representation by NUJ/IFJ officials for personal and political expedience, arguably has led to repeated retaliation and criminal harassment of the Referrer.

2000. NUJ/IFJ pledged its support of the member for insisting upon freedom of speech in Seattle.

2001. Seattle Mafia evicted the member for writing about misappropriation of government funds and abuse of elderly and vulnerable people which resulted in three homicides by abuse and an attempted murder.

2002. The Mafia jailed and tortured the member in jail until he suffered a heart attack at the age of seventy and he almost died. Judge Doerty, a rogue judge, ruled that he would stay in jail indefinitely until he took down a web site hosted in Holland. Jeremy Dear and Clair S Kirby, former NUJ In-house Solicitor allowed the member to languish in jail and placed a media blackout with BBC, The Journalist, and Press Gazette on any mention of the event to cover up UK embassy and NUJ neglect to support him.

2003. The Mafia blocked an appeal then Washington Supreme Court ordered an appellate hearing.

2004. The Mafia complied with the supreme court finding then subverted the appeal by illegal appointment of corrupt judges.

2005. Dear and Mincoff, while feigning solidarity, accepted a government "educational grant" £262,000.00, allegedly as part of a UK government cover-up of neglect by its consul in Seattle.

2006. Five international media and civil rights amicus curiae argued the case in Washington Supreme Court. In a unanimous finding by nine judges, the court reversed all trial court decisions which absolved the Journalist of wrongdoing. Mincoff and Dear suppressed publication of that finding by blocking access to a lawyer; consequently, the Mafia did not make reparations.

2008. NUJ/NEC held a kangaroo court to deny the member legal services in a further cover-up which included neglect to address Internet sabotage that caused £500,000.00 damage to web sites, computer equipment, and applications.

2009. Dear started a derogation campaign against the Referrer for writing about NUJ dereliction and blocked hearing of other complaints which have still not received due process.

2010. Dear and Stanistreet originated and Fitzpatrick filed a complaint in Scotland (a devolved jurisdiction) which constituted an illegal act to cover up: media blackout; harassment; denial of legal support; and abuse of an elderly member now approaching seventy-seven years of age.

Since the Acts of Union, in 1707, Scotland has retained a fundamentally different legal system from that of England and Wales although that union brought English influence upon Scots law. Suspicion and mistrust between the two countries prevented union for a hundred years. In England, fear that without union the Scots would side with France and rekindle the "Auld Alliance" allowed confederation. Financial "incentives" appear to have convinced Scottish MPs of the potential benefits of a union with England. In the words of Robert Burns, Scottish MPs were "bought and sold for English gold". In 1859, Alphonse Karr wrote: Plus ça change, plus c'est la même chose. [The more things change, the more they are the same.]

Legal Legacy

Excerpt from an article, that included an interview with Attorney Elena Garella, published in Online Journalism Review, University of Southern California (USC), Annenberg (04 Apr 04) and a review by Scott G Neil.

Despite the uproar over Doerty's attempt to drum Trummel out of the corps of journalists, his own attorney, Garella, agrees with the judge that in the final analysis that issue is irrelevant. "Whether Mr. Trummel is a journalist or an angry tenant doesn't really matter," she said. "He gets the same rights under the laws as anyone else. And we all have the same free speech rights."

She also acknowledged that if some of the allegations about Trummel's actual conduct were proven to be true in a fair trial in which he had an opportunity to confront his accusers, an anti-harassment order might be justified. But no such proceeding ever occurred, she said. "Judge Doerty immediately took the position that everything Paul did was harassment and threw the book at him before there was ever a trial." Moreover, the orders went beyond restraining his conduct and suppressed his right to communicate.

"I don't think you can ever use any kind of injunctive force to preclude people from engaging in free speech activities and posting complaints about an apartment house on the Internet or complaining to authorities because an apartment violated various state and federal regulations," Garella said.

"It could be very uncivil and impolite behavior and yet that doesn't mean a court could stop them from engaging in activities that are protected. That's where the judge was wrong. He is saying this is so impolite and rude and disturbing to people that I'm going to shut you down and stop you from saying what you want to say. He simply can't do that." The state anti-harassment law he invoked "is intended to stop behavior, not speech," she said.

nota bene

Five international media and civil rights amicus curiae argued the case in Washington Supreme Court. In a unanimous finding (30 Mar 06) by nine judges, supreme court reversed all Doerty's decisions which absolved the journalist of wrongdoing and concurred with Garella's claims.

With reference to the current NUJ complaint, Dear and Stanistreet have tried to use a similar stitch-up to that used by Doerty. Contrary to law, Doerty tried to censor speech that exposed criminal activity through application of media blackouts and coercion. They will lose in the same way that Doerty lost in Washington Supreme Court and NUJ members should petition for their impeachment.

Jurisdiction and Devolution

In recent years, European law has affected Scots law under Treaty of Rome, European Convention on Human Rights, and establishment of a Scottish Parliament which may act within areas of legislative competence detailed by Scotland Act 1998. Arguably, substantial differences in evidentiary law affect the behavior of litigants under Scottish law to the detriment of NUJ members domiciled in England.

NUJ has tried to convene another totalitarian "kangaroo court" which has no place in a democracy. Historically, dictators have convened kangaroo courts, characterized by dishonesty or incompetence, to evade established legal procedures. NUJ officials have neither filed a formal complaint as a proceeding in a court of law to seek a legal remedy nor provided documents, supported their contentions, or furnished legal precedents.

Fitzpatrick has made assertions (emphatic declarations) unsubstantiated by facts and has assumed that making wild and false accusations constitutes evidence. NUJ officials have arbitrarily blocked access to member sections of NUJ web site by sabotaging access and creating a technological paradox. By that, they have prevented verification and validation of the statements in their complaint.

nota bene

NUJ restored access to the member section upon publication after a complaint concurrent with the download of malware to *Contra Cabal* computers (04 Jun 10). Another two attempts to destroy systems occurred (05 Jun 10) identical to those that occurred upon publication of the last NUJ article (01 Apr 10). The cost of current repairs amounts to £1,500.00. Metropolitan Police, Computer Crime Unit received a referral informing them of a continuing pattern or practice.

NUJ rules state that: "If the respondent is a member of another branch the General Secretary shall be notified by the complainant's branch and s/he will endeavour to select a neutral branch to decide whether a case has been made out for examination by the NEC". The Referrer's branch, London Freelance has consistently blocked filing of complaints against NUJ officers.

Dear and Stanistreet have ostensibly filed a complaint which "endeavour[ed] to select a neutral branch to decide whether a case has been made out for examination by the NEC" on their own complaint. Their choice of NUJ Glasgow Branch as a "neutral branch" classifies as machination that makes that branch ineligible because of conflict of interest "to decide whether a case has been made out for examination".

Derogation

Repeated insolent and evasive acts by NUJ officers, officials, and lawyers to members with legitimate complaints have established an illegal pattern or practice of derogation: communication that belittles and deviates or partially takes away the effectiveness of laws or rules. The number and frequency of those acts reveals an organized campaign (a pattern or practice).

Wrongful use of language evades a responsibility to investigate both current and previous circumstances exhaustively and without bias. A pattern or practice defines as, and manifests in, two or more organized acts or instances which indicate ensuant activity. To establish a pattern, laws generally require at least two acts within a ten-year period which indicate ensuant activity and a distinctive pattern.

Stereotyping and prejudice against individuals or groups based upon their age legally defines as agism. The term describes discrimination against seniors patterned after, and equal to, sexism and racism. It evolves from a combination of prejudicial attitudes toward older people and the protocols that govern institutional practices and policies. Agism ranks as the most pervasive form of prejudice currently experienced within the UK.

Four NUJ officers resorted to *ad hominem* connected with this stitch-up to cover up their alleged criminal activity. They now classify as accessories before and after the fact to

obstruction of due process by harassing the Referrer then perverting justice on outstanding complaints in a consort with Roy M Mincoff, NUJ In-house Solicitor:

James John Doherty,
Former NUJ President
National Executive Council Officer
Member NUJ Glasgow Branch

Doherty, former NUJ President, in a consort with Mincoff, convened an NEC kangaroo court to dismiss a complaint then denied an appeal. When the Referrer attended the AGM in Southport (2009) in an endeavor to address some of the issues, Doherty consorted with Dear to prevent his rightful entry into the meeting room. Dear and Aidan White, IFJ General Secretary then arbitrarily removed his international press card leaving him vulnerable when on assignment abroad.

Jim Humphries
Former Secretary, London Central Branch, NUJ.
Member NUJ London Central Branch

Despite encouraging letters addressed to the Referrer from NUJ/IFJ members, Humphries chose to send a defamatory message in a similar vein to those received from other officials and officers as part of a campaign of derogation. In an incoherent, abusive diatribe, he accused the Referrer of being “just plain mad!”

David Rotchelle
Chair, London Freelance Branch

Philip Sutcliffe
Vice-Chair, London Freelance Branch
National Executive Council Officer

Rotchelle has for several years, in a consort with Sutcliffe, denied due process to the Referrer. At ADM 2009 in Southport, Rotchelle “stalked” the Referrer to observe with whom he conversed. The Referrer belongs to London Freelance Branch.

Officers of both Glasgow and London Central branches have insinuated themselves into this railroading (coercion by threats or crude means) while complaints lodged against officers or former officers of those branches have not received due process. Consequently, the member has no case to answer and any hearings, acts, or adjudication by NUJ Scottish Office and/or NUJ Glasgow Branch, automatically become moot as officers must recuse themselves for lack of neutrality.

Officials or officers of other branches engaged in similar harassment; however, Dear has not yet addressed those instances of harassment. Instead, he has vilified the Referrer and included the harassers in this railroading campaign. NUJ officers have resorted to further *ad hominem* in a massive cover-up of criminal activity allegedly orchestrated by Dear, Stanistreet, NUJ officials, and staff members.

Legal Procedure

NUJ cannot legally bring a complaint before complaints on associated issues have received due process of law and adjudication. Moreover, jurisdictional issues must receive a determination by a qualified solicitor before commencing a hearing. Roy M Mincoff, NUJ In-house Solicitor and Claire S Kirby, Thompsons Solicitors (both under investigation for professional misconduct on related issues by Solicitors Regulation Authority) must recuse themselves from acting for NUJ in any way regarding those issues.

English common law supercedes National Union of Journalists (NUJ) rules. NUJ can apply to the court for an order to examine a NUJ member then a court-appointed examiner can depose that member before a hearing takes place. However, no right of oral examination of opposing parties in civil litigation exists in England although some jurisdictions recognize an affidavit as a form of deposition.

The term “deposition” means out-of-court testimony which litigants gather in preparation for trial and reduce to writing for later use in court or for discovery purposes. That process usually takes place after pleadings and requests for particulars by exchange of affidavits and answers to interrogatories. Sometimes that exchange takes place before trial; however, the first opportunity to question an opposing party in most lawsuits takes place at trial.

After filing a complaint with the court, interrogation requires an order for examination on oath before a judge, an examiner of the court, or such other person as the court appoints. After granting that order evidence obtained as affidavits or in answer to interrogatories classifies as a deposition.

The order may require the production of documents which the court considers necessary and must state the date, time, and place for examination. At the time of service of the order NUJ must offer to pay the deponent a sum reasonably sufficient to cover expenses in travelling to and from the place of examination also compensation for loss of time.

Where a court makes an order for deposition, it may also order the party obtaining the order to file a witness statement or witness summary of the evidence required from the deponent. A party who obtains an order for examining a deponent before a court examiner must first provide copies of all documents necessary to inform the examiner of the issues.

To ensure accuracy of the deponent’s evidence, the court or the examiner may permit recording of it on audiotape or videotape; however, the written deposition must always result from the employment of a competent shorthand writer or stenographer. The examiner may then record word for word any particular questions and answers which appear to him to have special importance.

Process Service

Without prior notice or discussion the Referrer received an email message and attachment from two people he did not know who used a false email alias. They claimed to be Deedee Cuddihy, Glasgow Branch Secretary and John Matthews, Glasgow Branch Chair. NUJ records show Ruth

Allen, Glasgow Branch Chair and John Matthews, Vice-Chair of NUJ Glasgow Branch although Matthews claims the title Glasgow Branch Chair. Similarly, those records show Joan MacDonald, Glasgow Branch Secretary not Cuddihy. Matthews neglected to respond to three clarification requests to provide a copy of the branch minutes that elected/appointed him Chair and Cuddihy Branch Secretary. Paul Holleran, NUJ Scottish Organiser also neglected to respond to issues that have now become his personal responsibility.

Cuddihy and Matthews sent their message using a fraudulent "no response" email address which made it impossible to reply (they later changed the setting so that the server accepted incoming email). They persist in sending unwanted email messages using an alias and without a subject line despite an admonition that all NUJ email correspondence and attachments must originate on the registered NUJ email server @nuj.org.uk; otherwise, it will automatically be treated as junk mail. They concurrently must send a signed copy to a designated Royal Mail PO Box number (received 28 May 10). Pseudonyms, unregistered email addresses, and proxies can form no part of an NUJ or legal proceeding.

Cuddihy and Matthews claimed that NUJ Glasgow Branch received a request to undertake an investigation without naming the person requesting it. They submitted, without any substantiation, an unlawful, garbled complaint on behalf of the Officers' Chapel of the NUJ. That complaint, written by Fitzpatrick, cited NUJ Rules 2009 then took Appendix C, Paragraphs 6, 4, and 12(vi) out of context by not stating a specific rule or rules to which those paragraphs applied. By that, they rendered the whole complaint ambiguous and legally insignificant.

Excerpt - NUJ Rules, Appendix C - Disciplinary Proceedings.

(4) If the respondent is a member of another branch the General Secretary shall be notified by the complainants branch and s/he will endeavour to select a neutral branch to decide whether a case has been made out for examination by the NEC.

(6) Complaints alleging that a member has behaved in a manner detrimental to the interests of the union or of the profession of journalism shall be dealt with by the NEC or at its discretion by a complaints committee of NEC [National Executive Council], IEC [Irish Executive Council], SEC [Scottish Executive Council] or WEC [Welsh Executive Council].

(12.vi) The secretary of the branch hearing the case shall invite written depositions from the complainant, respondent, witnesses and any other relevant parties. On consideration of these written depositions a decision will be taken as to whether or not a case has been made out for examination by the NEC.

The email message and attachment contained a complaint evidently initiated by Jeremy Dear and Michelle Stanistreet. By that, Cuddihy and Matthews allegedly committed Internet fraud and joined an illegal harassment campaign against an elderly person. Their action constitutes conspiracy to defraud an NUJ member and supports a criminal complaint against Cuddihy and Matthews to Glasgow Police and adding Barry Fitzpatrick, Dear, and Stanistreet to pending complaints to Metropolitan Police for alleged conspiracy to defraud.

Conclusion

Fitzpatrick published lies including claims that NUJ provided support when in fact it denied it. He made a series of false and misleading assertions not supported by facts and actionable in law allegedly with malice aforethought. He does not possess solicitor's credentials, and has acted in behalf of NUJ officials in an attempt to quash criminal complaints without due process of law. By that, he has arguably made himself an accessory after the fact to criminal activity as an unqualified solicitor.

Fitzpatrick conveniently omitted to say in his complaint that he had neither acknowledged previous correspondence nor provided a curriculum vitae that included details of the schools and/or universities that he attended, diplomas and/or degrees earned, and a list of work experience. Neither did he provide copies of the minute that recorded his appointment as FoC, NUJ Officials Chapel and the regulations that govern that chapel nor a copy of his employment contract and details of the salary that he receives in that position. Dear and Stanistreet have not responded to myriad requests for documents and Fitzpatrick supplied no documents to support the assertions that he made in the complaint.

Fitzpatrick received a prepublication notice, as did all people mentioned in the complaint, that personal information about them would appear in an upcoming issue of *Club Journoscam, Contra Cabal*. The author gave notice following the international codes of ethics agreed among journalists to all people about whom he writes negatively. Several of those codes, tested in international courts, have legal precedent.

The prepublication notice gave featured individuals a chance to respond to charges affecting their ethics or moral character. People named incidentally received a copy as a courtesy. For public accountability, the author encouraged them to respond in open exchange before a deadline. He did not solicit personal opinions and requested only matters of fact. After three requests, neither Fitzpatrick nor other people mentioned responded to the opportunity to mitigate.

Stanistreet insinuated herself into the dialog by responding to a copy of the Cuddihy correspondence. By that, she opened the door to insistence that she act as the prime contact in an alleged stitch-up and railroading which she evidently orchestrated in a consort with Jeremy Dear, NUJ General Secretary. By sending an email message as an NUJ official using an NUJ server and as one of the perpetrators of an alleged fraud, Stanistreet effectively accepted responsibility and culpability for herself and Dear.

The Referrer has no case to answer until NUJ addresses outstanding complaints against NUJ officials and officers and files any charges that it wishes to make against the Referrer with a court in England. Therefore, any representations in the attached correspondence become moot: they have no legal significance. A full and independent public inquiry must take place before any further action takes place on these issues.

Dear and Mincoff denied member services to the Referrer for four years at a cost and losses to the member of over £1,000,000.00. In a consort with government officials, they orchestrated

a harassment campaign in which Stanistreet and Fitzpatrick now participate. By that, Dear, Stanistreet, and Fitzpatrick denied the civil and human rights of an NUJ member then neglected to mitigate those circumstances.

NUJ officers act totally out of control and concern themselves more with overseas junkets and illegal involvement in political splinter groups to the detriment of all members despite a £4,000,000.00 loss during fiscal year 2009.

The only remedies left which allow NUJ to return to its basic purpose of supporting journalists lie in criminal indictments and an independent public inquiry with a view to impeachment of Dear and Stanistreet. That would stop appointment of NUJ officials by patronage and machination and institute compulsory and democratic balloting based upon candidates with integrity, education, skills, and work experience.

The cost of responding to current malicious barratry (the offence of vexatiously persisting in inciting lawsuits and quarrels) amounts to £15,050.00 which the Referrer has charged to NUJ.

Paul Trummel, Referrer.

Signed this _____ day of June, 2010.

Professor Paul Trummel, NUJ Member #025057

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All Rights Reserved: 18 Jun 10/12:00
Edition: #880-36-03/10-0615-1922
Feedback: Webspinner@ContraCabal.org