

**From: Leonard Lawrence Pilot 25 May 2013**

**To: The Lord Chief Justice, Lord Judge**

**Lord Chancellor Rt. Hon Chris Grayling MP**

**Court of Appeal Civil Division SL03D00938**

**Lord Justice Munby President of the Family Division**

**Mrs. Justice Pauffley and all High Court Family Judges: SL03D00938**

**Mr. Justice Peter Jackson Court of Protection**

## **The Abuse of Psychiatry in the Family Courts aided by Alastair Pitbaldo Official Solicitor to the Senior Courts and May Maughan Deputy Official Solicitor.**

Following a request for assistance by Leonard Lawrence to **Richard Anelay QC**, Deputy High Court Judge Family Division, it took only a few days for Richard Anelay QC to establish from Barrister Dominic Brazil, 1 Kings Bench Walk, that Leonard Lawrence had been a patient and subject to the Court of Protection, whilst Leonard Lawrence had been under the jurisdiction of the Official Solicitor and Slough County Court.

It is not understood why the report on Leonard Lawrence in August 2009 by **Admiral Sir John Brigstocke, Judicial Appointments and Conduct Ombudsman**, did not inform the **Lord Chief Justice** and the **Lord Chancellor**; that District Judge John Fortgang, Slough County Court, knowing that Leonard Lawrence was a patient and subject to the Court of Protection would not allow Leonard Lawrence access to the Court of Protection. District Judge John Fortgang placed upon Leonard Lawrence Hundreds of Thousands of Pounds in adverse costs and inferences, at the request of **Barrister Dominic Brazil**, whilst Leonard Lawrence was a protected party and was incapable of legal discussion and understanding due to an acquired brain injury.

**The Honourable Mr. Justice Peter Jackson Court of Protection judge**  
“Start Quote [The law is] completely inaccessible to those for whose benefit the legislation has been devised” End Quote

### **Hospital Medical Director**

Mr Lawrence has been heavily exposed to organophosphates. He was medicated to the extent that he lost mental capacity. During the period the Official Solicitor of the Supreme Court acted as his Guardian ad Litem three Court of Protection medical certificates (CP3's) had been obtained but not registered with the Court of Protection. He was, therefore, for nearly 18 months regarded as a mentally ill patient without access to the Court of Protection. During this time considerable amounts of his assets went missing.

## **The Abuse of Psychiatry in the Family Courts, what has and still is occurring?**

1). Individuals are being certified in legal proceedings, like Leonard Lawrence, Lee Gilliland and Michelle Goldberg as lacking mental capacity to manage their property and affairs by a few unscrupulous General Medical Practitioners and Psychiatrists, without medicals, following applications by solicitors and barristers like BP Collins Solicitors, Dominic Brazil 1 Kings Bench Walk and the Official Solicitors office.

2). The individual can then be placed by the County Courts under the jurisdiction of the Official Solicitor to the Senior Courts, presently Alastair Pitbaldo and the Deputy Official Solicitor May Maughan.

3). Medical and financial decisions can then be made by Alastair Pitbaldo, May Maughan and other members of the Official Solicitors staff like Helen Clift without the knowledge or consent of the Court of Protection and Public Guardian. This allows the Official Solicitor and some County Courts an expeditious turnaround of cases and substantially reduces the number of applications to the Court of Protection.

**4). Mr Justice Peter Jackson Court of Protection “Start Quote [The law is] completely inaccessible to those for whose benefit the legislation has been devised” End Quote.**

Robert Watts, Senior Partner, Ratcliffe Duce & Gammer Solicitors alleged to the Law Society that the reason Slough County Court would not allow Leonard Lawrence access to the Court of Protection, when Mr Lawrence was a patient and subject to the Court of Protection, was that it would have caused a delay in legal proceeding. **75% of those like Leonard Lawrence with acquired brain injury are divorced by their spouse**, sadly Mr Justice Peter Jackson and the Court of Protection can afford no protection to extremely vulnerable adults.

**The Abuse of Psychiatry in the Family Courts, the need for serial numbers to be added to Court of Protection Medical Certificates CP3 and the need for their tracking to prevent fraud.**

**5). Medical certificates of mental incapacity have no serial numbers and are ready obtainable. When they are issued they cannot be readily tracked and their existence is sometimes denied by both the medical and legal profession, including in the Leonard Lawrence case by the Official Solicitors office.**

6). On the 15 May 2008 The Senior Master of the Senior Courts of England and Wales in the Queen’s Bench Division, Master Whitaker advised Leonard Lawrence in a letter that after consideration he had passed three unregistered Court of Protection Medical Certificates and a chronology to the Chief Judge of the Court of Protection. As of May 2013 the Court of Protection has no record of ever receiving these three Medical Certificates and The Senior Master’s office is unable to provide any record of sending the Medical Certificates and Chronology to the Court of Protection.

7). In January 2013 Master Yoxall and thereafter Mr Justice Fulford, Queen’s Bench Division, attempted to silence Leonard Lawrence with orders regarding the above and refuse to pass the case to the Family Division. A recent judgment on void orders which involved both the Court of Appeal, the Supreme Court and The Honourable Mr Justice Bean, Queen’s Bench Division, has neutralised, and by some considerable margin, both Master Yoxall and Mr Justice Fulford judgements and orders.

**The Abuse of Psychiatry in the Family Courts, how the Official Solicitor avoids applications to the Court of Protection for legal funding of patients cases.**

8). To avoid an application to the Court of Protection the Official Solicitor funds proceedings with Legal Aid. Records show that the Legal Department, Legal Services Commission, knowing that Leonard Lawrence was a patient and subject to the Court of Protection and was ineligible for public funding by more than Three Hundred Thousand Pounds issued legal aid to the Official Solicitor, thus avoiding an application to the Court of Protection.

9). In the Leonard Lawrence case Helen Clift from the Official Solicitors office did not disclose to Slough County Court two Court of Protection Medical Certificates CP3’s until after Leonard Lawrence signature was, on the instructions of Helen Clift, gained on public funding forms by Sarah Benfield, Ratcliffe Duce & Gammer Solicitors, thus avoiding an application to the Court of Protection. The Law Society files identify that Sarah Benfield admits to having gained Leonard Lawrence signature on legal aid forms knowing that he lacked mental capacity. Having gained Leonard Lawrence signature on legal aid forms Sarah Benfield entered into a revenue gathering exercise and her firms professional fee trebled from that of the original estimate.

10). The case of Lee Gilliland requires further investigation, during legal proceedings Lee Gilliland was certified by a general practitioner without a medical as lacking mental capacity and placed under the jurisdiction of Alastair Pitbaldo the Official Solicitor. The disgraceful process by which Alastair Pitbaldo allowed Lee Gilliland to be evicted from his home can be viewed on You Tube by typing Lee Gilliland.

11). Of a property valued in the region of £100,000 Lee Gilliland received less than £8000 and was made homeless. Having been represented by solicitors on legal aid, following the sale of his home it appears that the solicitors now acting for the Official Solicitors may have retrospectively charged at their private rate. Mr. Gilliland has still to be given sight of the solicitors Bill of Costs by Bristol County Court.

**Why is the Court of Protection considered by some, like His Honour Judge Simon Oliver at Reading County Court, as simply a rubber stamping process, whose authority according to HHJ Simon Oliver is routinely exercised by non-authorized District Judges?**

12). **His Honour Judge Simon Oliver** has available to him a transcript where Sarah Benfield, Ratcliff Duce & Gammer Solicitors, alerted District Judge Susanna Jones at Slough County Court that District Judge Susanna Jones did not have judicial jurisdiction over Leonard Lawrence and that it was necessary to invoke the authority of the Court of Protection. Court records show that District Judge Jones disregarded this warning and continued to act assuming the authority of a High Court Family Judge.

13). District Judge Jones subsequently wrote to the Circuit Judges at Reading County Court denying having conducted any hearings in the Leonard Lawrence case following her earlier disqualification from the case. A search by Her Honour Judge Ann Campbell at Slough County Court identified five hearings District Judge Jones conducted after her disqualification from the case. Both HHJ Campbell and HHJ Elly subsequently made orders disqualifying District Judge Jones from further involvement in the Leonard Lawrence case.

14). **His Honour Judge Simon Oliver** stated on the 16 April 2012 that he did not know whether he had jurisdiction in the Leonard Lawrence case, but without seeking the appropriate guidance proceed to hear an application for Permission to Appeal. Whilst His Honour Judge Simon Oliver suggested the Court of Protection was simply a rubber stamping process the Court of Protection promptly identified that HHJ Simon Oliver does not hold a Court of Protection authority. HHJ Simon Oliver had full knowledge that **Richard Anelay QC Deputy High Court Family Judge** had established in September 2010 that Leonard Lawrence had been subject to the Court of Protection when District Judges at Slough County Court had placed Hundreds of Thousands of Pounds of adverse cost and inference's upon Leonard Lawrence.

15). **Court of Protection Date: Tue, 17 Jul 2012 11:59:42 +0100 Subject: RE: Leonard Lawrence Dear Mr. Lawrence, HHJ Simon Oliver does not hold a Court of Protection nomination. Kind regards James Batey Court of Protection, Royal Courts of Justice, Strand, London, WC2A 4LL**

16). **Principal Registry of the Family Division Sep 2012 RE: Appeal High Court Family Judge. Dear Mr. Lawrence, I referred the matter to the Senior District Judge, District Judge Waller, The appeal application needs to be lodged with the Court of Protection. The file, in the first instance, should be sent to the Court of Protection. I hope this information assists. Kind Regards, Elliot Webster.**

17). David Harrington, Simpson Millar LLP Solicitors, had refused to disclose Leonard Lawrence medical files to the Court of Protection, openly defying the instructions of Senior District Judge Phillip Waller at the Principle Registry of the Family Division. An open email to David Harrington in December 2012, copied to detectives from four police forces, resulted in Simpson Millar LLP immediate disclosed of eight medical files on Leonard Lawrence including Court of Protection Medical Certificates CP3's **What HHJ Simon Oliver failed to do in four months was achieved by Senior District Judge Waller in 48 hours!!** Philip Waller CBE is now HHJ Waller CBE, effect 12 April 2013, based at Watford County Court.

**Mr Richard Anelay Q.C. Deputy High Court Judge, Family Division** establishes in September 2010 that Leonard Lawrence had been a patient and subject to the Court of Protection. This had previously been denied in writing by Alastair Pitbaldo Official Solicitor to the Senior Courts and May Maughan Deputy Official Solicitor to their professional bodies.

18). In September 2010 Barrister Dominic Brazil 1 Kings Bench Walk identified to his Head of Chambers Richard Anelay QC that Leonard Lawrence had been a patient and subject to the Court of Protection. **Mr. Brazil has expanded on HHJ Simon Oliver comments by stating that financial decision is what the Official Solicitor undertakes, not the Court of Protection.** The Official Solicitor's files clearly identify that Court of Protection authority for appropriate orders had been, still are, required for Leonard Lawrence.

19). **Medical files obtained on the 14 December 2012 clearly identify that BP Collins Solicitors and Dominic Brazil 1 Kings Bench Walk had obtained in November 2004 a medical certificate issued under Part V11 Mental Health Act 1983 to protect Leonard Lawrence. Its existence was later denied by Solicitor Graeme Fraser at BP Collins Solicitors and Dominic Brazil 1 Kings Bench Walk.**

20). Whilst Dominic Brazil alleges to Richard Anelay QC that he has never seen a certificate of mental incapacity for Leonard Lawrence, it remains a puzzle how Dominic Brazil could identify that Leonard Lawrence had been certified under Part VII Mental Health Act 1983 in November 2004 to District Judge Jones at Slough County Court, particularly when District Judge Jones alleges to the Circuit Judges HHJ Campbell and HHJ Elly that she did not conduct any hearings after her disqualification in October 2004.

**Mehrunnisa Lalani, Director of Inclusion, Solicitors Regulatory Authority failure to disclose Court of Protection Medical Certificates CP3's to the Police. Also, the need for the police to know of a patients protected status to prevent fraud.**

21). Following a criminal investigation, only in 2011 did it become apparent that the Law Society had failed to disclose to a Detective Inspector Court of Protection Medical Certificates CP3's. The Chief Constable of Devon & Cornwall Constabulary directed the case to a Detective Chief Superintendent in December 2011. Only then did **Mehrunnisa Lalani**, Director of Inclusion, Solicitors Regulatory Authority release a copy of their investigating solicitors Miss Anderson internal report dated the 30 September 2009, see below.

**Report by The Law Society appointed solicitor Ms. Gillian Anderson**

*"The Official Solicitor was acting as Mr. Lawrence's representative and Guardian and as such had the greater duty to protect him. I consider that the majority of the steps that Mr. Lawrence feel should have been taken to protect him should have been taken by the Official Solicitor rather than the firm including the decision and action necessary to invoke the Court of Protection".*

**May Maughan Deputy Official Solicitor & Master Yoxall, Queens Bench Division**

22). At a hearing on the 14 January 2013 during a period of neurological absence, or not full awareness, May Maughan Deputy Official Solicitor handed to Leonard Lawrence the confidential case files of a patient, totally unrelated to the Leonard Lawrence case, but still under the jurisdiction of the Official Solicitor. Why?

23). **May Maughan continued her period of neurological absence, or not full awareness, and made available to Master Yoxall the very documentation that His Honour Judge Simon Oliver, Reading County Court, alleges in his judgment dated 30 August 2012 does not exist, but is held on the court file at Reading County Court and readily available for His Honour Judge Simon Oliver to view.**

**24). The disclosed data from the Official Solicitors files identifies that on the 18 August 2005 Barrister Mr. Simon Calhaem 29 Bedford Row accompanied by Siobhan Baillie, now a solicitor at Thames Valley law firm Blandy & Blandy, both acting for Laurence Oades then the Official Solicitor to the Supreme Court, informed His Honour Judge Charles Elly at Reading County Court that the property in which Leonard Lawrence had a financial interest had been sold without recourse to the Official Solicitor Laurence Oades. Following a request by Thames Valley Police for court tape recordings, the court recording of the hearing on the 18 August 2005 was found to be missing from Reading County Court, along with many other court tapes at Slough County Court!**

25). Leonard Lawrence case files held by Alastair Pitbaldo Official Solicitor and May Maughan, Deputy Official Solicitor, clearly identify that appropriate Court of Protection orders had been required, but not obtained, from the Court of Protection. Is this why journalists were not allowed access to the secret hearing before Master Yoxall, Queens Bench Division, Royal Courts of Justice on the 14 January 2013?

**26). On the 14 January 2013 May Maughan informed Master Yoxall that Stephen Piper and Helen Clift from the Official Solicitors office never obtained the appropriate orders that they had been instructed to obtain from the Court of Protection by senior solicitors within the Official Solicitors office.** May Maughan also disclosed Helen Clift's association with Barrister Dominic Brazil, 1Kings Bench Walk prior to Helen Clift joining the Official Solicitors office. Only in September 2010 did Barrister Dominic Brazil admit that Leonard Lawrence had been subject to the Court of Protection. Dominic Brazil is known to have held at least one of the certificates of mental incapacity issued to protect Leonard Lawrence.

### **Master Yoxall, Queens Bench Division, Royal Courts of Justice, 14 January 2013**

27). On the 15 May 2008 The Senior Master of the Senior Courts of England and Wales in the Queen's Bench Division, Master Whitaker, advised Leonard Lawrence in a letter that after consideration he had passed three unregistered Court of Protection Medical Certificates and a chronology to the Chief Judge of the Court of Protection. As of May 2013 the Court of Protection has no record of ever receiving these Medical Certificates and The Senior Master's office is unable provide any record of sending the Medical Certificates and Chronology to the Court of Protection.

28). If Master Yoxall or the Queen's Bench Division were to make available the tape recording of this secret hearing of the 14 January 2013 the recording would identify that Master Yoxall concludes that District Judges in County Courts can assume the authority of judges like Mr Justice Peter Jackson and other nominated judges of the Court of Protection, including High Court judiciary of the Chancery and Family divisions. Master Yoxall has failed to provide any legal argument or case law to support his assertion that the legislation that had existed under Part VII Mental Health Act 1983 was irrelevant.

29). 19 January 2009 Court of Protection to Leonard Lawrence. The following judges at Slough County Court have not and currently do not hold a nomination of the Court of Protection District Judge Fortgang, District Judge Jones, District Judge Devlin, and District Judge McCulloch. Please also be advised that to date the Court of Protection has received no application from any person or body.

**30). 16 April 2012 His Honour Judge Simon Oliver, Reading County Court.**

THE JUDGE: Well, it actually says so in the Official Solicitor's guide, does it not?

MR DAY: It does.

**THE JUDGE: It actually says in there, "We have to refer this to the Court of Protection".**

MR DAY: Yes,

*Master Yoxall 14 January 2013. The tape recording of this hearing identifies that Master Yoxall does not support the view of the Court of Protection and concludes that non nominated District Judges in County Courts can assume the authority of nominated judges of the Court of Protection and High Court judiciary of the Chancery and Family divisions.*

**31). Court of Protection Date: Tue, 17 Jul 2012 11:59:42 Subject: RE: Leonard Lawrence**  
Dear Mr Lawrence, His Honour Judge Simon Oliver does not hold a Court of Protection nomination.  
Kind regards, Court of Protection, Royal Courts of Justice

*Master Yoxall 14 January 2013. The tape recording of this hearing identifies that Master Yoxall concludes that District Judges in County Courts junior to HHJ Simon Oliver can assume the authority of nominated judges of the Court of Protection including High Court judiciary of the Chancery and Family divisions.*

**32). Nicholas Allen Counsel for Laurence Oades the former Official solicitor identified in 2005 to Slough County Court that Leonard Lawrence was certified under Part V11 Mental Health Act 1983.**

**Practice Note by Official Solicitor Laurence Oades, Master of the Court of Protection and the Senior District Judge at the Principal Registry of the Family Division of the High Court.**

Only the persons listed in s94 Mental Health Act 1983 may give any approval or make any order required for the management of property and affairs of a patient under Part VII of that Act. These persons are the nominated judges of the Court of Protection (High Court judiciary of the Chancery and Family divisions), the Master of the Court of Protection and his nominated Officers.

*Master Yoxall 14 January 2013. The tape recording of this hearing identifies that Master Yoxall concludes that the above Practice Note by the Official Solicitor Laurence Oades, Master of the Court of Protection and the Senior District Judge at the Principal Registry of the Family Division of the High Court is irrelevant along with Part VII Mental Health Act.1983 and s94 Mental Health Act 1983*

**33). 17 April 2008 Mr. Younger-Ross MP letter to The Rt. Hon Jack Straw MP Secretary of State, Ministry of Justice. Reference the three unregistered Court of Protection Medical Certificates CP3**

The Manager. Compliance and Regulatory Unit, Office of the Public Guardian  
Ref CSCU516/08

The Court of Protection has no record of any application being received for you. It was clearly the responsibility of the holder of the medical certificate to ensure an application was made.

*Master Yoxall 14 January 2013. The tape recording of this hearing identifies that Master Yoxall does not support the view of the Manager, Compliance & Regulatory Unit, Office of the Public Guardian to ensure an application was made to the Court of Protection*

**34). Solicitors Regulatory Authority 19 June 2009 CDT/57203-2009 CIU**

Explained in my letter of 1 June 2009 that it would have been for your own advisers to ensure that medical certificates were filed with the Court of Protection.

*Master Yoxall 14 January 2013. The tape recording of this hearing identifies that Master Yoxall does not support the view of the Solicitors Regulatory Authority 19 June 2009 CDT/57203-2009 CIU that it would have been for the Official Solicitor to ensure that medical certificates were filed with the Court of Protection. The Official Solicitor's files do not support Master Yoxall view! See below.*

**35). Rosemary Sanders solicitor at Official Solicitors office (OS) 27 June 2005 email Sarah Benfield RDG Solicitors: Once we have a satisfactory CP3 we can apply to the Court of Protection for authority to sign a release of his rights of occupation... this would have to be supported by a court order dealing with the property. As matters stand the psychiatrist has completed a CP3.**

- b) James Beck (Solicitor at OS) 1 August 2005 I spoke to Sarah Benfield RDG Solicitors: Obviously, the sale cannot proceed until we have Court of Protection authority.
- c) Piper, Steve (OSPT) Sent: 02 February 2006 I said that the OS would send the form to the Court of Protection who would make the appropriate order.
- d) Clift, Helen (OSPT) Sent: 02 February 2006 To: Piper, Steve (OSPT) Subject: RE: Mr. Lawrence ok essentially it should allow the solicitors to release to him the funds they are holding.

*Master Yoxall 14 January 2013. The tape recording of this hearing identifies that Master Yoxall does not support the view of the Official Solicitors own staff, detail above, which includes three solicitors Rosemary Sanders, James Beck, Helen Clift and the instructions of Laurence Oades, then the Official Solicitors, that Court of Protection approval was required.*

**36). Master Yoxall presently holds five Court of Protection Medical Certificates that were issued to protect Leonard Lawrence, however he refuses to send these certificates to the Family Division.**

*Master Yoxall does not hold Court of Protection approval and Queens Bench judges were not authorized under Part VII MHA 1983 .*

**37). Master Yoxall** has not provided any written judgment explaining how he alleges that it was an abuse of the legal process that **Richard Anelay QC Deputy High Court Family Judge** established that Leonard Lawrence had been a patient subject to the Court of Protection or why the Senior District Judge Principle Registry of the Family Division Phillip Waller, now **His Honour Judge Philip Waller CBE**, instructions to Leonard Lawrence to file an appeal application at the Court of Protection was an abuse of the legal process?

**38).** Master Yoxall fails to provide a written judgment explaining the means by which District Judges that do not hold a Court of Protection nomination can assume the authority of nominated judges of the Court of Protection, including High Court judiciary of the Chancery and Family divisions.

**39).** Master Yoxall and thereafter Mr Justice Fulford, Queen's Bench Division, have attempted to silence Leonard Lawrence with orders regarding the above and refuse to pass the case to the Family Division. A recent judgment on void orders which involved both the Court of Appeal, the Supreme Court and The Honourable Mr Justice Bean, Queen's Bench Division, has neutralised, and by some considerable margin, both Master Yoxall and Mr Justice Fulford judgements and orders.

**40).** It is now known that May Maughan Deputy Official Solicitor had been in contact with administration staff at the Court of Protection prior to the hearing on 14 January 2013 before Master Yoxall. Court of Protection administration staff had in September 2012 refused to comply with the instructions of District Judge Phillip Waller, Senior District Judge, Principal Registry of the Family Division, that an appeal application be lodged with the Court of Protection and the file, in the first instance, should be sent to the Court of Protection, instead the matter was directed to the Family Division, thereafter the Court of Appeal.

**41). Who was the directive force in September 2012 behind Simpson Millar LLP Solicitors and Reading County Court refusal to comply with Senior District Judge Phillip Waller CBE instructions and send Leonard Lawrence files to the Court of Protection?**

Who was the directive force behind Reading County Court refusal to comply with the instructions of the Civil Court of Appeal and provide a copy of HHJ Oliver's judgment? It required the direct intervention of the Civil Court of Appeal to obtain the judgment.

Following the involvement of **Detective Chief Superintendent Middleton**, files released by the Law Society identify that Alastair Pitbaldo the Official Solicitor had falsely alleged to the Bar Standard Board that the point had not been reached when the involvement of the Court of Protection had been necessary.

May Maughan Deputy Official solicitor also furnished a false statement to the Solicitors Regulatory Authority alleging that the point had not been reached then the involvement of the Court of Protection had been necessary.

Solicitors Regulatory Authority records show that the Solicitors Regulatory Authority staff and their appointed solicitor Gillian Anderson did not believe May Maughan Deputy Official Solicitor. The Official Solicitors own files also do not support Alastair Pitbaldo and May Maughan submissions.

## Abuse of Psychiatry Ruth Wayte, Principal Legal Adviser Legal Aid Agency

42). Legal Services Commission legal department in February 2004 knowing that Leonard Lawrence had been certified under Part VII Mental Health Act 1983 and was not eligible for legal aid, granted legal aid funding to the Official Solicitor.

43). In 2008 the Legal Service Commission (LSC) issued a Funding Certificate against the Legal Service Commission. **Ruth Wayte**, Legal Director had refused mediation. When Barrister Mr. Jody Atkinson, St Johns Chambers Bristol, sought more information from Paul Hicks at Simpson Millar LLP Solicitors on Leonard Lawrence case, Simpson Millar LLP had the Funding Certificate discharged. In April 2012 Paul Hicks Simpson Millar LLP identified, following disclosure of the Official Solicitors files, that May Maughan had admitted liability for Leonard Lawrence non registration with the Court of Protection. In December 2012 Simpson Millar LLP disclosed five unregistered Court of Protection Medical Certificates.

44). **Ruth Wayte** Legal Director, Legal Services Commission, who also heads the Corporate Legal Team, had direct knowledge of Leonard Lawrence case. On two occasions in 2008 the Corporate Legal Team consisting of Silas Catling now a Legal Services Ombudsman and Dina Rawal a Solicitor and Jonathon Flowers a Legal Executive attempted to have Leonard Lawrence certified under the Mental Health Act 1983, on both occasions this was stopped firstly by District Judge Brookes and then by Judge Mosyton.

45). **3/3/08 Legal Service Commission DRI//LAW/129701 Response to District Judge Brookes ORDER**  
Beryl Seaman Legal Service Commissioner

“The Committee could not find any evidence that the Commission were put on notice in relation to the Applicant’s mental capacity”

The Ministry of Justice Civil Legal Aid Policy Unit later provided cogent evidence that disproved LSC Commissioner Beryl Seaman CBE submission to District Judge Brookes

**18 September 2008 Jonathon Flowers JF/LAW/130835 Corporate Legal Team.**

The Legal Service Commission cannot lawfully grant funding to an individual if they are not financially eligible. Leonard Lawrence CLSMEANS1 was £331,000 over the public funding limit.

## Legal Services Commission funding certificate issued following Law Society Report:

46). Miss Anderson, Law Society appointed solicitor, report 30 September 2009 (disclosed 2011)

Official Solicitor was acting as Mr Lawrence's representative and Guardian and as such had the greater duty to protect him. I consider that the majority of the steps that Mr Lawrence feel should have been taken to protect him should have been taken by the Official Solicitor rather than the firm including the decision and action necessary to invoke the Court of Protection.

### Legal Services Commission funding certificate

“defendant to be represented on an application on matrimonial proceedings which raises a substantial question for determination by the Court.”

Five barrister’s chambers including 4 Paper Buildings, Renaissance Chambers, and Barbara Hewson at Hardwicke were unable act, Mr. Day of Counsel, St Philips Chambers Birmingham was. In 2012 Mr. Day, a barrister with considerable knowledge in Court of Protection legislation, has provided a legal opinion on Leonard Lawrence funded by the Legal Services Commission Special Case Unit:



## **Mr Day of Counsel. Opinion for the Legal Service Special Cases Unit.**

### **The Court Of Protection Point.**

1. *In many respects as discussed in conference this point is simple*
2. *Whilst prima facie H has the protection of Official Solicitor he was not registered as a protected party should be in the Court of Protection and/or no receiver was appointed.*
3. *He was therefore left financially vulnerable at both point of trial and order for sale.*
4. *In my view this is a serious procedural error and comes within the criteria for an appeal and has led to injustice.*
5. *This is a case where acute injustice appears to have occurred*
6. *There is in my view a number of important points of principal involved for future proceedings and irrespective of merits and economic terms which I contend do exist as above-Mr Lawrence should be entitled to be funded publicly so that the points of principal can be clarified by the High Court by way of appeal.*

### **THE FINAL ORDER OF DISTRICT JUDGE FORTGANG IS VOID AS IT HAS NOT BEEN TO THE COURT OF PROTECTION.**

**14 July 2005 LAURENCE OADES OFFICIAL SOLICITOR STATEMENT** I am not aware that Mr. Edmond has been authorised by the Court of Protection to conduct proceedings in Mr. Lawrence's name or on his behalf.

**Edward Soloman former Deputy Official Solicitor** "The Official Solicitor was involved only in your matrimonial litigation. Matters relating to the management of your finances are for the Court of Protection.

**James Beck (Solicitor at OS)** 1 August 2005 I spoke to Sarah Benfield RDG Solicitors: Obviously, the sale cannot proceed until we have Court of Protection authority.

Piper, Steve (OSPT) Sent: 02 February 2006 **I said that the OS would send the form to the Court of Protection who would make the appropriate order.**

Clift, Helen (OSPT) Sent: 02 February 2006 To: Piper, Steve (OSPT) Subject: RE: Mr. Lawrence **ok essentially it should allow the solicitors to release to him the funds they are holding.**

#### **His Honour Judge Simon Oliver, Reading County Court 16 April 2012**

**THE JUDGE:** Well, it actually says so in the Official Solicitor's guide, does it not?

**MR DAY:** It does.

**THE JUDGE:** It actually says in there, "We have to refer this to the Court of Protection".

**MR DAY:** Yes,

#### **District Judge Susanna Jones Slough County Court 11 February 2008**

I can see no reason why medical certificates supplied to the Court of Protection would be filed at the County Court. The obvious place to seek disclosure of these is from the Court of Protection. (Court of Protection has no record of the medical certificates CP3) A search of Slough County Court by Her Honour Judge Campbell located a Court of Protection Medical Certificate CP3.

**Mr. Keith Watts, Manager, Compliance and Regulatory Unit, Office of the Public Guardian Ref CSCU516/08.** The Court of Protection has no record of any application being received for you. It was clearly the responsibility of the holder of the medical certificate to **ensure** an application was made. *(The Official Solicitor held medical certificates)*

**Martin John. Chief Executive and the Public Guardian.** It would have been the responsibility of the certificate holder to make an application to the Court. *(The Official Solicitor and BP Collins Solicitors held medical certificates)*

## **Abuse of Psychiatry. Alastair Pitbaldo, Official Solicitor. Defender of the defenceless?**

### **47). Joshua Rozenberg, Legal Editor Telegraph 15 Nov 2007**

I do this job because I want to ensure people's rights are recognised, the Official Solicitor tells me. Alastair Pitblado's job is to seek justice in the courts for those who cannot speak for themselves and who have nobody else to represent their interests.

**Barrister Dorian Day, St Philips Chambers**, had requested the notes of the conference held at the Chambers of Nicholas Francis QC 29 Bedford Row Chambers in 2005. In March 2012 the Official Solicitor disclosed Leonard Lawrence case files to Paul Hicks at Simpson Millar LLP Solicitors. This disclosure differed from the previous disclosure by May Maughan Deputy Official Solicitor to Judge Brookes; more copies of emails were included. **However, the specific conference notes that Mr. Day of counsel had sought had been torn out of the solicitor's manuscript notebook.**

### **48). Alastair Pitblado's to seek justice for those who have nobody to represent their interests?**

On the 1 July 2005 **Dr McGhee FFARCS(I)** Consultant Anaesthetist together with **Mr A W Wilson FRCS FFAEM**, Clinical Director, Accident and Emergency, Royal London Hospital, The Chairperson of The British Trauma Society, The President European Society for Trauma & Emergency Surgery, Dr Murray and Ronald Edmond applied to Slough County Court to replace the Official Solicitor as Guardian ad Litem to Leonard Lawrence.

District Judge Suzanna Jones had knowledge of three unregistered Court of Protection Medical Certificates CP3's, also Leonard Lawrence certification under Part VII Mental Health Act 1983. Solicitor Sarah Benfield had informed District Judge Jones that the court did not have authority and documents would have to be signed by the Court of Protection. District Judge Jones refused the application to discharge the Official Solicitor. The same application to District Judge John Fortgang was also refused.

The Court of Protection has now confirmed both DJ Jones and DJ Fortgang did not, and have not, held a Court of Protection nomination. Both DJ Jones and DJ Fortgang were under investigation at the time.

### **49). Frances Gibb. The Times April 4 2013. The Official Solicitor, Alastair Pitblado acts as 'litigation friend' for the vulnerable in the Court of Protection.**

#### **Times Article June 2009**

New figures show that hundreds of parents have had the official solicitor, currently Alastair Pitblado, **imposed**. Since January 2006 his department has been brought in to represent **588** parents deemed to "lack the mental capacity" to instruct lawyers in cases where their children faced the possibility of adoption.

#### **BBC News UK. 7 April 2013 Majority of 'deprivation of liberty' cases unreported, says report**

Figures suggest around **7,000** people were deprived of their liberty without procedures being followed. [http://www.bbc.co.uk/news/uk-22026308 - story\\_continues\\_1](http://www.bbc.co.uk/news/uk-22026308 - story_continues_1) Limits placed on the freedom of people with dementia or **brain injuries** are not being properly recorded, according to a healthcare regulator. The Care Quality Commission (CQC) said almost two-thirds of applications to restrict a person's liberty were not reported to it, as required by law. In some cases, patients had their freedom removed for months at a time. Almost **12,000** applications were made to restrict people's liberty between April 2011 and March 2012, an increase of 57% in two years. But in England the CQC found only 37% of cases were properly recorded last year. As a result, around **7,000** people were deprived of their liberty in a way that did not follow procedure.

**How many of the above with brain injury have been subjected to financial abuse like Leonard Lawrence whilst under the jurisdiction of the Official Solicitor to the Senior Courts?**

## 1 March 2011 Evidence to the Justice Committee: Mrs Justice Pauffley

**50). Mrs Justice Pauffley:** It is extraordinarily difficult to manage a litigant in person. We all have a duty to listen to the arguments that they present. It would be rude and offensive, and, frankly, one might say, a denial of justice, to say, "I'm not interested in this; move on." There is only a limited amount of that in our armoury. In most cases a litigant in person will add enormously to the length of time a case will take, not least because most of them will want to litigate every last little issue.

**51).** In 2004 Leonard Lawrence was a litigant in person at Slough County Court. BP Collins Solicitors and Barrister Dominic Brazil 1 Kings Bench Walk, acting for Leonard Lawrence then wife Nicola Lawrence, had Leonard Lawrence certified under Part VII Mental Health Act 1983 by a private psychiatrist at Cygnet Health Care Godden Green without a medical.

**52).** At Dominic Brazil 1 Kings Bench Walk request the Official Solicitor was appointed and **conduct of Leonard Lawrence case was assigned to Dominic Brazil former colleague, solicitor Helen Clift**. Helen Clift was and still is a solicitor within the Official Solicitors office. Helen Clift appointed Nicholas Allen 29 Bedford Row a friend of Dominic Brazil to represent the Official Solicitor.

**53).** Law Society Solicitors Regulatory Authority FINAL REPORT CRO/97504-2008 dated 20 July 2010

The legal representatives in this matter including BP Collins had a duty as officers of the Court under rule 11.01 of the Solicitors Code of Conduct not to "knowingly mislead" and "not (to)... draft any documents relating to any proceedings containing : (a) any contention which you do not consider to be property arguable.."

The customer's mental capacity was a live issue and in the light of the CP3 Court of Protection medical certificates under **Part VII Mental Health Act 1983** the contention that the customer was capable of agreeing a sale price of the FMH or consenting to a sale price of the FMH was not property arguable. **These issues should be referred to the Court and SRA.**

**54).** Nicholas Allen 29 Bedford Row Email 05 August 2005 10.30 to Dominic Brazil Subject: Lawrence

**Dear Dominic**

**As requested. I have simply "accepted all" the tracked changes.**

**I haven't fully checked what effect this has had on the draft order, but hope that it is sufficient for your purposes**

**Best Wishes,**

**Nick**

*25 August 2010 letter Nicholas Allen 29 Bedford Row Chambers to Mr Lawrence: **I am unable to provide "evidence that supports my oral statement to DJ Fortgang that the Official Solicitor (Laurence Oades) agreed that the house be sold for 622,000."***

*9 September 2010. Barrister Dominic Brazil assures Mr Anelay QC Head of Chambers 1 Kings Bench Walk, **that Leonard Lawrence was a patient and subject to the Court of Protection.** Dominic Brazil drafted and had sealed the final order without the knowledge of the Court of Protection.*

## The Abuse of Psychiatry in the Family Courts, Judy Anckorn, Head of the Office for Judicial Complaints

### 55). Anne Sharp Head of the Judicial Office, most helpful involvement.

#### **Judy Anckorn Head of the Office, The Office for Judicial Complaints**

3rd Floor, 11 Tothill Street London, SW1H 9LH [inbox@ojc.gsi.gov.uk](mailto:inbox@ojc.gsi.gov.uk)

#### **Anne Sharp Chief Executive, Head of the Judicial Office**

9th Floor, Thomas Moore Building, Royal Courts of Justice, Strand, London WC2A 2LL.

**Judy Anckorn** alleged that the file held on Leonard Lawrence had been destroyed.

**Anne Sharp** established in 24 hours that the file held on Leonard Lawrence had not been destroyed,

**Judy Anckorn** then notified Leonard Lawrence confirming that she did hold the case file.

a). The Office for Judicial Complaints file identifies that both District Judge Susanna Jones and District Judge John Fortgang had submitted their notes to the now Office for Judicial Complaints and had been under investigation.

b). DJ Fortgang was aware of Leonard Lawrence complaint against him regarding events at the FDA hearing, prior to conducting the Final Hearing. The court tapes of this hearing went missing from Slough County Court when request by Thames Valley Police and the CPS Reading.

c). District Judge John Fortgang retired two weeks after sealing the Final Order. The Office for Judicial Complaints had known for some considerable time Leonard Lawrence had been a patient subject to the Court of Protection and that the District Judges at Slough had not held a Court of Protection nomination.

d). Upon leaving the employment of the Office for Judicial Complaints a member of staff disclosed internal documents that identified District Judge John Fortgang on or about 2 September 2004 had submitted a typed copy of his notes of the FDA hearing to the Department of Constitutional, now Ministry of Justice, regarding the taking of Mr. Lawrence documents at the FDA hearing by Dominic Brazil 1 Kings Bench Walk.

e). One of these documents stolen from Leonard Lawrence was the means how Nicola Lawrence had sought advice from her legal representatives BP Collins Solicitor's and Dominic Brazil 1 Kings Bench Walk on how not to disclose her interest in the Ball Family Discretionary Trust to the court.

f). District Judge Fortgang was aware that Nicola Lawrence had sought advice from her legal representatives BP Collins Solicitor's and Dominic Brazil 1 Kings Bench Walk on how not to disclose her interest in the Ball Family Discretionary Trust to the court when he conducted the Final Hearing!

**The Abuse of Psychiatry in the Family Courts, you can get ahead with lies but you can never turn back.**

**56). Solicitor Graeme Fraser**

**Graeme Fraser formerly of BP Collins Solicitors, now a partner at Hunters 9 New Square Lincoln's Inn London WC2A 3QN Tel 020 7412 005 (gsf@hunters-solicitors.co.uk)**

**a). 22 February 2005 Mr. Graeme Fraser BP Collins Solicitors, Gerrards Cross, SL9 8EL  
URGENT PASS TO DISTRICT JUDGE JONES ON RECEIPT**

**“The Learned District Judge will recall making a Direction earlier in the proceedings that medical evidence be filed as to Mr. Lawrence’s capacity. We are extremely concerned as to the delay regarding the medical evidence.”**

*Graeme Fraser, BP Collins Solicitors, held the medical evidence on 24 November 2004.*

*Graeme Fraser having advised the court that Leonard Lawrence was not eligible for legal aid, later offered assistance to Sarah Benfield Ratcliffe Duce Gammer Solicitors to gain legal aid for Leonard Lawrence to avoid an application to the Court of Protection.*

**b).** In 2010 Thames Valley Police detectives raised concern as to the standard of legal representation Leonard Lawrence was receiving from Simpson Millar LLP. With police assistance on the 12 December 2012 Simpson Millar LLP Solicitors disclose the letter, detailed below, that they had refused to disclose to the Court of Protection in September 2012.

**c). 24 November 2004 Mr. Graeme Fraser, BP Collins Solicitors, Gerrards Cross, SL9 8EL letter to Psychiatrist Dr. Royds, Godden Green Clinic.**

**Thank you for supplying the confidential psychiatric report yesterday. Mrs. Lawrence Barrister (Dominic Brazil 1 Kings Bench Walk Chambers) advises the medical report is sufficiently clear for the purpose of the Court hearing on Thursday.**

**d). Solicitors Regulatory Authority FINAL REPORT Leonard Lawrence CRO/97504. 20 July 2010**

BP Collins held a medical report dated 23 November 2004 confirming that the customer lacked the mental capacity to manage and administer his property and affairs. There is further evidence including a letter dated 22 February 2005 that BP Collins was aware that medical evidence relating to the customers state of mind had not been filed at Court.

The legal representatives in this matter including BP Collins had a duty as officers of the Court under rule 11.01 of the Solicitors Code of Conduct not to “knowingly mislead” and “not (to)... draft any documents relating to any proceedings containing : (a) any contention which you do not consider to be properly arguable..”

The customers mental capacity was a live issue and in the light of the CP3 Court of Protection medical certificates under Part VII Mental Health Act 1983 the contention that the customer was capable of agreeing a sale price of the FMH or consenting to a sale price of the FMH was not property arguable. **These issues should be referred to the Court and SRA.**

**57). Solicitor Graeme Fraser and Susan Andrew Head of Family Law BP Collins Solicitors**

**Graeme Fraser, formly of BP Collins Solicitors, now a partner at Hunters 9 New Square Lincoln's Inn London WC2A 3QN Tel 020 7412 005 (gsf@hunters-solicitors.co.uk)**

**Solicitors Regulatory Authority FINAL REPORT Leonard Lawrence CRO/97504. 20 July 2010**

The Court ordered that BP Collins the wife's solicitors provide an explanation of their possession of the accounts. RDG raised the issue of how the customer's wife's solicitors came to be in possession of his financial accounts firstly by letter dated 10 March 2005 to BP Collins and secondly by Counsel for the customer at final hearing. The Court had the power to enforce its order that the wife's solicitors provide an explanation for their possessions of the accounts by a penal notice

- a). In 2008 Susan Andrews, Head of Family Law, BP Collins Solicitors Gerrards Cross, Buckinghamshire had denied at court that her firm had ever had Leonard Lawrence accounts and documents.
- b). Her Honour Judge Ann Campbell, His Honour Judge Charles Elly and Judge Kathryn McCulloch later established from Susan Andrews, Head of Family Law, BP Collins Solicitors, that BP Collins Solicitors had obtained Leonard Lawrence financial accounts from Nicola Lawrence. Graeme Fraser at BP Collins Solicitors had advised Nicola Lawrence not to comment as she could incriminate herself in 2004.
- c). Whilst Leonard Lawrence lacked capacity and was a patient subject to the Court of Protection according to Barrister Dominic Brazil, Graeme Fraser, BP Collins Solicitors and Dominic Brazil had two specific adverse inferences placed upon Leonard Lawrence by District Judge John Fortgang, one of £10,000 and one of £50,000 because Leonard Lawrence could not produce his financial accounts what were crime reference with Thames Valley Police as stolen.
- d). Rather than respond to Her Honour Judge Ann Campbell and His Honour Judge Charles Elly orders Susan Andrews, Head of Family Law, BP Collins Solicitors had attempted to gain a Civil Restraint Order against Leonard Lawrence from District Judge Susanna Jones, This was stopped by HHJ Campbell and HHJ Elly and the Circuit Judges disqualified District Judge Susanna Jones from any further involvement.
- e). **A final attempt by Susan Andrews and Dominic Brazil in 2009 alleging Leonard Lawrence had mental illness was dismissed by District Judge Kathryn McCulloch saying "It's not going to happen".**

**His Honour Judge Simon Oliver, Senior Family Judge, Reading County Court, following a secret hearing in April 2012 has identified that he is entirely satisfied by the lawyers conduct.**

**Court of Protection Date: Tue, 17 Jul 2012 11:59:42 +0100 Subject: RE: Leonard Lawrence Dear Mr. Lawrence, HHJ Simon Oliver does not hold a Court of Protection nomination. Kind regards James Batey Court of Protection, Royal Courts of Justice, Strand, London, WC2A 4LL**

**Principal Registry of the Family Division Sep 2012 RE: Appeal High Court Family Judge.**

Dear Mr. Lawrence,

I referred the matter to the Senior District Judge, District Judge Waller, The appeal application needs to be lodged with the Court of Protection. The file, in the first instance, should be sent to the Court of Protection. I hope this information assists.

Kind Regards  
Elliot Webster.

**58). Solicitor Graeme Fraser and Susan Andrew Head of Family Law BP Collins Solicitors**

**Graeme Fraser, formly of BP Collins Solicitors, now a partner at Hunters 9 New Square Lincoln's Inn London WC2A 3QN Tel 020 7412 005 (gsf@hunters-solicitors.co.uk)**

**Solicitors Regulatory Authority FINAL REPORT Leonard Lawrence CRO/97504. 20 July 2010**

If BP Collins did not have in its possession during the proceedings copies of the three CP3 certificates and medical evidence and information regarding the customer's lack of capacity: it had knowledge of their existence. BP Collins was in any event entitled to request the same and as the Applicants Solicitor in Ancillary Relief proceedings had a duty to include these in the trail bundle in accordance with the **President's Direction of 10 March 2000 'Family Proceedings: Court Bundles'** as "documents relevant to the hearing" and in accordance with 2.2 to include reference to the customers lack of capacity in the summary as a matter "the court needs to know for the purposes of the hearing and for management of the case"

**a).** Only in September 2010 did barrister Dominic Brazil disclosed to Richard Anelay QC that Leonard Lawrence was a patient subject to the Court of Protection.

**b).** The Court of Protection Medical Certificates were not disclosed to District Judge Fortgang at the Final Hearing in April 2005 or included in the Final Hearing bundle by solicitors Graeme Fraser, Susan Andrews and Sarah Benfield or barristers Nicholas Allen and Dominic Brazil. Why?

**c) 19 January 2009 Court of Protection to Mr. Lawrence**

**The following judges at Slough County Court have not and currently do not hold a nomination of the Court of Protection.**

**DJ Fortgang**

**DJ Jones**

**DJ Devlin**

**DJ McCulloch**

**Please also be advised that to date the Court of Protection has received no application from any person or body.**

His Honour Judge Simon Oliver, Senior Family Judge, Reading County Court, following a secret family court hearing on the 16 April 2012 has identified that he is entirely satisfied by the lawyers conduct and District Judge Fortgang and District Judge Susanna Jones acting as Court of Protection judges when they did not hold a nomination of the Court of Protection.

**His Honour Judge Simon Oliver, Reading County Court 16 April 2012**

THE JUDGE: Well, it actually says so in the Official Solicitor's guide, does it not?

MR DAY: It does.

THE JUDGE: It actually says in there, "We have to refer this to the Court of Protection".

MR DAY: Yes,

The above gives rise to a VOID ORDER

The Abuse of Psychiatry in the Family Courts. You can get ahead with lies but you can never turn back. Official Solicitors files disclosed in March 2012 and January 2013 show Helen Clift, Graeme Fraser and Dominic Brazil 1 Kings Bench Walk agenda.

59). 4 August 2005 barrister **Nicholas Allen** 29 Bedford Row, accompanied by **Helen Clift** from the Official Solicitors office and **Sarah Benfield**, Ratcliffe Duce & Gammer Solicitors, **falsely** advised Slough County Court that the Official Solicitor Laurence Oades had agreed the sale value of 38 Dukes Wood Avenue, Gerrards Cross Buckinghamshire SL9 7JT

a). 5 August 2005 at 10:30 barrister **Nicholas Allen** 29 Bedford Row Chambers emailed Barrister **Dominic Brazil** 1 Kings Bench Walk Chambers.

Dear Dominic

As requested. I have simply “accepted all” the tracked changes.

I haven’t fully checked what effect this has had on the draft order, but hope that it is sufficient for your purposes

Best Wishes,

Nick

c). 18 August 2005 Barrister **Simon Calhaem** 29 Bedford Row and **Siobhan Baillie**, Ratcliffe Duce & Gammer Solicitors, now a solicitor at Blandy & Blandy LLP, acting for Lawrence Oades the Official Solicitor and Edward Solomon’s the Deputy Official Solicitor identified to His Honour Judge Charles Elly at Reading County Court that Laurence Oades had **not** agreed the sale value of the property.

**Simon Calhaem** 29 Bedford Row identified to **His Honour Judge Charles Elly** that the submission to **District Judge Fortgang** on the 4 August 2005 by **Nicholas Allen**, 29 Bedford Row Chambers in the presence of **Helen Clift**, **Sarah Benfield**, **Graeme Fraser** and **Dominic Brazil** was **untrue**. His Honour Judge Elly stated that for the Official Solicitor to agree the sale value undermines many of the point’s reference jurisdiction. His Honour Judge Elly stated that he is not happy to leave the matter with barristers.

d). Barrister **Nicholas Allen** in 2010 identified that he cannot support the submission he made at court in August 2005 that the Official Solicitor Laurence Oades had agreed the sale value of 38 Dukes Wood Avenue. Only in September 2010 did barrister **Dominic Brazil** identify that **Leonard Lawrence** had been a patient subject to the Court of Protection.

e). Barrister **Dominic Brazil** 1Kings Bench Walk, solicitor **Graeme Fraser** and **BP Collins Solicitors** disregard the warning of barrister **Simon Calhaem** acting for the Official Solicitor Laurence Oades and had sealed the Final Order of District Judge Fortgang, by **District Judge Fortgang**, without **His Honour Judge Charles Elly** knowledge. No written evidence has been seen that **Dominic Brazil**, **Graeme Frazer** and **BP Collins Solicitors** advised **District Judge Fortgang** of **Simon Calhaem** submission, that the Official Solicitor had not agreed the sale value of 38 Dukes Wood Avenue or of His Honour Judge Charles Elly’s comments.

f). District Judge John Fortgang was at the time under judicial investigation and retired about two weeks after he sealed his order. The court tapes of the hearing before **His Honour Judge Elly** are missing from Reading County Court! The hand written notes of **Siobhan Baillie** are available in 2012.



g). The present Official Solicitor to the Senior Court Alastair Pitbaldo and the Deputy Official Solicitor May Maughan disclosed files in March 2012 do not provide any evidence that the former Official Solicitor Laurence Oades agreed the sale value of 38 Dukes Wood Avenue, Gerrards Cross.

The files direct liability to **Helen Clift** having agreed the sale value of 38 Dukes Wood Avenue, Gerrards Cross for £622,00, and not disclosing the valuation held by Barrister Caroline Wilbourne 1 Garden Court Chambers of £720,000. The files also identify Helen Clift help draft the affidavit to His Honour Judge Elly that omitted to inform HHJ Elly that Leonard Lawrence was a patient subject to the Court of Protection.

**Simon Calhaem** counsel for Laurence Oades was clear, Laurence Oades did not agree the sale value of the property. The Official Solicitors files clearly show that the case had to go to the Court of Protection.

h). In March 2012 the Official Solicitors office disclosed Alastair Pitbaldo Official Solicitor letter to the Bar Standards Board dated 24 June 2009 (Ref LNF41919/OS). Mr Pitbaldo had written It was not necessary to inform the court of the existence of the Court of Protection Medical Certificates CP3's

**Mr. Pitblado opinion is not shared by:**

The Official Solicitors own files disclosed in March 2012.

Law Society, Solicitors Regulatory Authority, Final Report

Mr Daz, Technical Officer at the Court of Protection

Martin John, Former Chief Executive, Public Guardian.

Keith Watts, Manager Compliance and Regulatory Unit, Office of the Public Guardian.

Mr Day of Counsel, St Philips Chambers, Birmingham.

**His Honour Judge Simon Oliver, Reading County Court 16 April 2012**

THE JUDGE: Well, it actually says so in the Official Solicitor's guide, does it not?

MR DAY: It does.

THE JUDGE: It actually says in there, "We have to refer this to the Court of Protection".

MR DAY: Yes,

h). Court of Protection Date: Tue, 17 Jul 2012 11:59:42 +0100 Subject: RE: Leonard Lawrence  
Dear Mr. Lawrence, HHJ Simon Oliver does not hold a Court of Protection nomination.  
Kind regards Court of Protection, Royal Courts of Justice, Strand, London, WC2A 4LL

**60). In September 2010 Barrister Dominic Brazil 1 Kings Bench Walk finally identified to his Head of Chambers, Richard Anelay QC, that Leonard Lawrence had been a patient and subject to the Court of Protection.**

Mr. Brazil alleged to HHJ Simon Oliver in April 2012 that he could show that the former Official Solicitor Laurence Oades agreed the sale value of 38 Dukes Wood Avenue, Gerrards Cross. Despite a specific request to Dominic Brazil to support his assertion, no evidence has been provided.

**May Maughan, Deputy Official Solicitor, identified in January 2013 at the Royal Courts of Justice that Laurence Oades the former Official Solicitor had not agreed the sale value of 38 Dukes Wood Avenue, and identified the association between Helen Clift Official Solicitors office and Dominic Brazil.**

**The Abuse of Psychiatry in the Family Courts. HIS HONOUR JUDGE SIMON OLIVER**

61). Monday, 16th April 2012 IN THE READING COUNTY COURT Case No. SL03D00938

Before: HIS HONOUR JUDGE OLIVER

Between: LEONARD LAWRENCE Applicant -v- NICOLA LAWRENCE Respondent

Counsel for the Applicant: MR D DAY Counsel for the Respondent: MR D BRAZIL

**MR BRAZIL: No. I cannot give any evidence in any event. My memory is too faded to recall, but working on the documents, all I can show is that the Official Solicitor agreed to the property being sold for £622,000. Now, according to that letter, that is all that is required: that the certificate of value is something that the Official Solicitor approves.**

**As of 23<sup>rd</sup> May 2012 Dominic Brazil, 1 Kings Bench Walk has still to show that the Official Solicitor agreed to the property 38 Dukes Wood Avenue, Gerrards Cross, Bucks, being sold for £622,000.**

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**a). 29 December 2004 LNF41919/DM1 Mrs. Motteram & Mrs. Ballard, Divisional Managers, Official Solicitors Office. The Official Solicitor is not authorized to make financial decisions on Mr. Lawrence's behalf.**

**b). 27 June 2005 Rosemary Sanders solicitor at the Official Solicitors office (OS) email Sarah Benfield RDG Solicitors: Once we have a satisfactory CP3 we can apply to the **Court of Protection** for authority to sign a release of his rights of occupation... this would have to be supported by a court order dealing with the property. As matters stand the psychiatrist has completed a CP3.**

**c). 27 July 2005 RDG Solicitors I enclose a copy of the certificate of value which Helen had requested to be completed by the estate agent as I understood that the **Court of Protection** would require this. (The **Court of Protection** have no record of the valuation, as Helen Clift never sent it)**

**d). James Beck (Solicitor at OS) 1 August 2005 I spoke to Sarah Benfield RDG Solicitors: Obviously, the sale cannot proceed until we have Court of Protection authority.**

**e). Nicola Lawrence disregarded the legal process, and exchanges contracts on 38 Dukes Wood Avenue, having been assured by District Judge Fortgang of a fixed sum from the sale of 38 Dukes Wood Avenue. Leonard Lawrence only would suffer all financial losses if the property was sold for less than £650,000.**

**f). 4 August 2005 barrister Nicholas Allen 29 Bedford Row, accompanied by Helen Clift from the Official Solicitors office and Sarah Benfield, Ratcliffe Duce & Gammer Solicitors, falsely advised Slough County Court that the Official Solicitor Laurence Oades had agreed the sale value of 38 Dukes Wood Avenue, Gerrards Cross Buckinghamshire SL9 7JT**

**g). 5 August 2005 at 10:30 Barrister Nicholas Allen 29 Bedford Row Chambers emailed Barrister Dominic Brazil 1 Kings Bench Walk Chambers.**

Dear Dominic, As requested. I have simply "accepted all" the tracked changes. I haven't fully checked what effect this has had on the draft order, but hope that it is sufficient for your purposes. Best Wishes, Nick

h). 18 August 2005 Barrister **Simon Calhaem** 29 Bedford Row and **Siobhan Baillie**, Ratcliffe Duce & Gammer Solicitors, now a solicitor at Blandy & Blandy LLP, acting for Lawrence Oades the Official Solicitor and Edward Solomon's the Deputy Official Solicitor identified to His Honour Judge Charles Elly at Reading County Court that Laurence Oades had **not** agreed the sale value of the property.

i). **Simon Calhaem** 29 Bedford Row informed **His Honour Judge Charles Elly** that the submission to **District Judge Fortgang** on the 4 August 2005 by **Nicholas Allen**, 29 Bedford Row Chambers in the presence of **Helen Clift**, **Sarah Benfield**, **Graeme Fraser** and **Dominic Brazil** was **untrue**. His Honour Judge Elly stated that for the Official Solicitor to agree the sale value undermines many of the point's reference jurisdiction. His Honour Judge Elly stated that he is not happy to leave the matter with barristers.

j). *Barrister Nicholas Allen in 2010 identified that he cannot support the submission he made at court in August 2005 that the Official Solicitor Laurence Oades had agreed the sale value of 38 Dukes Wood Avenue and discloses the email he sent to Dominic Brazil on the 5 August 2005.*

k). *Only in September 2010 did barrister **Dominic Brazil** identify to **Richard Anelay QC** that **Leonard Lawrence** had been a patient subject to the Court of Protection. Mr Brazil also release the Land Registry documentation that had removed Leonard Lawrence rights of occupation at 38 Dukes Wood Avenue.*

L). **19 August 2006, 38 Dukes Wood Ave, Gerrards Cross, Bucks, SL9 7JT Sold for only £621,650** without authority or consideration by the **Court of Protection** . Turbervilles Solicitors Hill House, 118 High Street, Uxbridge, Middlesex UB8 1JT email [sess.sigre@turbervilles.co.uk](mailto:sess.sigre@turbervilles.co.uk) Telephone 01895 201708 complete on the sale knowing that Court of Protection approval was necessary.

m). Barrister **Dominic Brazil** 1Kings Bench Walk, solicitor **Graeme Fraser** and **BP Collins Solicitors** disregard the warning of barrister **Simon Calhaem** acting for the Official Solicitor Laurence Oades and had sealed the Final Order of District Judge Fortgang, by **District Judge Fortgang**, without **His Honour Judge Charles Elly** knowledge. No written evidence has been seen that Dominic Brazil, Graeme Frazer and **BP Collins Solicitors** advised **District Judge Fortgang** of **Simon Calhaem** submission, that the Official Solicitor had **not** agreed the sale value of 38 Dukes Wood Avenue or of His Honour Judge Charles Elly's comments.

n). On 22 August 2005 DJ Fortgang Sealed General Form of Order, Ancillary Relief (Drafted by Dominic Brazil 1 Kings Bench Walk and submitted by Graeme Fraser BP Collins Solicitors) . **A draft approval was not sent to the Court of Protection.**

o). Following the hearing of the 18 August 2005 where Barrister **Simon Calhaem** and **Siobhan Baillie**, informed His Honour Judge Elly that Laurence Oades the Official Solicitor had **not** agreed the sale value of the property Helen Clift thereafter sent the following email:

**31 August 2005 Email from Helen.clift@offsol.gsi.gov.uk (Family & Medical Lawyer) for the Official Solicitor to Sarah.Benfield@RDG-Law.co.uk**

**"I suggest that pending receipt of counsel's advise you ask BP Collins to keep you advised as to the progress of any conveyancing transaction under taken by Mrs. Lawrence".**

*Helen Clift, was present at the hearing on 4 August 2005 and knew that the property was to be sold on 19 August 2005 for £622,000 and that Laurence Oades Official Solicitor had not consented to it's sale.*

p). District Judge John Fortgang was at the time under judicial investigation and retired about two weeks after he sealed his order. The court tapes of the hearing before **His Honour Judge Elly** are missing from Reading County Court! The hand written notes of **Siobhan Baillie** became available in 2012.

q). The present Official Solicitor to the Senior Court Alastair Pitbaldo and the Deputy Official Solicitor May Maughan disclosed files in March 2012 do not provide any evidence that the former Official Solicitor Laurence Oades agreed the sale value of 38 Dukes Wood Avenue, Gerrards Cross.

r). The files direct liability to **Helen Clift** having agreed the sale value of 38 Dukes Wood Avenue, Gerrards Cross for **£622,000**, and not disclosing the valuation held by Barrister Caroline Wilbourne 1 Garden Court Chambers of **£720,000**. The files also identify Helen Clift help draft the affidavit to His Honour Judge Elly

s). Helen Clift is known not to have disclosed to District Judge Susanna Jones in February 2005 two Court of Protection Medical Certificates. Helen Clift also failed to disclose Court of Protection Medical Certificates to District Judge Fortgang in April 2005 and August 2005. Records show that in August 2005 Helen Clift help draft the affidavit to His Honour Judge Charles Elly that did not identify three Court of Protection Medical Certificates CP3's that Helen Clift held and the need to involve the Court of Protection.

t). **The Rt. Hon. Dominic Grieve, QC, MP** Attorney General for England and Wales and the **Rt. Hon. John Bercow MP** had both been Leonard Lawrence constituency MP's. The Court of Protection Medical Certificates were not disclosed to the Rt. Hon. Dominic Grieve QC, MP. The Rt. Hon. John Bercow MP did subsequently become aware of the Court of Protection Medical Certificates and wrote to Bridget Prentice, Parliamentary Under-Secretary of State, Ministry of Justice.

28 October 2007 Bridget Prentice MP Parliamentary Under-Secretary of State, Ministry of Justice wrote to John Bercow MP stating that the Official Solicitor agreed to act for Leonard Lawrence in March 2005.

**District Judge Brookes established that on the 7 January 2005 the Official Solicitor advised Banky & Burger Solicitors that the Official Solicitor agreed to act as Mr. Lawrence's Guardian ad litem. Edward Soloman the former Deputy Official Solicitor identifies December 2004**

During the period December 2004 to February 2005 Mr. Lawrence signature was gained on Public Funding forms by Sarah Benfield Ratcliffe Duce & Gammer Solicitors, when he lacked mental capacity following instructions from Helen Clift at the office of the Official Solicitor to avoid the Court of Protection.

**Bridget Prentice MP Parliamentary Under-Secretary of State, Ministry of Justice office later identify that whilst Bridget Prentice MP signed the letter to John Bercow, Bridget Prentice was not the author of the letter, it was written by the Official Solicitors office. It is understood Helen Clift wrote the misleading letter to John Bercow**

v). **In September 2010 Barrister Dominic Brazil finally identified to his Head of Chambers, Richard Anelay QC, that Leonard Lawrence had been a patient and subject to the Court of Protection.**

w). Mr. Brazil alleged to His Honour Judge Simon Oliver in April 2012 that he could show that the former Official Solicitor Laurence Oades agreed the sale value of 38 Dukes Wood Avenue, Gerrards Cross. Despite a specific request to Dominic Brazil to support his assertion, no evidence has been provided.

x). **May Maughan, Deputy Official Solicitor, identified in January 2013 at the Royal Courts of Justice that Laurence Oades the former Official Solicitor had not agreed the sale value of 38 Dukes Wood Avenue, and the previously undisclosed association between Helen Clift and Dominic Brazil.**

## The Abuse of Psychiatry in the Family Courts, Simpson Millar LLP Solicitors.

### 61). Civil Court of Appeal.

- a). September 2012** Reading County Court did not have the means to comply with the instructions of the Court of Appeal, Civil Division, to send a copy of His Honour Judge Simon Oliver's ORDER to the Civil Court of Appeal either by email, fax or post. Without this document Leonard Lawrence would not have been able to comply with a deadline set by the Court of Appeal.
- b).** Leonard Lawrence solicitor's files have already been sent to the Court of Protection on the instructions of the Senior District Judge at the Principle Registry of the Family Division.
- c).** Following the direct intervention of the Court of Appeal Civil Division the ORDER of HHJ Simon Oliver was promptly sent within 15 minutes by Reading County Court to the Court of Appeal Civil Division.
- d). In December 2012** it became apparent that Simpson Millar LLP Solicitors, had not disclosed Leonard Lawrence medical files to the Court of Protection, openly defying the instructions of Senior District Judge Phillip Waller at the Principle Registry of the Family Division.
- e).** An open email to David Harrington, Simpson Millar LLP Solicitors, on or about the 12 December 2012, copied to detectives from four police forces, resulted in Simpson Millar LLP immediate disclosed of eight medical files on Leonard Lawrence including Court of Protection Medical Certificates CP3's
- f).** The suspicion of detectives that Leonard Lawrence was not receiving an adequate service from Simpson Millar LPP Solicitors is supported by the following: Only when Simpson Millar LLP was of the belief that Leonard Lawrence was out of time to take a Civil Action against the Official Solicitor did Simpson Millar LLP gain Leonard Lawrence files from the Official Solicitor. Within 15 minutes of inspecting the Official Solicitors files in March 2012 it could be seen that Court of Protection authority had been required on at least four occasions. **Paul Hicks at Simpson Millar LLP alleged in April 2012 that May Maughan Deputy Official Solicitor had admitted liability for Leonard Lawrence non registration with the Court of Protection.**
- g). October 2012** The Civil Court of Appeal returned the case of Leonard Lawrence to Reading County Court to be heard by a High Court Family Judge. Reading County Court advises that the case of Leonard Lawrence is presently with Mrs Justice Pauffley Royal Courts of Justice, following a telephone call from HHJ Simon Oliver to Mrs Justice Pauffley.

**h). Date: Wed, 24 Apr 2013 09:07:10 +0100 Subject: RE: Leonard Lawrence Pilot SL03D00938**

**Mr Lawrence,**

**Your matter is being dealt with in the Court of Appeal and it to there that you should make any enquiry.**

**Regards Carolyn Bowstead, Clerk of the Rules, Royal Courts of Justice**

- 62).** The power to remove Alastair Pitbaldo Official Solicitor and May Maughan Deputy Official Solicitor from their office on account of misbehaviour, or on account of inability to perform the duties of their office, may be excised by the Lord Chancellor Chris Grayling, with the concurrence of the Lord Chief Justice.

**Leonard Lawrence**

**24 May 2013**

