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Via Courier

Date : 10th January 2011

Dear Sirs

Re Application no 51144/07 by Anal Sheikh against the United Kingdom
Your ref MLA/hpi

This is a case which has a political agenda and which has made me a political target.

I have hitherto been represented in this court by Mr Philip Engelman and Mr Jack Rabinovicz who, because of the highly controversial nature of the case, are unable to continue to act for me. I set out the reasons in my Response from Page 438 Para 879 to Page 449 Para 887(4). For the time being I am acting in person and have submitted my Response on my own account.

As it is preferable for me to be represented by another lawyer, I have approached a number of non governmental organisations. JUSTICE and the Equality and Human Rights Commission have expressed an interest in the case and may be able to assist me in due course.

I am extremely grateful to the court for the extension of time it gave me for the submission of my Response. The court now has the Response and at least one copy of the supporting files listed on Index Version 2, and in some cases two copies.

My argument is essentially that for the past 40 years the Law Society has undertaken interventions in breach of statute , *ultra vires* and unlawfully .

I argue that Parliament intended , and the Act provides, that the Law Society can only seize a solicitor's files and freeze his bank account with a court order. The Law Society has , probably in the case of the majority of the 4500 interventions since 1974 , intervened into practices, that is, it has seized the solicitor's files and frozen his practice bank accounts , on the back of nothing more than an internal resolution [Page 174] which the courts have, for the past 40 years , treated as a freezing order. It is manifestly not a freezing order.

I also allege that the Law Society has committed banking fraud because it has induced banks to treat the resolution as a freezing order [Page 176- Page 177]

Finally, I allege that the sole purpose of intervention is to obtain control over the solicitor's residual balances , and that there has been substantial defalcation of the Compensation Fund, which is being used as no more than a 'gravy train ' for certain persons at the Solicitors'

Regulation Authority, and the solicitors and barristers representing the Authority. I discuss the use of the Compensation Fund from [Page 194 to Page 207]

The Law Society supported, I believe , by the former administration , has put me on a treadmill of litigation since 2005 which is continuing, and which I describe from [Page 493 to Page553] to prevent me from disclosing these matters. It has also reduced me to abject poverty. At the moment I am living of my mother's old aged pension.

With the minimal infrastructure I have and my want of means, it has been extremely difficult for me to provide the three sets of copies needed and find the costs of dispatching them. For example I was reluctant to do the copying all of the supporting files before my Response was printed for fear it would exhaust my cartridge, because I do not have the money to buy a new one.

I am now starting on the remainder of the copying which should be completed by 18th January 2011. The cheapest courier guarantees delivery within 5 days. I therefore respectfully ask the court to permit me to deliver the copy documents no later than 24th January 2011.

I should also be grateful if the court would permit me to send a 20 -30 page summary to be inserted after page 29 of the Response, by 17th January . I shall send it by facsimile on that day.

I had intended to complete the summary on 10th inst but unexpectedly received a notice of a hearing on 11th inst , for the suspension of the bailiff's warrant in relation to the repossession of my home on 13th inst. I also now have a deadline of 14th inst , in relation to my appeal in the Court of Appeal against my striking off at the Solicitors' Disciplinary Tribunal.

Yours sincerely

Anal Sheikh

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A. Sheikh

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By facsimile 00 33 3 88 41 39 00

Date : 3rd February 2011

Letter page 1-9
Exhibits page 1-100

Dear Sirs,

RE RULE 39 – URGENT/ ARTICLE 39 URGENT
CASE 51144/07 ANAL SHEIKH v UNITED KINGDOM

BACKGROUND

(1) The political implications of the case of Anal Sheikh v United Kingdom

The case has a political agenda and I have been made a political target. It concerns the exercise of the Law Society's powers of intervention into solicitors' firms. The Law Society of England and Wales is a quasi Establishment body closely affiliated with the judiciary , the police and the Government.

In my response to the Government's submission I argue that for the past forty years, the Law Society has exercised its power in breach of statute , *ultra vires,* and unlawfully .

Parliament intended , and the Solicitors Act 1974 provides, that the Law Society could only seize a solicitor's files and freeze his bank account with a court order. I believe that the majority of the 4500 interventions which have been carried out by the Law Society since 1974 have been carried out unlawfully , in that the Law Society has seized the solicitor's files and frozen his practice bank accounts on the back of nothing more than an internal resolution **[RESPONSE PAGE 174**] which the courts , for the past forty years , have treated as a freezing order. It would be obvious to any person, with or without legal experience , that the document is worthless sheet of paper with no legal effect . It is manifestly not a freezing order.

(2) The Compensation Fund contribution and the Law Society's deceit of the 145000 solicitors in the United Kingdom. Banking fraud committed by the Law Society . Theft by the Law Society of the solicitor's residual balances. Theft by the Law Society of

the solicitor's costs for unbilled work. The Law Society enjoys the absolute protection of the judiciary

I make the following allegations against the Law Society

(1) That the Law Society has committed banking fraud by deceiving banks into treating the resolution as a freezing order [**RESPONSE PAGE 176- PAGE 177**]

(2) That the Law Society uses its powers of intervention to unlawfully expropriate a solicitor's practice accounts which invariably hold costs for unbilled work, to which the solicitor would be entitled. If, in each of the 4500 interventions since 1986, £100,000.00 was held by each solicitor in his client account by way of unbilled costs, the Law Society has expropriated £450m from solicitors .

(3) That there has been substantial defalcation of the Compensation Fund, a public trust fund, which is being used as no more than a 'gravy train ' for certain persons at the Solicitors' Regulation Authority, the Law Society , and the solicitors and barristers representing them. I discuss the Law Society's management of the Compensation Fund from **[RESPONSE PAGE 185- PAGE 207]**. In the extraordinary recent decision In the Matter of the interventions into the solicitors' practices known as Ahmed & Co, Biebuyck, Dixon & Co and the practices of Mr Zoi and In the Matter of Sections 35 and 36 and Schedules 1 and 2 of The Solicitors Act 1974 and In the Matter of the Law Society Compensation Fund Rules 1995 , Lawrence Collins J authorised the transfer of £55m residual client funds (untraceable funds) to the Compensation Fund which the Law Society can now use for their legal costs. No consideration was given as to whether clients, entitled to the funds, should be represented. It might have been appropriate to have invited to Attorney General to intervene. Had these funds remained with the intervened solicitor, he would be obliged to hold the money on trust for the client indefinitely and risk being struck off if he misappropriated them, as in the case of Mr Bultitude. The Law Society are able to utilise these funds if , after 6 months of an intervention, no claim is made by the client.

(4) That the sole purpose of intervention is to obtain control over the solicitor's residual balances to supplement the Compensation Fund. ,

(5) That the Law Society procures contribution to the Compensation Fund by deceit . Each practicing solicitor in England and Wales is obliged to pay about £400.00 - £500.00 annually by way of a contribution to the Compensation Fund. I have shown in my Response that the Law Society's defalcation of the Compensation Fund stands at some £100m over a period of 5 years .

My challenge to the Law Society's power of intervention in 2005 in the case of Anal Sheikh v The Law Society [2005] EWHC 1409 (Ch) was the first successful challenge in legal history, which in my opinion , shows the extent to which the Law Society is protected by the judiciary. I have provided documentation in my Response to evidence that the Law Society blatantly perjures itself, it relies upon fabricated evidence and withholds evidence against a solicitor, and that the judiciary , even in the Supreme Court, turns a blind eye.

Following Park J's judgment , the number of interventions dropped to a negligible number .

The Court of Appeal hearing in 2006 was what I have termed a ‘ sham ‘ trial , the purpose of which was to undermine Park J’s judgment. The House of Lords’ refusal of permission to appeal was irrational in the extreme.

(3) The United Kingdom, a centre for moneylaundering , property and mortgage fraud and other Fraud Act 2006 offences.

I refer the court to **ECHR 1 (SC1) TAB 1 PAGE 16 PARA 14 - PAGE 35 PARA 95 (Attorney General Letter)** in which I describe how the courts in the United Kingdom are being used to commit serious organised crime.

In the Red River conveyancing and mortgage fraud (‘ the Red River Fraud ‘) which I describe in **ECHR 1 (SC1) TAB 1 PAGE 98 PARA 419 - PAGE 118 PARA 495 (Attorney General Letter),** by a single order made by Briggs J *ex parte* on 2nd October 2007 ,a mere five weeks after proceedings started, my mother and I lost £1,2m, which is all the money we have earned or saved since we arrived in the United Kingdom in 1968.

There are no effective enforcement agencies in the United Kingdom. We will never recover that sum in the civil or criminal courts.

(4) Civil Contingencies Act 2004. The UK Government’s sham litigation against me and my mother since 2006 , with no legitimate aim

Counter terrorist legislation enables the Government to invoke extraordinary powers as a response to the threat of terrorism, by control orders and other means**.** The Charter of Fundamental Rights which enables a Members State to circumscribe all rights and freedoms . Article 52 reads: "Subject to the principle of proportionality, limitations may be made only if they are necessary and genuinely meet objectives of general interest recognised by the Union." Article 15 of the Convention for the Protection of Human Rights and Fundamental Freedoms also permits a Contracting Party to derogate from its provisions. .

I believe that these powers have been invoked against me and my mother, albeit by the back door, to such an extent that all of our legal and civil rights have been suspended: claims and remedies to which we are entitled against other parties being summarily dismissed or never heard in the courts

Litigation has been used against me

(1) To expropriate my and my family’s assets

(2) To deprive me of my livelihood

(3) To conduct a smear campaign against me

The main characteristics of the litigation are the following :

(1) Litigation concerning me and my mother is controlled in every court. Applications and proceedings are not issued over the counter as is the case for everyone else, They are given to a judge or Master for 'directions' . That judge then notifies the Minister of Justice or other party and instructions are given to him .

(2) Hearings are conducted behind locked doors

(3) Hearings are dealt with on skeleton arguments and witness statements. The opponent is not required to respond to any allegation. The opponent's solicitor does not even read the file. He prepares a sham statement or skeleton argument and the judge makes up a false narrative. There has been no hearing , since 2005 , in any of the proceedings in which we have been involved , at which evidence has been tested by cross examination . The proceedings are nevertheless treated as having been finally determined.

(4) Special judges are assigned. Where a case is listed before another judge, it is removed from his list and assigned to a special judge

(5) My mother and I are not permitted to have judgments entered against any party, notwithstanding that they do not file a defence to any claim we make. . If it is entered , it is removed and a strike out application is listed. .

(6) There is a perversion of the course of justice. Notes of hearings which are favourable to us disappear, papers which incriminate others are destroyed and orders are fabricated.

(5) The United Kingdom's contempt of the ECHR

This application should be seen in the context of the current political climate in which the United Kingdom seeks to distance itself from Strasbourg. This week, the Prime Minister has announced that the United Kingdom will defy the recent EHCR decision in relation to prisoners' rights to vote and will reaffirm the supremacy of Parliament. **PAGE 94 – PAGE 98.**

In contrast, in the Red River Fraud and the Law Society Proceedings , the judiciary made orders in flagrant breach of Parliamentary statute.

In the Red River Fraud the judiciary violated the Land Registration Act, the statute which enables land to be transacted on a daily basis in this country with swiftness , effectiveness and security , and upon which the entire property market and the economic prosperity of the country is based. For the legal arguments see ECHR 15, ECHR 16 , ECHR 17

(6) My proposals to avoid scandalising the judiciary disregarded.

Plainly , if these matters are ventilated publicly, the Law Society and the judiciary of the United Kingdom will be brought into disrepute nationally, and internationally. Mindful of the repercussions and despite the Attorney General's recommendation to report 'judicial

corruption ' to the police , I have proposed an alternative approach which will avoid scandalising the judiciary , relying instead on the Civil Law Convention (ETS no 174). That assurance seems to have fallen on deaf ears.

REQUEST FOR AN INTERIM REMEDY

(1) Application

I seek an interim remedy for myself and my mother in

(1) the existing proceedings in this court, alternatively

(2) in an application my mother and I propose to make shortly to this court relating to the Red River Fraud

My mother is a widow , aged 83. She is ill and disabled and I am her carer. We live together.

I ask this court to make the following recommendations to the United Kingdom Government

(a) That there be a stay in the High Court, the Bankruptcy Registry , and in Court of Appeal, of all applications or proceedings against me and my mother arising from or connected with the Red River Fraud , pending the determination of the existing ECHR case or the proposed application and or

(b) That there be a stay , in all courts in the United Kingdom ,of applications or proceedings against me and my mother, where they relate to the enforcement of money claims or which effect our P1-1 rights, pending the determination of the existing ECHR case or the proposed application.

(c) That the bankruptcy order against Rabia Sheikh, if made later today, be declared void

(i) because of the circumstances in which it is being made which is to cover up the Red River Fraud, and

(ii) because it is dependent and consequential upon the Order of 2nd October 2007 , which is a void order and a criminal act.

(d) That the Attorney General be requested to intervene in the Red River Fraud and in the Law Society Proceedings in the United Kingdom because the rule of law has been suspended in relation to me and my mother. I have set out the reasons why he should intervene in **ECHR 1 (SC1) TAB 1 PAGE 127 PARA 151 - PAGE 528 PARA 647 (Attorney General Letter)**

(e) That the Government do undertake an enquiry into my allegation that orders in the Court of Appeal are simply drawn up and stamped in the court office, and that no judge sees the papers .

(2) The Red River Fraud

This application arises from the Red River Fraud which is a fairly transparent conveyancing and mortgage fraud perpetrated against me and my mother by the judiciary of the Chancery of the Division of the High Court of Justice and the Court of Appeal. Presumably the judges acted on the instruction of the Labour administration , which had close links with the Law Society and the Solicitors' Regulation Authority.

As the purpose of the fraud was to expropriate £1.2m from me and my family, and as it occurred within a space of a month , between 3rd September 2007 and 5th October 2007 , just before the expiry of my November 2007 deadline to apply to the ECHR, I assume that the former Government wished to obstruct my application to this court .

My various analyses of the Red River Fraud appear in the documents already with the court. A report in layman's terms appears at **REPONSE APPENDIX 5 .** A legal and forensic analysis appears in **ECHR 10, ECHR 11, ECHR 12** . A crime report is in **ECHR 14 .** My application for permission to appeal appears in **ECHR 15, ECHR 16,** and in **ECHR 17.**

For the first time in legal history, Briggs J dealt with an entire conveyancing transaction, which is an administrative practice discharged by solicitors, guaranteeing security of title for the buyer or the mortgagee, in the court room .

Briggs J

(1) created contractual terms between parties ,
(2) changed contractual terms which been agreed by the parties
(3) ordered a party to accept a contract with a third party she did not know
(4) prohibited a bona fide lender , having already given £1.2m, to the borrower from applying to protect her interest at the Land Registry indefinitely and he removed her existing protections
(5) prohibited the lender's solicitor from applying to protect her interest at the Land Registry indefinitely
(6) prohibited any other solicitor from applying to protect the lender's interest at the Land Registry indefinitely
(7) ordered the delivery of the executed legal charge to the borrower to register it
(8) ordered that the lender should only receive a copy charge when it was no longer required by the Land Registry

Briggs J did all of the above ,and more , on his own initiative , without an application being made, and without providing reasons.

The Attorney General has strongly recommended police intervention in relation to the Red River Fraud and what the Attorney General's office terms 'judicial corruption '. The Serious Fraud Office confirms that there has been a mortgage fraud and a perversion of the course of justice. The police are investigating the Red River Fraud PAGE 1 - PAGE 6.

(3) Use of litigation as a form of torture

I discuss how the Government has used litigation to torture me and my mother in **ECHR 1 (SC1) TAB 1 PAGE 151 PARA 648 - PAGE 221 PARA 723 (Attorney General Letter)**

The litigation to which my mother and I have been subjected since 2006 is not proper litigation. It is the use of court processes to strip us of all our money , to deprive me of my livelihood , to enslave me by making me work without remuneration in order to defend my interests, which I have done since 2006 , to humiliate and degrade me and cause me distress by seeing my mother suffering. Finally it is to reduce me to abject poverty and displace me to obstruct my application in this court . The process has been a wholesale physical and mental assault upon me and also my mother , who has been dragged into my affairs.

The principles upon which the sham litigation is based are unknown in any jurisdiction in any part of the world.

Of the fifty or more files lodged in the Court of Appeal at the moment , there will not be a single reference by my various opponents or by the judges to the law. In fact, after making a sham strike out application to dispose of any claim I make , my opponents do not participate in proceedings at all. Throughout the proceedings , their case is argued not by them , but by the judges.

It would be impossible to list all of the 200 – 250 sham hearings to which my mother and I have been subjected. I describe them as best I can in my Response at **PAGE 493- PAGE 556** and in **ECHR 1 (SC1) TAB1 PAGE 57 PARA 178- PAGE 76 PARA 320 (Attorney General Letter)**

(4) My mother's bankruptcy proceedings

The bankruptcy proceedings arise from the Red River Fraud .

The judiciary conspired with others to perpetrate the fraud and are now obliged to protect the other parties involved , being the Dogan family , the solicitors, Isadore Goldman and Burges Salmon , the barristers , Tom Smith and Lexa Hilliard , the mortgage broker, Ms Dick, and the accountant , Mr Shakir. Their respective strike out applications were removed from other judges ' lists and transferred to Norris J with instructions to strike out all the claims, and make 'totally without merit' findings, which he did within a few months of the issuing of the claim. He was also instructed to make costs orders which were intended to lead to my mother's bankruptcy so that all her other claims would be extinguished. Internal emails passing between judges , including from Norris J, appear at **PAGE8 – PAGE 11,** The barristers I instructed to represent us , Hugo Page QC and Nigel Meares, were instrumental in the fraud against us and are also protected.

For convenience, I attach an extract of my application to the Supreme Court made in November 2010, which details the history of the bankruptcy proceedings **PAGE 31 – PAGE 41.** The full version is in **ECHR 17**

When I attempted to deliver the bundles to the court, the counter staff, whose legal qualifications are not known, declared that the Supreme Court had no jurisdiction and called security to escort me from the premises. The exercise took some 2-3 minutes.

The bankruptcy hearing on 3rd November 2010 was adjourned to 3rd February 2011. Having unsuccessfully approached some 200 solicitors , I conclude that no solicitor in the United Kingdom offering legal aid will act for me or my mother . A single firm initially accepted instructions but were contacted after I disclosed their identity to the court and, without explanation , declined to act.

Bar Pro Bono whose instructions appear at **PAGE 17 - PAGE** 29 , declined to act on 29th January 2011. It is assumed they have also been approached. In any event they are supported by Blackstone Chambers, a leading human rights chambers, of which Hugo Page QC who colluded with the judiciary in the fraud against us , is a member.

On 1st February 2011 I made a further application for a stay of execution in the Court of Appeal on the grounds of my mother's distress. My application together with other communications appears at **PAGE 42- PAGE 60** .

The Court of Appeal and I had agreed some months ago that I would amend the Grounds of my Appeal to remove the allegations of judicial misconduct and rely on legal arguments only, and that I would have 14 days to do so after receiving Norris J's judgment, which is still not to hand.

At 3pm today the Court of Appeal told me that no judge had been appointed to consider the application for a stay of execution . At 6pm, I received notice that Lady Arden had not dealt with my application for a stay but had dealt with the permission application itself in its entirety which she had dismissed . There are some 40 arch lever files , some 7-8 of which are core files. It is impossible for any person to have read these files and made a decision in the three intervening hours.

I have alleged that no judge sees files in the Court of Appeal , but that the orders generated from that court are simply drafted by court staff and sealed by the court office.

The order has been timed to be produced a few hours before the bankruptcy hearing this morning leaving no opportunity to apply to set is aside , or lodge a further appeal .

(5) Risk of death through torture.

Exceptionally healthy and active all her life, my mother has been deeply traumatised by the events since 2007 , and particularly the bankruptcy proceedings. She has suffered a severe mental and physical breakdown. She now suffers from hypertension and high blood pressure . She has lost the mobility and suffers from double incontinence. She does not eat or sleep well. She has lost a considerable amount her body weight . She has said she will commit suicide. She is on anti depressants and other medication . She has been under the care of the NHS Foundation Trust Mental Health Services for Older Adults since 2009 Her medical reports and other relevant documentation appear at **PAGE 13 - PAGE 16**

The Red River Fraud has left me and my mother impecunious. The Court has obstructed us , since 2007, from entering judgments against any party . On 30th June 2010, Deputy Master Hoffman refused to deal with an application for judgment in default for £2m against our barristers, Hugo Page QC and Nigel Meares, who had not filed a defence to our claim for breach of duty. Instead he stayed proceedings and made a costs order against my mother for

£10,000.00 and encouraged those representing the barristers to bankrupt her on the back of the order .

For arrears of only about £10,000.00 Northern Rock , my mortgagee, started mortgage repossession proceedings in 2008. On 13th January 2011 , Northern Rock sought an eviction order . I drafted a claim on my mother's behalf claiming that Northern Rock is bound by her overriding interest in the property relying the House of Lords case of Royal Bank of Scotland v. Etridge ([2001] UKHL 44 . My mother's claim appears at PAGE 61 – PAGE 71 **. On the present evidence , her case is indefensible. At best, it means the mortgage will be set aside . At worst , we will able to live there as tenants.**

If my mother is made bankrupt she will not be able to proceed with this claim unless Willesden County has regard to ECHR authority relating to bankruptcies, such as the case of Luordo v Italy 32190/96 [2003] ECHR 372 (17 July 2003) .

However it is now becoming more and more apparent that the courts in the United Kingdom place scant value on human rights, and view the ECHR with contempt . When , at a recent hearing on my own matter, I attempted to rely on the case of Luordo, His Honour Judge Copley said

I'm not reading that . I don't care what is going on in Italy .

My letter to the judge dated 8th October 2010 **PAGE 72– PAGE 93** records how the hearing , which was held in a locked court room, proceeded.

Judge Copley will probably hear my mother's case which is listed in June 2011. If the case does come before him , homelessness is a certainty for both of us. My mother will be rehoused in a temporary shelter which could be located anywhere in the country. I will be on streets if I am not awarded housing benefit . My mother and I have never really lived apart. If she has to live apart from me , I will not be able to care for her , and may not even be able to visit her. Without me I believe her remaining life will be short.

Yours sincerely

Anal Sheikh

A. Sheikh

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Date : 4th February 2011

Dear Sirs

Re Application no 51144/07 by Anal Sheikh against the United Kingdom
Your ref MLA/hpi

I despatched 28 files, being the remainder of the triplicate copies, on 29th January , with DHL. I was given an expected delivery date of 2nd or 3rd February. I understand that since 3rd inst, the files have been lodged at a depot in Strasbourg . DHL claim they do not know the whereabouts of the court. I have sent four emails to them and have spoken several times but they say they simply cannot locate the court. I find that extraordinary.

In my Response Page 73 Para 109 – Page 78 Para 116 , I have described the covert surveillance which the Solicitors' Regulation Authority is known to conduct. The fact that the previous two deliveries have arrived at the ECHR without difficulty, and that shortly before despatching this delivery , I chanced to mention the proposed third delivery to my former solicitor, Mr Jack Rabinowicz , lead me to believe that there is a possibility that the Solicitors' Regulation Authority has intercepted and tampered with my delivery . Of course, I cannot be certain, but I think the risk is a real one.

I do not object to the Law Society or Solicitors' Regulation Authority seeing my Response. In fact, I rely upon it in my pending application to the Court of Appeal.

However, the practice usually adopted by the Solicitors' Regulation Authority is to ' mess up' the solicitor's files, by extracting documents and refiling them out of sequence , so that they makes no sense to the person reading them. If I am right in my suspicion , there is a risk that they may have done that in my case.

All 28 files were despatched in immaculate order , with the documents listed in the Index , paginated and in tact. I should be grateful if a check could be made when the files arrive to ensure they are order , and that no documents are missing.

Yours sincerely

Anal Sheikh

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Date : 6th February 2011

Dear Sirs

Re Application no 51144/07 by Anal Sheikh against the United Kingdom
Your ref MLA/hpi

The court should have today have received the remainder of my files. I have been told by the delivery company that they arrived in Strasbourg on 2nd inst, and have since been untraceable . I am extremely that they have apparently been unaccounted for for four days , particularly as the DHL Tracker record (attached) does not correspond with the information provided to me.

The material I am delivering is highly politically sensitive , and I as say , I believe that there is a possibility that my files have been tampered with. I have asked the court to check that the files are in order , but that may too cumbersome for the court to do. If it is not possible to do so, I should be grateful if the court would simply mark the files appropriately , so that they can be distinguished from the ones previously delivered.

I should be grateful if the court would also note my amended contact details above.

Finally , I should like to advise that the court that I am willing to engage in the friendly settlement procedure.

Yours sincerely

Anal Sheikh

A. Sheikh

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Date : 22nd February 2011

Dear Sirs

Re Application no 51144/07 by Anal Sheikh against the United Kingdom
Your ref MLA/hpi

I received your letter of 11th February 2011 on 21st February 2011.

The contents of your letter indicate that it was written before you had sight of my couriered letter of 10th February , a copy of which I attach ; which explains why I am unrepresented at the moment.

The purpose of this letter is to ask you for a reasonable extension of time to respond.

It obviously takes some 11 days for a letter from France to be received in the UK. Assuming it would take a similar period of time for my response to be received , even if I had started work on the response at the earliest possible time , that is on 21stFebruary , my response ,if sent by post, would not have been received by you until 4th March 2011. I should say that I have attempted to despatch communications to you by facsimile but it takes about 20 minutes to send each page, which is unaffordable for me.

This is a case which, in my opinion , has exceptional international , national and public importance. I fully acknowledge that it is preferable for me to be represented. I set out my basic argument in the attached summary which sets out my legal position in a succinct way.

I have sent the summary to a number of non governmental organisations , such as JUSTICE and the Aire Institute , who have expressed an interest in my case and to international organisations offering pro bono work. I am also exploring the possibility of my rights against the UK Government for the provision of legal aid.

I cannot pretend that there are no professional difficulties in this case. My former representatives , Mr Jack Rabinovick and Mr Philip Engelman , have seen my summary and they and I are reconsidering whether they can continue to act for me. There is no certainty they will act but there is a possibility .

In the circumstances, I ask the court for an extension of time of 7 days, expiring on 7th March 2011, to despatch my reply .
Yours sincerely

A. Sheikh

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Date : 2nd March 2011

Dear Sirs

Re Application no 51144/07 by Anal Sheikh against the United Kingdom
Your ref MLA/hpi

In this letter, I should like to do the following

(1) To apprise the court of the difficulty I am facing in obtaining legal representation, and to propose a solution .

(2) To address the court's enquiry in relation to the length of my response to the Government's submissions.

(3) To address the issue of whether I am able to have a fair hearing in the ECHR, I contend that I have not been able to have a fair trial in any court in the United Kingdom , inter alia, because

(a) my P1-1 rights were violated by the intervention into my firm in that my practice and personal money , amounting to about £ 500,000 - £600,000 were seized by the Law Society and I have been permanently deprived of these monies. [Response Page 504 Para 1007 , Page 508 Para 1021,] . I have therefore never been able to challenge the Law Society on an equal footing. The Law Society and the Government have since violated other P1-1 rights reducing me to abject poverty. Appendix 4 - Appendix 17. I assert that they have done to with the ulterior motive of prejudicing my application before this court.

(a) the law is untested in this case and no lawyer in the United Kingdom appears have the relevant knowledge or experience

(b) the courts in the United Kingdom are highly compromised in that they have apparently misapplied the law probably in every intervention case since 1974 by treating the Notice of Intervention or vesting order as a court order (see below)

(c) because the issues before the United Kingdom courts were non justiciable. I argue that Parliament never intended that allegations of dishonesty against

solicitors, where they are based on routine office and administrative practices, such as billing and bookkeeping , should be advanced in an adversarial forum by barristers and determined by judges , neither of whom have any understanding of the running of solicitors practices . Parliament intended that a solicitor should , in the first instance, be answerable face to face to his peers at the Professional Purposes Committee , or like committee.

(d) because of the controversial and political nature of the case

It would be unfortunate if I were to be deprived of the right to a fair trial in this court for the same reasons.

(4) If it is accepted that I am unable to have a fair hearing in the ECHR , to put forward suggestions as to how to make the hearing fair.

THE PUBLIC IMPORTANCE OF THE CASE

Before I deal with these issues the court should know of the importance of the case in human terms and to be aware of the number of people effected by the case in the United Kingdom.

The case concerns the exercise by the Law Society of its powers of intervention into solicitors' firms.

The Law Society of England and Wales is a quasi Establishment body intimately affiliated with the judiciary , the police and the Government. There is a Memorandum of Understanding between the Law Society and the Metropolitan Police.

On an intervention , the Law Society enters a solicitor's office , removes all of his files and freezes his practice bank accounts. It does so on the back of nothing more than an internally generated document called a Notice of Intervention, or vesting order , which is given to the solicitor when the intervention takes place or shortly before. In my case it was sent by facsimile to my office at 6pm on the preceding evening , when the Law Society knew my office was closed.

I have described [Response Page 71 Para 101 to Page 72 Para 107] the effect of an intervention upon a solicitor . An intervention means the complete destruction of a solicitor's life . There have been records of suicides by solicitors following intervention or disciplinary proceedings . Ranee Bassi , a 48 year old married woman and mother of 3 children , was found dead in her solicitor's office after a 4 year probe at the conclusion of which she was found honest. She had hung herself by the neck from the ceiling beams . Appendix 1

My challenge to the Law Society's power of intervention in 2005 in the case of Anal Sheikh v The Law Society [2005] EWHC 1409 (Ch) was the first successful challenge in legal history which, in my opinion , shows the extent to which the Law Society is protected by the judiciary. Legal aid is not available to a solicitor to mount a challenge and professional indemnity insurers do not offer cover. The solicitor therefore has to find private funds. In my

case , my legal fees amounted to about £500.000 - £600.000 , and in addition I have spent about £1m of my own chargeable time.

Following Park J's judgment , the number of interventions dropped to a negligible number

The Court of Appeal hearing in 2006 was what I have termed a ' sham ' trial , the purpose of which was to undermine Park J's judgment. The House of Lords' refusal of permission to appeal was irrational in the extreme.

I believe that proceedings in the United Kingdom , even the High Court proceeding , were used politically and with the ulterior motive of widening the Law Society 's powers without having to amend the statutory provisions through Parliament.

My main argument is very simple . I argue that Parliament intended , and the Solicitors' Act 1974 provides, that the Law Society could only seize a solicitor's files and freeze his bank account with a court order .

The majority of the 4500 interventions which have been carried out by the Law Society since 1974 have been carried out in breach of statute , *ultra vires,* and unlawfully , in that the Law Society has entered the solicitor's office, seized the solicitor's files and frozen the solicitor's practice bank accounts on the back of nothing more than an internal document produced by the Law Society , the Notice of Intervention , [Response Page 174] which the courts , for the past forty years , have mistakenly treated as a court order entitling the Law Society to conduct itself in this way. It is manifestly not a court order. [Response 116 – Page 155] I attach these pages as Page 1 – Page 3

The issues in my case have been determined by this court in countless previous proceedings in which violations have been found. The Report of the Commission of Lithgow v United Kingdom of 7th March 1984 is particularly relevant because it clarifies the position in relation to the 'vesting 'of privately owned property (Para 31, Para 36- Para 37) . In that case, not even a court order was sufficient to 'vest ' ownership of property in the State : a Statutory Instrument was needed. The Lithgow case also concerned a statute which had been enacted without having been debated in Parliament. I argue that the Solicitors Act 1974 came into effect in a similar way .

It is astonishing that the courts have, for forty years, treated the Notice of Intervention , which is no more than a valueless sheet of paper , as being sufficient to divest a solicitor of his assets , the goodwill of his practice , his files , his practice money and his own money.

In no civilised country does a single sheet of paper so comprehensively terminate a man's life as it does within the scheme of the intervention process as undertaken by the Law Society.

The Government agrees with me.

The Government states [Government's Response Para 2.9] that I did not have to let the Law Society into my office. They argue that I consented to the Law Society entering my office and seizing my files . It is implicit from the Government's statement that, unlike the courts, the Government does not consider the Notice of Intervention to have the status of a court order.

The Government however omits to refer to the fact that the Law Society also froze my bank account on the back of the same Notice of Intervention on the same day . I certainly did not consent to the freezing of my practice or personal funds.

Therefore all the court judgments in the United Kingdom since 1974 are premised on an obvious misunderstanding of the law, and my contention as to the unlawfulness of interventions is right.

The problem is that no solicitor in the United Kingdom is aware that he has the right to refuse entry and object to the freezing of his bank account which is indicative not only of the state of his mind at the time of the intervention but the unquestioning ,but misplaced , trust and belief the solicitor has that his governing body, the Law Society, would not act in breach of statute , unlawfully and criminally against him.

I also argue that the Law Society is not a body capable of regulating solicitors. A number of reports and studies confirm as much [Response Page 81 to Page 92, Appendix 24]. The former , albeit disgraced , vice president Kamlesh Bahl has stated

> The Law Society is fundamentally, institutionally racist and discriminatory. The Prime Minister, the Lord Chancellor and the Master of the Rolls should be deeply concerned that the Law Society broke the law. They should set up an independent inquiry to see if it is fit to carry on the functions delegated to it by Parliament."

A summary of my other allegations against the Law Society , which are detailed in my Response is as follows

(1) The Law Society has committed banking fraud by deceiving banks into treating the resolution as a freezing order

(2) The Law Society uses its powers of intervention to unlawfully expropriate a solicitor's practice accounts which invariably hold costs for unbilled work, to which the solicitor would be entitled. If, in each of the 4500 interventions since 1986, £100,000.00 was held by each solicitor in his client account by way of unbilled costs, the Law Society has expropriated £450m from solicitors . That is a conservative estimate. In the case of most firms , they will have unbilled work representing at one and a half years of annual turnover which could be £500,000.00 or more.

(3) That there has been substantial defalcation of the Compensation Fund, a public trust fund, which is being used as no more than a 'gravy train ' for certain persons at the Solicitors' Regulation Authority, the Law Society , and the solicitors and barristers representing them. I discuss the Law Society's management of the Compensation Fund at [Response Page 174 Para 185- Page 207] . In In the Matter of the interventions into the solicitors' practices known as Ahmed & Co, Biebuyck, Dixon & Co and the practices of Mr Zoi and In the Matter of Sections 35 and 36 and Schedules 1 and 2 of The Solicitors Act 1974 and In the Matter of the Law Society Compensation Fund Rules 1995 , Lawrence Collins J authorised the transfer of £55m residual client funds (untraceable

funds) to the Compensation Fund which the Law Society can now use for their legal costs. No consideration was given as to whether clients, entitled to the funds, should be represented. It might have been appropriate to invite to Attorney General to intervene. Had these funds remained with the intervened solicitor, he would be obliged to hold the money on trust for the client indefinitely and risk being struck off if he misappropriated them, as in the case of Bultitude v The Law Society (CA) 16 December 2004 [2004] EWCA Civ 1853. The Law Society are able to utilise these funds if , after 6 months of an intervention, no claim is made by the client.

(4) Firms are not intervened into where there is clear evidence of dishonesty if there is likely to be claim on the Compensation Fund. The burden of payment in those circumstances is passed to the firm's professional indemnity insurers. Firms are intervened into only where there are substantial residual balances and no likely claim on the Compensation Fund

(5) That the main purpose of intervention is to obtain control over the solicitor's residual balances to supplement the Compensation Fund. Another reason is to show the Government that the Law Society is capable of regulating solicitors which it is manifestly not capable of doing. The ultimate and long term objective is probably the elimination of all small practices from the market, and the establishment of 'supermarket' type law firms , controlled by the Law Society in which bribes, 'backhanders' and other inducements by the Law Society and those connected with it will be commonplace . These arrangements will facilitate the asset stripping of members of the public in the manner I discuss in ECHR Tab 1 Page 16- Page 35 (Letter to the Attorney General)

(6) That the Law Society procures contribution to the Compensation Fund by deceit . Each practicing solicitor in England and Wales is obliged to pay about £400.00 - £500.00 annually by way of a contribution to the Compensation Fund. I shows that the Law Society's defalcation of the Compensation Fund stands at some £100m over a period of 5 years

(7) Intervention decisions have been treated for decades by the courts as being made by adjudication panels. The courts believe that fellow solicitors meet and carefully consider documents evidencing dishonesty against the accused solicitor. There are no panels. It is now known and the Law Society admit that no person sees any documents. A Notice of Intervention is merely a ratification of the caseworker's findings which are simply made up. Adjudicators are employees of the Law Society and are induced or influenced to make findings against targeted solicitors. A piece of paper therefore destroys a man's life

(8) The Law Society relies on false and perjured evidence , fabricated evidence and the withholding of evidence against a solicitor to secure a win , to which the judiciary, with some exceptions, turns a blind eye. [Response Page 296 - Page 392 The Law Society influences judicial decisions in County Courts , in the High Court , in the Court of Appeal and in the former House of Lords. One of the purposes of so doing is to conceal and continue with its misappropriation of the Compensation Fund.

There have been some 4500 interventions since 1985. The Law Society announced at the start of 2009 that it had planned 100 interventions that year. On average, only one or two are intervention per year are challenged. The consequences are these

- Assuming that the average firm intervened into has two partners , at least 10,000 lives have been destroyed . I ignore the effect on the solicitor's family, including his children.

- Assuming each firm has 200 clients , about 1 million clients have been obliged to transfer their case to a solicitor who was not the solicitor of their first choice, with the likely effect that their cases have been irreparably prejudiced.

All of 147000 solicitors in the United Kingdom with the exception of the 'magic circle ' firms and firms which more than 25 partners have an interest in the outcome of this case .

The targets of interventions are sole practitioners and small and niche practices , many of whom are white, but the firms who bear the real brunt are black and ethnic minority solicitors.

I discuss the race implications at [Response Page 93 Para 164 – Page 100 Para 179 and Page 81 Para 135 - Page 88 Para 151] . In 2008, Lord Ouseley's Report was commissioned by Society of Black Lawyers, the Society of Asian Lawyers, the Association of Muslim Lawyers and the Black Solicitors Network, The Report finds that firms whose lawyers are predominantly African and Caribbean are six times more likely to be closed down than those whose lawyers are mainly white, and firms of predominantly Asian lawyers three times more likely.

This case therefore also offers an unprecedented opportunity to address issues about the colour bar in the higher professions.

There are also social and economic consequences. A solicitor will lose everything he owns after an intervention and as bankruptcy is a certain outcome , he is removed from the economy. He will spend the rest of his life on benefits as a burden to the state. As a rough and ready calculation , estimating the net worth of a solicitor , the total cost of interventions to the economy is some £4bn- £6bn , which is enough to build ten hospitals [Response Page 72 Para 106]

With the closure of so many small law firms throughout the country , which in the past would have serviced the most disadvantaged sector of the community by offering legal aid facilities , the public's access to justice is severely curtailed

No single solicitor can challenge the Law Society on his own. After an intervention he is left a broken man.

MY DIFFICULTY IN OBTAINING LEGAL REPRESENTATION

Chronology

As I have said I have paid privately for all of the proceedings in the United Kingdom

One of the strategies used by the Law Society against solicitors who challenge it is to put them on a treadmill of litigation to dissipate any capital they may have . A solicitor will quickly find himself impecunious, as I now find myself . I have been on that treadmill since 2006 , having dealt with some 200 hearings in countless sham proceedings, which I know full well the Law Society is supporting.

The Law Society also approaches counsel to influence them to deprive a solicitor of any money he may have . In December 2008 I paid Anesta Weekes QC, £10,000.00 to challenge act in the second intervention of my firm. (Mr Engelman had quoted that amount) . [Response Page 477 – Page 478 , Page 548] She has taken no steps whatsoever on my behalf notwithstanding that there is a written agreement between us . In January 2009 , I paid her a further £20,000.00 to act in my SDT proceedings . It was a written term of the agreement that she would act on any adjourned hearing. She refused to attend the adjourned hearing . It is unheard of for a barrister to behave in this way . I do not hesitate to allege that the Law Society has encouraged Ms Weekes QC do to so and , with the Bar Standards and with the courts have guaranteed her immunity from any claim I may make against her , or complaint.

There is no question that the Law Society's purpose has been to ensure that I do not have the funds to pay for proper representation in Strasbourg.

I received the Government's submissions in November 2010. The court imposed a deadline for my response of 17th December 2010.

Mr Philip Engelman of counsel , who had drafted the petition to this court in November 2007 *pro bono* and met me briefly in March 2008 to consider the Law Society' second intervention in to my firm, kindly agreed to act *pro bono* for me again and a two hour conference was arranged for 30th November to comply with the courts deadline.

This was the first meeting I had had with Mr Engelman since 2008 . I record how the conference progressed at [Response Page 438 - Page 450] It became apparent at the conference that Mr Engelman had no knowledge or understanding of the matters I discuss in my response .

My response has taken some two and half months of solid work to prepare and 5 years of research. It was impossible for me to convey to Mr Engelman all that I know . It is also extremely unfair to expect a barrister acting *pro bono* to devote so much time and effort to such a controversial and novel case. It was impossible for Mr Engelman to draft a response before the deadline. My solicitors have confirmed that fact . I was therefore obliged to submit my response on my own account to avoid having my case struck out.

I should like to be clear that I do not intend to criticise Mr Engelman in any way. As I say it has taken a considerable amount of time and effort on my part to reach the level of understanding I now have . No barrister has the time to conduct such research . Mr Engelman's expertise in this field is pre eminent , and I personally believe that he is one of the few advocates in this country capable of dealing successfully with this type of case in the ECHR.

I had intended to submit a summary of my response of some 30 pages and a description of the documents to be inserted before page 70 , but throughout January and February I have been subjected to further litigation :

(1) on 11th January I had to deal with a complex application to avoid being evicted, together with my mother aged 83, from my home

(2) the 14th January was my deadline to prepare and file bundles at the Court of Appeal for in relation to my appeal against my striking off at the Solicitors' Disciplinary Tribunal

(3) at the end of January , I had to make an application for a stay of execution in relation to my mother's bankruptcy

(4) on 3rd February , I had to deal with my mother's bankruptcy hearing

(5) last week I had to issue an appeal against her bankruptcy in the High Court

(6) I also had to lodge an appeal against refusal of the stay in the Court of Appeal

(7) I had to issue a breach of duty claim against my legal representatives in the intervention proceedings as the time limit for doing so expired on 18th February, six years after the event

The court will be aware that I have made an application for an interim remedy under Rule 39 in which I have asked this court to recommend that the Government do stay all applications and claims against me and my mother in the United Kingdom , pending the determination of my ECHR application , as they amount to torture, and in the case of my mother , may have a fatal outcome. On 25th February 2011, my mother was visited by two psychiatrists who are extremely concerned about the effect on her mental state of what I term ' sham' proceedings , which are unremitting, .

I do not believe any person can endure litigation of this type.

<u>General problems with obtaining legal representation</u>

I have dealt with the difficulties a solicitor faces in obtaining legal representation at length [Response Page 106 Para. 190 - Page 111 Para. 210] which in summary are these;

(1) There is a complete want of expertise in the relevant disciplines

(2) The Law Society approaches and influences solicitors and barristers

(3) There is a culture of fear . All but the largest and most powerful firms exist in terror of the Law Society . Therefore even if I were to obtain legal funding , I doubt that any firm would be willing to take this case on.

(4) The culture of fear extends to barristers. I know of several cases in which barristers have been threatened with being struck off , being imprisoned for contempt , or worse ,if they support controversial cases such as mine. No barrister can be expected to take such a risk for a client .

I list below the organisations which I have approached for assistance and who have given me short shrift, not surprisingly as they are either recipients of funding from the Law Society , closely connected with it , or connected with parties who are seriously compromised.

Legal aid in the United Kingdom and in Europe

There are no legal aid practitioners in this country who have relevant experience. Furthermore the Legal Services Commission, the organisation which manages legal aid, is no longer independent of the Law Society and there are several cases which have come to my attention in which the Law Society has used its influence to have certificates terminated.

There are statutory provisions for the granting of legal aid in exceptional cases, and I am investigation whether , under these provisions , it is possible to instruct a non franchised firm.

I have also explored the possibility of obtaining legal aid in Europe but I understand that the funding limit for work done under a certificate is only some 850 Euros , which is entirely inadequate.

Pro Bono Organisations

I have approached Bar Pro Bono for assistance in the connected litigation [Page 3- 16] and was proposing to request their assistance in these proceedings. I have also approached International Bar Pro Bono.

Bar Pro Bono irrationally refused to assist my mother in a straightforward bankruptcy case , claiming it was too complicated, or even to attend court to request an adjournment. She was made bankrupt as a result. It is certain that they will also refuse to assist me.

Bar Pro Bono is supported by Blackstone Chambers and 3-4 South Square Chambers of which barristers Hugo Page QC , Lexa Hilliard QC, and Tom Smith are members. [Page 17 – Page 19. These were the barristers who conspired in the Red River conveyancing and mortgage fraud against me and my mother [Appendix 4 – Appendix 16, Response Page 521 Para 1092 to Page 538 Para 1115] Mr Page was our own barrister. As indicated I am proposing to join the Red River case with this case. The Attorney General , the Serious Fraud Office and the Avon District Constabulary confirm the fraud . It is a very transparent fraud in any event.

The President of Bar Pro Bono is Mr Robin Knowles QC. He is also the Head of Chambers of 3-4 South Square.

Obviously this charity has serious conflicts of interest.

Non Governmental Organisations

I discussed my case with the AIRE Centre and JUSTICE in or about October 2010 . At the time both NGOs expressed enormous interest in my case and asked me to send documents. I sent documents a few days ago, that is in February 2011.

Having seen the documents , both organisations immediately refused to assist me or intervene in the proceedings .

I do not object to their respective decisions *per se* , but I am troubled by the irrational and abrupt manner in which they have responded .

JUSTICE has told me not to communicate with them again . The short refusal to assist from AIRE received yesterday , only a few days after having I had sent my papers indicates that AIRE has not even considered matters .

AIRE also refused assistance to Mr Michael Otobo, another solicitor who has been targeted by the Law Society , and who seeks to join his case in the ECHR with mine [Response Page 72 Para 104 (6) , Appendix 18] (The emails in Appendix 18 say , on the part of the Solicitors ' Regulation Authority , words to the effect of

' *Let's get the black man , and use the white man's evidence against him'*

The ' white' man was a solicitor whose Forensic Investigation Report records that he had committed serious money laundering offence.

The reason AIRE has given to Mr Otobo is that they have a conflict of interest. It is difficult to know how an NGO can have a conflict of interest.

I am extremely concerned to have subsequently discovered

(1) in relation to AIRE, that it funded by the Law Society , the Foreign and Commonwealth Office of the United Kingdom (the Agent for the Government in the proceedings) and the Equalities and Human Rights Commission

(2) in relation to JUSTICE , that it is supported by solicitor's firms of Withers LLP, who are also highly compromised in my cases. ECHR 19 Tab 8 It is also supported by the General Council of the Bar, who has arbitrarily dismissed all of the complaints of misconduct I have made against the barristers involved in the Red River fraud ,. This is the fraud in which the Serious Fraud Office and the Attorney General confirm The Bar Council has gone so far as to dismiss my complaint against Marc Beaumont [Response Page 546, ECHR 19.]

Both JUSTICE and the AIRE Institute are funded by the European Commission . In the Red River conveyancing and mortgage fraud , which could only have been completed by the collusion of barristers acting on both sides there has been a breach of Article 56 . (free movement of capital) and of EU money laundering directives) . The courts have refused to make a reference for a ruling under Article 234. ECHR 16 ,ECHR 17

It should be of particular concern in the light of the recent EU bailout to Ireland that the bank involved was the Bank of Ireland represented by Burges Salmon . The conduct of this firm's mortgage activities has been raised in Parliament . A partner in Burges Salmon is or was a Board Member of the Solicitors' Regulation Authority. [Response Page 73 Para 109 (4)]

The European Human Rights Commission

This is the independent statutory body established to help eliminate discrimination, reduce inequality and protect human rights.

Having seen my papers and the representations I made (Page 22) following the recently nationally televised statement by Mr Trever Phillips, its Chairman, expressing his

commitment to eradicating extremism and human rights abuses in the United Kingdom, the ECHC also refused to intervene or assist me in anyway in any of the cases in which I am involved and in which I have been discriminated against in the most blatant possible way. The letter of refusal appear to be in a standardised form, which indicates that no real consideration has been given to matters .

I believe, with good reason, that the Government has sought to marginalise me and these are politically influenced decisions.

PROPOSALS IN RELATION TO REPRESENTATION

Mr Philip Engelman

Mr Philip Engelman and Mr Jack Rabinovick have expressed their willingness to continue to act for me *pro bono* and they are now considering my response with a view to recasting the draft they intended to submit on my behalf which , in my opinion , was entirely inadequate.

I do not however know whether they will support my main argument in relation to the status of the vesting order , because of the controversial nature of it, and for fear of reprisal.

There is also a real risk that Mr Philip Engelman and Mr Jack Rabinovick have been induced by the Law Society to act for me in order to control and sanitise the proceedings. This is a strategy I know the Law Society routinely adopts. I have no evidence my suspicions are true in this case, but I should not dismiss the possibility.

I respectfully request that I be given until the 31st March 2011 to do one of the following

(1) To consider Mr Engelman's response , and if considered appropriate, to substitute it for my proposed summary . In this case I believe my 500 page Response could be used as an appendix .

(2) If Mr Engelman's response is not considered appropriate , in view of the circumstances in this case and the public importance of it, that I be permitted to make an application to the President to represent myself under Rule 36 in the case as a whole or at least in relation to the more controversial issues.

I fully accept that it is preferable for me to be represented and I shall continue to seek representation.

Assistance by Law Society

Although my allegations are made against the Law Society, the party responsible is its regulatory arm, the Solicitors' Regulation Authority, or rather certain individuals within the organisation who appear to be unaccountable for their conduct.

I very much doubt that the Council of the Law Society have any knowledge or understanding of what is really going on.

I am endeavouring to establish contact with the President of the Law Society through the Sole Practitioner's Group to apprise him of matters I raise in these proceedings . I am hoping

I would be able to persuade the Society to assist me in its capacity as my representative body , or at least , to intervene in the public interest , but that may be a tall order.

I would hope that the court would be able to accommodate my proposals. It would be unfortunate if this case were struck out , not only because I have already personally expended a substantial sum in this and connected litigation , and have suffered inordinate losses in proceedings orchestrated by the Law Society for the specific purpose of keeping me out of this court , but because it is unlikely that solicitors in the United Kingdom will ever again have a chance to address the inequities of the Law Society's regulatory processes.

Yours sincerely

Anal Sheikh

A. Sheikh

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Date : 31st March 2011

Dear Sirs

Re Application no 51144/07 by Anal Sheikh against the United Kingdom
Your ref MLA/hpi

I refer the court to my letter of 2nd March 2011 with attachments , which I respectfully request be read together with this letter.

COMPLIANCE WITH PRACTICE DIRECTIONS AS TO WRITTEN PLEADINGS

The court has enquired as to the nature of my five hundred page response, and requires me to show how it complies with the relevant Practice Direction.

The court will have today received a document which is fifty eight pages long.

The shorter document is a Summary of the Response , which identifies the main issues following the schema used by the Government , and provides references to the longer response and the documentation supporting it.

This was the summary my legal representatives had agreed to prepare which, for reasons I discuss below , I have been obliged to prepare myself.

The Practice Direction provides that if a pleading exceeds thirty pages, a short summary can be provided. The following documents could be treated by the court as being the summary :

(1) the first eleven pages of the response under the heading ' Introduction ',
(2) my letter of 2nd March 2011,
(3) the Index to the Response, which appears in Tab 1 of the file received today.

Notwithstanding that I have exceeded the stipulated length , I ask the court to accept both documents, together with supporting material , for a number of reasons, of which the following are a few:

(1) The interventions of law firms should be seen as a feature of the Law Society's entire regulatory processes for which there are no rules and which require full explanation . I have given that explanation PAGE 158 - PAGE 185

(2) Furthermore , the power of intervention cannot be seen in isolation from other related issues , such as the evolution of the Solicitors Act 1974 PAGE 116 - PAGE 151 , the management of the Compensation Fund PAGE 185 - PAGE 207 , the issues of self regulation and of separation of powers , the current political controversy between the United Kingdom and Strasbourg, and public concerns about judicial dependency and impropriety , because these matters go to the issue of whether a litigant can have effective remedy and fair trial in the domestic courts.

(3) I assert that even today , I have not had an effective remedy in the domestic courts. The High Court hearing was only the start of a sustained attack upon me by the Law Society and by the judiciary, which is continuing . I argue that the intervention of my firm may have specifically been used by the Law Society to widen the powers through the courts rather than with Parliamentary sanction . I show that if the Law Society had genuine concerns about my practice , those concerns could have been resolved in no more than twenty minutes as they related to routine office practices .PAGE 40 . This was a case which should never have reached the domestic courts let alone the highest Court in Europe. It should not have cost me over £1m and cost the Law Society £2.5m or more. As I contend that the duration of the violations against me spans a period of six years and is ongoing , I have been obliged to describe the events covering the entire period which I do at PAGE 458– PAGE 556

(4) I have explained in my earlier letter that the law is untested in this case. There are no useful publications or texts for defence advocates. To my knowledge no other person in the United Kingdom has carried out the research I have been obliged to do, which is largely contained in the documentation before the court and is important for the court to see.

(5) I allege that the Law Society has fabricated evidence in my case and relied on false and perjured evidence , and that the Court of Appeal judgment was a based on a factual narrative which is fictional to support the findings it had planned to make to widen the Law Society's intervention powers . In order to demonstrate what I say , I have had to detail the factual background at some length PAGE 266- PAGE 398

(6) The documentation I have lodged supports my proposed applications arising from directly linked domestic proceedings , which I propose to link with my case. They include :

(a) The Solicitors' Disciplinary Tribunal proceedings

(b) The 2008 intervention proceedings

© The Red River Proceedings , and Fraud Proceedings arising from them

(d) The Marc Beaumont Proceedings

(e) The breach of duty proceedings against my former representatives

all of which I allege have been used by the Law Society and the judiciary to obstruct my application to this court . I am aiming to have all my applications ready by the end of April 2011.

LEGAL REPRESENTATION

In my letter of 2nd March 2011, I advised the court that Mr Philip Engelman and Mr Jack Rabanovicz were prepared to act for me . I indicated that there was a possibility that the they had been influenced by the Law Society but I could not be certain .

These lawyers have let me down very badly in the last fortnight and their conduct leaves me in no doubt that my suspicions were well founded.

In the case of Colibaba v. Moldova 29089/06 [2007] ECHR 847 (23 October 2007) the court made the following finding

> 65. The Court reiterates that it is of the utmost importance for the effective operation of the system of individual petition instituted by Article 34 that applicants or potential applicants should be able to communicate freely with the Court without being subjected to any form of pressure from the authorities to withdraw or modify their complaints (see, among other authorities, *Akdivar and Others v. Turkey*, judgment of 16 September 1996, *Reports* 1996 IV, § 105; and *Aksoy v. Turkey*, judgment of 18 December 1996, *Reports* 1996 VI, § 105). In this context, "pressure" includes not only direct coercion and flagrant acts of intimidation but also other improper indirect acts or contacts designed to dissuade or discourage applicants from pursuing a Convention remedy (see *Kurt v. Turkey*, judgment of 25 May 1998, *Reports* 1998 III, § 159).

In the United Kingdom , the intimidation of legal representatives is done in a much more subtle and covert manner than would be used in a former Communist country . In my case, my lawyers insisted that I withdraw my response and apologise to the court , giving me no guarantee they would substitute anything in its place.

I now intend to apply to the court for legal funding and also to send my summary to pro bono lawyers in Europe and in the United States to request assistance. I propose to make an application to the President to represent myself until I can find someone to assist me. I should be in a position to send the application to court by facsimile on 4th April .

ILLEGALITY OF INTERVENTIONS

As I have apprised the court , the reason I am having difficulty in obtaining representation in the United Kingdom is because of the controversial nature of the case as a whole , and in particular, of my primary argument , which is that interventions have been carried out in breach of statute for the last forty years . **PAGE 12 PARA 48 - PAGE 16 PARA 64**. The judiciary is apparently unaware of that fact.

Extraordinarily , the Government and I are find ourselves in total agreement , and the Government find themselves in conflict with the Law Society and with judiciary.

In the circumstances it is difficult to see why this case should not proceed by way of a strike out of the Government's observations and a judgment in my favour.

The reason I reiterate this is because the simplicity of this powerful argument is likely to recommend this case to a foreign lawyer , and in the event that I cannot find a representative , the court will , because of persuasiveness of my argument , permit me to represent myself .

Yours sincerely

Anal Sheikh

A. Sheikh

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Date : 26th April 2011

URGENT

Dear Sirs

Re Application no 51144/07 by Anal Sheikh against the United Kingdom
Your ref MLA/hpi

URGENT APPLICATION FOR A STAY OF PROCEEDINGS IN THE FOURTH CHAMBER PENDING DETERMINATION OF THE APPLICANT'S APPLICATION TO THE PRESIDENT OF THE ECHR FOR ORDERS PURSUANT TO RULE 31 (DEROGATION IN A PARTICULAR CASE)

Due process

I have received your letter of 14th April 2011 today.

You refer to your two letters to me, but you do not refer to my responses to those letters . Moreover, although I have evidence of delivery of letters and documents to the court material to the issue which was before the Vice President , the court has not acknowledged receipt of them.

It is difficult to know what the Vice President has seen.

There is a real risk that, in the circumstances , the Vice President may have made his decision without having had sight of the relevant documentation and that his decision is accordingly vitiated .

I list and describe the documentation below , and send copies where appropriate.

1 My letter of 2nd March 2011. In this letter I detail the difficulties I am experiencing in obtaining legal representation . This is the last letter to which the court responded . For convenience , I resend it.

2 My faxed letter of 31st March 2011. In this letter I argue that I have complied with the requirements concerning written pleadings. I am also sending the fax receipt .

3 My 58 page summary accompanying the letter. This was sent by courier and received by the court on 31st March 2011 , the deadline you had imposed. (Copy receipt attached) . The attached tracking record shows that the two hard copies which followed have been held up in Paris for some days now.

4 My faxed letter dated 19th April 2011, which postdates your letter, together with my application under Rule 36 (2) and Rule 36 (3) for an order from the President that I be permitted to represent myself. I am assuming that the hard copy has been received by now.

There is every indication from your letter that the Vice President has made his decision without having seen items 2 and 3 above .

Rule 38(2) - obligation to refer matter to the President of the Chamber

Rule 38 (2) provides that no written observations or other documents filed contrary to any practice direction shall be included in the case file unless the President of the Chamber decides otherwise.

The Vice President's decision therefore that the case should be determined without considering my submissions , with respect, is not a final decision and I do have the right to have the issue reconsidered by the President of the Fourth Chamber.

My Rule 36 Application

As you should now be aware I am making an application under Rule 36 to the President of the Fourth Chamber.

In the circumstances it would be inappropriate and unfair to make a determination under Rule 38. I respectfully request that , in fairness to me, both the issue of representation and the issue of compliance with Rule 38 be determined by the President at the same time. I have listed the documentation which should be placed before him in the application at Page 2- Page 3 Para. 2 (1) – (6) and, for optional reading , at Page 7 Para. 22 (4) – (8).

Application to strike out the UK Government's Observations

I also direct to court to my invitation to strike out the UK Government's Observations on the grounds set out at Page 15 Para 69 – Para 72.

Immediate stay of proceedings in the Fourth Chamber pending consideration of my application under Rule 31 to the President of the ECHR

As you see from the above, I am assuming that this is a case in which the Vice President's decision has been made as an administrative oversight which can easily be corrected.

The case is a controversial one , and one in which I believe that it may be desirable ,in the interests of justice and in view of the public importance, to make appropriate orders under Rule 31 . It may not however be necessary for the President of the ECHR to do so if I am right that the Vice President's decision is merely the result of an administrative dysfunction , and the President of the Chamber is willing to consider matters.

Accordingly I should be grateful if you would note my proposed application and , of your own initiative , stay any determination of the substantive case until a decision from the President of the Chamber.

Supplementary

Finally , accompanying this letter, is an application for legal aid which I should be grateful if you would place before the President . I have not given up endeavouring to find a legal representative.

If my application to represent myself does not meet with success, rather than taking the step indicated in your letter, I respectfully request that the President stays proceedings for a minimum of two months to give me further time to find legal representation. I would hope that the simple argument I set out as to the illegality of interventions , with which the Government agrees, would at least recommend the latter course to the President if he is unwilling to grant my application in the terms asked.

Yours sincerely

Anal Sheikh

A. Sheikh

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Judge John Paul Costa
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Date : 29th April 2011

URGENT

NOTE – NOT FOR FOURTH SECTION

Dear President ,

RE: APPLICATION NO 51144/07 BY ANAL SHEIKH AGAINST THE UNITED KINGDOM , APPLICATION FOR AN ORDER UNDER RULE 31 AND OR RULE 9

INTRODUCTION

I am former solicitor and the applicant in the above case which , in my opinion , is of significant political and public importance.

For the time being I am without legal representation in these proceedings. I have learned today that an application I have made to the President of the Fourth Section for permission to represent myself under Rule 36 has been refused.

The purpose of this letter is to record my concern that my case is being dealt with in the Fourth Section without due process and in breach of the Rules of Court , and under the above Rules to respectfully request you to stay the proceedings in the Fourth Section and to transfer them to another section. I am sending a copy of this letter to the Fourth Section to indicate the course I am taking.

While I do not seek to trouble you with the details of the particular case save for the point I make in the following paragraphs , should you wish to see them, relevant documents are contained in the two files attached to this letter , an index to which I provide at the end. My references below are to these files .

The case concerns the exercise by the Law Society of England and Wales of its powers of intervention into solicitors' firms , which results in the complete destruction of the solicitor's practice and often, because a solicitor's personal assets are usually tied in with his practice, the complete destruction of his life. Invariably , following an intervention, the solicitor faces bankruptcy , long term unemployment , homelessness, family breakdown and other devastating consequences. There have been records of suicides . A woman and mother of

three children was found dead in her office. She had hung herself by the neck. She was later cleared of any wrongdoing.

My main argument is very simple : I argue that the UK Parliament intended , and the Solicitors' Act 1974 provides, that the Law Society could only enter a solicitor's practice , seize a solicitor's files and freeze his bank accounts with a court order .

The majority of the 4500 interventions which have been carried out by the Law Society since 1974 have been carried out in breach of statute *ultra vires* and unlawfully in that the Law Society has entered the solicitor's office, seized the solicitor's files and has frozen the solicitor's practice bank accounts on the back of nothing more than an internally generated document: the Notice of Intervention , **FILE 1 TAB 3 PAGE 1 .** In my case the Law Society froze my practice accounts which held about £250,000 of my own remortgage money and some £200,000 costs to which I was entitled for past work.

Even a layperson can see that the Notice of Intervention is not a court order.

For the past forty years the judiciary at the highest level in the United Kingdom, have apparently mistakenly treated the Notice of Intervention as a court order entitling the Law Society to conduct itself in this way, which is scarcely credible.

The Government and I are agreed that the effect of the document is not that of court order and we are therefore agreed about the unlawfulness of interventions . **FILE 2 TAB 3 PAGE 14 PARA 52 – SUMMARY**

It is self evident that the UK Government also agree with me that the judiciary , the Law Society , the barristers , including leading counsel , and the solicitors appearing in legal challenges have , for the past forty years, made a legal mistake of monumental proportion which has destroyed the lives of some 20000 solicitors and has prejudiced at least one million members of the public **FILE 1 PAGE 16 PARA 73- PARA 77**

I also allege that the Law Society, an establishment body closely affiliated with the judiciary in the UK , has perpetrated a fraud on the Compensation Fund which stands at some £102m , has expropriated some £1.2bn from solicitors and has committed banking fraud by using the Notice of Intervention to transfer solicitors' practice accounts to itself **FILE 1 TAB 3 PAGE 2- PAGE 3 .** The detailed allegations are set out in **FILE 1 PAGE 3 – PAGE 4**

If these and the other matters I raise in the Summary of my Response to the UK Government are made public , I believe there is likely to be a professional if not public outcry against the UK Government , the Law Society and the judiciary, especially by the solicitors whose lives have been irreparably damaged by the process of intervention , and by their families.

<u>THE CONDUCT OF THE CASE BY THE FOURTH SECTION</u>

Following the UK Government's submission of their Observations , the Fourth Section has dealt with the case in the following way :

(1) It has imposed deadlines with which my former solicitor complained were impossible to comply .

(2) It has imposed a deadline upon me to provide responses which , taking into account the postal delay between France and the UK, it was impossible to comply with even if I had completed the responses on the very day of notification .

(3) It has purported to send a letter to me by facsimile which, to my prejudice, was not in fact sent by facsimile

(4) I believe it has communicated with my former solicitor without my authority , again to my prejudice

(5) I have alerted the Fourth Section to the risk of interference in the delivery of my documents via courier by the Law Society and Solicitors' Regulation Authority which has connections with police authorities and are known to undertake covert surveillance , but I am not informed of any precautions which have been taken on my behalf such as by acknowledging receipt of documents I have sent.

These are matters when considered individually are no more than administrative oversights but viewed together and cumulatively would reasonably give grounds for concern.

I am now particularly troubled by five recent decisions made by the Vice President of the Section.

The first decision by the Vice President , conveyed to me by the court's letter of 14th April 2011, was that admissibility is to be determined on the basis solely of my original petition and the Government's Observations . **FILE 2 TAB 4 PAGE 1 – PAGE 5.** The Vice President appears to be completely unaware of the existence of the Summary of my Response which was sent to court with my letter of 30th March 2011 and 31st March 2011 in compliance with a deadline imposed by the court . Despite evidence of receipt by the court , the Fourth Section has even today not acknowledged these communications and their attachments. The Vice President's decision therefore appears to have been made in the face of an obvious administrative error.

I accept that the court would be justified in refusing to take account of a party's submissions when they are frivolous or irrelevant , but my Summary appearing at **FILE 2 TAB 3 PAGE 1 – PAGE 58** is far from that.

It is difficult to know how the Fourth Section is able to disregard my submissions and permit the case to proceed on the basis of Government's Observations alone, especially so as the Government's Observations are irrational , self contradictory and wrong.

On the one hand the UK Government submit that the State's interference with property rights conferred by the Solicitor's Act 1974 falls within the margin of appreciation and the fair balance test, but on the other hand the UK Government accept that the interference was unlawful in that the freezing of my firm's practice accounts and seizure of my files was done without a court order and was therefore carried out in contravention of the Act , and or any other statutory provision .

The court may just as well determine whether theft , which is what I argue a Law Society intervention actually is , is subject to the margin of appreciation and the fair balance test .

The second decision is to refuse to consider my invitation to the court to strike out the UK Government's observations which I make on the grounds that the UK Government are in contempt of this court because they have knowingly made submissions which are unarguable , misleading and intellectually dishonest **[FILE 1 PAGE 15 PARA 69- PARA 72]**

The third decision is the refusal to permit me to represent myself at this stage of the proceedings . My Part 36 application appears as [**FILE 1 PAGE 1- PAGE 16**] . The Vice President has provided no reasons for this decision . As you see I have been let down very badly by my former legal representatives [**FILE 1 PAGE 10 PARA 35- PAGE 12 PARA 47]** . I have suggested that in the alternative, proceedings are stayed to enable my application for legal aid to be considered and to enable me to find representation outside the UK.

In fact , in the last few days a leading human rights law firm has expressed an interest in my case , and the Organisation For the Reform of Solicitors Regulation in England and Wales who have written to the Registrar of the Fourth Section, have indicated that they might fund leading counsel to represent me. These suggestions also appear to be unacceptable to the Vice President.

The fourth decision by the Vice President is to list the case for immediate hearing , notwithstanding that I have put the Fourth Section on notice of my intention to make this application to you to stay proceedings in that section.

The fifth decision is to list the case without considering my joinder applications , which I detail below.

The Rules of court provide that the decisions in questions should be made by the President , Sir Nicholas Bratza. I assume that in this case they have been made by the Vice President under Rule 10 at the request of the President.

As I have said , this and the cases referred to below are politically controversial which, if made public, are likely to bring the judiciary of the UK into disrepute.

I do not intend to impugn the President or mean any disrespect to him whatsoever but, as a former and possibly future member of the UK judiciary , he is in an unenviable position.

The Rules as a whole strive to achieve fairness and impartiality . Rule 13 provides that judges may not preside in cases in which the Contracting Party of which they are nationals. In my submission , it is just as important, if not more so, to preserve that fairness and impartiality in case management decisions as well. That is plainly not being done in my case.

Finally , this case can be distinguished from other cases which have reached this court, in that the opponent in the domestic proceedings is not only the Law Society but, indirectly , additionally the UK Government, who are affiliated with the Law Society . The former Minister of Justice , Jack Straw MP was known to have close links with both the Law Society and its regulatory arm ,the Solicitors' Regulation Authority. Further , I have shown in my submissions that there is every indication that judges in the UK are hand picked to deal with

cases concerning the Law Society , which could only be done with ministerial approval. The UK Government therefore have a vested interest in protecting the Law Society not only in the domestic courts but also in this court , creating an incredible unfairness for the victim in both jurisdictions.

In all the circumstances , in my respectful submission, the interests of justice would be served by removing this case from the Fourth Section and by directing an immediate stay of proceedings there.

THE RED RIVER CONVEYANCING AND MORTGAGE FRAUD

The case is a transparent conveyancing and mortgage fraud which the UK judiciary conducted against me and my mother , who is aged 83, by using the 'registration gap' in the completion of a conveyancing transaction . It is the subject of a joinder application in this court.

I respectfully direct your attention to **FILE 2** which contains the material documents being a crime report prepared for the police [**TAB 7**] , communications from the Attorney General , the Serious Fraud Office and the Avon and District Somerset Police confirming the use of the courts to commit fraud. [**TAB 6]** and the Order of Briggs J dated 2nd October 2007 [**TAB 5.]**

The Attorney General has strongly recommended that I report what he terms ' judicial corruption ' to the police. As a former solicitor I readily recognise the use of this term is provocative and ill advised . I have throughout the domestic litigation attempted to achieve a remedy by using legal arguments alone to avoid scandalising the judiciary but regrettably , I have been unsuccessful.

The fraud had the effect of permanently depriving me and my mother of £1.2m , which was all the money we as a family had earned or saved since we settled in the United Kingdom in 1968 . As it occurred a month before the deadline for the submission of my application to this court in the Law Society case , I assume the purpose of the fraud was to obstruct me from this court.

Briggs J brought under the purported exercise of his judicial discretion an entire conveyancing transaction , which is an administrative procedure carried out by specialist solicitors. In the transaction I was the conveyancing solicitor acting for my mother , a chargee of some £1.2m which had already been lent to the borrower.

A series of quick fire hearings, impossible to obtain in other cases and with which no person could cope, were listed, culminating in Briggs J's Order of 2nd October 2007 made in terms which are unheard of . The judge

(1) made up the contractual terms of the legal charge and the Deed of Priority , which when read together rendered the terms of the legal charge unenforceable by the lender.

(2) ordered my mother , a bona fide chargee, having already given £1,2m to Mr Dogan , the Borrower, to hand the legal charge executed by him , back to Mr Dogan in person , and trust that he would register it at Companies House and at the Land Registry

(3) ordered my mother to accept an undertaking (another contract) from the first chargee's solicitor, the wording of which Briggs J had made up . Neither the first chargee nor his solicitor were parties to the proceeding or knew anything about the transaction

(4) restrained my mother indefinitely from applying to the Land Registry , a public register , to protect her interest

(5) restrained me as her solicitor indefinitely from applying to the Land Registry to protect her interest

(6) restrained any solicitor my mother might have wished to instruct indefinitely from applying to the Land Registry to protect her interest

The order was made without a notice of application . My mother was not notified of the hearing and did not attend. My opponent's solicitor , also a member of the judiciary , indicated to me that the purpose of the hearing was simply to obtain a proper listing. At the hearing I was not permitted to see any of the documents relied on. There was no judgment given providing reasons for the order.

The order was made in breach of the Land Registration Act 2002 s 123 (suppression of information) and s 124 (improper alteration) , and the Law of Property Act 1925 s 183 (fraudulent concealment) and s 48 (stipulations for purchaser) which makes its terms a criminal act, the Fraud Act 2006, in breach of Article 1 Protocol 1 rights and in breach of EC Treaty Art 56 , free movement of capital.

By the order Briggs J eschewed conveyancing practices which have evolved over hundreds of years and the safeguards for the protection of property by registration , enshrined in statute.

The judge created a situation in which the Lender would never be able to register her legal charge or have possession of it. The order is no more than judge sanctioned mortgage fraud.

The national and international public interest issues are easily understood by this example : every day , £0.5bn is transacted in property transfers in this country . The entire property market of this country would collapse tomorrow if, on the day of completion of the millions of conveyancing transactions which take place every year , the buyer's or mortgagor's solicitor could make an application in the name of his client to circumvent his solicitors undertakings .

For the majority of people who buy and sell land , all of their capital is invested in their

property . If it is lost in a single moment in time on completion because of defective

completion arrangements crafted by a judge how does a person survive, having lost his

property , everything he owns, until a trial is listed several years in the future? . Where do he and his family live the next day? How does the victim manage to keep his job? How does he maintain his children ? How does he fund litigation ?

The order has come before some 30 judges , many of whom are the country's most pre eminent land lawyers , all of whom are apparently unable to see anything wrong with the order or the circumstances in which it was made. The Court of Appeal has refused permission to appeal on paper on frivolous grounds and without providing reasons. The Supreme Court has refused to consider an appeal from the Court of Appeal.

The reason I seek to join the Red River fraud with the Law Society case is because I can say with certainty that the Law Society ,who is known to support litigation against solicitors who challenge it , was behind the fraud. Furthermore Chadwick LJ , a Court of Appeal judge who without jurisdiction reversed all of Park J 's findings in 2006 in the Law Society case was recalled from retirement to refuse an appeal against Briggs J ' order in 2008. The judge did so knowing fully well the money was earmarked to challenge his decision in the Law Society case. Chadwick LJ has agreed to meet the police with me to discuss his involvement.

In my submission , the seriousness of the Red River fraud provides even more persuasive reason to transfer matters from the Fourth Section.

BREACH OF DUTY CLAIM AGAINST THE SOLICITOR AND BARRISTER WHO REPRESENTED ME IN THE HIGH COURT AND COURT OF APPEAL

This is the second case I seek to link.

I have spent some £350,000.00 for proceedings up to the Court of Appeal hearing and I have spent some £250,000.00 since . These sums are beyond the pocket of almost everyone. I only embarked upon proceedings because my solicitor indicated the cost would be £50,000.00.

My win in the High Court was the first win in legal history and in ordinary circumstances my case should and could never have been lost in the Court of Appeal. My case was lost not only because of the incompetence of my lawyers but because of their collusion with the Law Society's lawyers. The UK Government's scathing criticism of the conduct of my case necessarily should attach not to me , but to them.

I have attempted to issue breach of duty proceedings against my lawyers in the domestic courts but I have been obstructed from doing so, and for so long as the informal derogation order made against me to which I refer in my Rule 36 Application subsists **FILE 1 PAGE 8 PARA 27 – PAGE 9 PARA 34** there is no question that I will ever be permitted to achieve a remedy against them in the domestic court.

Not only should the case be linked because the subject matter is the same, but linking this case may yield the money I need to overcome the court's objection to my acting on my own

account by enabling me to pay for representation . It would be manifestly unjust to close the door to me in both cases.

Yours sincerely

Anal Sheikh

Index

A. Sheikh

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Date : 29th April 2011

Dear Sirs

Re Application no 51144/07 by Anal Sheikh against the United Kingdom
Your ref MLA/hpi

Thank you for your letter of 29th April 2011.

I attach a letter I have since written to the President of the court.

I am extremely troubled that the Vice President's decisions have been made without have had sight of my letter dated 31st March 2011 which was my response to your enquiry made by the deadline you had given me , and my 58 page summary. The court has acknowledged my communications in April 2011 but has never acknowledged receipt of these items

I am also troubled that you mistakenly appear to believe that I am making submissions which are unsolicited , whereas my communications were my response to questions you have posed to me within the time limit set by you.

Yours sincerely

Anal Sheikh

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URGENT

Date : 6th May 2011

Dear Sirs

Re **Application no 51144/07 by Anal Sheikh against the United Kingdom**
Your ref MLA/hpi

I advise the court that I am proposing to make the following applications , which I request be linked to the above case as they arise from the Law Society's intervention of my former law firm and are material to the issues before the court.

The applications, which will be in summary form only at this stage , will be submitted by 13th May 2011. They include the following :

(1) An application in relation to a breach of duty claim and a claim for deceit against my former lawyers in the domestic court and my former lawyer in this court , the latter having failed to raise the matters I now seek to raise , such as the unlawfulness of the intervention process . I have been prevented from issuing the claim in the domestic courts , in violation of my Article 1 Protocol , Article 3 , Article 6 , Article 13 and Article 14 Convention rights and it is extremely unlikely that I will ever be permitted to do so. The Government's Observations do not go to the issue of the Convention violations against me but are directed at the conduct of proceedings which were at all times in the hands of my former representatives .It would be unfair if the case were determined without also determining the further violations.

(2) The Red River Conveyancing and Mortgage Fraud which I have discussed at length in my Summary and my recent letter to the President of the court. The case involved the two judges upon whose findings and judgments the UK Government extensively rely in their Observations: Briggs J and Chadwick LJ.

(3) A proposed application to set aside the Court of Appeal findings on the grounds that the court was misled as to the law and that the judgment was based on forged and fabricated evidence and evidence which was withheld , and on the grounds that Chadwick LJ , as is apparent from his conduct of the Red River Conveyancing and Mortgage Fraud in 2008 , was a biased judge. Note that Chadwick LJ , now Sir John Chadwick , has agreed the police with me to discuss his involved in the fraud. I doubt that I will ever be permitted to have this application determined in the domestic courts

(4) An application in relation to my striking off at the Solicitors' Disciplinary Tribunal in my absence , in which allegations were advanced which are unknown and incomprehensible in any jurisdiction determining professional misconduct . I was locked out of the Administrative Court to procure the dismissal of my statutory right to appeal and the Court of Appeal and the Supreme Court have refused to consider an appeal against that decision. It is plain that the UK Government and the Law Society have procured this outcome so as to rely upon my striking off from the Roll of Solicitors in the case before this court.

(5) An application to vary the High Court judgment on the grounds that Park J was misled as to the law and that it now transpires from disclosure given the Solicitors' Disciplinary Tribunal that there were no grounds to intervene , and that the arguments in court were advanced not by the Law Society's forensic investigator , but by Leading Counsel , who is heavily dependent on his income from the Law Society to win the case.

I should be grateful if you would confirm that my case will not be prejudiced in the meantime.

Finally, you have stated that you will not accept any further written submissions from me. I believe it is appropriate for the court to determine whether the UK Government is in contempt of this court because it has misled it as to the law and the facts, and has made unarguable and intellectually dishonest submissions. I have discussed some of them in my Rule 36 Application at Page 15.

Without prejudice to my application to the President of the Court to stay proceedings in the Fourth Section , would you please indicate whether you would be prepared to accept an application in these terms from me and if so, provide the date by which you would wish to receive them. Please take into account the ten day postal delay in the sending and receiving.

Yours sincerely

Anal Sheikh

A. Sheikh

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BY COURIER
URGENT FOR ATTN MR EARLY

Date : 1st June 2011

Dear Sirs

Re Application no 51144/07 by Anal Sheikh against the United Kingdom
Your ref MLA/hpi

I am sending with the hard copy of this letter six application forms in relation to my joinder applications in a file I have numbered ECHR 26.

On 27th May , I sent sixty page application for various requests and interim measures with three files in support . I understand from my courier that delivery was delayed for claimed security reasons.

This is the third occasion when there have difficulties in delivery . In previous letters and in my submissions to the court I have indicated my concerns that the Law Society and the Solicitors' Regulation Authority are employing covert surveillance against me . It is common knowledge that they eavesdrop on solicitors' telephone calls and divert emails and facsimiles. I now suspect that they are tampering with my post.

I should be grateful if you would confirm safe receipt of the application and files referred to above and also confirm that there were received in good order.

I should also be grateful if you would indicate whether there is a more secure method of delivery to the court . In addition it would be helpful if the court could provide an email address which would enable me to send duplicates which the court could check against the originals received.

Yours sincerely

Anal Sheikh

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BY COURIER
URGENT FOR ATTN MR EARLY

Date : 13th June 2011

Dear Sirs

Re Application no 51144/07 by Anal Sheikh against the United Kingdom
Various application by Anal Sheikh , and Anal Sheikh and Rabia Sheikh
Ref 28863/11
Your ref MLA/hpi

Background

By my application dated 27th May 2011, I made the following applications, inter alia:

(1) a renewal of my application under Rule 36 to represent myself on the grounds that the Vice President refused me permission to represent myself on the 29th April 2010 without having had sight of material documents (the Summary and my letter of 31st March 2011) receipt of which have still not been acknowledged by the court.

(2) an application for the joinder of new complaints , made by myself and my mother, Rabia Sheikh , material to the pending case, which the court has no jurisdiction to refuse to accept on the grounds that the complainant is unrepresented

(3) an application in relation to the order in which the pending and new cases are dealt with

(4) an application to find the UK Government and, having in mind the duty of an advocate to the court, the UK Government's advocate, is in contempt of court on the grounds that their Submissions are highly misleading as to the law and the facts, and intellectually dishonest.

(5) To make preliminary references to the ECJ on the grounds that the Notice of Intervention and Briggs J Order of 2nd October 2007 which are both in clear breach of Article 63 of the Treaty on the Functioning of the European Union (the ' TFEU') (ex Art 56 TEU) (Free Movement of capital) and Article 56 TFEU (ex Art 49 TEU) (Freedom of Establishment)

(6) an application that if the court refuses to permit to me to represent myself , an application for legal aid for representation in relation to (1) – (5) above

By your letter of 1st June , you wrote

> *You have previously been advised that you are required to have a legal representative at this stage of the proceedings . Any applications you wish to make should be made by an authorised legal representative.*
>
> *The Court will decide on future procedure and examine your case on the basis of the file as it stands.*

Request for reasons

With respect ,your letter does not make any sense. Would you please provide an explanation and reasons for your decision. I remind you that failure to give reasons constitutes and breach of Community Law.

Form of authority naming Anal Sheikh as legal representative

I am sending a form of authority naming myself as the advocate in this case. When the application was submitted , I was a solicitor of some twenty years standing experienced in advocacy in the higher domestic courts.

On 1st May 2009, the Law Society procured that I was struck off the Roll by the Solicitors' Disciplinary Tribunal , which they did my absence.

On 31st March 2010, the Law Society procured that the Administrative Court physically obstructed me from entering court , whereby my statutory right to appeal was struck out.

From April 2010 to December 2010, the Law Society procured that the Court of Appeal did not list my application for permission appeal against the Administrative Court's conduct .

In December 2010, the Law Society procured that the Supreme Court security staff, who has no legal qualifications, refused jurisdiction to determine my appeal from the Court of Appeal's refusal to list my application in that court.

Complaint having been made to this court, the Law Society has since procured that the Court of Appeal has listed my application but procured that Lord Justice Pitchford refused the application on paper on the claimed grounds that he could not see the relevant documentation.

The Lord Justice also disregarded a request I had made to report Master Robert Hendy , who prepares the cases for the judges, to the criminal authorities , on the grounds that

(1) he delays the listing of applications ,
(2) he declines to list applications which should be listed ,
(3) he lists applications before hand picked judges,
(4) he routinely withhold papers from judges to procure the dismissal of applications

(5) he destroys evidence

The oral application for permission to appeal in the Court of Appeal is now listed for hearing on 21st June 2011.

The hearing is likely to be in blatant violation of my Convention rights . If the hearing were to be determined by a independent and impartial tribunal , the only possible outcome would be

(1) that I would be restored to the Roll.
(2) The Law Society , the barristers and solicitors and others associated with them would be reported to the Attorney General , the Serious Fraud Office and the Crown Prosecution Service.

That is extremely unlikely as the purpose of the proceedings conducted against me since 2006 has been to conceal the following :

(1) That Parliament intended , and the Solicitors Act 1974 provides, that the Law Society could only seize a solicitor's files and freeze his bank account with a court order. [**SUMMARY PAGE 12 PARA 48 – PAGE 16 PARA 64; RESPONSE PAGE 116 PARA 227 – PAGE 151 PARA 276]** . The majority of the 4500 interventions which have been carried out by the Law Society since 1974 have been carried out unlawfully , in that the Law Society has seized the solicitor's files and frozen his practice bank accounts on the back of nothing more than an internal resolution generated by a caseworker. The Notice of Intention to Intervene appears at **APPENDIX 4 PAGE** 1

(2) That the Law Society has committed banking fraud by deceiving banks into treating the resolution as a freezing order **APPENDIX 4 PAGE 2- PAGE 3**

(3) That the Law Society uses its powers of intervention to unlawfully expropriate a solicitor's practice accounts which invariably hold costs for unbilled work, to which the solicitor would be entitled. If, in each of the 4500 interventions since 1986, £250,000.00 was held by each solicitor in his client account by way of unbilled costs, the Law Society has expropriated £1.125 bn. from solicitors . That is a conservative estimate. In the case of most firms , they will have unbilled work representing at one and a half years of annual turnover which could be £500,000.00 or more. Exceptionally , in large sole practitioners firms , a solicitor could have as much as £4m- £5m .

(4) That there has been substantial defalcation of the Compensation Fund, a public trust fund, which is being used as no more than a 'gravy train ' for certain persons at the Solicitors' Regulation Authority, the Law Society , and the solicitors and barristers representing them. Miss Sheikh discusses the Law Society's management of the Compensation Fund **at RESPONSE PAGE 174 PARA 185- PAGE 207** . The residual balances should be a matter of immense concern to the Law Society. In the majority of cases , clients will be unaware that they are entitled to the money, many will have died or moved abroad. With no checks and balances in the maintaining of the Compensation Fund, what is to stop dishonest Law Society personnel from creating fictitious accounts and channelling the money to them?

(5) That firms are not intervened into where there is clear evidence of dishonesty if there is likely to be claim on the Compensation Fund. The burden of payment in those circumstances is passed to the firm's professional indemnity insurers. Firms are intervened into only where there are substantial residual balances and no likely claim on the Compensation Fund

(6) That the main purpose of intervention is to obtain control over the solicitor's residual balances to supplement the Compensation Fund. Another reason is to show the Government that the Law Society is capable of regulating solicitors which it is manifestly not capable of doing. The ultimate and long term objective is probably the elimination of all small practices from the market, and the establishment of 'supermarket' type law firms , controlled by the Law Society ,in which bribes, 'backhanders' and other inducements by the Law Society and those connected with it will be commonplace . These arrangements will facilitate the asset stripping of members of the public which Miss Sheikh discusses in **ECHR TAB 1 PAGE 16- PAGE 35 (Letter to the Attorney General)**

(7) That the Law Society procures contributions to the Compensation Fund by deceit . Each practising solicitor in England and Wales is obliged to pay about £400.00 - £500.00 annually by way of a contribution to the Compensation Fund. Miss Sheikh 's shows that the Law Society's defalcation of the Compensation Fund stands at some £100m over a period of 5 years

(8) That the Law Society relies on false and perjured evidence , fabricated evidence and the withholding of evidence against a solicitor to secure a win , to which the judiciary, with some exceptions, turns a blind eye . The Law Society influences judicial decisions in County Courts , in the High Court , in the Court of Appeal and in the former House of Lords. One of the purposes of so doing is to conceal and continue with its misappropriation of the Compensation Fund

Since the date of the aforementioned application to this court, I have asked Willesden County Court , a local domestic county court dealing with the repossession of my and mother's home , on 10th June , to make the same references to the ECJ but the court refused to permit me to speak. The hearing has given rise to the involvement of the police who were called to stop the hearing , and will be the subject of a further complaint to this court.

As it would be helpful for this court to see the request made, the relevant submissions to Willesden County Court appear in Schedule 1

I remind the court that the Law Society interventions and disciplinary hearings are criminal proceedings .

I need not remind the court that the right to fair trial and in particular ,the right to represent oneself , is enshrined in international treaties such as the International Covenant for Civil and Political Rights and the Universal Declaration of Human Rights , binding upon the ECHR. Furthermore there are a number of cases, such as W. R v Austria (Application no. 26602/95) in which the complainant was permitted to represent himself . I assert that it would be an Article 14 violation to refuse me in this case.

Request

I should be grateful if you would accept the form of authority I have submitted on my own behalf. If you still refuse to permit me to represent myself and accept the documentation I have submitted , I respectfully request the court

(1) To provide reasons

(2) To grant legal aid to permit me to instruct an advocate to deal with the specific issue of whether I should be permitted to represent myself

(3) In any event that the Fourth Section and Mr Early respectively recuse themselves in this case ,on the grounds that because of the controversial nature of the issues in the case, I am unlikely to have a fair trial in the ECHR

Yours sincerely

Anal Sheikh

SCHEDULE 1

THE RED RIVER CONVEYANCING AND MORTGAGE FRAUD

Background

1 A summary of the fraud is set out in a crime report in Exhibit 2 , which has been prepared for the police .

2 In this routine conveyancing transaction , Anal Sheikh acted for the Applicant in negotiating the terms of the Sheikh Charge which was to secure £1,2m and a Deed of Priority and deal with all steps up to completion . She proposed to instruct Birkett Long solicitors to act on completion and registration. Deputy Registrar Schaffer acted for Mr Dogan.

3 A few days after he had issued a Claim , based on grounds which are unheard of in any jurisdiction in the world , Deputy Registrar Schaffer and a barrister, Lexa Hilliard ,made an application for directions as he claimed that the Sheikh Charge

securing £1,2m already lent to Mr Dogan , could not be agreed with Anal Sheikh . The application came before Briggs J on 20th September 2005.

4 Briggs J did not deal with the hearing as a directions hearing but 'settled ' the Sheikh Charge and the Deed of Priority within two hours . Briggs J had no jurisdiction to settle anything . He created his own contractual terms, varied terms which the parties had agreed, and introduced terms which no lender would agree. When read together the Deed of Priority renders the Sheikh Charge completely unenforceable and valueless to the Applicant.

5 There is no order concluding the hearing on 20th September 2007 . The Fabricated Order of 5th October 2007 has been substituted in its place.

6 At about 11 am on 1st October 2005 Deputy Registrar Schaffer and Lexa Hilliard served Anal Sheikh with an application returnable the following day at 10.30 in the following terms. The Applicant was not served with the hearing and was unaware of the hearing

> Her Majesty Land Registry be directed to cancel forthwith the application received by it on 24th September 2007 to register the charge in favour of the Second Respondent (sic the Applicant) dated 21st September 2007 without further notice to the Respondents (sic Anal Sheikh and the Applicant) and such further order as the court deems fit because the First Applicant (sic Red River) is unable to complete its refinancing with the BOI notwithstanding it having in escrow the Second Charge in favour of the Second Respondent because of it above application

7 Deputy Registrar Schaffer then sent a facsimile to Anal Sheikh indicated that she need not attend the hearing which he intended to use to obtain a substantive hearing date convenient to both parties and asked for her mobile telephone number to convey the new date to her.

8 At the hearing Briggs J made an order in the following terms:

(1) Briggs J handed the original legal charge of a mortgagee (the Applicant) who had already given £1.2m to register it at Companies House to the borrower (Mr Dogan

(2) Briggs J provided that the original Charge be delivered to the Applicant when it was no longer required by the Land Registry

(3) Briggs J provided that the Applicant should not see the Deed of Priority entered into by the a lender (the Bank of Ireland) who was proposing to lend £1, 75m to Mr Dogan but had not done so, or receive the original Deed of Priority, and be able to procure its registration herself , but that the Bank of Ireland's solicitor , Burges Salmon ,should merely confirm to the Applicant that the Bank of Ireland had executed the Deed of Priority she had executed

(4) Briggs J ordered the Applicant to accept an undertaking from Burges Salmon acting for the Bank of Ireland in the following terms

> On any registration of the First Legal Charge in favour of the Bank of Ireland with the Land Registry that they will simultaneously register the executed Deed of Priorities and lodge with the Land Registry a certified copy of the Second Legal Charge in favour of the Second Respondent and apply for its registration

(5) Briggs J indefinitely restrained the Applicant , Anal Sheikh as her solicitor , and any other solicitor in that world the Applicant might wish to retain to act for her , from making any application to the Land Registry to pending the registration of the Bank of Ireland's Charge, the Deed of Priority and her charge.

(6) Briggs J provided that the original Charge be delivered to the Applicant when it was no longer required by the Land Registry

(7) Briggs J provided that if the Applicant suffered any loss by his Order she could enforce Mr Dogan's undertaking to compensate her

9 The following documents appear in Exhibit 1

(1) Order of 2nd [Page 29 – Page 32]

(2) Email from Deputy Registrar Schaffer claiming he had no obligation to deliver the borrower's part of the Sheikh Charge to the lender [Page 33]

(3) The Fabricated Order [Page 34 – Page 35]

(4) Sketch plans to show how completion should have taken place and how it in fact took place [Page 36 – Page 37]

(5) An extract from Anal Sheikh's skeleton argument to the Court of Appeal showing the undertaking given by Burges Salmon [Page 38 – Page 41]

Proposed reference to the ECH for preliminary ruling

10 Was Briggs J's Order of 2nd October 2007 made in violation of Community law *inter alia*

(1) Article 63 of the Treaty on the Functioning of the European Union (the ' TFEU') (ex Art 56 TEU) (Free Movement of capital) Salzmann (nee Grief) (Free movement of capital) [2001] EUECJ C 178/99 (14 June 2001)

(2) Article 56 TFEU (ex Art 49 TEU) (Freedom of Establishment)

(3) EC and universal principles of the freedom of contract

(4) The EC Communities ' Money laundering directives

(5) The EC Communities' financial interests Regulation (EC) No 1073/ 1999

(6) The Applicant's universal internationally recognised right to be represented by a lawyer

THE LAW SOCIETY PROCEEDINGS

11 Background

The Law Society's powers of intervention into solicitors' practices is contained in the s. 35 of the Solicitors Act 1974 and in Part II of Schedule 1

Route 1 Money	Route 2 Documents
Where LS has sufficient grounds to freeze account can make s 5 application to High Court. Easy in cases 1 (d) –1(g) but difficult in other cases, especially 1(a) reason to suspect cases	Where insufficient grounds LS can still rely on provisions re documents say with a view to obtaining sufficient grounds for a freezing order . Then the following procedure applies STAGE 1- LS asks solicitor under s9 (1) but solicitor refuses ('The s 9 (1) Request) (This is now redundant because of S 44B) STAGE 2 – LS applies to High Court under s9 (4) ('The Law Society's s 9 (4) Delivery of Documents Application) for documents and can obtain order giving them a right to force entry (('The Law Society's s 9 (4) Right of Forced Entry Application) <u>STAGE 3 - LS enters and takes documents ('The File Seizure') , Has to give notice of what is taken ('The Law Society's s 9 (7) Notice)</u> STAGE 4 - Solicitor has 8 days from s 9 (7) Notice to apply to court . ('The Solicitor's 9 (8) Application) If Solicitor applies he still has the use of his practice monies and files but criminal offence to use them if does not succeed at court later. If does succeed at court no problem, If the solicitor does nothing , LS can now go to STAGE 5 for the money and to STAGE 8 for the files

STAGE 5 LS makes s 5 application to court (' The Law Society's Freezing Order Application ') governed by court rules, not the 1974 Act provisions , Solicitor can apply to vary , set aside etc 8 day time limit irrelevant

STAGE 6 If LS want to make a claim for the money to be vested In them (not transferred to them) and the files vested in them (not the Taking of possession of them) , they have to serve the Panel's Notice of Intervention Under s6 (' The Panel's Notice of Intervention)
STAGE 7 Solicitor has 8 days from service of the Panel's Notice of Intervention to apply for withdrawal of Council Resolution vesting money and documents in the LS. ('The Solicitor's 8 Day Application') If Solicitor applies he still has the use of his practice monies and files
. STAGE 8 - If solicitor does nothing the LS can apply under 5(1) to the Court for payment to them. LS then put it in special account under s 7 .('The Law Society's Section 7 Transfer to Special Account Application ') The LS can also apply for disposal of files under s 10 .('The Law Society's Section 10 Disposal of Files Application ') This is <u>now</u> the intervention ('the Intervention ')

12 The freezing of a solicitor's bank accounts and the seizure of his files can only take place with an order of the High Court .

13 The Law Society claimed that a panel of Adjudicators met on 17th February 2005 and by a Notice of Intervention of the same date [Page 42] resolved to intervene into Anal Sheikh's former solicitor's practice of Ashley & Co, 49 Blackbird Hill London NW9 8RS. The jurisdiction under which such decision was made is not known.

14 On 17th February 2005 , the Law Society sent the Notice of Intervention to her bankers , Lloyds Bank Plc, and required the bank to transmit to the Law Society's solicitors , Russell Cooke, all of the funds standing to the credit of her bank accounts held at the bank , which Lloyds Bank duly did. [Page 42- Page 43]

15 As at 17th February 2005, her bank account at Lloyds Bank held the following sums:

(1) A sum of £254,000.00 representing monies which had just been credited from the remortgage of her property

(2) About £200,000.00 by way of billed and unbilled costs

16 On 18th February 2005 , the Law Society forced entry into Ashley & Co. and seized her files and documents.

Proposed reference to the ECJ for preliminary ruling

17 Was the Law Society's claimed freezing of Anal Sheikh's practice accounts and personal funds, and its seizure of her practice files made in violation of Community law *inter alia*

(1) Article 63 of the Treaty on the Functioning of the European Union (the ' TFEU') (ex Art 56 TEU) (Free Movement of capital) Salzmann (nee Grief) (Free movement of capital) [2001] EUECJ C 178/99 (14 June 2001)

(2) Article 56 TFEU (ex Art 49 TEU) (Freedom of Establishment)

~~(3) EC and universal principles of the freedom of contract~~

(4) The EC Communities ' Money laundering directives

(5) The EC Communities' financial interests Regulation (EC) No 1073/ 1999

6th June 2011

A. Sheikh

The Registrar of the Grand Chamber
European Court of Human Rights
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Date : 13th September 2011

NOT FOR THE FOURTH SECTION

Dear Registrar

Re Application no 51144/07 by Anal Sheikh against the United Kingdom

Joinder applications by Anal Sheikh and Rabia Sheikh Ref 28863/11

The use of the UK domestic civil court to commit serious organised crime

The use of the UK civil court to commit multiple Convention violations (Art 1 Protocol 1 , Art 3, Art 4, Art 5, Art 6, Art 12, Art 14) tantamount to servitude , imprisonment and torture in violation of Art 3 . Risk of death.

Allegations of judicial impropriety and or corruption against Judge Nicholas Brazta and Judge Lech Garlicki, and or of serious malfunction in the Fourth Section.

APPLICATION UNDER RULE 73 FOR REFERRAL TO THE GRAND CHAMBER

Accompanying this are page 1- 59, which will follow in tranches of 10 pages.

A hearing was held before a Chamber the case of Anal Sheikh against the United Kingdom 51144/07 on 14th June 2011 , presumably under Rule 54, and judgment delivered.

Rule 73 provides that a party may make a reference to the Grand Chamber on the grounds set out in that section , which I am able to satisfy.

The time limit for making the application under Rule 73 is three months from delivery of the judgment. Although it is a matter of common sense, it is not clear from Rule 73 whether 'delivery ' means the date upon which the judgment was received by the party. Rule 77 however does make it clear . It states that where there was no notification of the hearing , which is so in this case, the notification of the judgment constitutes delivery .

I received the judgment three days later on 17th June 2011. The three month period would therefore expire on 17th September 2011.

Nor it is clear from Rule 73 whether the party is obliged to provide full grounds within the three month time limit or simply notify the court of his intention to make an application under the rule within that period.

I telephoned the court yesterday to endeavour to obtain clarification in relation to these matters. I was advised that all that was required was a letter notifying the court.

I should be grateful if you would therefore accept this as my intention to proceed under Rule 73 so that time can stop running. I do wish the matter to be dealt with urgently and therefore will provide my detailed grounds by the end of this week.

A summary of my grounds are as follows :

1 I have been made a political target and my mother , Rabia Sheikh aged 83 and I , are the victims of State sponsored targeting and torture.

1 The Fourth Section is a dependent tribunal . The judgment made in the case of Anal Sheikh against the United Kingdom 51144/07 was a political decision to conceal the serious human rights abuses perpetrated by the judiciary in the UK and the conduct of the Fourth Section was so irrational that any reasonable person would conclude that the recent appointment Judge Nicholas Brazta to the Presidency of the Court was an material factor in the determination made.

2 The Fourth Section has violated the Articles , in particular Art 6 (right to a fair trial) , has breached the Rules and has violated internationally accepted principles and norms.

3 The Fourth Section has refused to consider joinder applications , the most serious being in relation to an Order made by Briggs J on 2nd October 2007 to which I refer in the accompanying documents under the heading 'Red River Conveyancing and Mortgage Fraud'. The case of Anal Sheikh against the United Kingdom 51144/07 and the joinder applications cannot be dealt with separately as the latter will show that the UK judiciary are dependent judges who routinely commit criminal acts against members of the public from the Bench. In the judgment given on 14th June , the court relies heavily on the findings of Sir John Chadwick , who was a judge involved in the Red River Conveyancing and Mortgage Fraud and is a dependent and dishonest judge.

4 The Fourth Section has used the Admissibility Criteria to dispose of all of these cases, which are highly embarrassing for the UK

The Order of 2nd in the Red River Conveyancing and Mortgage Fraud is the clearest example of judicial oppression in the face of UK statute. At *ex parte* hearing in the absence of a lender, Rabia Sheikh , who had given £1.2m to the borrower , Briggs J ordered the lender to hand back the Legal Charge securing her interest to the borrower and trust the borrower to register it . Briggs J then permanently injuncted the lender and her solicitor , (me) from applying to the land registry . The order is so obviously made in violation of UK

statute, international treaties, internationally accepted conveyance and land registration maxims and against all aspects of public policy that no barrister or judge would have failed to recognise it as being made in gross violation of Convention rights.

The Fourth Section has refused a joinder application in relation to the Red River Conveyancing and Mortgage Fraud which in all probability means that the case will never be determined , and if it is determined it will many years in the future ,after the lender has died.

There are several cases in the ECHR in which the registered proprietor has been removed by a state organ having competing interest with the individual. Many cases have been decided by Judge Nicholas Brazta and Judge Lech Garlicki who have made findings of violations of P1-1 rights and Art 1 , the rule of law. ANHEUSER-BUSCH INC. V. PORTUGAL - 73049/01 [2007] ECHR 40 (11 January 2007) . In the Red River Conveyancing and Mortgage Fraud ,in an interim application pending trial, the judge himself has injuncted a bona fide deponee from applying to the Land Registry.

You will see from the attachments that the Attorney General and the Serious Fraud Office have acknowledged that a serious fraud took place.

I am sending with this letter the following documents

(1) My letter to Judge John Paul Costa dated 20th April 2011, requesting a transfer from the Fourth Section
(2) My letter to Registrar Early dated 13th June 2011
(3) My letter to the Treasury Solicitor dated 22nd July 2011
(4) Fraud Report No 1

Finally I should like to invoke the secrecy provisions. Would you pleased let me details as to the procedure .

Yours sincerely

Anal Sheikh

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European Court of Human Rights
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67075 Strasbourg - Cedex
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Date : 14th September 2011

NOT FOR THE FOURTH SECTION

Dear Registrar

Re Application no 51144/07 by Anal Sheikh against the United Kingdom

Joinder applications by Anal Sheikh and Rabia Sheikh Ref 28863/11

The use of the UK domestic civil court to commit serious organised crime

The use of the UK civil court to commit multiple Convention violations (Art 1 Protocol 1 , Art 3, Art 4, Art 5, Art 6, Art 12, Art 14) tantamount to servitude , imprisonment and torture in violation of Art 3 . Risk of death.

Allegations of judicial impropriety and or corruption against Judge Nicholas Brazta and Judge Lech Garlicki, and or of serious malfunction in the Fourth Section.

APPLICATION UNDER RULE 73 FOR REFERRAL TO THE GRAND CHAMBER

Following my facsimile of yesterday I am sending the hard copy with this.

Application no 51144/07 by Anal Sheikh against the United Kingdom

I indicated that I would be sending my formal submissions by the end of the week . This is a case which I assert should be treated as a criminal case, in which the Fourth Section refused me the right to represent myself ignored an application for legal aid to enable me to instruct a represented and conducted the hearing in my absence.

As you appreciate such irregular procedures give rise to a multitude of violations and in this case raise issues which were engaged in the case of Al-Khawaja v. United Kingdom; Tahery v. United Kingdom, (January 20, 2009), when the Fourth Section , sitting as a Chamber, ruled that a conviction based solely or to a decisive extent on hearsay violated Article 6.

I believe that the Grand Chamber judgment in the case of Al-Khawaja is still awaited. In the circumstances I would like to consider whether it would be appropriate to request that I be permitted to intervene in the Grand Chamber proceedings, which I shall have to give further consideration.

The arguments I am advancing are highly complex, and I will need a day or so extra to complete them. Accordingly I shall deliver the formal application on Tuesday 20th inst and not by Friday of this week as indicated.

Joinder applications by Anal Sheikh and Rabia Sheikh Ref 28863/11

In relation to Briggs J Order of 2nd , to which I have referred, it may be useful for the court to see the Order in question which is lodged with the Fourth Section . I am attaching it together with a Tomlin Order and other associated documents

Yours sincerely

Anal Sheikh