

Content Information

to help with sending Notices regarding NIP's (Notice of Intended Prosecution) for Speeding.

The very first thing to send is the **Formal Notice of Reply** - there is a template for this. Unless No.1 of the notes below apply.

This is not a proven route, it is just to help with your notices regarding this. Any updates are welcome please add and update the date of the file name and send it around!

To help you structure your notice please refer to the **Notice Structure Document** to see how Notices are usually laid out - it will also give a structure on what to call each notice. The way people have been attacking this is with **3 Notices** (after your Formal Notice of Reply) - all sent recorded/signed for, using some of the content below. And then a Final Notice / Affidavit.

Notes:

- 1) Look at the date of the 'offence' and then the date of the actual first NIP. If the 2nd one is more than 14 days after the first... You can make an out of time statutory declaration – as per the road traffic offenders act, can't remember the section but its clear - on reading it - anyone who sends you a fine has to do it within 14 days of the alleged offence.
- 2) Following this course of action does not exclude the fact that you may be asked to attend court.
- 3) With a speeding fine they are not overtly asking for money. Although they say it 'may' carry a fine. So the Bill of Exchange Act can be used in the content of your Notice however I recommend it is not the only thing. And It could be worded something like....'If you intend to fine me I will require a proper invoice as indicated under the Bill of Exchange Act 1882
- 4) Take a look at the following links for information:

<https://www.legislation.gov.uk/ukpga/1988/53/schedule/2>

<https://www.legislation.gov.uk/ukpga/1984/27/section/89>

<https://www.legislation.gov.uk/ukpga/1984/27/section/84>

<https://www.honestjohn.co.uk/faq/speeding-defences-2/>

<https://www.speedcamerasuk.com/speeding-fines-2017.htm>

<https://www.inbrief.co.uk/court-proceedings/illegally-obtained-evidence/>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/903473/pace-code-c-2019.pdf

<https://www.pistonheads.com/gassing/topic.asp?t=260100>

<https://swarb.co.uk/funke-v-france-echr-25-feb-1993/>

https://en.wikipedia.org/wiki/Funke_v._France

<https://www.bailii.org/eu/cases/ECHR/1993/7.html>

<https://www.bailii.org/ew/cases/EWHC/Admin/2003/1586.html>

<http://forums.pepipoo.com/lofiversion/index.php/t41914/t12468.html>

Pick and choose through the contents - go with what feels right to you.

Content Options

#1

I do not believe that I was traveling at the speed indicated on the Notice of Intended Prosecution and, because of this, I believe I have been subjected to erroneous ticketing.

For this reason I would be obliged if you could send me the following information so that I can correctly respond to your allegation and if necessary construct my defence to this situation in the event that this does indeed proceed to a court of law.

This is a formal request, and I would be very grateful for your attention and a formal response in due course.

1. Please could you provide identification of the actual equipment used to record the offence at the time of the alleged incident?
2. Please could you provide copies of both the calibration and maintenance certifications (both sides) and the records for the aforementioned equipment?
3. Please could you forward the details regarding the exact location of the actual site?
4. Please could you provide documentation that shows that the equipment has been calibrated correctly for use at this specific site?
5. Can you please forward confirmation that the site was in fact suitable for the use of this equipment?
6. Can you please forward me a copy of the operators recorded documentation confirming that the signing and visibility standards were not only met but adhered to?
7. Can you also send confirmation that the site conforms to the guideline set down in the "Handbook of Rules and Guidance for the National Safety Camera Programme for England and Wales for 2006/07" and any subsequent editions of this document.
8. Can you also confirm that the 85 percentile speed was greater than that laid down in the ACPO guidelines?
9. Please provide me with copies of the actual photographs of the alleged offence.

10. Can you please confirm the time lapse between each photograph?
11. Can you please confirm the justification for the use of this site?
12. Can you please confirm the local casualty reduction figures?
13. Can you please send me a copy of your forces / partnerships procedure for the use of Speed Camera equipment?
14. Can you please send me audited financial information covering expenditure and receipts for the partnership?

I require this information as soon as possible in order for me to respond correctly to any legal proceedings that may result from your further consideration of my submissions in this matter. I understand that this information should be readily available (Chapter 8.4 of the above guidelines) and that it should be forwarded to me as a matter of course in order to provide me with every opportunity to defend myself should you decide to proceed further with this alleged incident.

#2

It is my belief that all courts in this country are now administrative hearings and not a common law court. I give no consent to the procedure of any hearing. I will only attend a court of law common to me as is my right. If you intend to pursue this prosecution then I require you to read me my rights. I also have the right to be judged in a proper court with a jury of my peers, not in a de facto magistrates court.

I will also point out here that if you were to share my information with a third party and that includes a magistrates court you could be potentially in breach of GDPR.

I await your response within 7 days from the date of receipt of this lawful Notice this Notice, Your silence creates a binding agreement through your acquiescence. This is in exact line of tacit consent used by yourself through legal presumption and assumption of the people accepting your legal construct of creating a legal fiction and the people accepting it through silent acquiescence. I'm using the legal presumption of your agreement through your silent acquiescence of contractual agreement by those served this Notice.

#3

With regards to your first request for driver identification, based on the legal definitions (copied below from Blacks Law dictionary), neither I, nor any other human being listed on the insurance policy, was driving a commercial vehicle.

I have also recently been made aware that on 23rd March 2001, Article 61 of the Magna Carta was invoked, which lawfully renders all acts and statutes as null and void. Before taking this matter any further, please confirm if this is not the case.

I have included a link for your further information:

<https://www.telegraph.co.uk/news/uknews/1327734/Peers-petition-Queen-on-Europe.html>

Additionally, I would ask in what way that the Criminal Procedure and Investigations act 1996 is actually lawful, and that the Road Traffic act is in fact a law.

Additionally, Black's Law dictionary list the following definitions:

VEHICLE. That in or on which a person or thing is or may be carried from one place to another, especially along the ground, also through the air; ally moving support or container fitted or used for the conveyance of bulky objects; a means of conveyance. *Moffitt v. State Automobile Ins, Ass'n*, 140 Neb. 578, 300 N.W. 837, 838. Any carriage moving on land, either on wheels or runners; a conveyance; that which is used as an instrument of conveyance, transmission or communication. *Burford-Toothaker Tractor Co. v. Curry*, 241 Ala. 350, 2 So.2d 420, 421; *People v. Curnuch*, 177 Misc. 606, 31 N.Y.S.2d 105, 107. Any carriage, conveyance, or other artificial contrivance sed, or capable of being used, as a means of transportation on land,—not ordinarily including locomotives, cars, and street cars which run and are operated only over and upon a permanent track or fixed way, unless the context of the ordinance 'or statute in question clearly indicates an intention to the contrary.

PERSON. A man considered according to the rank he holds in society, with all the rights to which the place he holds entitles him, and the duties which it imposes. 1 Bouv. Inst. no. 137. A human being considered as capable of having rights and of being charged with duties; while a "thing" is the object over which rights may be exercised. —Artificial persons. Such as are created and devised by law for the purposes of society and government, called "corporations" or "bodies politic."—Natural persons. Such as are formed by nature, as distinguished from artificial persons, or corporations. Private person. An individual who is not the incumbent of an office.

DRIVER. One employed in conducting a coach, carriage, waggon, or other vehicle, with horses, mules, or other animals, or a bicycle, tricycle, or motor car, though not a street railroad car. See *Davis v. Petrinovich*, 112 Ala. 654, 21 South. 344, 36 L. R. A. 615; *Gen. St Conn. 1902, § 2038*; *Isaacs v. Railroad Co.*, 47 N. Y. 122, 7 Am. Rep. 418.

Regarding the above definitions in law, please would you provide proof of claim for the points you raise, that they actually apply to me, Joshua Spencer, a human being, travelling without hinderance in a car.

Upon further research it would appear that the above acts and legislation are relevant and apply to persons, but I am not a person, I am a human being.

Finally, with regards to the LTI 20:20 Ultralyte 1000 camera, if the manufacturer's policy is to not release any maintenance records, I would like to ask how it can be reliably assumed that the device is calibrating itself efficiently and correctly.

I would also like to make you aware that this communication is now causing me harm as I am finding it particularly stressful.

#4

In good faith I have answered your request regarding the 'driver' of the vehicle. Please return the same and respond to the following.

Given our lengthy correspondence from the date of your NIP - 21st September 2021 to date (date of this Notice) and in the interest of tax payers money and spirit of keeping this matter out of the courts I would be grateful if you please answer the following questions.

1. In good faith the information you required regarding the 'driver' was supplied in my correspondence to you on 12th October 2021 and 8th November 2021 - so please could you explain why you are pushing ahead with this? Why wasn't I presented with options after supplying this?
2. In previous communication you have quoted The Road Traffic Regulation Act 1984 and The Road Traffic Offenders Act 1988 and the Road Traffic Act 1988. An Act, which is not law in the UK, it is not even referred to as law as it is an Act of a Corporation or an all for profit business, or policy, but it is not a law. No Crime has been committed, there is no victim and there are no witnesses. I have done no harm to any man or woman. Please show me the evidence which contradicts this; Who is the victim? and Can you supply the names of 2 witnesses to this alleged offence?
3. Can you please provide evidence that 32mph was the speed I was travelling at and not the calibration speed of the radar/laser of the camera?
4. Unless you can show me the contract where I agreed to be spied on by your cameras, please stop taking photographs of me, Claire, not the legal fiction as I go about my everyday business. Is this espionage? Are you trying to harass me? - I have already quoted the Harassment Act 1997 above. Do I have the right to travel?
5. Using coercion to force a contract is a criminal offence. Profiteering from such actions would be fraud. Are you trying to coerce me?
6. Do I have the right to travel freely from a to b and have access to anywhere?
7. Is there a victim in this alleged offence?
8. Is there a witness in this alleged offence?
9. How are you documenting my speed?
10. What offence is being committed?
11. What law are you attempting to prosecute under?
12. Could you please confirm that a 'Driver' is in fact a professional status of occupation?
13. Are the Metropolitan Police a corporation? and if so please supply the D-U-N-S number.
14. If you are indeed a corporation please show me the contract that I signed in wet ink and agreed to?
15. As I understand it, by registering a vehicle with the DVLA one becomes the 'Keeper' of a said vehicle the owner is in fact the DVLA. Is the DVLA aware that you are tracking their vehicles in this way?
16. By sending me the same Notice of Intended Prosecution repeatedly without answering my questions are you trying to coerce me?
17. I have already in good faith provided you with the details of the 'driver' of the 'vehicle' (XXXXXXX) on **Date of alleged offence** at **Place of alleged offence** United Kingdom, as requested, for your claim that the 'vehicle' was allegedly travelling at XXmph, I will need answers to the following, in writing and with receipts with a wet signature.
 - a. The make and model of the camera that was used on **Date of alleged offence** at **Place of alleged offence** United Kingdom.
 - b. Evidence that the car with registration number (XXXXXXX) was travelling at XXmph. Please do not send me a photograph as that is not evidence of speed.
 - c. The date the camera used on **Date of alleged offence** at **Place of alleged offence** United Kingdom, was last serviced with receipt.
 - d. Please forward all the information that I have requested within the next 14 days from the date of this letter, which means I will expect to receive this information by **14 days from the date of your notice** without perjury. Please mark the

envelope "information as requested".

#5

Look up the DUNS number of the police force and court. Diplock Halsbury etc a private corporation has no right to govern

#6

Regarding your comment that this alleged offence carries a fine/ a payment. A demand for payment without a signed bill is a direct contravention of the Bills of Exchange Act 1882. **For your information The Bills of Exchange Act of 1882 is based upon a pre-existing commercial contract or agreement.**

See Bills of exchange act of 1882. <http://www.legislation.gov.uk/ukpga/Vict/45-46/61>.

Profiteering through deception is an act of fraud. **Fraud Act 2006.**
<http://www.legislation.gov.uk/ukpga/2006/35/contents>.

Insisting or demanding payment without a pre-existing commercial arrangement which is based on presentable fact in the form of a commercial agreement is an act of deception. Payment is a commercial activity.

It is my understanding that fines can only be issued by a legitimate Court, and then only after due process.

A Notice of Charge is subject to the Bills of Exchange Act 1882.

If you do intend to follow this course of action I require you to issue and deliver a properly formatted invoice, fully compliant with the Bills of Exchange Act 1882, for your charge or demand or order which is required to be legible and to include the following features:

- Your registered company name, number and address.
- The date of the invoice and the date by which the invoice is to be paid.
- A full description of the goods or services supplied or provided and the cost thereof i.e. what of value has been exchanged? (The CONSIDERATION).
- Account for Value Added Tax, be this at zero percent or otherwise, and show your company's VAT registration number. If you are exempt from VAT, state this clearly on the invoice. I am required to account for VAT.
- The invoice document must be titled 'Invoice' and bear a legible wet ink signature of an Officer of the Company.

Do not send any further mailings which do not contain proper invoices, as in that event you will be causing me harassment, you may also be committing VAT fraud and committing further offences

under the Unsolicited Goods and Services Act 1971, chapter 30 section 2.

#7

Before I can provide you with the details of the 'driver' of the 'vehicle' (*vehicle reg number*) on **Date XXXXX** at **Location, United Kingdom**, as requested, for your claim that the 'vehicle' was travelling at **XXmph**, I will need answers to the following, in writing and with receipts with a wet signature.

1. The make and model of the camera that was used on **Date XXXXX** at **Location, United Kingdom**.
2. Evidence that the car with registration number (*vehicle reg number*) was travelling at **XXmph**. Please do not send me a photograph as that is not evidence of speed.
3. The date the camera used on **Date XXXXX** at **A45 Location, United Kingdom** was last serviced with receipt.

Please forward all the information that I have requested within the next 28 days from the date of this letter, which means I will expect to receive this information by **Date 28 days later** without perjury.

Please mark the envelope "information as requested".

#8

You have been served LEGAL NOTICE

YOUR NAME has no recognisable legal means to respond to a demand for payment without a signed bill, which is based upon a pre-existing commercial contract or arrangement or agreement, simply because; No standing commercial contract or arrangement or agreement between **YOUR NAME** and **The Metropolitan Police** exists. If **YOUR NAME** was to willingly comply with the demand for payment without a commercially recognised bill, then **YOUR NAME** would have knowingly given consent and conspired to a commercially fraudulent action. This in turn would make **YOUR NAME** culpable under current regulation for that action. **YOUR NAME** will not knowingly create that liability against him or create that culpability.

The very presentation of the document that I am responding to from The Metropolitan Police, which is also a document that will be kept on file for future presentation as physical evidence, which is presentable physical evidence and a list of transgressions against the currently held legislation.

This same document supplied by **The Metropolitan Police** recognises that there may be, or has been, a procedural impropriety by the enforcement authority. This is the only saving grace on this document, which allows for a honourable withdrawal of the proceedings implemented illegally by the enforcement authority.

This document is representation as to the procedural impropriety by the enforcement authority and as stated at the outset of the document, gives an opportunity to withdraw due to the procedural impropriety by the enforcement authority.

This process is also a matter of complying with current legislation, without which **YOUR NAME** would be unsuccessful if she were to pursue legal proceedings against the Enforcement Authority and or, the members of The Metropolitan Police.

As the opportunity to withdraw has now been presented to the Enforcement Authority and the members of **The Metropolitan Police** under a procedural impropriety by the Enforcement Authority, should the above mentioned not take the opportunity to make an honourable withdrawal and confirm such in writing to **YOUR NAME**, then **YOUR NAME** will be left with no other option in the future but to start legal proceedings against the Enforcement Authority and the members of **The Metropolitan Police**.

The content of this document will be in the public domain in the next few days as there is no agreement in place that is legally binding of which to prevent this.

YOUR NAME does not expect to be hearing from the Enforcement Authority and or, the members of **The Metropolitan Police** again unless it is in the form of a written confirmation of withdrawal of proceedings.

No further correspondence will be entered into regarding this matter.

WITHOUT PREJUDICE, i.e. all natural and Unalienable Rights Reserved.

#9

I do not know to whom to name as the recipient of this communication, as the sender failed in her duty of care and did not sign the document sent to CLAIRE KNAPP at her address. The action of not signing the document sent to CLAIRE KNAPP legally means that no living person has taken legal responsibility for the content of the document on behalf of **The Metropolitan Police** and the document couldn't be legally responded to. That very act of not signing the document renders the document 'void' and therefore non-legal and unusable in law under current legislation. **Is this deception?**

#10

This document will now be kept on file as physical presentable evidence, as it represents the criminal activities of the representatives of **The Metropolitan Police** whether they are aware of this transgression or not. Ignorance of the law is no defence and all of the representatives of **The Metropolitan Police** are now culpable under the current legislation because one individual failed to sign the document. This is a fact that must be understood. **Is this Ignorance of current legislation?**

#11

You refer to the Road Traffic Offenders Act 1988 and the Road Traffic Regulation Act 1984. The Acts referred to are actually an Act of HM Parliament and Governments PLC, a recognised Unlimited Corporation or an all for profit business. An Act, which is not law in the UK, it is not even referred to as law as it is an Act of a Corporation or an all for profit business, or policy, but it is not a law. **Does this display lack of understanding and competence regarding what is the difference between law and legislation?**

Acts and Statutes of HM Parliament and Governments PLC, can only be given force of law, by the consent of the governed by those who have agreed to Acts and Statutes of HM Parliament and Governments PLC. Therefore, there is a mandatory legal requirement under current legislation that the governed must have given their consent legally, which can be physically presented as fact before the Acts and Statutes of HM Parliament, and Governments PLC can be given force of law.

Not Law, not enforceable. 63.5 million people in the UK have not legally entered into those agreements (8 million plus) in full knowledge and understanding and of their own free will. An agreement which must be kept on the public record for the Acts and Statutes of HM Parliament and Governments PLC to be given an action which involves force...or force of law.

The answers to the questions are in the understanding of the words used to implement an act of force... or Law.

#12

NOTICE OF REJECTION OF OFFER

Your Name Your Address 1 Your Town, Your County, Your Postcode

I have today received a letter from someone I can only refer to as “Undecipherable Squiggle” (hereinafter referred to simply as ‘squiggle’), a copy of which is enclosed for your edification.

Whilst ‘squiggle’ acknowledges your receipt of my earlier communication with your good self clearly he or she has chosen only to apply those parts of my communicate that they think applicable and appear to have chosen to ignore the rest. Which is of course unacceptable and potentially damaging for you and every police force nationwide, the reasons for that statement will become obvious as you read further.

Whilst I have confirmed (Notice I didn’t use the word ‘admitted’) that I was the driver in question at the time of the ‘alleged’ offence (though I am still at a loss as to who was offended by my actions), ‘squiggle’ has completely ignored the fact that you are, because of the case law I provided to you, unable to use the information I gave in any proceeding against me.

I reiterate below for your edification once more.

As this statement is provided under the threat of criminal penalty which is in direct contravention of the ruling in the case of Funke v/s France in the ECtHR and furthermore as I have not received the caution required by paragraph 10.1 of the Police and Criminal Evidence Act code C, nor made a mechanical signature in any form pursuant to the ruling in Mawdesley v/s the Chief Constable of Cheshire [2004] 1 All e.R 58, I make this

statement on the express understanding that it shall not be used or disclosed in any proceedings of whatsoever nature against myself.

Now, Chief Constable, I assume you are an intelligent **wo/man**, you have after climbed the greasy pole of corporate policing to rise to a very prominent position (for which I congratulate you), I am therefore at a loss why you've allowed 'squiggle' to 'assume' that I am going to:-

- A) Pay a fine
- B) Take a course

I am, you will understand, not going to take part in either of those activities which leaves you with one course and one course only.

For and on the record, I am not 'electing' to have the matter dealt with by a court, if you choose that route then it's YOU who is electing to deal with the matter in that way and please be assured I will defend the matter vehemently using the case law I have provided and some other mechanisms of law that I have at my disposal and that the burden of proof is wholly upon you, the accuser. I have to prove nothing.

Therefore, I am not going to take the third option offered to me by 'squiggle' and you will understand that this notice to you is not an election by me to have the matter dealt with by a court; it is simply a rejection of all three options on 'squiggles' computer screen.

For and on the record, if you wish to take the matter to a court, you will understand that I will exercise my inalienable right to have the matter dealt with by a Jury as I do not recognise Courts De Facto as they are unlawful in this common law jurisdiction, we call England.

As stated in Halsburys:-

'All courts of administration are unlawful and can never be legislated into existence because of the constraints placed upon her majesty at her coronation' (The sage words of Lord Justice Denning no less)

So before we deal with the matter of whether or not you can prosecute me without a signed confession, before we get to the rulings I have provided to you previously and before we get to the matter of PACE S.10.1 Code C, we would of course have to have the supreme court rule on the constitutional matter at hand. (Is your court lawful per Halsburys / Denning LJ).

You of course understand that the ONLY thing that can convict me of **any** crime is a Jury, a magistrate acting in the cosy cabal of the camera partnership which has as its partners, The Magistrates Courts, The Local Council and **POLICE FORCE NAME** Police cannot therefore be a Judge in his own cause. I therefore will exercise my right to Jury trial should you wish to proceed the matter to an administrative court (A Court De Facto ... a court without a Jury).

Given that you cannot enter my notice to you that I was the driver at the time of the alleged offence into evidence in any court I am intrigued to see how, without my signed confession you will manage to:-

1. A) Provide an eyewitness before a jury who can testify that they saw me commit the offence.
2. B) Convince a Jury that I committed a crime where no harm or loss has occurred and where there is no injured party.

I imagine it would be a very interesting day in court and if as I suspect it doesn't go the way you might hope then you can be sure that I will broadcast the result far and wide using

social media and other vehicles which will of course mean that you, Chief Constable would be personally responsible for opening the floodgates for the same defence to be used in tens of thousands of similar cases across the country by the great British public, who are by the way, wholly sick and tired (as am I) of being hammered by inordinate fines and punishments for minor infractions.

I feel sure you do not want that as the epitaph to what appears to me to be an unblemished career record. I am sure if you do your homework (as have I) you will find cases in the UK identical to this one have already been thrown out of courts because there is no signed confession, and you know as well as I that no law exists which you can use to make anyone sign your confession and you are not above the law.

The ECHR has ruled decisively on this matter and there is case precedent in the UK in identical circumstances meaning the rule of 'Stare Decisis' will apply (and I will ensure a Jury are aware of that).

However, you must do what you must do, and I will act accordingly.

I trust that now having been notified of my position, my rejection of all three options on 'Squiggles' computer screen and your inability to use anything I have said in any court (Notwithstanding the complete and utter failure of your responsibilities under PACE S.10.1 Code C), that you will advise 'Squiggle' that he/she should get back in his/her box and stop bothering people who know the law and will exercise it to stop your tyranny.

Without ill-will, vexation or frivolity.

#13

I am still not in receipt of a sufficient response to my previous Notices - when will I receive that? What has happened is that I have received continual letters from interlopers who do not sign the letters with wet ink - so who has it come from?. The letters are not addressing anything I have said in my Notices but are now pushing the case to prosecution.

Are your staff out of control? Why are they continuing to harass me in this way?

Any further action from your stuff which is oppressive, unacceptable or distressful could become an offence under the following Acts:

Malicious Communications Act 1988 c.27, Section 1(1):

“Any person who sends to another person a letter, electronic communication or article of any description which conveys - (i) a threat, (ii) information which is false and known or believed to be false by the sender, is guilty of an offence.”

The Communications Act 2003 c.21, Part 2, Chapter 1, Section 127(2)

“A person is guilty of an offence if, for the purpose of causing annoyance, inconvenience or needless anxiety to another if he - (a) sends by means of a public electronic communications network, a message that he knows to be false, (b) causes such a message to be sent; or (c) persistently makes use of a public electronic communications network.”

I would also like to point out I do not appreciate the threats made in your letter to me, harassing someone with a threat of action as you have attempted to do in your letter is an offence, and if this is repeated I will immediately look to pursue remedy for your actions under The Protection from Harassment Act 1997 and potentially The Administration of Justice Act 1970, if you intend to fine me.

The Protection from Harassment Act 1997 c.40, Section 1:

A person must not pursue a course of conduct - (a) which amounts to harassment of another, and (b) which he knows or ought to know amounts to harassment of the other.”

Administration of Justice Act 1970 c.31, Part V, Section 40:

“Punishment for unlawful harassment of debtors.