

## **PE1851/C**

Caroline Kenneil submission of 18 March 2021

The background for correct legal interpretation of Law for informed democratic values arises from ever more precise scientific knowledge from our socio-environmental-economic-and political sciences, this key to national well-being.

In-depth consumer and regulator examination of civil law practices proves complete lack of functioning civil law systems. Public function guiding minds hold the wrong values while guiding procedures for civil justice over long period.

Esther Robertson's Review of Legal Services Regulation was well considered a fair, appropriate report, welcomed by all consumers we listened to, but over represented by the legal sector, akin to tobacco manufacturers guiding tobacco law. The accuracy and provenance of representation is more important than quantity and errant quality. Political consensus derived from pleasing a broken, albeit powerful system, will fail.

On 20<sup>th</sup> April 2018 three judges from the Court of Session Inner House asked me to ask the Parliament for "Root and Branch Changes to the legal system, ...their hands tied". I was contacted by one the Petitioners and another, asked to delay my approach, so to worked with her and others on the basis that her MSP had widespread cross party support to stop corruption in the legal system, who would use her case to "crack open the doors so as to change all bad legal practices". We were to conjoin with Petitioner PE1458 to join with him at the Justice Committee. I do not think any of this has happened to date.

The Petitioner was profoundly unhappy regarding a refusal for individual consultation with Esther Robertson, "to tell her how bad the Law Society was". We all agreed the Robertson Report was a good Report, correctly advising closure of the SLCC and removing consumer affairs from Law Society care, replacing this with a legal Ombudsman. But as the judiciary need serious reform to prevent multiple miscarriages of justice we had grave concerns vis a judge sitting alongside an ombudsman under current conditions. To my mind, the petitioner became involved in unnecessary arguments with the Petition Department, the Minister for Consumer Affairs and others. Progress for Consumer Equality of Arms in Civil law was delayed. The 3 Legal Member Regulators, legal Drafters, lord Advocates, Lord Presidents, Solicitor General, Scottish Court Services, The Scottish Law Commission have each previously said they can do nothing about the total lack of, the distortion to the legal sector vis active, non-existence of Civil Law for consumer protection and Redress from indemnity insured White Collar professionals and client errors, (fraud, embezzlement or other predatory White Collar abuse and debt). No ordinary Consumer can enforce the protection of civil law Rights. The press's litigation lawyers, backed by multi-national insurance, refuse to publish such facts. I submitted accounts of white collar use of the legal industry as a private tool for unjust enrichment in this petitioners earlier PE1661/H Caroline Kenneil Submission November 2018. Consumer working groups agree 'legal sector conflicts of interest practices', backed by professional indemnity insurers, finance ultra vires (illegal) professional acts through the legal sector's unconscionable black-hole, adversarial,

self-drafted rules, practices and procedures used against innocent parties, for undue profit, this a major cause of corruption to the non-existent civil law.

The cost of White Collar Civil error must be taken into account, costing Scotland billions every year, far outweighing savings from any re-conditioned, unaccountable Law Society Complaints-system. The global economic system broken prior to Covid 19 as we enter an historic Quantum Tech Epoch, which must now deliver Equitable, honest, fair Access to Justice with 'One Standard' and consequences for all. The most Accessible, Fairest, Quickest, Cheapest, Least-Complex system is through accountable Investigative Law, with inbuilt systems for automatic detection, deterrence and punishment of White Collar abuse, matching consequences those of Criminal law.

I believe legal members breach the rule of law both in and out of court; no informed consumer can support the Law Society and Faculty of Advocates until they become accountably compliant with Anti-corruption, Consumer Protection, Human Rights and Competition law. Consumers and small traders cannot be delivered as a 'Commodities dish for legal clients' carve up. The Law Society's Representatives to the Robertson Report stated: if Consumer affairs be removed from Law Society care, this would likely destroy the Society. The Law Society's private business success, or otherwise, must not be the Standard for Regulatory Function, additionally it agreed their success is already dependent upon their Insurers control of civil law. 'Consumer legal services' cannot be confused as a designated organisation's private business commodity, or commodity for their members, or their members' clients, nor collective corporate professional indemnity insurances. Regrettably, Scottish Civil Law is already in international disrepute. The Law Society now say the right words, but lack described enforceable mechanisms to create a Justice System For Consumers. The Wider Public must hear: The How, What, Where and When of Legal Sector Consumer plans and mechanisms. The law is ours; Dominant, closed shops practices are illegal.

- Epi-genetic stress to consumers and lawyers arise from current civil law lack of due diligence, with unjust adversarial practices, targeting Consumer victims. Epigenetic stressors cause serious bodily harm. There is no biological gap resulting from certain Civil Law or criminal errors. The Robertson Report advising Government to close the SLCC, remove the Law Society from 'Consumer Care' is a legal obligation under Consumer Protection law, Human Rights law, anti-corruption / Bribery and money laundering law, Competition Law, and the newly incorporated International Covenant on Economic, Social and Cultural Rights

Criminal & Civil law requires to understand bio-chemistry involved in economic pursuits, and serious unintended consequences, devastating our planet, dividing nations, society, families and not least, individual health

Scotland Must have Root and Branch Changes to Civil Law.