

On the Constitutional Illegality of Abolishing Malfeasance in Public Office

BRIEFING FOR MEMBERS OF PARLIAMENT REGARDING THE PROPOSED ABOLITION OF THE OFFENCE OF MALFEASANCE IN PUBLIC OFFICE AND THE CONSTITUTIONAL CONSEQUENCES THEREOF

I. PURPOSE OF THIS BRIEFING

This briefing is presented to Members of Parliament to illuminate the constitutional impossibility of abolishing the offence of Malfeasance in Public Office, a cornerstone of the constitutional order, the 1215 Magna Carta, and trial by jury. Any attempt to remove this offence is a direct assault upon the sovereignty of the People and the restraints placed upon officials by ancient law.

“Ye shall know the truth, and the truth shall make you free.”

II. CONSTITUTIONAL FRAMEWORK

A. Magna Carta 1215

Parliament derives its very existence from constitutional instruments it is not competent to dissolve or amend. Articles [1](#), [39](#), [40](#) and 61 establish:

- Rights of justice without delay or denial
- Protection against arbitrary acts by officials
- Trial by jury as the supreme tribunal of the People which is the mechanism of redress against officials who violate the law.

Removing malfeasance is an attempt to erase accountability, violating these guarantees.

III. IMPLICATIONS OF ABOLISHMENT

Destroys the People’s lawful remedy against corrupt officials.

Eliminates the ability of juries to hold officials criminally liable.

Contradicts the Coronation Oath, which requires the Sovereign—and thus Parliament—to protect ancient liberties.

Violates the maxims:

- “Lex iniusta non est lex” - “an unjust law is not a law”
- “Nemo est supra leges” - “no one is above the law,”
- “Fraus omnia vitiat” - “fraud vitiates everything” or “fraud corrupts all,”
- “Salus populi suprema lex esto” - “Let the welfare of the people be the supreme law”

IV. SUMMARY

The proposal is itself unlawful. Parliament cannot abolish the very safeguard that enforces accountability upon its own officers. Doing so violates the 1215 Magna Carta, the Bill of Rights, and common law trial by jury.

2. MOTION FOR INQUIRY

To be Presented by a Member of Parliament

MOTION FOR A PARLIAMENTARY INQUIRY INTO THE CONSTITUTIONALITY OF THE PROPOSED ABOLITION OF MALFEASANCE IN PUBLIC OFFICE

I. GROUNDS FOR THIS MOTION

Whereas: The 1215 Magna Carta, Articles [39](#), [40](#), and 61, remain foundational instruments securing justice, accountability, and lawful remedy, Malfeasance in Public Office is a constitutional requirement ensuring that public officers remain accountable under law.

Parliament is bound by the [Coronation Oath](#) and cannot lawfully diminish, abolish, or obstruct remedies guaranteed to the People. [The Coronation oath: 'This is no empty display. It is the [foundation stone of our system of government](#)']

Trial by jury cannot function if the People are deprived of offences through which official wrongdoing may be judged.

II. THIS MOTION PRESENTS

That the House initiate a formal inquiry into:

- Whether Parliament possesses lawful power to abolish a constitutional safeguard.
- Whether the proposed abolition violates the People's constitutionally secured rights.
- Whether such abolition contradicts the Coronation Oath.
- Whether such action constitutes a breach of trust—itself a form of malfeasance.

III. SUMMARY

This Motion seeks to determine whether Parliament may lawfully extinguish a mechanism created to restrain its own agents. Logic dictates that it cannot. If it doesn't make logic, it doesn't make sense.

3. CONSTITUENT DEMAND LETTER TO AN MP

To be sent by the citizen

[YOUR NAME]

[ADDRESS]

[POSTCODE]

[DATE]

TO:

[NAME OF MP]

House of Commons

London SW1A 0AA

RE: PRESENTMENT DEMANDING OPPOSITION TO THE ABOLITION OF MALFEASANCE IN PUBLIC OFFICE

Dear Member of Parliament,

I present this lawful demand under the authority of the 1215 Magna Carta and the constitutionally secured rights of the People.

The Government's proposal to abolish the offence of Malfeasance in Public Office is an act contrary to Articles [39](#), [40](#) and 61 of the Magna Carta, which guarantee accountability of officials, access to justice, and lawful remedy.

Removing malfeasance destroys the People's ability to hold public officers to account. This violates:

- The Coronation Oath,
- Common Law trial by jury,
- The maxim "Nemo est supra leges" - ["no one is above the law"]

I therefore command, as my representative, that you:

- Oppose this proposal in all its forms;
- Demand a constitutional review of its lawfulness;
- Affirm your duty to protect the ancient liberties of those you serve.
- "Woe unto them that decree unrighteous decrees."

I expect your written confirmation.

In Honour,

[Your Name]

4. PETITION INVOKING ARTICLE 61 MECHANISMS

Lawful Constitutional Petition of Redress

PETITION OF RIGHT AND REDRESS UNDER ARTICLE 61 OF THE MAGNA CARTA 1215

From:

The Free People of the Realm

To: His Majesty's Government and all Public Office Holders

I. BASIS OF PETITION

This Petition is lawfully invoked under Article 61 of the 1215 Magna Carta, activated when governance becomes unlawful and when remedies are denied or obstructed.

The proposed abolition of Malfeasance in Public Office: Removes the People's safeguard against unlawful officials;

- Violates the right to justice without sale, delay, or denial;
- Obstructs the lawful means of redress;
- Threatens the integrity of trial by jury;
- Contradicts the Coronation Oath;
- Constitutes a breach of constitutional trust.

II. PETITIONERS PRESENT

That all actions, discussions, or attempts to abolish Malfeasance in Public Office be immediately halted and withdrawn, as they are constitutionally void ab initio.

III. NOTICE OF LAWFUL DISSENT

Should Government refuse to restore and uphold the constitutional order, the People retain the inherent right under Article 61 to take all lawful measures of peaceful dissent to compel redress.

IV. SUMMARY

This Petition is a lawful exercise of constitutional authority.

It is presented because:

- Fraus omnia vitiat. ["fraud vitiates everything" or "fraud corrupts all,"]
- Lex iniusta non est lex. ["an unjust law is not a law"]
- The King is under the law.
- "Stand fast therefore in the liberty wherewith Christ hath made us free."