



## Climate Genocide Act Now

Address and Email REDACTED

30 August 2022

District Judge Talwinder Kaur Buttar  
Luton Magistrates Court  
Stuart St,  
Luton  
LU1 5BL

Dear Talwinder Kaur Buttar

### **Moratorium on hearing all climate defender cases (Extinction Rebellion (XR), Just Stop Oil (JSO), Insulate Britain (IB), etc.)**

I understand that you have either heard a case involving climate defenders or may hear cases in the future. I am writing to you now because I need to ensure you are aware of crucial information concerning XR, JSO, IB, etc. cases. These are where people have been compelled to break the law to stop the killing of themselves or others by those politicians and business figures who cause climate breakdown through their policies and/or activities.

This group is calling for a moratorium on hearing all such cases until the police and CPS bring cases to court where the politician and/or business figure has contributed to the killing of others through their policies or activities. We have lobbied the Magistrates Association, Judicial Rep Bodies, CPS, High Court Judges and others.

### **Proof that we have a Corrupt Criminal Justice System.**

In November 2019 this group attempted to prosecute three UK prime ministers for crimes against humanity and genocide associated with the policies that contribute to killing around 400,000 people per annum and have begun the process of completely annihilating several low lying island states. The case was handled by SO15 within the Metropolitan Police (The Met).

The Met didn't dispute that people were being killed and millions will be killed in the future, but The Met argued the legislation was inadequate and there had to be 'intent' to commit the crimes for there to be any prospect of a successful prosecution. We explained that the International Criminal Court Act 2001 and Article 30.2(b) of the Rome Statute, which deals with crimes of 'oblique intent', did allow for prosecution (see Annex 1). But The Met refused to mount a criminal investigation and categorically refused to explain why Article 30. 2(b) didn't apply.

We challenged The Met to seek professional advice and/or approach the CPS but The Met refused.

Meanwhile dynamic climate defenders felt they had no option but to mount powerful disruptive protests in an attempt to stop the state from killing British and other citizens. XR, JSO, IB and others began a series of actions to stop the killings. The response of The Met was to seek tougher legislation from government to make it easier for the police to remove climate defenders more quickly.

The Met was falsely claiming there was a deficiency in the law that prevented it from stopping politicians from killing people, but The Met did not seek new legislation to stop the killings. Instead The Met sought new legislation to stop those protesting about the killings. This proved corruption at the very top of The Met. The Met is determined to protect politicians and it is also determined to stop those trying to stop the politicians from killing the people.

There is a lot more to this case than the outline I am providing here. I am happy to provide you full details if you wish. But there are a few points I ask you to consider before agreeing to handle any cases involving XR, JSO, IB, etc.

- A new Met Commissioner will soon take up the role and a fresh attempt will then be made to secure a criminal investigation against the politicians who kill;
- In correspondence with this group the CPS has indicated it is willing to provide advice to the police if it is requested;
- If the police and CPS make it clear they will seek to protect the people by prosecuting the killers, there may be no need for climate defenders to continue with their actions; and
- The people who are ending up in court for trying to protect themselves and others from being killed are only in this position because the Police, CPS, Magistrates and Judges have given them no other reasonable option. It is entirely the fault of the criminal justice system that climate defenders are ending up in court.

### **Who speaks for XR, JSO, IB, etc.?**

XR, JSO, IB and a few other dynamic groups do not have conventional leadership structures and decision making processes so it is not possible for me to communicate the actions of this group to the thousands of protesters within them. However many hundreds of protesters are aware of the work of this campaign group because of our presence on social media websites and are aware that this group has proven that the UK suffers a corrupt criminal justice system. But they don't all know. And those who don't are denied the opportunity to explain this during court proceedings.

### **Moratorium on hearing all climate defender cases**

This group has called upon The Magistrates Association and others to impose a moratorium on all cases that do not involve violence against the person. This moratorium should stay in place until the police and CPS have made a determined effort to stop the politicians from killing the people by using existing legislation to commence criminal proceedings. Clearly, when politicians realise they will be prosecuted and imprisoned they will immediately end the policies that lead to the killings.

In light of the fact there is absolutely no prospect of justice in any climate defender case brought to court, I ask you to impose a moratorium on hearing the cases. This must stay in place until the police have taken the appropriate steps.

### **Being complicit in Genocide**

Some climate defenders who are aware of these facts have made the point in court that magistrates and Judges must not be complicit in crimes against humanity and genocide. I agree with those who make that case and ask that you carefully consider the implications for Judges and Magistrates of Article 30.2(b) of the Rome Statute of the International Criminal Court

Please let me know if you want to know more about the steps this group is taking.

Yours sincerely,

Jon Fuller

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## **ANNEX 1.**

### **Rome Statute of the International Criminal Court**

#### Article 30 (Mental element)

1. Unless otherwise provided, a person shall be criminally responsible and liable for punishment for a crime within the jurisdiction of the Court only if the material elements are committed with intent and knowledge.

2. For the purposes of this article, a person has intent where:

(a) In relation to conduct, that person means to engage in the conduct;

(b) In relation to a consequence, that person means to cause that consequence or is aware that it will occur in the ordinary course of events.

3. For the purposes of this article, "knowledge" means awareness that a circumstance exists or a consequence will occur in the ordinary course of events. "Know" and "knowingly" shall be construed accordingly.

<https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf>