

FOUNDATIONS OF CLAIM (England & Wales — King’s Bench/High Court)

Parties:

1.1. The Claimant: “Humanity” — advanced as a representative claimant asserting the rights and interests of persons subject to or affected by institutional legal systems in England & Wales and worldwide where appropriate, by representative evidence and by reference to representative plaintiffs described in the Particulars of Claim.

1.2. The Defendants: “The Institutional Law System” — institutions, public authorities, governmental bodies, courts and agencies exercising legal power and authority, including their officers, servants and agents (as particularised in the Particulars of Claim and to be identified in disclosure).

Jurisdiction and procedural posture

2.1. This Court has jurisdiction pursuant to the Senior Courts Act 1981 and the Civil Procedure Rules, and in particular as the claim engages public law and systemic issues suitable for the King’s Bench Division (Administrative Court / Queen’s Bench jurisdiction concerning public bodies; see R (on the application of) Cart v The Upper Tribunal [2011] UKSC 28 on public law principles; R (Privacy International) v Investigatory Powers Tribunal [2019] UKSC 22 on review of public institutions).

2.2. The claim is brought under Part 8 CPR (with declarations and injunctive relief sought) and further engages remedies commonly sought by way of judicial review (see CPR Practice Direction: Pre-Action Conduct and Protocols; CPR PD54A on claims for judicial review). The Claimant reserves the right to apply for a Group Litigation Order (CPR Part 19.12 et seq.) where appropriate.

Central admissible question and legal thesis:

3.1. The single admissible question central to this claim is: “Under what conditions does authority override consent?”

3.2. The Claimant’s case is that institutional exercise of authority in a range of contexts (registration at birth; statutory obligations; administrative procedures; institutional health, education and welfare policies; immunity doctrines) has relied on assumed, implicit or coerced participation rather than on informed, voluntary consent. Where consent is treated as a legal prerequisite for legitimacy, the systemic assumption of consent defeats the claim to legitimate authority.

Principles relied upon:

4.1. Duty of care (tort), procedural fairness and natural justice, informed consent, protection from coercion and undue influence, constitutional and human rights (Human Rights Act 1998 — Articles 2, 3, 6, 8), and the courts’ power to grant declarations and injunctive relief (Senior Courts Act 1981; CPR Part 8 / Part 7; Judicial Review remedies).

4.2. The Claimant asserts—by reference to established doctrines of law (capacity, duress, undue influence, informed consent, mens rea)—that the law already recognises non-physical, consciousness-based elements that determine consent and responsibility; that recognition must be applied consistently and not selectively to exclude institutional actors.

Factual summary and linkage to legal issues (summary)

5.1. The Claimant pleads widespread practice whereby institutional systems:

- a) Treat birth, continued survival, and mere participation in social structures as constituting assent to legal authority; and
- b) Employ semantic conventions, procedural defaults, immunity doctrines and administrative formalities that bypass or mask the absence of informed consent.

5.2. The Claimant pleads that public evidence (social media, institutional communications, policy drafts), preservation letters, metadata and witness statements show patterns of inconsistent legal application, systemic neglect, and institutional inaction amounting to ongoing harm.

5.3. The Claimant pleads that silence, non-response to pre-action notices, spoliation or failure to preserve evidence, and procedural defences by institutions amount to admission, knowledge or willful neglect for the purposes of this claim.

Causes of action / relief sought:

6.1. Declaratory relief 6.1.1. A declaration that the lawfulness of any exercise of authority requires, where human autonomy is implicated, the presence of informed, voluntary consent, and that authority cannot validly override consent absent lawful justification consistent with this principle. 6.1.2. A declaration that the systemic inconsistent application of law, and the selective invocation of immunity doctrines, violate equality before the law and procedural fairness (see R (on the application of) Miller v Secretary of State for Exiting the European Union [2017] UKSC 5 on constitutional legitimacy and high constitutional principle).

6.2. Injunctive relief 6.2.1. Interim preservation orders preventing the destruction, deletion or modification of documents and electronic data relevant to this claim. 6.2.2. Disclosure orders requiring production of internal communications, policies, records of decisions, retention/deletion policies and custodial metadata. 6.2.3. Interim injunctions halting ongoing practices of coerced participation where immediate harm is established.

6.3. Group / class relief 6.3.1. An order or direction for case management to enable Group Litigation Order procedures (CPR Part 19), and recognition of representative plaintiffs to give evidence on systemic patterns. 6.4. Further relief 6.4.1. Costs, further or alternative relief as the Court deems appropriate, and liberty to apply.

Legal grounds and argument (headings with authorities)

7.1. Consent and legitimacy 7.1.1. It is fundamental that the law treats valid consent as vitiating or validating legal relations—see established doctrines relating to duress, undue influence, incapacity and informed consent (e.g., R v Collins, contract and tort law authorities; doctrine in medical law: Montgomery v Lanarkshire Health Board [2015] UKSC 11 on informed consent in medical decisions). 7.1.2. The Claimant's case: the institutional practice of assuming consent where consent is in fact unavailable (birth, unavoidable participation, survival necessity) is

inconsistent with these legal principles and undermines the claimed legitimacy of institutional acts. The Claimant relies on the reasoning in *Montgomery* and other authorities recognising the centrality of informed consent as normative in substantive fields of law.

7.2. Language, definitions and the binding effect of meaning 7.2.1. Legal effect depends on definitions and accepted meaning. The Claimant relies on accepted principles of statutory interpretation and contract law: courts must look at language, purpose and context (see *Pepper v Hart* [1993] AC 593 on use of extrinsic materials; *Investors Compensation Scheme Ltd v West Bromwich Building Society* [1998] 1 WLR 896 on interpretation principles). 7.2.2. The Claimant asserts that doctrines of semantic obfuscation and legal technicality cannot be used to immunise inconsistent institutional practice.

7.3. Time, continuity of harm and limitation 7.3.1. The Claimant pleads that harm is continuous. Where harm is ongoing, limitation defences must be approached with caution (see *Limitation Act 1980*; cases on continuing nuisance and continuing breaches — e.g., *Ministry of Defence v AB* [2011] EWCA Civ 1195 (continuing harm principles) and decisions on continuing breaches that treat harm as not confined to discrete acts). 7.3.2. The Claimant relies on equitable principles and public law remedies which the courts have used where continuing wrongs render limitation defences inapplicable.

7.4. Attention, belief and public legitimacy (standing and class logic) 7.4.1. The Claimant contends that systemic legitimacy rests on public recognition and participation. Where a system's authority is founded upon widespread participation obtained without informed consent, that systemic fact is relevant to standing and to the appropriateness of class relief (see *CPR Part 19* and the mechanics of representative actions).

7.5. Self-reference, conflict of interest and oversight 7.5.1. A system that judges its own compliance without scrutiny is vulnerable to challenge where it cannot justify exemptions—principles of bias, recusal and conflict apply to public institutions as to individuals (see *R v Bow Street Metropolitan Stipendiary Magistrate, ex p Pinochet Ugarte (No. 2)* [2000] 1 AC 119 on apparent bias and recusals; *Porter v Magill* [2002] 2 AC 357).

7.6. Consciousness, capacity and prima facie evidence 7.6.1. The Claimant relies on the law's acceptance of concepts such as intention, capacity and awareness as elements of legal regulation (criminal law *mens rea*; capacity tests in mental capacity law—*Mental Capacity Act 2005*). The Claimant submits that these doctrines already acknowledge non-physical substrates of legal responsibility and therefore entitle the Court to consider consciousness-based evidence where relevant.

Systemic contradictions: Precedent used as evidence:

8.1. The Claimant's methodology is to place adjudicated authorities and administrative decisions into evidential juxtaposition. Precedent's divergence on consent and coercion (examples to be supplied in the evidence bundle) shows inconsistent application of the same principles. The Claimant contends that the totality of case law demonstrates systemic self-protection, i.e. selective application of rules to preserve authority, contrary to the Court's own principles of coherence and equality (see general principle: law should be coherent and principled — *R v Secretary of State for the Home Department, ex p Brind* [1991] 1 AC 696 on coherence and principle in public law).

8.2. Where precedent demonstrates this selective application, it is properly used as evidence of systemic practice rather than as an unassailable shield for institutions.

Pre-action conduct and notice:

9.1. The Claimant has complied with—or provided constructive global notice consistent with—Pre-Action Protocol requirements. Where pre-action communication has been given and not answered, silence is relied upon as evidential for the purposes of this claim (see Pre-Action Protocols and CPR Practice Direction on Pre-Action Conduct).

Evidence and schedule:

10.1. The Claimant relies on the Particulars of Claim and an evidence schedule including: (a) contradictory case law and precedents evidencing inconsistent application of consent doctrines (to be exhibited); (b) public posts, statements and social-media content evidencing institutional behaviour and public responses, with metadata and forensic certification (exhibited); (c) verified witness statements from representative plaintiffs (to follow); (d) preservation and spoliation letters sent to custodians/platforms and evidence of any destruction or deletion (exhibited); (e) chain-of-custody and forensic reports for preserved materials.

10.2. The Claimant seeks immediate preservation orders to conserve the integrity of the evidence listed above.

Urgency and balance of convenience:

11.1. Immediate preservation and disclosure are proportionate and necessary given the risk of destruction, deletion and the ongoing nature of the harm alleged.

11.2. The Claimant submits that, on balance, the preservation of evidence and disclosure of institutional communication are necessary to resolve the central admissible question.

Public interest and Human Rights:

12.1. The Claimant advances public law grounds (illegality, irrationality, procedural impropriety) and human rights grounds under the Human Rights Act 1998 (Articles 2 – right to life; 3 – prohibition of inhuman or degrading treatment; 6 – fair trial; 8 – respect for private and family life), insofar as institutional practices impact bodily integrity, privacy and fair process.

12.2. The Claimant submits that systemic failure to secure informed consent in matters affecting fundamental rights engages the state's positive and negative obligations under the Human Rights Act (see *R (Daly) v Secretary of State for the Home Department* [2001] UKHL 26; *Marper v United Kingdom* (2008) 48 EHRR 50 on data/profiled harms; *Z and others on healthcare and treatment capacity cases*).

The declaratory rule applied:

13.1. The Claimant asks the Court to apply the following legal proposition as a declaratory rule: “No system may be the final arbiter of the legality of harms it produces where that system refuses to apply to itself the standards it imposes on others.”

13.2. The Claimant says this proposition is consistent with established principles on recusal, conflict of interest, oversight and the rule of law.

Relief sought (summary)

14.1. Declarations in the terms pleaded at 6.1.

14.2. Interim preservation and disclosure orders as pleaded at 6.2 and in the draft order accompanying these grounds.

14.3. Directions for management of these proceedings for group litigation (GLO) and permission to rely on representative witness statements.

14.4. Costs and such further relief as this Court deems fit.

Statement of truth: I believe that the facts stated in these Grounds of Claim are true.

Signed: SusanNdingaWright

Date: 13th January 2026