SHS – HUMAN FIRST / GOVERNANCE & ETHICAL LAW

INSTITUTIONAL ACCOUNTABILITY NOTICE

To the Law Commission of England and Wales: a statutory-remit audit of its response to SHS's enquiry on consent, public authority, financial obligations and alternative governance. With linked reform proposals from Dethrowing the 5th.

DATE	20 November 2026
RECIPIENT	The Law Commission of England and Wales
AUTHOR	SNW | SHS – HUMAN FIRST | Metaphysical Legal Representative, SHS Governance (internal, non-statutory designation)
STATUS	Formal institutional accountability submission and request for reconsideration; not a court finding, pre-action letter or assertion of legally recognised sovereignty.
RECORD	Original enquiry: 17 November 2026. Commission reply: screenshot supplied 20 November 2026 (sender/header and actual transmission date not visible in image).

> **QUESTION THE COMMISSION MUST ANSWER**
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> **If an enquiry contains matters you cannot approve and identifiable questions about laws you are empowered to review, by what statutory or reasoned process do you classify the whole enquiry as outside your remit?**

Primary finding. The reply correctly refuses powers of sovereign recognition, treaty-making and financial authorisation. But it does not acknowledge the Commission's separate statutory function of receiving and considering proposals for law reform, nor distinguish whether elements of the enquiry could be reform proposals. This supports a focused challenge to the completeness of the response; it does not, without further evidence, prove intentional evasion, breach of statutory duty, or liability.

Position. SHS seeks an accountable record of how the Commission classified the enquiry, the basis for any wholesale exclusion, the appropriate law-reform pathway, and its engagement with truth-oriented justice reforms. It is not asking the Commission to usurp Parliament, adjudicate an individual case, or confer constitutional status.

01 / The case record: the proposition that was actually presented

On 17 November 2026, SHS addressed a wide group of public and parliamentary bodies, including the Law Commission. It asked who within government could consider six questions: (1) consent and statutory authority; (2) alternative governance; (3) a proposed arrangement for government administration of financial interactions; (4) formal submission processes; (5) absence of responsible institutional mechanisms and possible reform; and (6) reception of SHS's asserted sovereignty and proposed treaty. The email expressly stated that no legal exemption was already claimed and sought responsibility, procedure and an answer. [A]

The Commission's screenshot response stated that it cannot determine government legitimacy, recognise assertions of sovereignty, negotiate treaties or governance arrangements, or establish the financial arrangement described. It then concluded that the matters raised "fall outside" its remit, could not identify or appoint a government official to receive them, and suggested contact with a relevant government or parliamentary body without specifying one. [B]

The Commission was not asked solely to accept a treaty. The original enquiry also asked what process exists, which office is responsible, and who addresses institutional gaps. Those components warrant separate treatment even when the requested outcome is not presently available. Conversely, the emphasis placed on treaty-making in the sixth question was real, and could reasonably be answered as beyond this institution's powers.

02 / What the Law Commission is responsible for—and what it is not

The Law Commissions Act 1965 establishes a body for promoting the reform of the law of England and Wales. Section 3(1) requires the Commission to keep that law under review with a view to systematic development and reform; its functions include receiving and considering proposals, preparing law-reform programmes, studying approved areas, drafting proposed legislation, advising at the Government's instance, and studying other legal systems where useful. It reports annually. [1]

LEGAL FUNCTION	RELEVANCE / LIMIT
Section 3(1) overall—systematic review; simplification, modernisation, elimination of anomalies.	A potential basis to examine gaps between existing procedural rules and their effects on truth-finding, public accountability and witness safety; not a general power to police government.
Section 3(1)(a)—receive and consider proposals for reform.	Key question: was SHS assessed, wholly or in part, as a reform suggestion? The duty is to consider proposals, **not** adopt every suggestion or open a project.
Sections 3(1)(b)–(c)—programmes and examinations, including reform Bills.	Possible route for scoped studies on evidence, privilege, witness testimony and institutional review; ministerial/project requirements apply.
Sections 3(1)(d)–(f)—consolidation, government-requested advice and foreign-law research.	Consolidation has separate triggering conditions. Comparative US prison-labour and Fifth Amendment law is context, not UK law.
Sections 3(2)–(3)—reform programme and annual reporting.	Supports transparency and public explanation of priorities; does not require a public report on every incoming email.

The Commission says it considers the impact of reform, institutional suitability, support, existing workload and resources. It publishes an online suggestion process and says it reads suggestions, but cannot commit to taking forward any proposal. Its published procedure also excludes individual-law-application questions and purely practical implementation or party-political proposals. [2][3]

Boundary conditions: the Commission is not a judicial complaints body, police supervisor, prosecution authority, constitutional court, financial appropriator or treaty-making body. The Law Commission of England and Wales does not control US constitutional law or Scottish/Northern Irish criminal procedure. It recommends reforms; legislatures and governments decide implementation. [3][4]

03 / Six questions: a split-remit analysis of the original enquiry

SHS QUESTION	COMPETENCE AND UNANSWERED PART
1. Consent and authority	Cannot adjudicate the constitutional legitimacy of the state. Could consider a properly scoped reform to procedures for notification, participation, review, challenge or statutory accountability. Why no distinction?
2. Alternative governance	Cannot negotiate or recognise a new sovereign relationship. Could evaluate proposals on legal forms, recognised organisational status and defined public-law interactions where within its programme criteria.
3. Government accountant / expenses	Cannot appoint a public accountant or bind public funds. Could consider clearly defined statutory reform affecting financial participation or public administration; policy and funding questions principally lie elsewhere.
4. Submission mechanism	Cannot offer a universal treaty-submission route, but can identify its **own** reform-suggestion route and set limits on what that route can accomplish.
5. Institutional gap	Not obliged to create a constitutional tribunal. But the proposition that law lacks an adequate process for reviewing certain obligations can be restated as a general reform question. Was that considered?
6. Sovereignty / treaty	Correctly outside its authority as framed. No power to recognise SHS sovereignty or conclude the proposed treaty; that conclusion cannot alone decide questions 1, 4 and 5.

Assessment: The strongest demonstrable issue is scope compression: an answer directed at the most ambitious requested powers was used to dispose of a mixed enquiry. This is a criticism of correspondence quality and explanatory rigour, not an automatic legal finding of statutory non-compliance.

04 / Audit of the response’s reasoning—tactics and evidentiary status

SHS supplied twelve categories of reasoning tactics. A rigorous institutional audit must apply them only where the reply evidences them. Labelling every category as misconduct would reproduce the selective reasoning that SHS is challenging.

CATEGORY	ASSESSMENT OF THIS PARTICULAR REPLY
Straw man / scope substitution	**Partly evidenced:** the reply treats treaty and recognition demands as dispositive of the entire enquiry. Not a pure straw man: those demands were actually made, especially in question 6.
Selective evidence / omission	**Evidenced:** it names powers not possessed but does not mention section 3(1)(a), the Commission's proposal route, or a disaggregated assessment.
False dilemma / false exhaustiveness	**Potentially evidenced:** "cannot accept the arrangement" is not the only relevant position; another is "cannot approve it but may receive a law-reform idea".
Red herring	**Limited:** sovereign recognition is relevant to part of the original email. It becomes a diversion only if used to avoid separately addressing reform-process questions.
Burden shifting	**Procedural concern:** the sender is redirected to unidentified bodies. This is not proof that law imposes a general duty to refer or personally locate a negotiator.
Appeal to deny authority	**Reasoning gap:** the assertion of limited competence is correct for acceptance and treaty-making, but without analysis is insufficient to prove a universal exclusion of review questions.
Circular reasoning	**Not strictly demonstrated:** the conclusion is overbroad, but the reply does offer independent premises about specific missing powers. The defect is an incomplete inference, not necessarily a circle.
Whataboutism	**Not shown:** no competing wrongdoing is introduced to excuse the Commission's own conduct.
Ad hominem	**Not shown:** the reply does not attack SNW's character or credentials.
Gish gallop	**Not shown:** the brief response does not bury the enquiry under numerous claims.
Moving the goalposts	**Not shown:** there is no successive standard after an earlier one was met.
Tone policing	**Not shown:** the Commission does not dismiss the enquiry because of its tone.

THE QUESTION THAT DEFEATS THE OVERBROAD CONCLUSION

Which separate legal-reform questions did you assess, under which statutory criteria, before concluding that all matters raised were outside the Commission's remit?

05 / Dethrowing the 5th: law reform concerns with life-and-death consequences

Dethrowing the 5th is an SHS discussion document, not an enacted legislative instrument or empirical proof of wrongdoing. Its authorial position is that the criminal process should prioritise the reliable discovery of truth and protection of human continuity, instead of multiplying incentives to conceal information or pursue punishment for its own sake. [C] The following converts that ethical criticism into discrete, examinable reform questions for England and Wales.

A. Truth-first witness cooperation and independent wrongdoing

Should limited protections, immunity, or discretionary non-prosecution mechanisms be strengthened where truthful witnesses disclose unrelated minor offences while helping resolve serious crime? England and Wales already has assistance-by-offender mechanisms under the Serious Organised Crime and Police Act 2005, section 71. Compare models without equating truth-telling with immunity from serious culpability. [7]

B. Witness protection inside court, and the treatment of testimony

Assess whether screens, live links, anonymity and protective measures sufficiently cover witnesses whose fear relates not only to retaliation but also unnecessary collateral proceedings. Existing special measures under the Youth Justice and Criminal Evidence Act 1999 should be analysed for eligibility, availability, enforcement and impacts on reliable evidence. [6]

C. Preservation of evidence; accountability for preventable losses

Where exhibits, recordings or communications disappear, examine obligatory loss audits, logged custody histories, independent review and procedural remedies. The Criminal Procedure and Investigations Act 1996 regime already requires recording and retention of relevant material: the question is where standards and enforcement fail in practice, not whether no duties exist. [8]

D. Accountability for failures to prevent deaths

Test a prospective duty-to-report or narrowly tailored duty-to-assist model in defined emergencies, with proof of actual knowledge, realistic ability, causation and justified exceptions. SHS's "50/50 metaphysical" framing expresses moral responsibility for two preventable opportunities; it is not presently an automatic legal equation between a killer and every bystander. [C]

E. Criminal process: right to silence versus the public interest in truth

In England and Wales the Criminal Justice and Public Order Act 1994 already permits limited adverse inferences from silence; it is not the US Fifth Amendment. An evidence-based review could test cooperation incentives and procedural safeguards while examining fair-trial obligations, unreliability of coerced testimony, and human-rights constraints. [5][9]

F. Prison labour and economic incentives

England and Wales Prison Rules 1999, rule 31, require convicted prisoners to undertake useful work subject to the rule's conditions and provide for payment. The US Thirteenth Amendment punishment exception is a separate legal system. A UK review could consider meaningful consent, pay, procurement transparency and avoidance of perverse incentives. No specific collusion is established by the correspondence. [10][C]

G. Institutional financial incentives and conflicts

Assess disclosure of prison-service contracts, commercial benefits, lobbying, procurement decisions and conflicts of interest; require evidence before asserting bribery or corruption. The Commission can study legal architecture but does not investigate every alleged financial offence.

H. Measuring success beyond punishment

Develop metrics for evidenced truth-finding, false convictions, disclosure breaches, witness safety, victim outcomes, prevented deaths, and corrected systemic failings; examine whether legal reporting mechanisms incentivise narrow procedural closure rather than material resolution.

I. Public-law accountability and consent

Consider whether there is sufficient accessibility, notice, judicial review and democratic participation concerning public authority over individuals. This is not a claim that birth without explicit consent voids legislation or entitles SHS to sovereignty or public funds.

Crucial jurisdictional distinction: the Law Commission has directly relevant existing criminal appeals work concerning post-trial evidence retention and wrongful convictions. Its 14th Programme, launched in September 2025, includes public-sector automated decision-making and consent in the criminal law (the latter is not constitutional consent to government). These are genuine examples of overlapping methods and subject areas, not evidence that it has adopted SHS's proposals. [4][11]

06 / The metacognitive accountability test

An institution that proposes reforms to other legal processes should be able to articulate the process by which it makes its own jurisdictional decisions. The SHS lens is not "you must agree with us", but "you must understand and explain what you are exercising, omitting and refusing".

STEP	REQUIRED INSTITUTIONAL EXPLANATION
1. Receive	Did the correspondence enter general enquiries, the law-reform suggestions process, or another category? By whose guidance?
2. Parse	Were the six questions separated into sovereign recognition, finance, public-law reform, criminal procedure and routing?
3. Attribute powers	Which specific powers are absent, and which law-reform functions remain available even when implementation powers are absent?
4. Determine suitability	Was any question tested against public criteria (need, impact, resources, institutional fit, Ministerial support)? If not, why?
5. Give reasons	What reason supports exclusion of each relevant component instead of the entire email being dismissed by reference to a subset?
6. Provide a route	Was the official ideas-for-law-reform mechanism identified? If not, why was even that pathway omitted?
7. Learn from the result	How does the Commission review correspondence-handling weaknesses, track concerns and incorporate learning into guidance?

This notice tests the adequacy of one response. The record does not yet establish how internal triage occurred, what staff considered, whether a statutory duty was breached, or whether the Commission failed over decades to consider an entire subject. Those are matters to be evidenced by the Commission's answer, published records and—if legally available—recorded-information requests.

07 / Questions requiring a recorded response

01. Was the 17 November correspondence classified as general enquiry, request for constitutional negotiation, suggestion for reform of law, or a mixture? State the classification and the published policy used.

02. Was any part of the enquiry considered under section 3(1)(a) of the Law Commissions Act 1965? If yes, which parts and on what terms? If not, why not?

03. Does the assertion that all "matters raised" fall outside remit apply equally to the legal framework for public-authority accountability and proposals for its reform? Give your legal or policy basis.

04. Why did the response not identify your own ideas-for-law-reform submission route? Does the Commission accept that route would be relevant to a separately framed proposal?

05. Did the Commission consider referring or signposting different elements to distinct competent offices? If no, describe the scope of any referral/signposting policy rather than assuming a general legal duty exists.

06. What form and degree of specification would make proposals on witness testimony, evidence preservation, prison labour, criminal procedure, or government accountability eligible for assessment?

07. What published criteria would govern rejection or progression of each discrete proposal? Distinguish lack of power, project unsuitability, resource limits and Government policy.

08. Which of the subjects in Dethrowing the 5th, if submitted separately, fall within existing or potentially future criminal-law reform programmes? Which are governmental policy decisions outside your remit?

09. Is any published Commission report or ongoing programme concerned with witness cooperation incentives, evidence retention, duty to report serious crime, prison work or public-authority accountability? Supply title and link, or state that you have identified none.

10. How does the Commission ensure that general correspondence is not categorised exclusively by its most ambitious request when it also contains reformable sub-questions?

11. What process exists for seeking reconsideration of a correspondence-handling decision or complaining about the quality of an answer, independently of compelling adoption of a law-reform project?

12. Please identify the official accountable for responding to this institutional handling review, or explain the basis on which a designated contact cannot be provided.

Response requested: a numbered written reply, with citations to the statute, policy, project criteria and relevant published work. SHS requests a response within 20 working days as a practical correspondence timeframe, without implying a statutory deadline applies to this letter.

08 / Public record, future action and limits of allegation

SHS intends to preserve the original enquiry, this document and subsequent replies; publish an accurate comparative analysis of the institutions addressed; submit narrower reform suggestions through official channels; and consider information requests about relevant recorded processes. SHS may seek independent legal advice on whether there is a justiciable issue, suitable claimant(s), loss, remedy and procedural route for any future collective proceedings. **No class-action liability, legal breach or case against this institution is asserted as presently established.**

This notice is not a threat to any officer, nor a demand for unlawful accommodation. It is notice that the completeness of the Commission's explanation, consistency with its statutory functions and the effects of

relevant legal rules will form part of SHS's continuing public-accountability investigation.

A claim that the Commission bears sole responsibility for every historical injustice in the legal system would be unsustainable. Its defined responsibility is to review and propose reform of England and Wales law; the decisions of Parliament, ministers, judiciary, investigators, prosecutors and prison authorities are distinct. **The focus of this notice is the duty to take law reform seriously within the Commission's own lawful role.**

> **INSTITUTIONAL ACCOUNTABILITY DEMAND**
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> **We are not asking you to recognise powers you do not possess. We are asking you to explain why powers you do possess were absent from the reasoning by which you excluded our enquiry.**

Respectfully submitted,
SNW
Metaphysical Legal Representative — SHS Governance (internal designation)
SHS – HUMAN FIRST
20 November 2026

09 / Evidentiary register and legal sources

Primary exhibits

[A] SHS – HUMAN FIRST, "Formal Enquiry: Who Is Responsible for Addressing Challenges to Government Authority, Informed Consent and Alternative Governance?", email sent 17 November 2026, supplied as 2-page PDF. Original six questions appear on pages 1–2.

[B] User-provided screenshot of the Law Commission reply, supplied 20 November 2026. Screenshot body is legible; full email metadata not shown. A copy appears as the final page of this notice.

[C] SHS – HUMAN FIRST, "Dethrowing the 5th", 16-page supplied PDF compiling a country comparison, the user's evolving ethical-law arguments and prior conversation. Authorial proposals are distinguished from legal rules and independent evidence.

Primary statutory and institutional sources (checked 20 November 2026)

[1] Law Commissions Act 1965, s. 3 (duties, functions, programmes, reporting)
https://www.legislation.gov.uk/ukpga/1965/22/section/3

[2] Law Commission, Ideas for law reform (intake criteria and submission route)
https://lawcom.gov.uk/ideas_for_law_reform/

[3] Law Commission, How we work (project choice, stages, implementation)
https://lawcom.gov.uk/about-us/how-we-work/

[4] Law Commission, 14th Programme of Law Reform (launched 4 September 2025)
https://lawcom.gov.uk/project/14th-programme-of-law-reform/

[5] Criminal Justice and Public Order Act 1994, s. 34 (inferences from silence)
https://www.legislation.gov.uk/ukpga/1994/33/section/34

[6] Crown Prosecution Service, Special Measures; Witness protection and anonymity
https://www.cps.gov.uk/prosecution-guidance/special-measures

[7] Serious Organised Crime and Police Act 2005, s. 71 (immunity for offender assistance)
https://www.legislation.gov.uk/ukpga/2005/15/section/71

[8] CPS Disclosure Manual, Chapter 4; CPIA 1996, s. 23 (recording, retaining evidence)
https://www.cps.gov.uk/prosecution-guidance/disclosure-manual-chapter-4-relevance-recording-and-retention

[9] Human Rights Act 1998, Schedule 1, Article 6 (fair trial)
https://www.legislation.gov.uk/ukpga/1998/42/schedule/1

[10] Prison Rules 1999, rule 31 (prison work and pay)
https://www.legislation.gov.uk/uksi/1999/728/article/31

[11] Law Commission, Criminal appeals project (evidence retention / compensation)
https://lawcom.gov.uk/project/criminal-appeals/

[12] Law Commission, Law reforms: legislative implementation boundary
https://lawcom.gov.uk/law-reforms/

Interpretive note: This is an accountability submission and reform proposal, not legal advice or a judicial determination. Rhetorical classifications are identified as allegations/analytical judgments with strength stated. The author's SHS title is an internal governance title and does not imply authorisation as a solicitor or barrister.

EXHIBIT B / Law Commission reply as supplied

Screenshot of email body provided by SHS. Visible text supports the analysis above. The screenshot does not display sender identity, full email header, transmission date or thread metadata; preserve the original message for verification.

