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From the Direct Communications Unit

1 December 2004

Mr Alfred Donovan
27 Craven Drive
Colchester
Essex
CO4 9BE

Dear Mr Donovan

The Prime Minister has asked me to thank you for your revised letter of 25 November 2004, regarding voluntary codes of practice. I have forwarded your letter to the Department of Trade and Industry.

Yours sincerely

MRS AMANDA COPP

Royal Dutch Shell Group .com

ShellNews.net: LETTER DATED 6 JAN 05 FROM ALFRED DONOVAN TO UK PRIME MINISTER TONY BLAIR, ENTITLED: "A TRAVESTY OF HIGH COURT JUSTICE - THE DARK SIDE OF SHELL" 6 JAN 05

6th January 2005

The Rt. Hon. Tony Blair MP
Prime Minister
10 Downing Street
London
SW1A 2AA

Dear Prime Minister

-

A TRAVESTY OF HIGH COURT JUSTICE - THE DARK SIDE OF SHELL

My name is Alfred Donovan. I am 87 years old. I wrote to you on 25 November 2004 about how the absence of any regulatory control is allowing "Codes of Practice" to be exploited by rogue companies. I received a response on your behalf dated 1 December advising that my letter has been passed to the Department of Trade and Industry. Perhaps I will hear from them in due course.

This letter deals with another subject: The extraordinary events surrounding litigation between my family and Shell (the "SMART litigation") which culminated in what was about as far removed from a fair High Court trial as it is possible to get. Our horrendous experience highlights a trend in no holds barred litigation tactics by big business which has tilted the scales of justice even more against ordinary citizens.

It also highlights another apparent legal loophole - a mechanism which in our case allowed a High Court Judge in the SMART trial to deliver a quasi verdict (as he put it to "resolve certain issues of fact" and render his "conclusions") in the form of "Judges Comments" which apparently are not subject to any appeal process nor any form of redress, even when a Judge has displayed the most outrageous bias. In this case, any independent analysis would have to confirm that the "Judges Comments" were biased.

Most lawyers would agree that the essential prerequisites for a fair civil trial include an impartial Judge; an equal weight of arms in terms of legal representation; no ambushes sprung in court nor fabricated plots against witnesses giving testimony; the disclosure of any conflicts of interest involving the Judge or witnesses and no use of undercover agents to intimidate witnesses or parties to the action.

My son and I put everything we owned into the SMART Trial at the Royal Courts of Justice on

the basis that as UK citizens, we would participate in a fair legal system founded on democratic principles of law. Even though pitted against a goliath multi-national, Royal Dutch/Shell, we both at that time still had faith in the fundamental fairness of British Justice.

It was in this expectation that I found myself in Court 57 at the Royal Courts of Justice in June 1999. My son, John, had sued Shell for breach of confidence in respect of a multimillion pounds "Shell SMART" loyalty card project. Shell brought a £100.000 Counterclaim against me (and him) and our company. We had previously successfully sued Shell three times for breach of confidence involving the same key Shell manager involved in the SMART claim and the same dishonest conduct.

Our family owned sales promotion company, Don Marketing, had previously enjoyed a mutually successful long term business relationship with Shell on a global basis. One of the multi-million pounds promotions we devised - Shell "Make Money", was named in a "Promotions & Incentives Magazine" article - "PROMOTIONS THAT SHOOK THE MILLENNIUM" - published in June 1999, as being the "Promotion of the Century". We supplied the relevant promotion to Shell in a number of markets in Europe and Asia. It boosted Shell gasoline sales by a record breaking 30%.

However, we reluctantly sued Shell UK Limited after new Shell management used without our permission a series of ideas we had disclosed in strictest confidence. Shell settled our first three High Court Actions out of court after first falsely accusing us of making "bogus" claims in a breathtakingly hostile press release circulated to the news media with the clear intent to ruin our reputation. We withdrew our subsequent libel action arising from the press release only after we had received a substantial consideration (£125,000 approx) following face-to-face discussions with Shell Transport Chairman Sir John Jennings and subsequently with Shell UK Chairman and CEO, Dr Chris Fay. Because of our temerity in bringing a fourth claim, this time in respect of the smart card based loyalty scheme Shell management apparently decided that it would go to any lengths to stop us succeeding again.

We were well aware that it would be a "David v Goliath" contest, but as indicated thought that we could at least rely on even-handed treatment in the courts. Unfortunately the SMART litigation ended in highly dubious circumstances which reflected extremely badly on Shell and the legal profession.

In the last few years further information has come to light which reinforces my concerns about the relevant events. As a result I have been trying (without success) to obtain answers to some key questions arising from the litigation which, in my humble opinion, amounted to a scandalous perversion of justice.

Earlier this year I read the "Mission Statement" set forth on the website of the Department of Constitutional Affairs which included the following unequivocal objective: *"We aim to empower citizens to obtain justice, safeguard their rights, and participate in a transparent and accountable process."*

Suitably impressed, I wrote to your colleague, Lord Falconer (letter dated 20 May 2004 in the

enclosed document bundle) seeking answers to questions that the trial Judge, Mr Justice Laddie and other parties associated with relevant matters have not been prepared to address. I received an initial standard acknowledgement from the DCA, with the promise of a "reply" to my letter by a stated date. It seemed that some of my questions and concerns would at last be addressed.

I was therefore disappointed when the letter dated 24 June 2004 duly arrived to discover that all of the questions and issues I raised were swept aside. In fact the letter did not answer a single question.

The main substance of the "reply" from the Court Service Customer Service Unit was as follows: -

> *"While I understand your sense of frustration on how your case did progressed in court, I am sorry to inform you that we cannot comment on individual judicial cases. This is not out of any lack of concern as to do so would go against the principles of Separation of Powers. "I strongly suggest that you allow your legal representatives to handle matters for you".*

I suspected after reading these comments by the author of the reply, Mr Fatai Odumosu (and from a subsequent phone conversation with him) that he had not actually read the content of my letter to Lord Falconer. We certainly had a communications problem during the telephone discussion either because he is not entirely fluent in the English language, or perhaps because my hearing is not 100% proficient.

For a variety of reasons as spelt out in my letter to Lord Falconer (and as set out below), it was not a normal "judicial case".

For example, although there was no official "judgement", the trial Judge insisted on putting a damaging quasi "verdict" on the public record in respect of some important issues. He was unaware when making his "Judges Comments" that the terms of the compromise settlement put before him for approval indicating a "stalemate" compromise did not in fact reveal the true nature of the settlement. My son in fact secretly received a payment as part of the compromise deal (his entire legal fees were also paid) the terms of which were negotiated while he was under immense pressure due to Shell's deplorable tactics, which are revealed herein.

The Judge also gave a quasi verdict in respect of Shell's Counterclaim action even though that part of the case had not been reached in court: in fact none of the relevant documentary evidence was discussed in court and no witness gave ANY evidence in respect of the Counterclaim. The "Judges Comments" left me in no doubt that for some reason the Judge, Mr Justice Laddie (Sir Hugh Laddie QC) was blatantly biased in favour of Shell and/or its then National Promotions Manager, Mr Andrew Lazenby, whose dishonest conduct was at the heart of all of our legal claims against Shell.

Leaving aside the extraordinary events in the SMART trial, everything I have read about Mr Justice Laddie indicates that he is a gentleman of the highest integrity. I am therefore baffled by certain events in the case detailed herein and by his refusal to answer my question as to whether he had an undisclosed relationship with a member of the Sir Mark Moody-Stuart family, two members of which - Sir Mark (the then Group Chairman of the Royal Dutch Shell Group) and his wife, Lady Judy, were personally involved in the Donovan/Shell litigation.

If Mr Justice Laddie had made a judgement in the case, then my son or I could presumably have applied for leave to appeal.

However, there was no judgement - only the "Judges Comments" which, as is clear from the transcript, he was clearly determined to make in open court despite the strong protestations of Mr Geoffrey Cox, the lead counsel representing my son. (Geoffrey Cox QC is now Head of Chambers at Thomas More Chambers).

The "Judges Comments" actually came as a surprise to the parties involved, who had spent a great deal of time in negotiation to arrive at confidential terms of settlement agreeing that no party would make any comment at the conclusion of the action, other than in an agreed "joint" press release.

The "Judges Comments" were subsequently exploited by Shell management to maliciously damage my son's reputation with a third party company. This resulted in considerable further adverse financial repercussions to my son. Basically Shell Legal Director Richard Wiseman was unable to resist the temptation to vent his spite even though two years had passed since the trial had concluded. His action was in direct breach of the SMART compromise settlement as well as being at odds with a press release circulated by Shell following the "Judges Comments". As a consequence, my son's involvement in an Internet project ended. He had hoped that the project would revive his career, so it really was a blow. My son duly notified Shell that the actions of its Legal Director acting for Shell International had repudiated the settlement.

Sir Mark's successor as Royal Dutch Shell Group Chairman, Sir Philip Watts, and current Group MD, Malcolm Brinded, were both made aware of the pernicious tactics used by Mr Wiseman but did not intervene. Mr Wiseman was in fact still resorting to threats/blackmail tactics in his last communication with my son earlier this year.

The trial in question ended following a compromise settlement. Am I to deduce from the letter received from the Department of Constitutional Affairs that when, as in this case, there is no judgement to appeal against, the conduct/actions by the Judge during the trial and any "conclusions" and/or resolutions of "issues of fact" publicly announced by the Judge at the conclusion of such a trial are considered infallible and/or unchallengeable? Does no one monitor, regulate, or oversee English High Court Judges? Or, are they, as the DCA letter seems to imply, really a law unto themselves in such circumstances?

While awaiting a reply from the DCA my local MP, Mr Bob Russell, kindly also wrote on my behalf to Lord Falconer. The DCA passed his letter to the Home Office. He received a response from Baroness Scotland of Asthal QC in her capacity as Minister of State at the Home Office. All of this correspondence is in the enclosed document file. As can be seen from her letter dated 7 September 2004, Baroness Scotland focused on the issue of witness intimidation. She also indicated that her officials had provided the Department of Trade and Industry with a copy of my letter but I have heard nothing from them in that regard. Neither the Department of Constitutional Affairs, or the Home Office, nor the Department of Trade and Industry have answered the questions I have raised on these matters despite the fact that I have waited patiently for several months.

FUNDAMENTAL PREREQUISITES FOR A FAIR TRIAL: ESSENTIAL ITEM 1. NO INTIMIDATION IN THE RUN UP TO THE TRIAL:

During the course of the long drawn out bouts of litigation with Shell, my son and I were deluged by threats from Shell management from the Group Chairman down. Their lawyers actually had the breathtaking arrogance to state in writing their intention to make the litigation process "drawn out and difficult" - thus blatantly making clear the deliberate intent to exhaust the funds of a financially weaker opponent. Such tactics were bad enough. What we did not anticipate is that in the SMART litigation Shell would resort to sinister undercover operations involving dark forces.

Shell has admitted (Sunday Times story 17 July 2001) that UNDERCOVER agents acting on its behalf engaged in deception, subversion, infiltration and sabotage during the course of wide-ranging clandestine activity targeted at NGO's with whom Shell was at loggerheads during the relevant period. It has only recently come to light that Shell directors were in fact the ultimate spymasters of the UNDERCOVER agents involved in the above sinister covert activities. Shell and the spy firm Hakluyt & Company Limited set up by former MI6 officers' shared common directors and shareholders. The list of directors and other individuals associated with Hakluyt reads like a roll call of the UK establishment - a cavalcade of titled elite including many individuals with a military background. Members of Parliament have identified Hakluyt as being the commercial arm of the British Secret Service.

My son and I had co-founded an NGO - the Shell Corporate Conscience Pressure Group whose campaigning activities against Shell (detailed in my previous letter) made a considerable impact. Taking into account the legitimate activities of the pressure group and the highly acrimonious litigation, it is now plain that we were prime targets for Shell covert counter-measures against NGO's.

It all went wrong for Shell in our case when we caught one Shell UNDERCOVER agent ("Christopher Phillips") red-handed engaging in dishonest activity on Shell's behalf; this involved blatant deception, using fake credentials and tampering with private mail. He was but one of a number of individuals who engaged in subterfuge when contacting my son's solicitor, my son, his witnesses and our office staff. Details are in the letter to Lord Falconer. Shell and its lawyers have admitted in writing the "activities" of "Mr Phillips".

When my son complained to Shell about the activities of "Christopher Phillips", rather than being shamefaced, a lawyer acting for Shell, Mr Colin Joseph, the then senior partner of Kendall Freeman, stated in writing that other agents had been retained on our case. Despite requests from my sons' solicitors, Shell lawyers would not disclose the scope of the brief given to their agents and also refused to disclose the number of agents involved. There could be only one explanation for Mr Joseph making this point. It was outright intimidation.

By co-incidence or otherwise, threats were made during the same period against my family and our witnesses by an individual who proved that he had inside knowledge of the litigation. He

gave my son advance notice of actions which Shell subsequently took. This strategy was clearly designed to substantiate his credibility and therefore the veracity of the threats which he made against my family and our witnesses.

The Police investigated the witness intimidation and highly suspicious series of burglaries at the home of my son's solicitor in Croydon, a key witness in Norfolk, and at our own home in Bury St Edmunds.

The Police carried out interviews at Shell Mex House in London. Shell also carried out its own internal investigation.

I believe it is fair to speculate that the Police would have been extremely interested to know that Shell/Hakluyt was secretly engaged on a widespread basis in the same type of cloak and dagger activity which was directed at us by an unknown party; a party which obviously had very deep pockets How could we or the Police have possibly have guessed that senior titled Shell directors were the ultimate spymasters of a shadowy spy firm, Hakluyt?

Cost was clearly not a concern as in one instance an American by the name of ***** ****** arrived from overseas under cover of being an investigative reporter working on a story for "The European". We later discovered from the newspapers editor that this was false. During his mission Mr ****** interviewed my sons solicitor, plus key witnesses, one of which he traced within 24 hours although we had not provided any contact details. Mr ****** then departed the UK. After making overseas enquiries, The Guardian newspaper determined that Mr ****** is a "spook". In fact I now have incontrovertible documentary evidence of his involvement with the US Intelligence community. The clinching evidence, obtained from the US National Security archive, only came to light as a result of the US Freedom of Information Act.

(ShellNews.net Webmaster: the name of the person who falsely claimed to be working on a story for The European has been removed from this website for security reasons. His name was supplied in the letter sent to the Prime Minister)

It is therefore interesting in relation to Mr ****** to note that: -

(1) A Hakluyt director is on record as stating that it is their normal modus operandi to bring in operatives from overseas to engage in spying/intelligence gathering activities. The undercover agents then conveniently leave the legal jurisdiction in which such activities have taken place.

(2) Hakluyt often uses serving secret service agents who carry out freelance assignments. This was the case in respect of The Sunday Times story.

Mr ******* was not the only "investigative reporter" using fake credentials to gain information. "Mr Daniel Wilson" spoke to my son's solicitor on the basis of being a Daily Express journalist. This again was later found to be an entirely false claim.

In at least two of the burglaries documents were sought out and tampered with. This included a privileged document which had been the subject of an unsuccessful Court application by Shell

lawyers. Kendall Freeman senior partner, Mr Colin Joseph, had vowed after the hearing that he would obtain it. Perhaps it was purely coincidental that his firm represented the Harrods boss, Mohamed Fayed, in the libel action brought against him by Neil Hamilton, the former MP. Hamilton lost the case and then (unsuccessfully) appealed the decision after it was discovered that documents had been stolen from his premises prior to the case coming to Court. The documents had been passed to Mohamed Fayed who used them to his advantage during the trial.

What Shell has admitted: Shell and its lawyers have admitted in writing that Mr Christopher Phillips was retained on behalf of Shell. It also admitted its association with the Hakluyt freelance agent and serving member of the German Secret Service, Manfred Schlickenrieder, who engaged in deception, sabotage and infiltration in a number of Countries on Shell's behalf, including Nigeria. This was in relation to the case of Ken Saro-Wiwa, the Nobel Laureate hanged by the then Nigerian military regime for peacefully opposing Shell's activities in the Niger Delta. Shell has now admitted that its activities have contributed to the corruption and violence in Nigeria. Shell has paid $150 million (US) in fines agreed with financial regulators in respect of the supply of false information to the financial markets concerning its oil and gas reserves. All of this conduct is entirely at odds with Shell management's "core principles" in its Statement of General Business Principles pledging "honesty, integrity and openness in all of its dealings". It is important to note that there is a pattern in Shell's admittances. They are only made when evidence of wrongdoing is so overwhelming that Shell cannot make plausible denials.

What Shell has denied: Shell has categorically denied any association with the burglaries, with Mr ******, or in regards to any intimidation against us. Shell has ignored all questions and indeed any reference to its close association with Hakluyt: for some reason that appears to be a taboo subject. I wonder why?

INTRIGUE HEAPED UPON INTRIGUE

It is understandable that being in the spook trade, Hakluyt naturally keeps a low public profile. I did however manage to penetrate the veil of secrecy to some extent in June when I communicated with Hakluyt by phone, fax and email. I wrote to the Managing Director, Mr Christopher James, formerly (or currently) a senior MI6 Officer. He co-founded the spy firm along with the late Sir Fitzroy Maclean (on whom the "James Bond" character is supposedly based) and Mike Reynolds, who founded MI6's counterterrorism branch (and was once "head of station" in Berlin). At the time of its launch, Hakluyt (according to its directors) had the blessing of the then head of MI6, Sir Richard Dearlove, popularly known as "C" and reportedly a close friend of Mr Reynolds.

You can imagine my surprise when I received an email response from a lawyer at The Church of England's legal department. He was initially completely baffled why Hakluyt had relayed my letter to his department but it turned out that it was meant to reach Sir Anthony Hammond QC. He is the Standing Counsel to the General Synod of the Church of English while also being chief legal advisor to Hakluyt (and a director of the spy firm). This struck me as being a novel combination of interests - on the one side a beacon of light, goodness, hope and redemption and

on the other, an international practitioner of the black arts; espionage, subversion, infiltration, deception, etc.

I subsequently received a carefully drafted letter from Mr James which on casual inspection appears to deny any involvement by Hakluyt but actually only indicates that Mr James had no personal knowledge of any such involvement. I pointed this lawyerly escape clause out to Mr James but have received no further clarification. His response would have obviously carried more weight if he had simply stated that Hakluyt had no involvement in our case. That is an answer it cannot or will not give.

Commonsense suggests that Shell management would be more likely to use what was in effect an in-house resource than calling in one of the other spy/risk consultancy firms, such as Kroll Associates (although this cannot be ruled out).

Coincidentally I received on 4 June 2004 a letter from Mr Alistair Corbett, Clerk to the Intelligence and Security Committee advising that Rt. Hon. Ann Taylor MP, Chairman of the Intelligence and Security Committee intended to bring to the attention of her Committee colleagues a letter I had sent to every MP entitled "Hakluyt - The Commercial Arm of MI6?" I subsequently advised Mr Corbett of the bizarre developments with the Church of England and Sir Anthony Hammond bearing in mind that his Committee has oversight responsibility in respect of UK security agencies. At this point Mr Corbett's tone in correspondence suddenly became decidedly hostile. Mr Corbett claimed that his committee did not enter into correspondence, even though the Intelligence and Security Committee instigated the correspondence with me. I never even knew it existed until I heard from them much to my surprise.

If my son and I had known that we were taking on not only the Royal Dutch Shell Group but also the British Establishment and possibly the British Secret Service we might have thought better of trying to obtain justice.

FUNDAMENTAL PREREQUISITES FOR A FAIR TRIAL: ESSENTIAL ITEM 2. AN EQUAL WEIGHT OF ARMS:

Shell has over 650 in-house lawyers plus several firms of retained top solicitors. Shell was represented in court by a leading QC, Geoffrey Hobbs. He was supported by associated flunkies including another barrister, plus articled clerks, plus Shell Legal Director and General Counsel, Richard Wiseman (a barrister) and Colin Joseph of Kendall Freeman - in short a small army of lawyers. At the age of 81 I had NO barrister, NO solicitor, NO legal training and not a clue what to do or say. I had NO legal representation whatsoever. Shell had written to the Legal Aid Board making a totally false allegation. My legal aid, which had been granted, was revoked.

Contrast this with the hundreds of thousands paid by the UK government to cover the legal fees of the hook-handed Muslim fanatic Abu Hamza who remains in Britain - two years after The Sun newspaper rightly called for him to be booted out. Shadow Home Secretary David Davis has said about Abu Hamza: "This is a man who backs terrorists, incites racial hatred and applauds acts of mass murder". In my case, an appeal panel decided that at my age, I had

nothing to lose. In other words, my investment in the case, my self-respect and my future (which has turned out to be longer than some may have anticipated) meant nothing. My son's solicitor knew that Shell's allegation to the Legal Aid Board was untrue and planned to give evidence to that effect in a Judicial Review of the revocation. However, Shell's timing was such that the SMART trial started before the Judicial Review hearing could take place.

The company that my son and I co-founded was also a Defendant in the trial. With the Judges consent, it was represented in court by a teenage drop-out who had no legal training whatsoever. He was the butt of jokes made at his expense by Geoffrey Hobbs QC e.g. "When will Mr Gill be giving his summing up?" In fact Mr Gill was never given any opportunity to question any witness or indeed make any representation on behalf of his "client", or indeed to say anything at all, except to confirm his name.

It is therefore fair to conclude that in terms of equal weight of legal representation the trial was a complete farce and a travesty of justice.

FUNDAMENTAL PREREQUISITES FOR A FAIR TRIAL: ESSENTIAL ITEM 3. AN IMPARTIAL JUDGE: At the conclusion of the trial, the Judge made known his conclusions in the form of "Judges Comments" (copy enclosed) on issues which neither the Plaintiff nor Defendants were then seeking a pronouncement (after heeding his constructive pleas for the case to be settled between the parties).

The "Judges Comments": -

1. Effectively cleared the relevant Shell manager, Mr Andrew Lazenby, of any wrongdoing. This was despite incontrovertible documentary evidence that Lazenby had masterminded a carefully contrived deception (with the collusion of his managerial colleagues) which deliberately cheated several companies participating in a tendering process for a multimillion pounds Shell contract. Amazingly, the Judge applauded the dishonesty of Shell employee Mr Lazenby for "putting its commercial interests before the interests of outside firms".

2. Impugned the integrity of my son by publicly branding him as a forger (and worse). The Judge did this despite accepting during the course of making his "Judges Comments" the strong advice given by my son's leading counsel, a criminal law barrister of considerable distinction, Geoffrey Cox, that there was insufficient evidence to prosecute any such charge.

Mr Cox was incensed by the "Judges Comments" as is clear from reading the transcript. They do not strike me as being "off-the-cuff" comments - Mr Justice Laddie had I am sure drafted his "conclusions" and findings on "certain issues of fact" in advance of the hearing, just as he would if rendering a judgment. (My son and I did not attend the hearing as my son was informed that it was a "rubber stamp" process by the Judge and therefore it was not worth the cost of travelling to London from Bury St Edmunds. So we knew nothing of the "Judges Comments" at the time.)

THE HEATED EXCHANGE IN OPEN COURT

As can be deduced from the transcript, during the course of the dramatic exchanges in open Court the Judge backed off considerably from his initial "conclusions" as a result of the robust response of Mr Cox whose anger was so animated that the Judge commented: "Mr Cox you can shake your head as much as you like..."

Mr Cox said that the Judge would have been "gravely wrong" and went so far as to question "the wisdom and foundation" in making any such determination. After being "persuaded" by the vigorous response from Mr Cox who reminded the Judge that he had 20 years experience in "serious prosecutions", the Judge changed his tone from saying that the allegations made by Mr Hobbs had "more than passing strength", to becoming mere "suspicions".

Mr Cox also mounted a strong objection to the Judges blatantly one-sided remarks about the inordinate length of time that Mr Lazenby had to endure under cross-examination. Mr Cox reminded the Judge of the equally long (actually even more severe) cross examination applied to my son. The Judge accepted that this was the case because he could not say otherwise. In fact my sons' cross examination was far more of an ordeal than was the case with Mr Lazenby. Shell's QC had made an attempt to entrap my son into admitting a serious criminal offence of which he was totally innocent (the forgery issue mentioned in the "Judges Comments"). The attempt at entrapment was based on a fabricated plot played out in open court apparently with the permission/compliance of the Judge. (That matter, which also reflects on the conduct of the Judge, is dealt with in the next section overleaf.)

Mr Justice Laddie quoted in his "Judges Comments" an entire passage from my sons letter published by "Marketing Week" magazine a few months before the trial. He had obviously read the entire letter which also contained the following passage: ***"During the current litigation, Shell has employed undercover investigators who have used outright deception in the course of their activities. I have a letter from Shell's legal director, Richard Wiseman, admitting Shell's association with the covert activities (copy available on request)."*** For some reason the Judge ignored this passage entirely and during the whole three week trial raised not a single question about Shell's undercover agents and associated intimidation nor made any reference to such activity in his "Judges Comments".

It was solely because of Mr Cox's courageous and brilliant footwork (bearing in mind that the "Judges Comments" came as a huge surprise completely out of the blue) that some of the sting was taken out of the one-sided comments/"conclusions", but they were still damaging. This is confirmed by the way that Shell used them as a weapon against my son two years later (see below). Shell seems to have forgotten that at the conclusion of the trial it publicly retracted ALL accusations of impropriety against my son.

THE DISCUSSION CONTINUES IN THE JUDGES CHAMBERS

According to a briefing given to John from a reliable source, Geoffrey Cox was so surprised and appalled by the Judges comments that the dramatic exchanges continued in the Judges Chambers. Mr Cox revealed that the settlement papers sanctioned by the Judge did not in fact

reflect the actual nature of the settlement. As was the case with our previous settlements from Shell, at the insistence of Shell management, the true terms of the deal were wrapped in secrecy to hide the information from the media and Shell shareholders. In fact, unbeknown to the Judge my son received a substantial (but totally inadequate) payment as part of the compromise settlement. Shell also paid his legal fees (the total fees were reportedly over £1 million). So in fact the "soothing words" mentioned in the "Judges Comments" had been paid for by Shell. My son accepted the compromise settlement only because he had been under sustained pressure as a result of Shell's deplorable tactics - the repeated threats, the sleazy undercover activity, sabotage of legal aid etc.

He had not anticipated that the carefully drafted agreed press release would be instantly undermined by the unfortunate comments made by Mr Justice Laddie. The intention of the compromise settlement payment made by Shell was to prevent my son having to sell his home to pay his lawyers fees. Unfortunately the overall monies already invested in the case (which were not recovered) meant that he had to sell his home in any event. We had already ploughed back into the SMART litigation the monies won in settlements in respect of the three earlier High Court Actions against Shell.

Mr Cox apparently also made it abundantly clear to Mr Justice Laddie that such was their complete faith in their client, that if there had been no settlement and the decision at the conclusion of a full trial had gone against John, he (Mr Cox) and his junior, Lindsay Lane, had already agreed that they would take the case to the Appeals Court even though they knew no funds were available to cover their costs.

In the face of the information given to him by Mr Cox, the Judge apparently confided that the Clerk to the Court, Mr Peter Smith, who was present in Court throughout the trial, had formed a different view to the Judge about Lazenby's evidence. Mr Smith reportedly said that in his opinion Lazenby had lied through his teeth.

The Judges Comments were also obviously a strikingly different evaluation of Mr Lazenby's' integrity from that reached by two independent mediators (both senior lawyers) who had personally interviewed Lazenby at length concerning the earlier legal actions. They memorably concluded that Mr Lazenby had "pissed on Don Marketing from a very great height". Unfortunately there was no focus on the previous cases during the trial.

The Judge cleared Mr Lazenby of any wrongdoing despite the fact that: -

(a) The defendant company - Shell UK Limited, had already admitted in writing that Lazenby had acted wrongly in respect of the earlier legal actions and had paid out hundreds of thousands of pounds in damages and legal costs because of his wrongdoing.

(c) Mr Justice Laddie had not heard the evidence in respect of the previous claims settled by Shell, yet bizarrely appeared to have also given Mr Lazenby absolution in those cases where Shell had already admitted guilt. He actually said "*I hope that he leaves this Court not just with his reputation intact but enhanced*".

Ironically there is one positive aspect arising from the fact that Mr Justice Laddie put his

"Judges Comments" on the public record, as they provide irrefutable proof to anyone who reads them that the Judge was blatantly biased in favour of Shell/Mr Lazenby.

In the course of investigating my concern about the impartiality of Mr Justice Laddie, I discovered a link between him and Mr Tom Moody-Stuart, the barrister son of Sir Mark and Lady Moody-Stuart. Mr Justice Laddie has refused to indicate whether this amounted to an undisclosed potential conflict of interest.

After Shell had made an initial compromise settlement offer during the trial, I personally supplied to the Judge (via Kendall Freeman) a reply I had sent to an extraordinary letter I received out of the blue from Lady Judy Moody-Stuart. The copy letter accompanied my written rejection of the Shell offer. The Judge said nothing then or later about any personal or professional connection with the Moody-Stuart family. Tom Moody-Stuart specialises in copyright, patents, trademarks etc. at a law chambers which is still commercially associated with Mr Justice Laddie, 8 New Square, Lincolns Inn - the largest chambers in the UK practising solely in intellectual property and related law.

"Sir" Hugh Laddie emanates from the same chambers with which, as indicated, he retains a commercial relationship to this day. He is still identified by name on the chambers website under "Publications" within the books section under the description of "members of chambers". He is the co-author of a legal text book series called "The Modern Law of Copyright and Designs" (£350 per copy on Amazon). His co-authors are all barristers at 8 New Square. The relevant publication is advertised on the Chambers website immediately below a legal textbook co-authored by another member of chambers, Tom Moody-Stuart, the son of "Sir" Mark, who at the time of the trial was the Group Chairman of the Royal Dutch Shell Group. His fathers' prominent job must have been common knowledge in chambers. Both editions of the advertised text-books were authored by members of 8 New Square and were both published in 2000. Consequently it seems reasonable to speculate that they were in preparation during the period of trial.

The degree of personal acrimony between the Moody-Stuart family and my own family which had arisen by the start of the trial can be judged by the fact that Sir Mark Moody-Stuart sent a letter to my son containing a threat. This seemed an extraordinary development as it is surely not normal practice for a Group Chairman of a multinational goliath to resort to sending such a letter, particularly when he has 650 trained lawyers at his disposal.

An even more extraordinary letter was to follow. I received out of the blue the aforementioned personal letter from Lady Judy Moody-Stuart in which she made it plain that she had intervened without the knowledge of Sir Mark. It is undeniable that the integrity and credibility of Sir Mark had been publicly ridiculed and called into question during our entirely legal and legitimate campaigning activities against Shell. This had apparently made a considerable impact on the Moody-Stuart family. After replying to her letter I received a kind note from her wishing us well in the trial. It seems that opposites do attract - one partner in the marriage is a leading global capitalist who made thousands of Shell employees redundant and is currently under investigation by the US Justice Department and the US Security & Exchange Commission - while his wife is a Quaker and a genuine doer of <u>good deeds</u>. Sir Mark is still a director of Shell and HSBC Bank, and is Chairman of Anglo American Mining Plc.

Even if Mr Justice Laddie had forgotten any connection/association with a member of the Moody-Stuart family (which seems unlikely), then he would surely have realised this when he saw the aforementioned letter. There were also many references in documentary evidence seen by the Judge to Sir Mark Moody-Stuart. It is obviously a rare and distinctive surname and consequently instantly recognisable. When the name first came to the attention of Mr Justice

Laddie it should therefore surely have rung alarm bells in terms of a potential conflict of interest if the family name and connection with Shell was already known to him.

So why had the Judge been prepared to put such biased "conclusions" on the public record? Was it because he and the then Group Chairman of Shell are both knights of the realm - a small club of a titled elite. Or was it because the Judge knew Tom Moody-Stuart? Or perhaps he preferred the evidence, looks, or demeanor of Mr Lazenby and this colored his "conclusions"? I do not know the answer. I had been prepared to give the benefit of any doubt to Mr Justice Laddie on the "Moody-Stuart" connection, even though he has been unwilling to comment on such matters.

However, having read and reread his "Judges Comments" I have to conclude that by that stage, whatever the reason, and whether it was conscious or unconscious in nature, the Judge was most certainly biased against my son.

FUNDAMENTAL PREREQUISITES FOR A FAIR TRIAL: ESSENTIAL ITEM 4: NO AMBUSHES IN COURT: NO FABRICATED PLOTS SPRUNG IN COURT: It is my understanding that a basic rule of English law is that no party in a court case is permitted to ambush another by suddenly making serious allegations of which the accused party has had no prior notice. In the SMART trial Geoffrey Hobbs QC on behalf of Shell implemented an obviously pre-planned deception designed to entrap my son into admitting an extremely serious criminal offence of which he was totally innocent. At the climax of his three day cross-examination of my son, Hobbs suddenly accused him of forging documents and implied that a motorbike messenger was on route from J Sainsbury's with documentary evidence to prove the allegation. In fact, there was NO motorbike, NO messenger and NO documents. It was all a total fabrication. Mr Justice Laddie allowed this planned deceit to be played out in court. The Judge was perhaps unaware that Shell had made exactly the same false accusations of "bogus claims" in a press release issued in respect of each of the previous two High Court Actions, both of which they had subsequently settled. Furthermore, a Shell Chairman, Dr Chris Fay, had sent an unsolicited letter of apology to my son for the way he had been treated in respect of those two claims.

It is often said that the best form of defence is attack. With hindsight it is now clear that Shell's smear tactics (also used in respect of the earlier claims before Shell settled them) which were made after their initial compromise settlement offer had been declined, was designed to increase the pressure on my family to settle on Shell's terms. Shell was quite happy to publicly withdraw the allegations once terms had been agreed (and circulated a press release to this effect after the Judges Comments had been made).

The ambush had been a charade based on not a single iota of concrete proof despite the fact that Shell's lawyers had several months to gather and evaluate evidence AND obtain expert opinion in advance of the trial. Shell presented no such evidence. Even with all their vast financial resources, Shell had been unable to find any expert witness willing to support their theory.

The accused party and his legal team had been left in complete ignorance of the serious charges that Shell intended to spring in Court. It was in my view a travesty of fair play and justice for the Judge to allow the deception to take place in his court and to subsequently make

such damming comments in open Court which were scornfully dismissed by Mr Cox with all the respect he could muster under such circumstances.

After a strong protest by my son's barrister, the Judge agreed to suspend the trial whilst expert witness testimony was obtained. When the Court reconvened, forgery expert, Dr Audrey Giles, went into the Witness Box and confirmed the expert opinion she had put into writing. Basically there was no evidence of any forgery. Dr Giles could not make a definitive judgement without seeing or being able to carry out tests on originals or first generation copies. She stated, "My examinations, and therefore the conclusions which can be drawn from them, have been limited by the fact that I have not examined the original questioned letters." (The relevant first generation copies had disappeared - perhaps during the burglaries?).

A possible conflict of interest involving an important witness:

Being a global operation generating greater venues than many individual countries, Shell welds considerable power and influence across many professions.

Mr Stuart Carson was a key witness asked by Shell to provide vitally important testimony. He was a predecessor of Andrew Lazenby as Shell National Promotions Manager. Our first impression when reading Mr Carson's witness statement some weeks before the trail was that he appeared for some reason to be hopelessly biased towards Shell, even though he had always got on extremely well with my son in a friendly trusting business relationship. On subsequently making enquiries I discovered that in fact Mr Carson was at the time of giving evidence on Shell's behalf, a director of one of Shell's two auditors, PricewaterhouseCoopers (the other firm being KPMG). Neither Mr Carson nor Shell apparently felt it necessary to disclose this important financial link.

I note that PwC is now a named Defendant in a US Class Action Law Suit brought against Shell in regards to the reserves scandal. During the period in which Mr Carson gave evidence for Shell, the court papers show that PwC received mega millions in fees from Royal Dutch Shell companies. It is alleged in the same court papers that PricewaterhouseCoopers UK and KPMG NV:

(a) Individually and jointly issued materially false and misleading audit opinions and made false representations.

(b) Improperly acted as both Shell auditors/consultants and consequently suffered from disabling conflicts of interest. This dual role violated Generally Accepted Accountancy Principles in the U.S. and contravened the spirit of the US Securities & Exchange Commission rules regarding auditor independence and thus compromised their required auditor independence.

(c) In the five years from 1998 to 2002 inclusive the combined remuneration received from Shell by PwC and KPMG was $96 million in Audit fees and a staggering $185 for "non-audit" services. The fees were of great importance to the partners in PwC and KPMG as part of their income was dependent on the continued business with the Shell Group who were "crown jewel" clients.

Mr Carson did not reveal that Shell was currently a client of his firm, let alone that Royal Dutch/Shell Group was understandably valued as a "crown jewel" client of PwC generating mega millions of income and no doubt corresponding bonuses for PwC directors.

INDEPENDENT LEGAL ADVICE

As previously indicated, I had no legal representation. However Shell insisted that my son and I obtain independent legal advice in respect of signing the SMART compromise settlement documents. My son's solicitors asked me to go with John to sign the peace documents in the presence of a so called "independent" solicitor, a partner at an upmarket firm of London solicitors.

In fact the lawyer who provided the advice was far from being independent. I later was informed that he was formally an assistance solicitor at the firm of solicitors representing my son and had been intimately involved in the Donovan/Shell litigation. This included the Smart claim, when for example he represented the firm at a conference my son had in chambers with Mary Vitoria QC. He actually had face-to-face discussions with Shell Legal Director Richard Wiseman on my son's behalf and negotiated a mediation agreement in respect of earlier claims. He attended a subsequent celebratory lunch in Wheelers Restaurant in Chancery Lane (I was not present) marking the second and third Shell settlements in our favour.

Although I had been in an agitated mental state at one pre-trial hearing at the Royal Courts of Justice attended by Shell's lawyers and my doctor had supplied a letter to Mr Justice Laddie (with Shell's knowledge) concerning my health, no one asked if I was at the time competent to sign. Shell and the lawyers involved could not wait to get my signature on the settlement papers because the deal had been approved by Sir Mark Moody-Stuart and the entire outcome of the trial, including payment of legal fees was riding on my signing the compromise settlement agreements.

Shell made it plain that they would appeal any decision which went against them (Shell's standard practice) even though John's lawyers had previously advised him that there could be no appeal against a High Court decision in a breach of confidence case. He only found out after the trial commenced that this advise was wrong when the Judge indicated that it was obvious to him that feelings were running so high that he felt sure any decision on his part would be appealed all the way to the European courts (which is why he pressed the parties to make a compromise settlement).

CLOSING COMMENTS:

People must have thought that I was a crank during the past decade accusing senior Shell management of lies and cover-up. The whole perception of Shell has however changed dramatically as a result of the huge oil and gas reserves scandal which shocked the financial world in January 2004.

It later became evident that Shell management had, as the Evening Standard memorably announced in a headline on 25 June: "lied for 10 years", exactly as I had been saying in my many attempts to set alarm bells ringing. The same senior management figures involved in the SMART litigation are also implicated in the reserves debacle using the same tactics which my son and I complained about - blatant lies and cover-up. These same individuals are also Defendants in a USA Class Action lawsuit accusing them of fraud (the US Justice Department has on ongoing criminal investigation into their actions).

Basically although Shell management ethical flaws have been exposed for the entire world to see and Shell's reputation is in tatters, the monumental injustice inflicted on my son and me by the same individuals has not been acknowledged or rectified.

To summarise: -

1. We were besieged by UNDERCOVER agents and subjected to intimidation during the run up to the trial.

2. At the age of 81 and in ill health, although faced with an army of Shell lawyers and threatened with injunction proceedings, I had NO legal representation whatsoever in the months immediately before the trial, or during the trial. This was surely a disgrace.

3. The company I co-founded was represented by a teenage drop-out who had no legal experience.

4. The case was heard by a Judge whose bias towards Shell/Mr Lazenby was confirmed by one-sided "conclusions" in his "Judges Comments".

5. Because of the circumstances I have described it is apparently impossible to make any appeal over his conduct of the trial or the ill-advised and damaging "Judges Comments" made by him. Within days of the heated exchange taking place between Mr Justice Laddie and Geoffrey Cox, the lead counsel acting for my son, Shell circulated a press release withdrawing ALL such allegations. This fact was subsequently reported in the UK media.

6. Despite the press release and the terms of the compromise settlement designed to bring all acrimony to an end, Shell senior management subsequently used the "Judges Comments" to maliciously impugn my son's integrity.

7. Despite knowing my vulnerable medical condition the lawyers involved in the settlement

deal got me to sign a compromise settlement while supposedly providing independent legal advice which was not independent.

All of my life savings were used up paying legal fees prior to the SMART case coming before the court. My family and I lost two homes partly because Shell gave incorrect information to the Legal Aid Board who withdrew legal aid prior to the trial. Since I was already in my eighties it was impossible for me to recover my former financial position.

To be frank, I do not think that anyone will do anything to properly address this matter despite the fact that I served my country as a regular soldier for 12 years including the entire period of World War II (latterly in the Burma Campaign). I was under the impression that I was fighting for democracy and freedom. I had no idea that I would end up in a world dominated by multinational corporations such as Shell, whose malevolent influence far outweighs the rights of mere citizens. However, whatever happens now I have at least put on record a truthful account of how Shell ruthlessly exploited and corrupted the UK legal process. I will however contact UK MP's and members of the House of Lords in case anyone can offer any advice generally in regards to the above matters and/or clarification of the legal situation in respect of "Judges Comments".

I guess that I ought to consider myself fortunate compared with another individual involved in litigation with Shell - Dr John Huong, the famous former Shell geologist (currently writing a book about Shell) who is being sued for defamation by EIGHT different companies within the Royal Dutch Shell Group. Dr Huong stated that Shell management has committed evil acts for example in Nigeria and drew attention to their scandalous conduct in respect of the oil reserves. All of which is true. How Shell has the audacity to sue him when their reputation has been destroyed by a well deserved devastating barrage from the international news media throughout 2004 is beyond me. For example the following extracts are from a Financial Times article published on 30 December 2004 entitled: - *"London's winners and sinners of 2004":*

> *"And now the brickbats, where one company stands head and shoulders above the rest: Royal Dutch/Shell. Its oil reserving scandal revealed lying, duplicity, vicious infighting, smugness and incompetence at the very top of the company."*

It speaks volume about Shell that it has brought the collective guns of 8 Shell companies to bear on one former Shell employee whist ignoring the crescendo of similar condemnations about the lies, cover-ups and incredible incompetence at the highest levels of Shell management made by major media corporations who can deal with Shell on equal terms in the courts. Shell management obviously prefers to pick on more easy prey as they also did with me, a partly disabled World War II veteran in my eighties.

Finally, I have also enclosed a copy of my sons' letter to Marketing Week magazine which Mr Justice Laddie quoted from in his "Judges Comments". It was published on 25 February 1999 under the headline "Judge Shell by actions not words". His letter was in response to an

article which claimed that Shell had reformed its ethical conduct. My son warned that this was not the case. We now all know that my son was absolutely right. Shell was at the time already engaged in a massive fraud relating to its oil and gas reserves. What a shame that no one believed our warnings about the disreputable management which has now dealt a death blow to a great British company, the "Shell" Transport And Trading Company plc. Shell shareholders, the media and Mr Justice Laddie wrongly thought that they could be sure of Shell.

Yours sincerely
Alfred Donovan

Enclosed Documents: -

NOTE TO WEBSITE VISITORS: Acrobat Reader is needed to access some of the hyperlinked files below. Please be patient when downloading as some files contain multiple pages. Not all of the correspondence is accessible due to confidentiality considerations. (To download a FREE Acrobat Reader click on the adobe link): http://www.adobe.com/products/acrobat/readstep2.html)

Letter published by Marketing Week magazine on 25 February 1999 under the heading: "Judge Shell by actions not words".

Mr Justice Laddie, "JUDGES COMMENTS" made on 6 July 1999.

My letter dated 20 May 2004 to the Lord Chancellor, Lord Falconer.

Letter dated 8 June 2004 from Hakluyt & Company Limited.

My response letter to Hakluyt dated 8 June 2004.

Letter dated 11 June 2004 from Mr Bob Russell MP to Lord Falconer.

Letter dated 18 June 2004 from the DCA to Mr Bob Russell MP.

Letter dated 24 June 2004 received from Mr Fatai Odumosu at the DCA.

My reply letter dated 30 June 2004 to Mr Odumosu.

Letter dated 7 September 2004 from Baroness Scotland, Minister of State at the Home Office, to Mr Bob Russell MP.

END OF LETTER TO PRIME MINISTER BLAIR.

Related Email to Members of Parliament.

ShellNews.net: EMAIL CIRCULATED TO UK Members of Parliament: Subject: An anomaly in civil law could impact on one of your constituents: "The Judge made the point in his "Judges Comments" that my son could not withdraw his action against Shell without leave of the court. Mr Justice Laddie apparently believed that the two settlement documents put to him for approval detailed the terms of settlement. In fact there was a third document containing the REAL terms of settlement. This was withheld from him by Shell in line with their normal corporate culture of cover-up and deception as was revealed to a shocked world by the reserves scandal involving the same senior Shell management." 13 Jan 05

PREVIOUS EXCHANGE OF CORRESPONDENCE WITH 10 DOWNING STREET, Nov/Dec 04.

ShellNews.net: LETTER FROM ALFRED DONOVAN TO PRIME MINISTER TONY BLAIR REGARDING "CODES OF PRACTICE" GENERALLY AND SHELL'S STATEMENT OF GENERAL BUSINESS PRINCIPLES IN PARTICULAR: "The reserves scandal was of such global magnitude that it has brought about the demise of a great British company, The Shell Transport & Trading Company plc, which, under the recently announced "merger" plan with Royal Dutch Petroleum Company, will cease to exist. The HQ for Royal Dutch Shell plc will be in Holland and the majority of senior management will be Dutch. "Posted 25 Nov 04

ShellNews.net: Reply letter from 10 Downing Street: Posted on website 3 Dec 04

Click here for ShellNews.net HOME PAGE

Click here to return to Royal Dutch Shell Group .com

10 DOWNING STREET
LONDON SW1A 2AA

From the Direct Communications 12 January 2005

Mr Alfred Donovan
27 Craven Drive
Colchester
Essex
CO4 9BE

Dear Mr Donovan

The Prime Minister has asked me to thank you for your recent letter and enclosures. I am very sorry you have received no response to your original enquiry.

As your letter was referred to the Department of Trade and Industry I have passed this further letter to them and asked them to ensure a reply is sent to you as soon as possible. Meanwhile, if you wish to contact the department direct you should write to the following address: 1 Victoria Street, London, SW1H 0ET.

Yours sincerely

TERRY CONNELL

15th January 2005

Mr Terry Connell
Direct Communications
10 Downing Street
London SW1A 2AA

Alfred Donovan
27 Craven Drive
Colchester
Essex CO4 9BE

Dear Mr Connell

Thank you for your letter dated 12 January 2005 on behalf of the Prime Minister. It may assist if I clarify the situation as there may be some confusion. I have sent two letters, each with enclosures.

The first dated 24 November 2004 was on the subject of Codes of Practice which I described as a Conman's Charter. It cited Shell's Statement of General Business Principles as an example of how an unscrupulous management can cloak itself in fine words promising honesty, integrity and openness, while simultaneously engaging in cover-up and deceit e.g. the reserves scandal which has destroyed Shell's reputation. One has only to read the report on the Wall Street Journal website today about Shell's latest steps to rebuild its reputation to realise the immense scale of the damage. Shell is equated in the article with "other scandal-ridden companies". I note that the letter was forwarded to the Department of Trade & Industry which seems appropriate.

The second letter, dated 6 January 2005, raised the issue of how Shell made a mockery of the fundamental right in our country to a fair trial. The Shell SMART trial was sabotaged by deception, intrigue and intimidation BEFORE, DURING, and AFTER the trial. I attach a copy of a related self-explanatory email circulated to all Members of Parliament within the last few days and a revised version of the "Judges Comments" in which I have now inserted my own comments. My hope is that the influence of the Prime Minister may assist in obtaining answers from the Department of Constitutional Affairs which seems to be the appropriate department given the slogan on their letter headings: "Justice, rights and democracy". I am seeking confirmation that my rights as a UK citizen participating in a civil trial are equal to that of a multinational: a level playing field in the court room. Thus far, citing Separation of Powers, the DCA has brushed aside the legitimate questions I have raised. If this claim was to hold, it would mean that an unelected Judiciary is the ultimate power in the land not our democratically elected government.

Yours sincerely
Alfred Donovan

cc. Mr Bob Russell MP
Enclosures: Revised "Judges Comments; email circulated to MP's January 2005

10 DOWNING STREET
LONDON SW1A 2AA

From the Direct Communications Unit

27 January 2005

Mr Alfred Donovan
27 Craven Drive
Colchester
Essex
CO4 9BE

Dear Mr Donovan

Thank you for your letter addressed to my colleague, Mr Terry Connell.

Mr Blair hopes you will understand that, as the matters you raise are the responsibility of both the Department for Constitutional Affairs and the Department of Trade and Industry, he has asked that your letter be forwarded to those Departments so that they may reply to you direct on his behalf.

Yours sincerely

William Argyle

WILL ARGYLE

21st April 2005

Prime Minister Tony Blair
10 Downing Street
London
SW1A 2AA

Alfred Donovan
27 Craven Drive
Colchester
Essex CO4 9BE
Tel: 01206 501781

8 Pages by fax only to: 020 7925 0918

Dear Prime Minister

I sent a letter to you in November 2004 regarding voluntary codes of practise in the commercial sector (which I described as a "Conman's Charter") and Shell's Statement of General Business Principles in particular. Shell has now made admissions of wrongdoing in regards to its reserves scandal and paid $150 million dollars in fines imposed by the US Securities & Exchange Commission and the FSA.

I sent a further letter dated 6th January 2005 regarding the High Court action brought against me by Shell which was an absolute mockery of fair play and justice. I explained that I had already written to the Lord Chancellor in May 2004 as head of the judiciary and had eventually received a letter which failed to answer a single question I had raised. To put it bluntly, I was fobbed off on the grounds of "Separation of Powers" - a complete red herring at odds with information in the JUDGES COUNCIL RESPONSE TO THE CONSULTATION PAPERS ON CONSTITIONAL REFORM which sets out current responsibilities. Contrary to the impression given by the reply letter there is a procedure for dealing with complaints against Judges. For some reason this information was withheld from me; hence my letter seeking your intervention.

I received various letters from your Direct Communications office acknowledging receipt of my letters saying that you had asked that they be forwarded to the Department of Department of Trade and Industry and the Department for Constitutional Affairs. I also received an apology from Mr Terry Connell because I had not received any response to the originally forwarded letter.

Some three months have passed and I still have not received ANY response from EITHER department - not even an acknowledgement. This is despite the fact that my local MP, Mr Bob Russell, wrote to the Secretary of State for Trade and Industry on 24th January 2005. Copies of all of the letters from 10 Downing Street and from Mr Bob Russell are attached.

I am 88 tomorrow and wonder if I will live long enough for my correspondence on these serious matters to be dealt with properly. Thus far I am less than impressed.

Yours sincerely

Alfred Donovan

Cc. I am faxing copies of this correspondence to Michael Howard MP QC. Perhaps he will take an interest.