

**Subject: Fwd: Rev Paul Nicolson loses council tax case to Haringey Council; he awaits a summons to a hearing at which the Magistrates jail him.**

From: "Peter Challen" <peterchallen@gmail.com>

Date: Fri, August 5, 2016 2:39 pm

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*\*THE COST OF DISCIPLESHIP\* - An example being set by a CCMJ Associate in our own complex economic structures today of the cost of discipleship. Proving the injustice of our present economic and political structures in their present and long embedded state is part of our task when incarnation is our incentive.*

*Without doing that in many ways and at many points of contact we are unlikely to effect the profound shift of society's mind-set away from 'a socially acceptable culture of cheating' \*[a summary from another associate diligent in probing of in-justice] towards what other associates believe might be a contemporary translation of the concept of the 'Kin[g]dom of God'.*

*Peter*

----- Forwarded message -----

From: Paul Nicolson

<[taxpayersagainstopovertytap@gmail.com](mailto:taxpayersagainstopovertytap@gmail.com)>

Date: 5 August 2016 at 06:12

**Subject: Rev Paul Nicolson loses council tax case to Haringey Council; he awaits a summons to a hearing at which the Magistrates jail him.**

\*MEDIA RELEASE\*

Rev Paul Nicolson

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I lost my council tax case against Haringey Council's court costs today and await a another summons to court at which the Tottenham Magistrates can jail me, see the Guardian this morning.

<[https://www.theguardian.com/money/2016/aug/04/retired-vicar-paul-nicolson-loses-case-over-non-payment-of-haringey-council-tax?CMP=share\\_btn\\_link](https://www.theguardian.com/money/2016/aug/04/retired-vicar-paul-nicolson-loses-case-over-non-payment-of-haringey-council-tax?CMP=share_btn_link)>

I am refusing to pay £2831.42 council tax because of the damage the tax is doing to the health of very badly off residents of Haringey some of whom have had their income stopped by a benefit sanction.

Meanwhile Haringey council continues to tax the benefit incomes of its poorest residents, adding court costs, sending in the bailiffs, ignoring mental and physical ill health, the short life span, the low birth-weight, food and fuel poverty, in some of the most deprived wards in the UK.

The Tottenham magistrates have rubber stamped over 60,000 council tax liability orders, 100s and 1000s at a time adding court costs of £115, against Haringey resident over the past three years on council print outs totally ignorant of their vulnerable circumstances. That adds to the mental health risks of unmanageable debt in the deprived wards on the court's doorstep, where average life expectancy is low and the risks of low birth-weight high.

I will stop protesting when Haringey stops taxing benefit incomes.

My colleague Paul Burnham was in the court with me and wrote the following comment:

#### **\*Corporate Overheads\***

The Magistrate ordered that a wide range of corporate overheads were 'costs reasonably incurred,' and so could be included in charges of £102 for a summons plus £13 for a liability order.

Haringey charged back corporate overheads of £926,655 to summonses for unpaid council tax last year.

Also, 60% of all council tax employee costs were charged back to summonses for unpaid council tax, as were 73% of non-staff running costs of the council tax department.

The overheads charged back were 50% of the estimated corporate overheads for the council tax department.

The corporate overheads included finance (the cost of accounting), ODL (staff development and learning), policy (the cost of making decisions), communications, human resources, customer services including call centres, office accommodation including buildings insurance, and IT costs.

The order was given despite legal expectation that the costs awarded be limited to those expenditures with a direct connection to the issuing of the summons and the court order.

The relevant regulation reads "(b)a sum of an amount equal to

the costs reasonably incurred by the authority \*in connection with\* the application up to the time of the payment or tender".

**\*Orders made without any assessment on the impact on vulnerable people\*.**

Haringey Council's accountants Grant Thornton wrote to Rev. Paul Nicolson on 5th May to say that they did not take the circumstances of vulnerable people into account when auditing the Council's tax liability order costs. They stated, "We have no remit ... to opine on the impact of this policy on the well-being of those required to pay council tax".

\*Rev. Nicolson says, "Why not? - is a central point of my claim. \*\*The magistrates issue over 20,000 liability orders every year to Haringey\* \*Council against Haringey\* \*residents listed on computer printouts provided by the council 1000s at a time.\*\*"

The Council's barrister confirmed in Court today that Orders for Costs were being sought without any assessment of the impact of the level of costs on vulnerable people, on social exclusion or ill health in the borough. He argued that Haringey Council sometimes decided not to pursue orders that had been awarded, and this was accepted by the Magistrate

**\*Lack of due process in Court\***

While the head of Council tax collection, was giving evidence on these matters, as the sole witness brought by Haringey Council in support of its case against Rev. Paul Nicolson, the defendant twice stood to point out that he could not hear the evidence properly.

As Rev. Paul Nicolson could not hear the evidence, he was unable to respond to it fully, by questioning the witness or in his own defence presentation to the Court. The magistrate made no adequate attempt to ensure that Rev. Nicolson could hear in full the evidence being presented against him.

In his statement of the reasons for his award of a liability order and the full costs as requested by the Council, the Magistrate said that "all those in Court heard the evidence presented by Miss Greenish, and there was no need to repeat what she had said" - but this was not true, on account of Rev. Nicolson's impaired hearing, the soft delivery of the evidence, and the lack of adequate amplification.

The failure of the Magistrate to ensure due process by ensuring that the defendant could hear the evidence being given against him, should invalidate the order made against Rev. Nicolson today, which should be set aside.

The Magistrate should be provided with training in equality and diversity, including invisible disabilities, affecting due process in court hearings

**\*from the Reverend Paul Nicolson\***  
**\*Taxpayers Against Poverty\***

No citizen without an affordable home and an adequate income in work or unemployment. 93 Campbell Road, Tottenham, London N17 0BF, 0208 3765455, 07961 177889, <https://www.facebook.com/Taxpayers-Against-Poverty-299911526728884/> \* [https://twitter.com/taxpayers\\_a\\_p](https://twitter.com/taxpayers_a_p) [www.taxpayersagainstopoverty.org.uk](http://www.taxpayersagainstopoverty.org.uk), [www.z2k.org](http://www.z2k.org), [www.prohousingalliance.com](http://www.prohousingalliance.com)

**\*PLEASE HELP FUND TAP\***

It is now possible to sign up as members for our email list using the join panel, and to help fund TAP on the TAP website, [<http://taxpayersagainstopoverty.org.uk/>](http://taxpayersagainstopoverty.org.uk/) or to join TAP without contributing funds, membership is free. Some people prefer to follow on twitter and Facebook but not on email.

Those of us who can afford to fund TAP are supporting those who cannot [<http://taxpayersagainstopoverty.org.uk/>](http://taxpayersagainstopoverty.org.uk/).

**\*We need to raise £50,000 a year.\***

When you can please sign up for a monthly payment.  
[<http://taxpayersagainstopoverty.org.uk/>](http://taxpayersagainstopoverty.org.uk/)

**\*\*or you can send a cheque or cash to; Taxpayers Against Poverty Ltd, 93 Campbell Road, Tottenham, London N17 0BF. or pay into Taxpayers Against Poverty Ltd a/c at Branch sort code;40-06-20; Account Number; 71664603**