

1. The framework for investigating the Application as fiscal fraud comes under the relevant EU and UK laws protecting its citizens and subjects against the corporate power of TWUL in its various manifestations to abuse its monopoly position for unlawfully excessive financial gain.
2. It is for the ExA in consultation with the Serious Fraud Office (SFO) to decide whether it is in the Public Interest to investigate and take action now, or later; as and when the implementation of a Development Consent Order is carried out and further evidence accrues day by day, year by year, of how much the adverse impacts outweigh the policy need and benefits, with the ever growing public comprehension of the total folly and failure of the scheme to comply with our Treaty obligations for a clean, healthy and wealthy London environment.
3. There is no doubt the statement of alternatives is false. All the experts refer to London conditions being suitable for alternatives.
4. There is no doubt of lawyers representing the UK failing to disclose to the CJEU that the Tunnel solution had not passed the test of a meaningful public consultation as to the alternatives or examination by a planning authority, before achieving the status of being chosen.
5. There is no doubt of TWUL failing to disclose information enabling the public to choose any alternative to a Tunnel.
6. There is no doubt of TWUL abusing its monopoly and fiduciary position in its failure to safeguard the financial interests of London water bill payers by providing a solution based on the best technical knowledge not entailing excessive cost. Its own leading engineer and its expert advising on alternatives have gone to great pains to take every available opportunity to professionally confirm this.
7. The only issue for the SFO to balance in deciding whether to prosecute is whether any one of these actions was done dishonestly, by TWUL, individuals or lawyers acting on its behalf.
8. In deciding dishonesty, the court would be bound to ask the jury to decide whether according to ordinary standards of reasonable and honest people what was done was dishonest. *Ghosh [1982] Q.B. 1053.*
9. The defendants would probably raise the defense that they genuinely believed they were morally justified in acting as they did. The court however would be then bound to consider the recent judgements of ordinary people discovering all manner of financial organizations defrauding the public of very large sums of money. Ordinary people no longer accept that people in positions of trust always act in their best interests, they would find little difficulty or exception in finding TWUL and its lawyers dishonest. The jury would have heard the enormous sums TWUL would stand to gain, and the lower cost alternatives they could benefit from in paying their water bills.
10. A jury would probably consider TWUL employees had no choice but to obey the expectations of their employers in order to keep their employment.
11. There would be no need to hear complex argument on the technical validity of UWWTD solutions, as the jury would find it easy to understand the actions were simply for

## Framework for Fraud Investigation

greater financial gain by making false statements, failing to give them the necessary information to make an informed choice, and TWUL and its lawyers abusing their position of trust with government agencies by persisting in the falsehood that a tunnel was the only solution.

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Chair, Justine Greening MP's Thames Tunnel Working Group-Technical Subgroup

Chair, Blue Green Independent Expert Team at [bluegreenuk.com](http://bluegreenuk.com)

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