

# Marcus Ball's "Proposed Prosecution" against Boris Johnson: "Not Everything Is as It Seems"

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*Marcus Ball says "there is something majorly wrong going on behind the scenes" after his appeal to take Boris to Supreme Court for "wilfully misleading the British public" gets thrown out.*

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On 14th August, the High Court rejected an appeal for leave to the UK's highest court that would see private prosecutor **Marcus Ball** attempt to prosecute **Boris Johnson** over [claims he lied during the 2016 EU referendum](#).

Mr Ball filed summons at Westminster Magistrates' Court in March 2019 for the alleged offence of 'misconduct in public office'.

**Lady Justice Rafferty** - one of the High Court judges who threw the case out in June - made a brief announcement on the decision to block the case from the Supreme Court on Wednesday.

"This application for leave to appeal to the Supreme Court is rejected," she said.

## Huge frustration

In an exclusive interview with The London Economic, the private prosecutor expressed his "frustration" with the High Court and its decision to throw out his case.

When asked about how he would challenge this ruling, Mr Ball spoke of how the High Court's decision "not to give a certificate of public importance to the case", can prevent the Supreme Court from being able to "hear the case". "The High Court actually has more power than any court in this instance."

"Magistrates spent over three months carefully considering our case. They came to the conclusion that there must be a criminal trial- the High Court spent 3 days with it."

According to the crowdfunding campaigner, who believes that judges did "not even read our case", the latest verdict highlights the "lack of understanding from the High Court."

He argues,

“the reason they haven’t given a rationale for their decision is because they haven’t got one. This is not about the law, this is about the High Court trying to stop this case and shut it down.

“I think it’s wrong that the High Court has made the decision to give no reason behind their ruling on a fantastic case and opted instead to essentially say: ‘no, no, no’”. “And at the same time, they’ve refused to give the Supreme Court no opportunity to carefully consider our case.

### **Nothing is as it seems**

Reflecting on his experience in Court, the private prosecutor believes “not everything is as it seems in the case”.

“There is something majorly wrong going on behind the scenes. There are people acting against us and we need to eventually reveal how they’re doing that”

“Why would the High Court not only shutdown the case, and then give no reason why?”, enquired Mr Ball.

### **Contradictory**

“The ruling that the High Court produced to quash the case is nonsensical; it is not legally safe; it contradicts”, said Mr Ball.

“It contradicts itself. It contradicts existing court of appeal rulings and contradicts international common law precedent.”

Mr Ball also pointed out that the verdict “contradicts the international law commission and ‘Couch Case’”. “Both authorities are quoted by the High Court to support their own argument despite the fact that they – at the same time – undermine their argument- its a total mess”

### **Broken promises**

When asked why he invoked the legal action against the prime minister, Mr Ball responded that “it wasn’t the first time he’d seen a politician lie to the public”.

“When I was old enough to vote in this country, I voted for the Lib Dems because I believed he was going to lead a campaign to end lying in politics. But the first thing he did when he got into power was to break one of his promises.”

“Now, to compound all of that. This happens.”

### **Complete dedication**

Asked to rate his chances of success in light of Wednesday’s verdict, Mr Ball said

“I believe that in the end we will get a conviction. We will set a precedent.”

Quick update on the High Court ruling today. [#BallVJohnson. pic.twitter.com/6v5doHT7my](https://pic.twitter.com/6v5doHT7my)

— Marcus J Ball #BallVJohnson (@MarcusJBall) [August 14, 2019](#)

“This is not like other cases- I’m 100 per cent dedicated to this, it’s been my full-time job for the last three years- I’m completely committed to making this successful.”

The private prosecutor also commented on his plans to increase engagement with the campaign- “we are going to be running a huge communications campaign over the next six months which will be mainly be focused upon a documentary which we’re planning on making so that people can see what’s going on behind the scenes.”

### **Lying to the public**

The focus of Mr Ball’s prosecution is what constitutes ‘misconduct in public office’. The core of the offence is the abuse of duty.

“You have to prove whether the public office holder has done something which has abused the duties of their office to the extent that it damages public trust, not only from the people that he has abused the trust of, but of the public as a whole,” said Mr Ball.

According to academics, the core duty of an MP is to “scrutinise the spending of the government. They are the watchdog of the executive.”

When Boris Johnson felt that the spending of UK money on EU membership was too high and so not in public interest, he was obligated to criticise it. But when he did, he was required to do so in an honest, faithful way”

Asked whether this was the case during the EU Referendum, the private prosecutor said “when he was lying to the public on television in front of millions, he was abusing that duty by carrying it out in a dishonest fashion.”

“It is this that we are determined to set a precedent against- wilfully misleading the British public.”

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**Oliver Murphy** is an aspiring journalist producing copy-to-deadline and editorial support for student-led, political publications at a national and international level. His writing consists of opinion pieces as well as breaking news coverage which has enabled him to develop a network of trustworthy sources comprising high-profile public figures.

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