

TO: JUDGE ANDREW BANO
FROM: MS PHYLLIS JAYARATNE

- A. YOUR PREJUDICIAL AND TENDENTIOUS STATEMENTS REGARDING NON-PAYMENT OF MY APPROPRIATE REMUENRATION AND ASSOCIATED BENEFITS BY HOL**
- B. LM'S AND MR BIBBIANI'S REASONS FOR NON-PAYMENT OF MY REMUNERATION**
- C. YOUR DELIBERATE LIES**

- A. 1. **'House of Lords is a small concern'** -
This is irrelevant. The core point is as you yourself stated that **"However, it is not in dispute that the Applicant had worked very much longer at least 60 hours p.w. throughout....."**. Hence, it logically follows that I should have been paid for those 60 hours p.w. and that you should have made an order for HOL to do so.

You deliberately failed to include this evidence in your Decision because you had accepted the Bribe.

2. **'Even if you were paid for full time, you would not have been able to meet your financial commitments'**.
This is irrelevant. The core point is as per my response stated as in1 above. For a full explanation of my monthly earnings (£2000 + associated benefits) please refer to my website: www.racialabuse-houseoflords.com, page 9 Point 4.

Mr J during his cross-examination of Rupert Ellwood, reminded him that in his Witness Statement he had documented "two full time employees were employed for 90 hours p.w. to carry out Phyllis's workload in her absence". After further cross-examination of Mr Ellwood, you accepted, **"Mr Jayaratne, you proved your point"**.

You deliberately failed to include this evidence in your Decision because you accepted the Bribe.

3. **'If the DSS knows this,she will have to pay back everything she received'**
This is irrelevant. Please refer to my responses as stated in 1 and 2 above. LM reduced my hours to 13.9 hours p.w. in order for me to be entitled for legal aid and other benefits instead of paying me for the 67 actual hours I was working with her in her office (**website pages 8 and 9 Point 4**). She did not want me as a full timer and she did not want to pay me for the extra hours I worked. After reducing my hours to 13.9 hrs pw. she confirmed in writing to the Benefit Office that I was only working 13.9 hours p.w. when she was piling up my desk with the 67 hours p.w. workload. If this fraud is exposed, it would result in both LM and HOL being liable for legal action. Furthermore, if the DSS is informed of your statement, you would also be equally liable. For these types of offences people have been incarcerated. Your statement is disingenuous in order to exculpate the offenders via instructions received through the person or filter and Lord Irvine, therefore is also culpable of fraud.

You deliberately failed to include this evidence in your Decision because you accepted the Bribe.

4. **'You did not set a budget to pay such a lot of overtime'.**
This is irrelevant. Please refer to my responses as stated in 1 and 2 above. The white employees were paid excessive overtime which apparently were not constrained by the budget. Lord Irvine did not have to set a budget to spend on his luxury wall paper !

You deliberately failed to include this evidence in your Decision because you accepted the Bribe.

5. **'Secondly, it is clear that the staff in the Banqueting Department are obliged to work very long hours in order to provide a catering service to the most exacting standards'.**

Your above statement is on **page 7 para 12** of your Decision. **This is irrelevant** as regards my non-payment. Please refer to my responses as stated 1 and 2 above. It should be emphasised that the white colleagues in the Refreshment Department, who had worked very long hours as you said, were paid for those excessive hours p.w. (at least 80 p.w), while penalising me because I am non-white. Furthermore, the payment for 80 hours for the white colleagues directly contradicts your own statements of "HOL is a small concern"; "You did not set a budget for such a lot of overtime".

You deliberately failed to include this evidence in your Decision because you accepted the Bribe.

- B.1 **"There is no one else doing a similar job and therefore cannot compare her work with anyone else's".** (*Lorna McWilliam annotated this in my Appraisal Report*)

LM could not compare me with anyone else's work because I was the only person carrying out the DTP specialised job for the whole Refreshment Department. Mr Derek Dunn the Staff Adviser was unable to advise me that I was carrying out DTP work and not just typing. He was not an experienced consultant on DTP tasks who could have assessed my work including the equipment and the software package I was provided with. LM besides being a racist, was also an incompetent manager. Mr Bibbiani the Head of Refreshment Department, hence the line manager of LM was not only clueless about computers but he had no knowledge of the deceit and dishonesty of LM towards me. It is my perception that Mr Bibbiani was incompetent too. It beggars belief that LM was awarded a MBE and Mr Bibbiani was awarded an OBE. These honours should be revoked from both of them by the HOL Honours Forfeiture Committee.

You did not record LM's reason for not paying my remuneration because you accepted the Bribe in return for dismissing the scandalous race claim.

- 2 **"I am still not convinced that she is working the long hours that she is claiming".** (*Did not investigate why? Therefore I was not paid. Mr Bibbiani annotated this in my Appraisal Report*). For a full explanation please see my website. (pages 8,9,10, Point 4). You pointed out that the WordPerfect 5.1 software that I used for the DTP was totally incompatible and you also said that I should have been given either Quark Express or Page Maker. My tardiness was due not only to the incompatible software package but also due to the denial of training which was a pre-requisite in order to carry out my job effectively and efficiently. Mr Bibbiani did nothing to convince himself and conveniently followed LM's instructions to deny me training.

You deliberately failed to include the above reason for non-payment of my remuneration, because you accepted the Bribe in return for dismissing the scandalous race claim. I was not paid remuneration only because of racism and not poor management, as poor management affected only me the Non-white.

It is essential that I should emphasise that prior to the allocation of the DTP task in October 1991 to me, it was carried out by an outside printing firm at a cost of £90,000 per year. This job was neither discussed with me, nor given the relevant essential DTP training prior to the allocation in addition to the incompatible software package that I was given. I was given only an instruction manual for the incompatible WordPerfect package to carry out the DTP task. To my immense distress, I carried this out. Although the Appraisal Reports over the years stated that I had asked for training to be given, none was provided in spite of the managers agreeing in writing that training I requested for would be given. HOL saved and profited out at my expense, causing me severe stress, as they expected me to meet deadlines, but without training, and with frequent reminders that **“you are slow” “not bright”**. HOL did not spend even £500 for at least one training course for me, while LM and CH attended a 3 day training course on the pretext that they are **“off sick”**. The management went to great lengths to deceive me, in order to deny me training. It is documented in HOL Internal Grievance Report that the reason for not giving me training was i) **“Management considered that Mrs Jayaratne was not worthy of giving training, because she was not good enough in the first place”**. ii) **“She refused training**. Furthermore, the evidence disclosed supported my claim that my Personal file had no records or invoices of training being given.

Your Decision recorded another downright lie that I was given several training courses, because you accepted the Bribe from Lord Irvine.

C. APPRAISAL REPORTS - BOX MARK 2

For a full explanation of your deliberate **LIES** please see my website.

In this Appendix I would just illustrate one of your lies. You documented in your Decision the following:

“However the most telling factor in support of the Respondents’ case that they did all they could to support and encourage the Applicant is the fact that, with the exception of two years, Miss McWilliam awarded the Applicant ‘Box Mark 2’ markings on her Annual Appraisal Reports’.

In order to explain Box Mark 2 let me say that there are 5 box markings i.e. Box 1, Box 2, up to Box 5 signifying respectively ‘Exceptional’, ‘Highly effective’, ‘Effective contribution’, ‘Below standard’ and ‘Unacceptable’

The Box 2 that I was awarded therefore signifies ‘Highly effective’. According to you I was awarded Box 2 during 10+ years, except for 2 years. This is a **despicable LIE**. I was awarded Box 2 for 2 years **only** i.e., 1997 and 1999. My Annual Appraisal Report would unequivocally confirm this.

It has to be brought to the readers of this website, the following comment of Mr Justice Lindsay re above, at the EAT hearing,

“There is a finding at 17.4 about the Second Respondent awarding Mrs Jayaratne with Box 2 markings which are thought to be good things to have on her Annual Appraisal Reports. Miss McWilliam gave evidence on this subject as far as we can see. She certainly gave evidence generally, and was cross-examined at some length. The Tribunal had the appraisal reports before them; we cannot assume merely on an assertion that the evidence did not permit the conclusion at which the Employment Tribunal arrived”.

The readers would be aghast at the language and the conclusion. Please note my comments as below,

- a) The conclusion that Mr J Lindsay arrived at is beyond logical, legal belief and he arrived at similar conclusions right through his Judgment of the issues that Mr J had raised on your Decision some of which I pointed out in my main website: www.racialabuse-houseoflords.com
- b) Throughout Mr J. Lindsay’s Judgment the language was colloquial, sarcastic and disparaging in order to belittle Mr J. Mr J when lodging my case at the ECHR quoted a relevant case law De Haes and Gijssels - v - Belgium (1997) 25 EHRR page 14, para 16 which uses similar colloquial, sarcastic and disparaging language.

Such language belittles not only the title of a Justice but also the office itself.

- c) It must be stated the conclusion that Lord Justice Latham arrived at the Court of Appeal and documented in his Judgment,

“The allegation that the Tribunal Chairman was biased and that Lindsay J was biased is based essentially on the fact that Mr & Mrs Jayaratne cannot accept that anybody who is unbiased could have come to the conclusion that they did”.

In view of the evidence that I submitted in my website including Appendices 1, 2, and 3, the **Lord Justice Latham’s statement as above would unequivocally confirms a criminal conspiracy.**

PHYLLIS JAYARATNE

DECEMBER 2013