

**Ffurflen Hawlio**  
**(RTS Rhan 8)**  
**Claim Form**  
**(CPR Part 8)**

Yn  
 in the  
**Rhif yr Hawliad.**  
 Claim No.

Cardiff County  
 Court

7CF07345

Hawlydd  
 Claimant

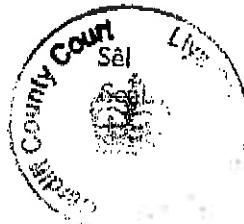
Mr MAURICE KIRK

51 TYNEWYDD RD  
 BARRY

CF62 8A2

Diffynnydd/Diffynyddion  
 Defendant(s)

SOUTH WALES POLICE



A yw eich hawliad yn cynnwys unrhyw faterion sy'n dod dan  
 Ddeddf Hawliau Dynol 1998?

Does your claim include any issues under the Human Rights Act 1998?

Ydyw Yes  Nac ydyw No

Manylion yr hawliad (gweler drosodd hefyd)  
 Details of claim (see also overleaf)

DUTY OF CARE, ABUSE OF PROCESS,  
 FAILED DISCLOSURE, HUMAN RIGHTS ACT  
 INJURMENTS

Enw a chyfeiriad y diffynnydd  
 Defendant's name and address

SOUTH WALES POLICE  
 HQ - Cowbridge Road  
 BR 3 4EW  
 CF31 3SU

£  
 Ff y llys  
 Court fee  
 Costau twrtau  
 Solicitor's costs  
 Dyddiad codi  
 Issue date

150  
 24 OCT 2007

Mae swyddfa'r llys yn  
 i'n agor rhwng 10 am a 4 pm o ddydd Llun hyd ddydd Gwener. Wrth ghebu a'r llys, cyfeirir i'r ffurflen o'r llyfrau at y Rheolwr y Llys os gwellwch yn ddiogelu  
 iddynnu rhif yr hawliad.  
 'Swyddfa'r llys'

1203 Ffurflen Hawlio (RTS Rhan 8) (10.00)  
 Gwyliau: 10.00, 11.00, 12.00, 13.00, 14.00

Argyfwyd ar ran y Gwasanaeth Llys  
 'Swyddfa'r llys'

Rhif yr Hawliad.

Claim No.

Manylion yr hawliad (parhad)

Details of claim (continued)

ATTACHED

PIGOT PLUS 23 PAGES PLUS SUBJECT TO SUBSEQUENT  
OF 2 BOXES DISCLOSURE

Datganiad Gwirionedd

Statement of Truth

\*(Credaf)(Cred yr Hawlydd) bod y ffeithiau a ddatgenir yma ym manylion yr hawliad yn wir.

\*(I believe) (The ~~Claimant believes~~) that the facts stated in these particulars of claim are true.

\*Awdurdodir fi yn briodol gan yr hawlydd i lofnodi'r datganiad hwn.

\*~~I am duly authorised by the claimant to sign this statement.~~

Enw yn llawn

Full name

Enw ffyrn twrni'r hawlydd

Name of claimant's solicitor's firm

llofnodynwyd

signed

\*(Hawlydd)(Cyfaill cyfreitha)(Twrni'r Hawlydd)

\*(Claimant (Solicitor friend), Claimant (Attorney))

\*dileer fel sydd yn briodol

~~I declare as true~~

MURKICK RICK

safle neu swydd a ddelir

(os llofnodyn ar ran ffyrn neu gwmni)

position or office held

C.L.A (Solicitor)

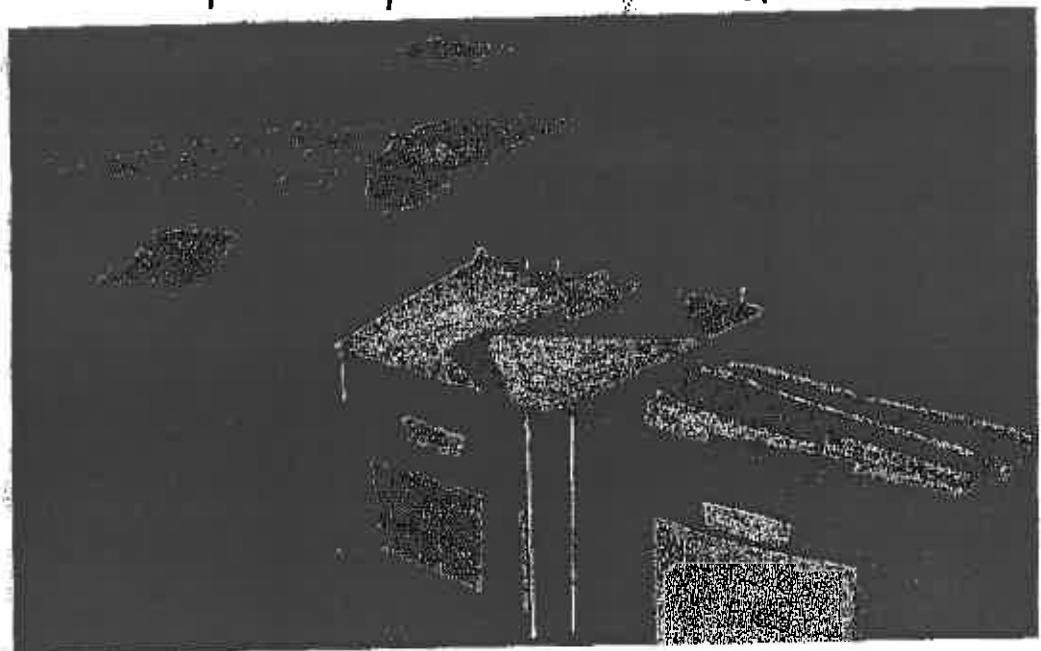
(acting on behalf of firm or company)

Cyfeiriad yr hawlydd neu dwrnai'r hawlydd, lle y dylid anfon  
dogfennau, os yw'n wahanol i'r cyfeiriad drosodd. Os ydych yn  
barod i dderbyn cyflwyniad trwy DX, ffacs neu e-bost, rhowch y  
manylion os gwelwch yn dda.

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PRO ADMIN COURT /CSU 51/2002

CO 8751/2007



22/10/07

RECENT PHOTO OF REMAINING 2 BOXES  
OF ALL MR MARVIE KIRK'S COURT ACTIONS  
IN CARDIFF JUSTICE CENTRE.

BEFORE MR KIRK'S FILES WERE SENT OUT  
ABROAD THE COUNTRY BY AIRMAIL  
THERE WERE 5 BOXES

ML JKR

COPY TO ADMIN COURT  
COURT OF APPEAL  
CUSTOMER SERVICE UNIT  
POLICE  
CIVIL JUSTICE CENTRE.

2A

**In The Cardiff County Court**

**Case No.**

**Between**

**Maurice Kirk**

**Claimant**

**And**

**South Wales Constabulary**

**Defendant**

### **Particulars of Claim**

**"Delay is the deadliest form of denial"**

Delay in lodging this substantive claim against the Defendant was by mutual agreement of parties due to matters arising from the Claimant's right to have a **Trial by Jury** for the **Actions, BS614159 CF101741 & CF20414** over the similar time period.

Failed 'disclosure' by both the Defendant and the Royal College of Veterinary Surgeons, contrary to court orders, delay by HM Court Service to process current actions, interference by Crown Prosecution Service, HM Attorney General, Mr Justice Andrew Collins and others either to hand down an Extended Civil Restraint Order or obtain a Vexatious Litigant Order, clearly to protect the Defendant, all done without the Claimant's prior knowledge has contravened his rights under the European Convention of Human Rights and Fundamental Freedoms and the 1998 Human Rights Act.

In 2001 the Claimant instructed solicitors for this Action to include matters not already incorporated in the 3 current actions (numerous false imprisonments and malicious prosecutions) lodged by the Claimant against the same Defendant as most were not all eligible for **Trial by Jury**.

**The Claimant applies for leave to amend these particulars with up to 20 further incidents following proper 'disclosure' by the Defendant it having been sought by the Claimant for over the past 10 years.**

The Defendants have a duty and power to stop and arrest any person that they may reasonably suspect as having committed a criminal offence.

Further, the Defendants as a police authority have a duty and obligation to fully and diligently investigate any complaint from the general public in respect of any criminal offence.

Further or in the alternative, the Defendants have a duty and obligation as bailees to use their best endeavours to protect any property which comes into their control and in particular to protect any stolen property to ensure that it is not damaged or vulnerable to further theft.

Further or in the further alternative, the Defendants, once their investigations are concluded, have a duty to provide to the injured party relevant information concerning the results of such investigations including, in particular, the identity of any person suspected of having caused wrong to the injured party.

The statutory and/or common duties and obligations herein mentioned are owed by the Defendants to the Claimant as the person directly affected and or wronged and they are negligent breach of those duties and obligations or have assaulted him and/or have committed trespass to his person or property and the Claimant has suffered loss and damage.

## **Particulars**

**The Defendants failed in their duty to properly, if at all, investigate and/or apprehend the perpetrators of crime.**

**The Defendants failed to prevent or limit loss for the Claimant.**

**Any one of the 100 or so incidents cited below, taken either in conjunction with the 40 or so incidents already in current Case numbers BS614159, CF101741 & CF20414 (eligible for jury trial) or not indicate malice and/or a failure of duty of care by the Defendant.**

1. In 1993 at 52 Tynewydd Road, Barry, the property of the Claimant, persons known to the Defendant occupied part of the premises without permission. The garage of the said premises contained a WW2 US Army aircraft, a Piper Cub and spares exceeding a value of £15,000. Also veterinary memorabilia, a collection by 2 generations of the claimant's family, with value exceeding £11,000.

The above property was destroyed by fire and the squatters boasted about it. The Plaintiff was interrogated at the police station being accused of arson for financial gain. The aircraft and main contents of the garage were uninsured. The Claimant suffered loss due to Defendant conduct.

2. On 30<sup>th</sup> June 1993 the Claimant's Barry property was burgled and suffered criminal damage. The Claimant suffered loss due to the conduct of the Defendant.
3. On 10<sup>th</sup> Feb 1994 the Claimant's motor vehicle suffered damage, exceeding £700, leaving the road to avoid an accident caused by the excessive speed of another vehicle. The Defendant refused to divulge particulars of any of the drivers of the cars that sustained substantial damage and serious injury. The Claimant suffered loss due to the conduct of the Defendant.
4. On the 13<sup>th</sup> June 1994 the police falsified evidence before Barry Magistrates relating to the plaintiff driving around a roundabout, adjacent to Barry Police Station, South Wales.

Further, the plaintiff was convicted for 'driving without due care and attention' as he caused an imaginary car to 'stop' before entering the roundabout while the defendants' veterinary ambulance was parked due to a uniformed police officer's direction.

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The Defendant knew the plaintiff had suffered a motorcycle accident and was in hospital on the day of the Magistrates hearing which was heard in his absence despite the Defendant knowing the Claimant was in Bridgend Hospital casualty unit that morning and unfit to attend.

In 2002 before the Royal College of Veterinary College (RCVS) court evidence was heard from the Defendant that the Plaintiff's veterinary Ambulance never exceeded 4 mph on that roundabout with no other traffic on the 4 lane roundabout at any of the time except police cars, lots of police cars.

There was no car required to stop due to the claimant's alleged 'careless driving'. The police officer originally giving that evidence was not at the scene at the time of the alleged offence.

The Royal College of Veterinary Surgeons ruled on the 29<sup>th</sup> May 2002 the conviction of 'driving without due care and attention' rendered the Claimant to be 'unfit to practice veterinary surgery and was struck off for life. The Claimant suffered loss due to defendant's conduct.

5. On 10<sup>th</sup> Feb 1994 the Claimant's motor vehicle suffered damage, exceeding £700, leaving the road to avoid an accident caused by the excessive speed of another vehicle. The Defendant refused to divulge particulars of any of the drivers of the cars that sustained substantial damage and serious injury. The Claimant suffered loss due to the conduct of the Defendant.
6. Between 1994 and 30<sup>th</sup> August 1995 the Claimant's surgery in Llantwit Major was burgled 3 times the crime reported to the Defendant. In Crown Court on the 22<sup>nd</sup> March 1996 the Defendant on oath denied the surgery had been burgled during the period quoted above. The plaintiff was convicted of 'allowing' clinical waste from the said premises to be found elsewhere with costs incurred to the Claimant exceeding £8000.

The Defendant was aware the RCVS and judge knew the fact that the only other veterinary practice in the town possibly liable had submitted a false veterinary certificate to the prosecution and the principle had given appropriate evidence in order not to be subject to the same possible prosecution. A small black bag containing clinical waste had been found with some 50 others of unlawful household waste on the edge of the town car park.

The Royal College of Veterinary Surgeons ruled on the 29<sup>th</sup> May 2002 the conviction of 'failing to prevent the deposit of controlled waste' rendered the Claimant to be 'unfit to practice veterinary surgery and was struck off for life. The Claimant suffered loss due to the conduct of the Defendant.

7. In 1995 the Claimant's motorcycle was stolen out side his surgery in Barry. Claimant suffered loss due to the Defendants' conduct.
8. On 8<sup>th</sup> June 1995 the claimant's Cardiff surgery was burgled with criminal damage. Claimant suffered loss due to the Defendants' conduct.
9. In 1995 the Defendant received a complaint from the Claimant of criminal damage and theft of property exceeding £2000 by a previous occupier of the property, 52, Tynewydd Road, Barry. A thief was also caught red handed by the Claimant in the property but instead he was fined £500 for 'common assault' the conviction only obtained by perjury committed by the Defendant.

The Royal College of Veterinary Surgeons ruled on the 29<sup>th</sup> May 2002 the conviction of 'common assault' rendered the Claimant to be 'unfit to practice veterinary surgery' and was struck off for life. The Claimant suffered loss due to the Defendant's conduct.

In 1995 the Claimants' veterinary ambulance was stolen in Barry and later found a few streets away by the Defendants. They were asked to immobilise it or protect it while the Plaintiff

arranged immediate collection. The Claimant suffered total loss due to the Defendant's conduct.

10. On 14<sup>th</sup> September 1995 the Claimant was assaulted and had his premises severely damaged by fire by persons known to the Defendants. The plaintiff entered the premises and fought the flames alone with 2 fire extinguishers neither of which appeared to function. Examination of the appliances later revealed they were both faulty missing internal mechanism. The Defendant refused to investigate a complaint on those who supplied the fire extinguishers. The Claimant suffered loss due to the Defendant's conduct.
11. On 3<sup>rd</sup> May 1996 the Claimant's stolen motor vehicle was found in a police car park. Defendant refused to reveal the circumstances. Claimant suffered loss due to the Claimants conduct.
12. On or around 1996 the Claimants' surgery in Barry was burgled using a JCB excavator. The burglars were caught by the Claimant. The Claimant suffered loss due to the Defendant's conduct.
13. On the 17<sup>th</sup> October 1997 the Defendants watched and did nothing as drunken youths threatened assault and criminal damage on the Plaintiff and his property. The Claimant, at around midnight, was attempting to attend to an emergency in a marked veterinary ambulance only to have the windscreen smashed and serious damage done to the body work. The claimant suffered loss due to the Claimants conduct.
14. In January 1998 the claimant caught a burglar in his Barry premises. The claimant suffered loss due to the Defendant's conduct.
15. On 1<sup>st</sup> April 1998 the Claimant's Llantwit Major Surgery was again burgled and the claimant suffered loss due to the defendant's conduct.
16. On 1<sup>st</sup> June 1999 in the Cardiff Crown Court, during an Abuse of Process Application by the Plaintiff, the Crown Prosecution Service lawyer, Ms Jackie Seals, committed perjury in that she deliberately lied on matters relating to a purported 'Breach of the Peace' allegation committed by the Plaintiff at the Vale of Glamorgan Agricultural Show where the Claimant had been on duty.

Prosecution documents were falsified and presented before the Cardiff Crown Court and custody records shredded. The Defendants fabricated new charges months later, held back these new charges even when the Claimant attended court on a summons not indicating its purpose.

The Claimant was only ever handed the court copies of summonses by the clerk of the justices and the trial proceeded immediately with the Defendant being refused an adjournment as is the custom here.

The Breach of the Peace allegation was removed from the list at lunch time following the clerk of the court warning the prosecution that if the Claimant refused to be 'bound over' the Claimant would have to go to prison. The Claimant suffered imprisonment and loss exceeding £20,000 due to the Defendant's conduct.

- 16 1<sup>st</sup> June 1999 in the Cardiff Crown Court the Plaintiff was again assaulted by Howard Davies, recently retired South Wales Police inspector, in the presence of the Defendants. The Claimant suffered personal injury and loss due to the Defendant's conduct.
- 17 11<sup>th</sup> June 1998 by way of correspondence to the Claimant's Member of Parliament it was admitted by the Defendant, in writing, that neither the Civil Aviation Authority nor the Defendants could pursue prosecutions against a Mr

Christopher Paul Ebbs of Dursley, Gloucestershire, a purported Aircraft engineer, as he was undergoing 'Psychiatric treatment'. The Defendant's were only to well aware to Ebbs's nefarious life history as a congenital liar. The Claimant suffered false imprisonment and loss exceeding £50,000 due to defendant's conduct.

- 18 In November 1999 the defendant stopped the Claimant on the road to produce driving documents without lawful authority. The claimant suffered loss due to the Defendant's conduct.
- 19 On 1<sup>st</sup> December 1999 the Defendant arrested the Claimant and took his motor vehicle leaving it unlocked and inside with dangerous veterinary drugs, lethal to humans. For 6 weeks the vehicle was left on the road side with the Defendant failing to inform the plaintiff of its whereabouts.

The incident led to a zero reading definitive breath test at Fairwater police station, Cardiff, 20 miles away where the Claimant was dumped but the Crown Court dismissed the Claimant's Appeal for 'failing to provide a specimen of breath at the road side' in the Claimant's absence despite the fact the Defendant had been supplied with a doctor's certificate that the Claimant, unrepresented, was recovering from abdominal surgery and was on morphine derivative drugs.

The arresting officer gave false evidence in the Barry Magistrates court, not for the first time, causing the Crown Prosecution Service having to offer an alternative charge of 'obstructing a police officer'. The Claimant refused it as he was again refused 'disclosure' with the Defendants having again destroyed custody records applied for whilst in custody and in writing immediately after his release.

The Royal College of Veterinary Surgeons ruled on the 29<sup>th</sup> May 2002 the conviction of 'failing to provide a specimen of breath' rendered the Claimant to be 'unfit to practice veterinary surgery' and was struck off for life. The Claimant suffered loss due to the Defendant's conduct.

- 20 On 5<sup>th</sup> April 2000 the Defendant assaulted the Claimant in Newport Road, Cardiff caught on police video, destroyed and/or withheld custody video/records ordered to be released by both Cardiff and Newport Crown Courts. The Claimant suffered loss due to the Defendant's conduct.
- 21 In August 2000 the Claimant was jailed for Contempt of Court.

The RCVS lawyers deliberately withheld their knowledge of this conviction from the protracted court proceedings, commencing 29<sup>th</sup> January 2002 in order to have the Claimant removed from the veterinary register for life.

Courts where the law applied, 1966 Veterinary Surgeons Act and 1967 law, Statutory Instrument no.659, paragraph 8.2b (The Claimant's right to adduce evidence), included the RCVS court, Administrative Court, Court of Appeal, Privy Council, European Court and over 40 Judicial Review Applications.

The Emergency Judicial Review Application following the September 2007 incident with the RCVS removing the Claimant's name from the list for his 7th Application to be reinstated to 'practice veterinary surgery' is delayed by no fault of the Claimant.

The Defendants conspired with the lawyers of the RCVS to prevent the reasons why the claimant was sent to prison for 'contempt of court' as the "nature and circumstances surrounding the conviction" indicated the Defendant had perverted the course of justice.

Disclosure of the confidential material including the 'criminal record', already admitted and witness statements relating to the Claimant by the Defendant to the RCVS in 2001 reveals the magnitude and vindictive nature of those ultimately responsible, the authority that both

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instigated complaints to the RCVS in the first place but gave false evidence so often to secure criminal convictions [see **Actions, BS614159, CF101741 & CF20414**]

Following receipt of the compelling jury notes passed to Judge Cooke he deliberately stopped the trial only to prevent further evidence being obtained by cross examination of the conspiracy between the Defendant and the RCVS.

The Judge's conduct was unlawful.

The Defendants had a number of high ranking police officers present to keep the police commander at Barry Police station fully informed, minute by minute, the transcript reveals.

These police officers witnessed the criminal conduct of the judge, CPS and police officers on oath who were committing perjury. The Defendants witnessed themselves in the well of the court caught repeatedly signalling to their colleagues in the witness box.

The Claimant suffered loss due to the Defendants' conduct.

- 22 On 10<sup>th</sup> Nov 2000 the Claimant reported a burglary and criminal damage on his surgery premises in Barry. The Claimant suffered loss due to the Defendant's conduct.
- 23 In 2000, following the Defendant's request for the Claimant to rescue a horse at night from a flooded ravine with the assistance of the Barry Fire Brigade, despite submitting a fee note considerably less than that recommended by the British Veterinary Association at the time, the Claimant had to commence prosecution proceedings in the Petty Debts Court in order to obtain payment. The Claimant suffered loss due to the Defendant's conduct.
- 24 On 13<sup>th</sup> December 2000 in Cardiff the Claimant was arrested by the Defendants and locked up with his 3 English Springer Spaniels. No charges, no caution, no explanation causes the claimant to fear harassment with malice. The Claimant suffered loss due to the Defendant's conduct.
- 25 On 20<sup>th</sup> Dec 2000 at the Claimant's Cowbridge Road West, Cardiff surgery the Defendant refused to reveal details of a driver of a vehicle following a motor accident on the Claimant's property. The Claimant suffered loss due to the Defendant's conduct.
- 26 On the 20<sup>th</sup> Dec 2000 at the same premises as (19) a burglary and theft of drugs was dealt with by the Defendant in the usual manner. The Claimant suffered loss due to the Defendant's conduct.
- 27 In December 2000 the plaintiff's surgery, Barry Veterinary Hospital, Barry suffered theft of articles reported to the Defendant. The Claimant suffered loss due to the Defendant's conduct
- 28 On 7<sup>th</sup> January 2001 at Cold Knapp Beach, Barry the Defendant, having called the Claimant to attend 2 dogs purportedly fallen over a cliff, obtained evidence and the identity of witnesses favourable to the plaintiff but failed to disclose it. The Claimant suffered loss due to the Defendant's conduct.

The Defendants during 2001 disclosed confidential police records relating to the Claimant, some of which was incorrect and was used by the Royal College of Veterinary Surgeons in order to render the Claimant 'unfit to practice veterinary surgery'. The Claimant suffered loss exceeding £100,000.



The Defendants in March 2002 attended the RCVS court, contrary to a Court of Appeal Order and gave information that was manifestly false when purported to be non hostile witnesses for the Claimant. The Claimant suffered further loss due to the defendant's Conduct.

The Defendants entered into a financial contract with the Royal College of Veterinary Surgeons to be their 'client', being the only complainants of the Claimant's alleged conduct on 7<sup>th</sup> January 2001. The purpose to enter into such a clandestine contract was in order to avoid favourable Disclosure of evidence to the Claimant from either the RCVS or Defendants under their premise that all information from witnesses gathered by them [including the Claimant's own clients], concerning the RCVS allegations against the Claimant, was 'privileged'. Whether 'qualified' or 'absolute' is anybodies guess with the current state of the UK Judicial system.

In return for confidential police information, contrary to Home Office Regulations 45/87, the Royal College of Veterinary Surgeons ensured the Claimant would be refused **any witnesses relating to the convictions** [by using a medically unfit 'Learned Legal Assessor' for the RCVS hearings], originally obtained by the Defendants, now at risk of having convictions being overturned if the Defendants were to be subjected to giving evidence on oath, again. The convictions were necessary, however trivial, under the 1966 Veterinary surgeons Act, in order for the RCVS to render the Claimant 'unfit to practice veterinary surgery' for life.

The conduct of the RCVS, Defendants and many others that daily exploit the lucrative UK legal industry, answerable to no one, not even the taxpayer, was unlawful.

Immunity to prosecution under the purpose of a Royal Charter and oath of bias taken by every UK judge is contrary to the 1998 Human Rights Act despite all this nonsense having been ratified by her Majesty The Queen in the first place.

The welsh Crown Prosecution Service, those most culpable for perverting the course of justice, cannot therefore be co-defendants in this Action for damages.

Similarly the RCVS cannot also be joined as co-defendant. Further, the Claimant, his father and his wife would be tempting the ultimate sanction.

The Claimant and his family have suffered not inconsiderable loss and mental anguish by the 15 year conspiracy.

## **Back ground to support paragraph 28.**

- 29 By 2001 the Defendants had been made aware of the monies (5 figures) routinely donated from public funds by the Defendants to the Cardiff Animal Shelter (deceased) who were then unaccountable to the associate organisation under which whose name they were purported to operate.

By 2001 The Defendants had been made aware of the complaints directed to the RCVS by the 'Cardiff and District Veterinary Practitioner's Association' concerning the widespread animal suffering in South Wales caused by the Defendant's 'donations' of public funds to an autonomous run charity implementing a rogue policy for the neutering of animals for an area with at least a 40 mile radius to just one practice in Barry, South Wales that did not have adequate 24 hour cover.

By 2001 the Defendants had been made aware that the specific veterinary surgeon was invariably unavailable at night or on week ends using an unintelligible tape message for those members of the public requiring urgent veterinary attention. These included animals that had just undergone neutering operations by his practice.

The Defendants were therefore well aware on the day of the emergency, on Sunday 7th Jan 2001, the true state of affairs with his veterinary surgery not a mile from the beach.

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The Defendant maliciously allowed hours to pass unnecessarily before the Claimant could attend the scene.

The clinical condition of the dog was clearly indicative of **criminal negligence**.

Implications on the other Barry veterinary practice were not then apparent to the Claimant as he had no way of knowing, until later, when the owner was traced, just who was responsible for the appalling state of the wretched animal.

The Defendants conspired with the RCVS lawyers to be their 'clients' when they already knew the Defendants were a 'client' of the Claimant they were complaining about.

The Defendants knew and were negligent in being silent when the RCVS ruled that failure by the Claimant to divulge to the disciplinary committee the confidential client information regarding the 2 dogs, between veterinary surgeon and the South Wales Police, was the substantive reason for his name being removed from the register.

The Defendants acted with malice by complaining to the RCVS of the failure of the Claimant to "discuss with the general public" what he confidentially found following a clinical examination.

Clinical findings, witnessed by the Defendants included indications of hypothermia, a collapsed, moribund patient having suffered a suppurating [frank pus] malignant mouth tumour the size almost of a cricket ball for some months/years. The patient was in pain and appeared to be dying. Immediate removal of both patients to the Veterinary Hospital was paramount.

When the RCVS realised they were prosecuting the wrong veterinary surgeon they:

- 1) Falsified eye witness statements,
- 2) Gave the Claimant false addresses of eye witnesses so they could not be traced
- 3) Withheld witness statements
- 4) Refused all 30 odd witness summonses needed to be served on behalf of the Claimant
- 5) Used their cronies in the Court of Appeal to block them again even blocking defence witnesses not even objecting to giving evidence or requiring a witness summons,
- 6) fabricated the Defendants, members of the public and investigators to be their 'clients' in order to block both favourable and damning DISCLOSURE.

30 The Defendants were notified of the unnecessary animal suffering. It was spelt out in words of one syllable to the Defendants and RCVS warning them of the obvious consequences if the wide spread animal suffering in the area was allowed to continue. It was taped, photographed and shortly to go on new website, [www.kirkflyingvet.com](http://www.kirkflyingvet.com) in 2008 the latter being the only medium left for citizens in the UK for any chance in obtaining that elusive sanction of established injustice.

Further, information under the control of Inspector Collins and favourable to the Claimant was withheld from the RCVS legal proceedings despite specific requests for that material by the claimant. The conduct was unlawful.

Information supplied by the Defendants and used on oath at the RCVS proceedings were known by the Defendant to have been false. Failure to correct these anomalies was unlawful.

Defendants who attended the 2002 RCVS enquiry, posing as 'defence' witnesses, was unlawful and malicious there in order to do harm to the Claimant.

The Defendants' false information, on oath, in both Charge A and in Charge B at the 2002 RCVS proceedings led to the Claimant's name being removed from the veterinary register and has been relied on by the RCVS ever since on each subsequent attempt by the Claimant to be put back on the register. The Defendant's conduct was unlawful.

The Defendants conspired with the RCVS lawyers to be their 'clients' or visa versa when they knew the Defendants were a 'client' of the Claimant complained about.

Failure by the Defendants and RCVS to disclose which one was the 'client', fabricated late in order to withhold investigator's notes, eye witness accounts and the identity of witnesses favourable to the claimant, given to the 1996 Data Protection Act Information Commissioner but not disclosed for the 2002 hearing, was unlawful.

The Defendants knew and did nothing about it when the RCVS ruled that failure by the Claimant to divulge to the disciplinary committee confidential client information, between their veterinary surgeon and them selves, without their consent was the substantive factor for his name being removed from the register for life. Their conduct was unlawful.

- 31 The Defendants knew the RCVS 'Learned Legal Assessor', Sir John Wood, retired medically unfit judge, Allison Foster QC, Geoffrey Hudson of Penningtons, solicitors and many other lawyers cited in these 4 actions were thoroughly deceitful and their conduct was unlawful.
- 32 In August 2001 the Claimant reported the theft of his property in Barry and the Claimant suffered loss due to the Defendant's conduct.
- 33 In 2001 the Claimant was stopped on the motorway arrested and handcuffed for the theft of a motor vehicle. The claimant suffered loss due to the Defendant's conduct.
- 34 During 2001 statements of complaint, listing more than 47 incidents of lawyers lying in court, were reported to the Defendants. The claimant suffered loss due to the Defendant's conduct.
- 35 In December 2001 17 complaints by the Claimant of perjury by others. The Claimant suffered loss due to the Defendant's conduct.
- 36 The Claimant has had been refused legal representation by over 80 law firms specialising in police harassment cases. The Claimant suffered loss.
- 37 In 2001 the Claimant instructed solicitors for the main Particulars of Claim compounding matters not already incorporated in the 3 current actions and not necessarily eligible to **Trial by Jury**. The Defendants and Royal College of Veterinary Surgeons were put on notice of pending legal action as co Defendants.
- 38 During a quieter spell of police harassment, between 2000 and 2001, 30 or so court appearances related to whether or not he had motor vehicle insurance?

The court was told by the Claimant the Defendants had for years been playing the same old game of police harassment as their counterparts had done on him in a different but equally notorious British jurisdiction, Guernsey in the Channel Islands.

There the police had succeeded in hounding the insurance agents on the island to such an extent by their telephone tapping for 2 years of the Claimant's surgery, threatening visits and phone calls to their offices that the Claimant was refused, it appeared, any insurance for anything!

Today, the 10 years conduct of the Defendant and the purpose in both jurisdictions is only too apparent with the Claimant remembering that soon after getting the 'message' from the 'Insular Authority' in that feudal island his life was threatened by the local Masonic Lodge if he did not leave the island immediately.

The Claimant's insurers in Somerset, England, were of different stuff and lodged several official complaints of the harassment received by the Defendants.

The Claimant has been forced by the Defendant's harassment to produce perfectly valid driving documents over 40 times with the Defendants knowing under the 'balance of probabilities', under statute law, they are always likely to be valid.

The unlawful conduct of the Defendants has made the Claimant have to change the vehicle he is seen in often every month, use foreign registrations, some in fictitious names with fairy tale addresses or with his favourite, in the names of famous aviators or aviatrix of yesteryear.

The Claimant suffered loss due to the Defendant's conduct.

- 39 On the 24<sup>th</sup> July 2002 the Defendant conspired with others to arrest the Claimant in the Cardiff Civil Justice Centre in order to prevent a judgment by default against the Defendant, for failing to lodge his defences in time. Undue force was used causing **actual bodily harm** and the arrest was unlawful. The Claimant was later released from custody without explanation. The Claimant suffered loss due to the Defendant's conduct.
- 40 In 2002 the Claimant caught a burglar on the Veterinary Hospital, Barry premises. The Defendants refused to arrest, prosecute or identify the person to the Claimant. The Claimant suffered loss due to the Defendant's conduct.
- 41 In October 2002 the Complainant reported criminal damage to his Llantwit Major surgery identifying the culprit known to the defendant. The Claimant suffered loss due to the Defendant's conduct.
- 42 In October 2002 the Defendants received complaints of squatters on the Claimant's premises. The Claimant suffered loss due to the Defendant's conduct.
- 43 On 9<sup>th</sup> January 2003 the Claimant's motor vehicle was destroyed by arson. The Claimant suffered loss due to the Defendant's conduct.
- 44 On 22<sup>nd</sup> March 03 criminal damage exceeding £1,500 was reported to the Defendants with those responsible known to the Defendants. The Claimant suffered loss due to the Defendant's conduct.
- 45 On 07<sup>th</sup> Aug 2003 the Claimant was made to stop and produce driving documents. The Defendant sent particulars to John o Groats' police station and they have never been seen since. The claimant suffered loss due to the Defendant's conduct
- 46 On 9<sup>th</sup> September 2003 the Claimant caught a burglar in his Cardiff surgery premises. The claimant suffered loss due to the Defendant's conduct.
- 47 Between 2003 and 2005 the Claimant laid statements of complaint of perjury and perversion of justice by the RCVS before the Judicial Committee of the Privy Council committed in 7 separate hearings in Downing Street. Information was sent to both the Metropolitan Police Force and the Defendants for appropriate action. The Claimant suffered loss due to the Defendant's conduct.
- 48 In 2005 and again in 2006 the Claimant complained to the Defendant that the clerk to Mr Justice Andrew Collins, Manager of the Royal Courts of Justice's Administrative Court, during the Claimant's appeal for his Lordships' handed down 26<sup>th</sup> January 2005 Extended Civil Restraint Order (ECRO) was unlawful.

The Clerk denied his Lordship had written to the Claimant direct, failed to inform the Court of Appeal that his Lordship had written direct to the Claimant but within the statutory time to the Claimant for the ECRO to be subjected to an appeal.

His Lordship asked the Claimant for evidence that Mr Gary Flather QC had in fact directed the RCVS to disclose (see paragraph 28). The RCVS transcript was sent by return of post. The Claimant suffered loss due to the Defendant's conduct.

- 49 Mr Patrick Cullinane Esq., supported by transcripts and statements of complaint directed to the Defendants, witnessed and will confirm Mr Justice McComb, Mr Andrew Collins and at least 2 RCVS hearings, for '**disclosure**' for this Claim and reinstatement to 'practice veterinary surgery' were conducted with **criminal intent to abuse due process**. All disregarded the files lodged as they had scribbled on them, from the orders of the HM Attorney General's Office, '**Maurice John Kirk – Potential Litigant**'. The Claimant suffered loss due to the Defendant's conduct.
- 50 In 2006 the Defendant was informed the Registrar of the Judicial Committee of the Privy Council refused several times to refer the Claimant's Humble Petitions to Her Majesty to the court as it outlined the proof of the conspiracy between the Defendant's and the RCVS. On one occasion a court application, special delivery from Brittany, France, was returned unopened to the recipient, The Registrar, un aware of its content with only the name of the sender of the parcel. The Claimant suffered loss due to the Defendant's conduct.
- 51 Between October and November 2006 the Defendant, despite receipt of previous complaint of illegal trespass, threats of violence and criminal damage, failed to prevent persons known to the Defendant to inflict further damage and theft at his old surgery in Grand Avenue, Ely, Cardiff. The Defendants stood and watched the wielding of the sledge hammer. The Claimant suffered loss, exceeding £15,000, due to the Defendant's conduct.
- 52 In 2007 the Defendant was asked by the Claimant to investigate the criminal conduct caught on both tape and camera of the RCVS lawyers outlined in a letter of complaint, recorded delivery, to Cannon Street Police Station, London. The latter refused service of said information. The Claimant suffered loss due to the Defendant's conduct.
- 53 On the 12<sup>th</sup> October 2007 the Defendant refused to investigate the destruction or deliberate loss of court files lodged at the Cardiff Civil Justice Centre. The court admitted there had been 5 boxes but with the Attorney General's intervention years earlier and with the Treasury Solicitor sending all these files for **Actions, BS614159, CF101741 & CF20414** to '**interested parties**', as the internal memo put it, the court were down to one box. This was confirmed by a sequence of photographs within the confines of the HM court building, taped personally by the Claimant in open court and further confirmed by court correspondence.
- 54 On 12<sup>th</sup> October 2007 Fire broke out in the Cardiff Civil Justice Centre, apparently, as the Claimant was leaving and if it had not been for the quick arrival of a number of fire appliances the last and lonely box of the Claimant may have also been destroyed.
- 55 On the 12<sup>th</sup> October 2007 the Defendants refused at Cardiff Central police station to accept a 9 page statement of complaint headed, **Abuse of Process** or take a statement relating to the ongoing illegal activity within the UK judiciary. The Defendant refused to secure, for safe keeping, the lonely box in the Cardiff Justice Centre. The Claimant suffered loss due to the Defendant's conduct.

56 The Claimant at the RCVS court, 62, Horseferry Road London, on both 7<sup>th</sup> November 2005 & 6<sup>th</sup> October 2006 arranged for the Defendants to witness, first hand, the '**Abuse of Process**' and further proof of a conspiracy.



57 On 18<sup>th</sup> January 2007 The Claimant was placed in police custody overnight following orders from the Barry Magistrates:

- 1) Quashing a conviction that the RCVS used in 2002 rendering him 'unfit to practice veterinary surgery' [On the 7<sup>th</sup> September 1997 the Claimant failed to present his valid motor insurance to the correct police station].
- 2) The Claimant was to serve a term of imprisonment if he did not pay the fines and CPS costs outstanding since 1996.

The Claimant offered the Defendant payment in full in order to be released from custody.

58 He offered UK cash, credit cards, business and private cheque books even a few Euros thrown in or his wife could bring the cash that night. These forms of payment and application for his wife to pay at the gate before being transferred to Cardiff prison in the morning were all refused. The Claimant suffered loss due to the Defendant's conduct.

Mr Justice Collins later refused the service of Claim Form N1 (CPR part 7) containing similar allegations on the Secretary of State for the Home Office, his lordship using his Extended Civil Restraint Order due to expire on the 26<sup>th</sup> January 2008.

**59 Some other thefts, burglaries, acts of arson, personal injury and criminal damage suffered by the claimant in the 10 years are referred to in some of the following Crime Reference numbers:**

1. 12996/93
2. DA/2134/93
3. E/6284/93
4. 2124/93
5. EA/00/9637
6. Ea/00/9516
7. CA/00/28310
8. EA/251/051200
9. EA/00/9703
10. CA/0027437r
11. EA/01/7170
12. EA/99/7990
13. EA/99/9058
14. EA/99/7990
15. EA/98/2816
16. EA/98/5720
17. EA/98/5403
18. LA/98/736
19. DA/97/10941
20. DA/97/10071
21. DA/97/7596
22. EA/97/2130
23. EA/97/2450
24. DA/97/6474
25. EA/96/5731
26. DA/94/12521
27. DA/94/12740
28. EA/97/5304
29. EA/97/3319
30. EA/97/2450
31. EA/97/2130
32. EA/96/7162
33. EA/96/1883
34. EA/95/6841
35. EA/94/12996
36. E/8126/93
37. DA/94/2030
38. EA/94/1617
39. DA/94/2372
40. DA/94/2085
41. EA/94/1617

This list is NOT exhaustive due to the Defendant's apparent inability to disclose incidents reported without crime reference numbers. The Claimant suffered loss due to the Defendant's conduct.

ALL support evidence of a pattern of conduct by the Defendant's failure to properly investigate crime during the time the Claimant had to spend in welsh law courts and prison cells to quash 130 malicious criminal charges brought by the South Wales Constabulary.

- a. 10 years prior to 2002 the Defendants had conducted a policy of obstructing justice, failing to investigate crime and actively perverting the course of justice.
- b. Incidents cited for damages over that time had been segregated out for an independent tribunal, a **Trial by Jury** or the claimant would never have been so stupid as to commence legal proceedings.
- c. But Actions **BS614159, CF101741 & CF20414** were then joined without the consent of the Claimant on the lawyer pretext there would be a jury.
- d. The UK judiciary with the Defendants swindled the Claimant of that basic right before Mr Justice Thomas and Mr Patrick Cullinane Esq in September 2007 at The Royal Courts of Justice.
- e. Mr Justice Thomas admitted both he and Mr Justice Maurice Kaye, from whence the appeal to the Court of Appeal had come, had neither read the lodged application papers by the claimant for a **Trial by Jury** nor did they need to.
- f. The appeal for a jury had been lodged at the Court of Appeal in December 2004 and deliberately delayed to quietly phase out UK jury trials even though it is still on the statute book.
- g. The Defendants were informed and their conduct was unlawful.

61 Claimant applies that this action is heard by **Trial by Jury**.

**Cessation of harassment and the right to practice veterinary surgery was concurrent**

By reason of the matters aforesaid, the Claimant has suffered loss, damage, distress, anxiety, damage to his reputation and was deprived of his liberty

And the Claimant claims costs, aggravated and exemplary damages at interest rate pursuant to Section 69 of the County Courts Act