

GRUNDS

(1)

Heard

HHJ Ray S Jack QC

Bristol Crown Court

Nature of hearing

Application to amend p/c

Date of hearing or judgment

28.1.00

Result of hearing

Application refused

199. His Honour wrote refusing the Claimant's Application to join the 2nd Action as the Application had already delayed the trial scheduled for 22 November 1999. In point 3 of his hand written judgment, giving reasons for refusal, he wrote:

"If there was a course of harassment by the police this would be sufficiently clear from the many incidents already pleaded."

200. His Honour Judge Chambers QC gave exactly the same view in the Autumn of 2004 hearing when speculating as what would be the fate of the outstanding twenty odd incidents, not before a jury, it being dependant on the outcome of the trial.

His Honour Judge Jack had more to say, in the hearing, see transcript:

***"It is a pretty remarkable tale if there is any truth in it,
I am voicing little disquiet,
Just look at the number of incidents,
One asks what is going on?"***

201. Around 2006 the Claimant employed a Birmingham barrister, at huge expense, simply to fight for a jury trial but he needed further briefing from the court files.
202. Contrary to His Honour's written permission, for the Claimant to be allowed to examine the Cardiff court files, see HMCS (Cardiff) 21st April 2006 letter (exhibit), the court manager, the very same that has caused such havoc for the Claimant ever since, especially in five parallel actions fighting for relevant disclosure, overruled His Honour's

permission meaning the Claimant was left on his own, when the appeal was moved part heard to London.

203. Lord Thomas, sitting alone, ruled it was all 'too late for a jury trial' which would cause even further delay in the trial.
204. 16th July 2007 HMCS (Cardiff) letter (exhibit) confirms that on the 16th May 2007 one of the files for this case (3rd Action CF204141 could not be found by court staff.
205. The 4th Action's Particulars of Claim show a similar incident, by photograph, when the Claimant did at least get the chance to see what files were left in Cardiff court, no one telling the Claimant where they had all been going since 2003.
206. Once the Claimant had a whiff of these unusual tactics, some six or so years ago, he trumped it by serving on the Defendant all he could find, at the time, of his own prosecution papers with the hope that there would now be a settlement out of court..
207. The Claimant records included note taking from some 20 or so Cardiff and Newport Crown Court hearings and well over 70 odd magistrates hearings, all stuffed into 50 odd leaver arch files, 'warts and all'.
208. Leaked Minutes 23rd July 2003 (exhibit) and other such HM internal memos from HM Treasury Solicitor's Office, Whitehall and the Cardiff County Court manager, generally came into the Plaintiff's possession by way of angered members of HM court staff, but it explained why files have been lost.. The six year 'Vexatious Litigant enquiry' eventually failed as Claimant files of well over 100 cases,(mainly veterinary bad debts) obtained a success rate of over 85%.
209. **As late as 1st March 2011 the Defendant sent to the Claimant, only by request, the significantly omitted page 47, of the Defence's 18th August 2010 Skeleton Argument, to strike out 36 incidents indicating, by e-mail, the Trial judge had not seen it either. More later.**
210. Only 4 were eventually struck out with just 2 others being partially struck out, well below 10% of the incidents that had been before the court for nearly ten years, **1st Action Para 8.12** for 15 years, currently struck out.
211. In around 1996, in the Bristol Court, the Defendant, with the same defence barrister, had already attempted to rule out most of Action One but the court ruled **1st Action 8.12** was to remain in the Particulars of Claim.
212. HHJ Jack QC was to be allowed to sit in the Swansea court, as the Appeal judge again, to overturn his HHJ Nicholas Chambers QC's granting the Claimant a jury trial. The Claimant, on appeal, long before this in the same Bristol court, had obtained several incidents, already struck out, to be reinstated by HHJ Jack QC.
213. But here we are again with the South Wales Police using their unusual, extreme and indefinite tactics of being allowed to manipulate their local judiciary (see 4th section of Bundle, 'machine gun case' and see MAPPA in 6th Section of the Bundle, police