

**IN THE HIGH COURT OF JUSTICE  
QUEENS BENCH DIVISION  
ON TRANSFER FROM  
THE CARDIFF COUNTY COURT**

Claim No. ICF03546

HHJ Seys Llewelyn QC,  
County Court  
Cardiff

27<sup>th</sup> Jan 2013

Your Honour,

**30<sup>th</sup> Jan 2013 Application for Seventy Witness Summonses to be issued  
for 18<sup>th</sup> February 2013 Three Month Trial against South Wales Police**

**Abuse of Process**

Following my jailing, this week, by French police and having me sectioned under their equivalent of s.136 Mental Health Act, just thirty minutes after talking on the phone to your local NHS (Wales) solicitors, Morgan Cole, stating geographically exactly where I was sitting, I apply to the court, this Wednesday for:

- 1) Morgan Cole's knowledge, reply on oath, of the affair?
- 2) Chief Constable's MAPPA/FTAC covert surveillance knowledge, reply on oath, of the affair?

As we are aware ECHR Article 5, liberty and freedom of movement, does not refer to being imprisoned (although it can mean that) but rather it means loss of freedom of movement. ECHR Article 5 is useful to draw attention to how any measure must be "proportionate to a legitimate aim".

I have received letters from Ms Tina Whitman of Morgan Cole, GMC, IPCC, Dolmans for police and Crown Prosecution Service, ALL remarkably closely dated last week, all for use at 29<sup>th</sup> Divorce, 30<sup>th</sup> Jan 'consolidation' hearings, of eleven cases to be moved out of Wales and re three month police damages trial commencing 18<sup>th</sup> February.

As we are all aware, in professional regulation and where a solicitor acts improperly towards a litigant in person, the solicitors wrongdoing is usually around three issues:-

- Discrimination
- Abuse of power to take advantage of the litigant in person

- Dishonesty and misleading the court.

Taking advantage of a litigant in person is often where a solicitor says the most ridiculous assertions and exaggerations that can veer into outright dishonesty, with the intention that then, the litigant in person is made to work beyond their ability and resources to disprove the ridiculous and dishonest comments of the errant solicitor.

Obviously this is not *Equality at Arms*.

Yet *Equality at Arms* and *Equality before the law*, is important and an obligation for the Courts to strive for.

As we are aware to redress the balance where a solicitor abuses their power over a litigant in person the Courts have power to intervene at an earlier stage to the Solicitors' Regulation Authority and can either strike off the solicitor and the solicitor has then to explain to the Solicitors Regulation Authority why they should be let back on the Roll

Or, as we are all aware, the court award costs against the individual solicitor for wasting the time of the Court with cloudy exaggeration and or outright dishonesty.

Therefore, with regards to 30 January 2013 hearing and following the Court is not only asked to look at the wrong doing by Dr \*\*\*\*\* and Prof Wood of Swansea University but the way that Tina Whitman and Morgan Cole try to act most improperly in misleading the court by cloudy exaggerations that veers into outright dishonesty.

But one obvious indication of solicitor Tina Whitman abusing her power is her avoiding the clear fact that Dr \*\*\*\*\* contradicts HHJ Seys Llewellyn QC

- Dr \*\*\*\*\* says;-

‘that it is a delusional to belief that Mr Kirk is harassed by police’.

- HHJ Seys Llewellyn QC has said in judgement to the effect that

‘that there are so many incident that over 100 witnesses will attend court’.  
(In other words, so many incidents means witnesses are needed to see whether there has been harassment - although most of the events and alleged harassment by police, predate the Harassment Act 1997).

Is Dr \*\*\*\*\* now going to recognise the wisdom of HHJ Seys Llewellyn QC ? If so, what changes will he make to his reports about myself ?

But all of this is exactly what will Dr \*\*\*\*\* amend in his reports?

And should Dr \*\*\*\*\* pay compensation for publishing that which he knew or ought to know was not true, obviously requiring an ongoing process of law.

The Claimant therefore asks the Court to note how Ms Whitman abuses her power by such cloudy exaggerations and dishonesty to cause the Claimant hardship and distress.

Just some quick examples of the other issues we need to be answered are:-

1. Dr \*\*\*\*\* says I am not well enough for proceedings or to represent myself whereas HHJ Seys Llewellyn QC proceeds at a pace that I am in a fairly normal state of health.
2. **Dr \*\*\*\*\* says I have significant irreversible brain damage**, which if not adequately and proportionately clarified to the Court can be grounds for appeal.
3. I believe Dr \*\*\*\*\* maliciously and dishonestly made up that I have a quite serious irreversible brain damage and possible cancer (as on Crown Court transcript 2/12/2009) and that I do did not nor never had the conditions that Dr \*\*\*\*\* alleged.
4. The point is also that Dr \*\*\*\*\* (and psychologist Prof Rodger Wood are not even medically qualified to interpret the brain scans to report to the Crown Court as that is the job of the neuro-radiologist who's training and qualifications is so to do. This was done by predated Caswell Clinic, HM Prison and Princess of Wales Hospital report [Aug 2009] ALL contradicting MAPPa police and Dr Williams
5. Why did Dr \*\*\*\*\* deliberately not use or invite anyone who was medically qualified? Why not? Because he enjoys immunity to prosecution and in the pay of the Chief Constable, FTAC and MAPPa, just for starters.
6. Dr \*\*\*\*\* maliciously also made up that I was mentally ill for my asking if I was under surveillance in his Caswell Clinic room.
7. As we live in a surveillance society most people would wonder what surveillance does exist in Caswell Clinic, when classed as a medium security prison, the very excuse Dr \*\*\*\*\* used in applying to the court I be transferred and incarcerated in Ashworth High Security Hospital.
8. Dr \*\*\*\*\* maliciously said I was mentally ill for asking if medication would be surreptitiously put in my food, in order to negate my section 35 of the 1983 Mental Health Act, assessment only to treatment.
9. When Dr \*\*\*\*\* knows I was a veterinary surgeon and veterinary surgeons put medication in animals' food surreptitiously was not my request proportionate?
10. That he does the above to cause indefinite loss of liberty to gain advantage in my twenty years of civil legal disputes with the South Wales Police?

11. Why does Dr \*\*\*\*\* still seek to harm myself by falsifying recent police MG 11 witness statements, to achieve my imprisonment and breach my human rights to cover up his wrongdoing?
12. I believe my human rights are breached by trying to prevent me making accurate comments about how a public sector officials (Dr \*\*\*\*\* and parties) who seemingly abuse their power and abuse the resources of the state. My Caswell Clinic assessment cost around £100,000 or more and it seems Dr \*\*\*\*\* did not use anyone medically qualified to assess the main issue of brain damage in the way he reported to the Crown Court regards his application for an indefinite loss of liberty.
13. I believe it is in the public interest to publish what I say and a breach of human rights to prevent me.
14. Under the 1997 Harassment Act sub section, in that any one pursuing someone in order to prevent or detect crime, is immune to prosecution.
15. A recent court hearing allowed me to publish the police psychiatrist's name and publish earlier, on my web site blogs of tape recordings of the original Cardiff magistrates proceedings catching flagrant abuse of process being occasioned by CPS prosecutor David Gareth Jones of 9 Park Place Chambers, Cardiff and seven others I will name, if you wish?
16. These magistrates and higher court tapes CONTRADICT OFICIAL COURT RECORD to fully support my allegations of wide spread corruption in Cardiff courts and now, even my own solicitors, it appears, to be deeply implicated.
17. How can any managers or employee at the NHS (Wales) honestly justify objecting to my publishing about what occurs here in Cardiff, daily, for the electorate to consider re autonomy for the locals to further endure?
18. Dr \*\*\*\*\* has a new Chief Executive and a new Medical Director. I wish or some one I can trust in South Wales, to liaise with Dr \*\*\*\*\* so that the real employer has the correct information to make decisions.
- 19. I believe the local NHS Medical Director Dr Sangat and local NHS Chief Executive Paul Roberts will need to attend Court on 30<sup>th</sup> January, Cardiff Civil Justice Centre, to explain whether what Dr \*\*\*\*\* does (and how Dr \*\*\*\*\* refuses to intelligently and caringly talk through issues), are the standards they wish to encourage?**
20. Normal police procedure, in longstanding disputes between individual personalities, is to suspect the potential that wrong may be done by both sides.
21. Why does he and South Wales Police still use the same false reports to harm me?

[AS they did in Nigerian Musa family court 2011 scandal, re Tottenham police having me sectioned to jail on South Wales Police false same falsified psychiatric evidence]

What I say or publish anywhere is not even defamatory, but accurate in what is said.

As Tina Whitman abuses her power to make me work beyond my ability and resources I do not answer what she spuriously raises to cloudy exaggerations and to dishonestly mislead the court.

What I believe is clear is that there is an ongoing process of law needed to explore the wrongdoing of Dr \*\*\*\*\* and Prof Wood and also particularly why they still actively seek use untrue reports to harm myself.

I ask the court to note that unless Dr \*\*\*\*\* clarifies adequately and proportionately, my state of health on matters as serious as 'significant irreversible brain damage', brain cancer and my alleged mental state, then just how can I manage proceedings or have I grounds for a jury trial in an independent environment, England?

**As I am still registered, without my knowing, MAPPA level 3, one of the top 5% registered in the UK most dangerous, terrorist level and supervised at stage 3, only by the most senior of South Wales Police officers, apart from many of the dangerous murderers in Ward 16 and teenage suicides so prevalent in the area, was my exact comment not proportionate?**

I do not have access to local healthcare due to what Dr \*\*\*\*\* does and continues to say, he having again, recently, lied on police statements, for example, I have been harassing him and his sick wife at his home causing police to 'move me on' !!!!

Not one but three local general medical practices refused me as their patient the first being Cowbridge Health Centre, Cowbridge where I had been a patient for nearly eighteen years. NHS (Wales) doctors threatened the police with my eviction. This was immediately following my acquittal for 'being in possession' of an antique decommissioned WW1 Lewis machine gun then attached to my Farnborough Air Show replica DH2 aircraft I had sold over one year earlier!

Why was everyone's anticipated acquittal, from a mandatory ten year prison sentence, in February 2009, with subsequent release from Cardiff prison causing my name to have been so mysteriously expunged from the MAPPA register?

Why were at least six monthly MAPPA meetings convened, during my incarceration, in Dr \*\*\*\*\*' offices, as Clinical Director of Caswell Clinic, of all places, with key other agencies not even present or aware they had taken place?

I had obviously been seeking medical attention as no one had explained prognosis or need for a follow up brain scan.

- a. I believe if any doctor becomes my doctor they will have to explain my current health and that will be evidence of Dr \*\*\*\*\*' wrongdoing. So it seems they are advised or controlled by Morgan Cole solicitors and parties to not treat me. Why is that so?

- b. I wonder if it is very serious wrongdoing and a breach of human rights if the CPS were to now to continue to support Dr \*\*\*\*\* agenda other than I do not contact him.
- c. I believe we need to view Morgan Cole solicitors as doing much wrong and breaching my human rights
- d. Also I am concerned about the administrative staff who arguably pretending to be Dr \*\*\*\*\* employers and who may be no better than work place bullies who bully patients and aim to bully me. That is one reason why it is important that Dr Push Mangat (who is the only employer/manager properly qualified clinician to comment in this case of Dr \*\*\*\*\* making up I have irreversible brain damage) should respond directly to the evidence I wish to be considered.
- e. It is the Applicant's further submission, in the light of your refusing the road side video, in forthcoming damages trial, catching Cardiff police dragging me out of my stationary car, in a queue of traffic and beating me up and again in the police cell, senseless, caught on video and having been the judge in the criminal court re another alleged 'failure to provide a specimen of breath, both 'absolute offences', for Pete's sake..... having just left 2 hours in Crown Court and operating on a successful caesarean emergency, at the dead of night, respectively, you should recuse yourself.

Thank you  
Yours

Maurice J Kirk BVSc

Copies to Criminal Court of Appeal,  
Administrative Court

GMC  
CCRC  
RCVS  
CAA  
IPCC  
Private Eye  
UK Column  
Victims Unite

John Hemming MP,  
Austin Mitchell MP,  
Alun Cairns MP