28th Sept 2013

T 20130801

(South Wales Police) BS614156 (Caswell Clinic) 1CF03546

Regina v Maurice John Kirk

Defendant's Application for Transfer to English Court

Your Ladyship and Your Honour,

In the continuing absence of requested legal representation, via Legal Aid or by self funding, deliberately failed disclosure by both the Crown Prosecution Service (Wales) and South Wales Police with no psychiatric assessment carried out, contrary to Cardiff Crown Court Order, the accused feels obliged to further inform the Honourable Court of the continuing abuse of process:

- 1. Both HMP Cardiff and South Wales Police continue to refuse to return my passport.
- 2. After yesterday's hearing I wasted another hour or so of my life at both the police station and prison where, in either places, I am rarely allowed to see a police officer yet alone file written complaints.
- 3. I was again refused the right to lay complaint or obtain escort to HMP Cardiff for my passport, as per bail conditions, following my arrest this week whilst attempting to retrieve same.
- 4. On that occasion I was actually arrested for 'entering a prison without permission' but later only charged with 'common assault by beating' a prison officer called 234 ROGAN.
- 5. ROGAN had twice told me this month, before a witness, that the prison did not have my legal papers or my passport. He was lying and appeared, each time, to be enjoying it.
- 6. The police, on the third occasion, had specifically told me to go back to the prison and collect the passport but the same police officer was later driving me to the cells having witnessed the laughing prison staff, including ROGAN, while fabricating still more excuses, in the obvious interests of the police, not to give back my passport.
- 7. Outside the prison I was forced to then ring 101to again seek police attendance. This was treated as a joke and so I was forced to dial 999 only for the very same police, who had arrested me this week, to eventually attend with the appropriate vehicle.
- 8. As ROGAN laughed behind his bullet proof glass the police refused to either arrest him, under the suspicion of theft, as I had done on the previous occasion or establish the passport's exact whereabouts now admission was made it was somewhere in the prison.
- 9. My civil action, BS614159 is but one small part of twenty years of police bullying but is one of several stayed damages claims against the police, NHS and prison services.
- 10. Police delay and further malicious prosecutions are designed specifically to prevent me gaining access to my own flat and legal papers both in Wales and France.
- 11. The South Wales Police, clearly with criminal intent, continue to frustrate my basic human rights and reasonable access to remedy.

- 12. This apparent cognitive dissonance by the police, over my withheld legal papers, passport and ignored section 8 disclosure applications, each time there is an incident, is but one example of what I have suffered for more than twenty years.
- 13. On the other hand, when I first decided to buy a veterinary practice and settle in the Vale of Glamorgan and even have a family, much to my parent's dismay, I did it believing South Wales had been the appropriate place but, somewhere, I had it all wrong.
- 14. Imperious judicial authorities of this region, alongside both senior police officers and their legal advisors and in particular, Adrian Oliver of Dolmans, solicitors, Cardiff, knew from the very start their concocted complaint in January 2001, to the Royal College of Veterinary Surgeons (RCVS), was nothing but malicious in order to counter the unusually high success rate I was having in the courts despite their locality.
- 15. Subsequent supporting police prosecution evidence, before the 2002 convened RCVS Disciplinary Committee, was similarly fabricated by the South Wales Police to prejudice my civil damages claim now that it had been moved, despite my express wishes to the contrary, from Bristol County Court, in England to the Cardiff Civil Justice Centre, in South Wales, where I no longer was allowed a jury.
- 16. My recent re read of the RCVS transcript only re assures my assertions, at the time, that the South Wales Police were given a 'free rein' in their colourful 'evidence in chief' knowing, full well, the court or 'dark forces' had already decided to deny me, for rebuttal, the obvious choice of eye witnesses with contrary evidence, they being some fifteen or so serving police officers, if my memory serves me right.
- 17. On one rare occasion, leading to my conviction for 'threatening to machine gun down the Lord Mayor of Cardiff', police clearly begrudgingly had to 'see me' and had to take my statements of complaint but only by my applying their statutory commitment.
- 18. These were Lincolnshire air museum witness statements further confirming that the then Chief Constable had authorised the re-painting of the WW1 Lewis decommissioned machine gun, a different colour, to try and fool the 25th Jan 2010 jury.
- 19. This explains why neither I, nor my gun expert, present in court, were ever allowed to even examine Exhibit 1 before or during the two week trial. One of my statements, from the aircraft engineers, confirmed the 'gun' was even returned to the museum in a different shade of grey to the colour it was in when seized by the police a year earlier.
- 20. Do I show my defences, as was my dilemma over the machine gun, before, during or after 12th November 2013 trial or not at all?
- 21. I knew the police had deliberately painted the gun a different colour to look like the one on video the CPS, Mr Richard Thomolow, intended to play to the jury but was I to raise this in cross examination, leave it to the Criminal Court of Appeal, out of the stench of Cardiff courts or leave it to the inevitable civil damages claims flowing from the event?
- 22. The owner of the gun, Mr Cooper, incorrectly standing in the witness box as prosecution witness, was quite bemused and still is as to why I did not ask him the obvious questions over the police painting his gun. The answer, as with my defence evidence in this current jury trial, is exactly the same as with the truth over the machine gun.
- 23. My tape recordings for the time period of the alleged 'common assault' incident, that never happened, was also recorded by the shop CCTV but, as usual, the South Wales Police and CPS, let us not forget them, a major play in South Wales culture, regularly withhold evidence that will only undermine their case.
- 24. Referring the pending trial back to the machine gun case, if I may, because the same old dilemmas arise. As soon as I heard the police helicopter overhead with its armed Trojan

team rapidly surrounding our home I made arrangements for a civil action for damages, preferably in the High Court in England.

- 25. The police lifted not just photos and footage from <u>www.kirkflyingvet.com</u> and from my confiscated lap top but also .303 ammunition I had deliberately left on the top of my desk with urgent Court of Appeal paper (BS614159) destined for London.
- 26. All this was videoed by the search team, of course, but no way was that being disclosed to me, perish the thought and the police around here always know that and that is why miscarriages of justice in Cardiff, Newport and Swansea Crown courts are not exactly unknown.
- 27. The manner in which I was arrested for the ammunition, police producing, apparently, a real prohibited weapon as late as during the 2010 trial, nearly eight months later and now your district judge is refusing to 'state a case ', for my lodged JR, over the police refusing to return either my licensed shot guns or expensive antique guns.
- 28. While the IPCC (Wales) continue to ignore this machine gun conspiracy and police crossing the River Severn, back in the 90s, to lean on a witness and to conspire with CAA investigators on evidence destined for the RCVS disciplinary committee, is why I do not even bother to take yet another 'stitch up' achievable, this time only because I am warn out, burnt out and suffering from significant short term memory loss.
- 29. I have had to remain in South Wales only to finish my civil litigation as no lawyer can be found to do it for me, a factor I completely overlooked when, in the winter of 1992, I made the decision to stand and litigate, something I should have done, in Taunton, some twenty years earlier.
- 30. There is no longer an effective complaints system in South Wales against either the police or any department within its judiciary compounded, I know, by the distraction and forlorn hope of autonomy, which is why so many of your high street lawyers are snatching up the money while there is still some left.
- 31. The routine tax payer's £5,000 cheque in the pocket for the lawyer ring run by police, down at Cardiff Bay police station, is a case in point. On many of my seventeen arrests, since the machine gun case, not one achieving a lasting conviction, there has been unnecessary detention to black mail a litigant in person to disclose to any lawyer.
- 32. Whenever I have asked for a lawyer, not in the ring, to be contacted, respective custody officers have refused just as they routinely refuse PACE statutory requirements when I am being fixed to go before your controlled district judges rather than independent lay magistrates.
- 33. While the IPCC (Wales) continue to appear to ignore this and my many other well founded complaints, over many years, I have had to remain in South Wales unrepresented. I now suffer from a recognised stress disorder arising from litigation making it difficult if not impossible to carry on as I am. The Bristol psychiatric examination is also appreciated as the psychiatrist will need to have a brain scan carried out in the light of current outstanding forensic evidence repeatedly used by the South Wales Police to having me incarcerated, without subsequent charge or successful conviction in Wales, Oxford London, The United States of America and this year, even in France.
- 34. South Wales Police continues to refuse to disclose the Defendant's interview DVDs in a number of current and past incidents that did not require my arrest.
- 35. This 'failed disclosure' culture, a dominant factor in the currently running civil damages claims, with ninety nine witnesses heard so far, even includes the aborted November

2012 trial depositions and CCTV, proving my innocence, following the senior police psychiatrist again falsifying a complaint on his July 2012 'victim' statement.

- 36. This police protected psychiatrist, from Caswell Clinic, knowingly falsified not just my 2009 MAPPA status, on 7th June 2009 in Barry Police Station but also before Your Ladyship in my November 2009 leading to my failed application for bail.
- 37. A few days later, on 2nd December 2009, before His Honour Judge Neil Bidder QC he did it again but this time, with serious backing by CPS (Wales).
- 38. This forensic psychiatrist continued on, during the years 2010, 2011 and at least until July 2012, <u>before feigning illness due to my harassment</u>, fabricating complaints about myself, many recorded on police victim and S9 MG11 witness statements but they are still being withheld from me despite countless lawyer requests from both England and Wales.
- 39. Yet again, senior police officers along with Dolmans, solicitors, knew the doctor's 2009 psychiatric reports and subsequent 'victim' statements, under oath, were all false but it was beneficial not just for their Defendant, The Chief Constable but also for Dolmans for the Claimant, myself, to become the impecunious party and actually, as I did, completely run out of money during the third month of the trial making it ny on impossible to summon up my intended seventy or so witnesses many no w moved since originally making statements back in the 90s.
- 40. Nor did it allow me to live in appropriate conditions to get his head around over two hundred lever arch court files recording the misery, to date, from when the police harassment first started in South Wales in 1992. Aviation incidents in South Wales, long before that date, in the 70s, were just too comical for a younger man to suffer any long term post traumatic litigation syndrome, unlike now, the latter being a real problem for a LiP.
- 41. All Cardiff court proceedings are now designed, if possible, to get me repeatedly gaoled to affect my mental capacity to carry on any more.
- 42. Specific individuals control not just our local police force in South Wales and legal professions but also many facets of Cardiff's own judiciary and whether I like it or not these individuals are seriously influenced by dark forces that inevitably prejudice their victims' basic rights to a speedy remedy under our country's rule of law.
- 43. I have, for example, actually seen the black mailed police psychiatrist's July 2012 police statement, during my lengthy period in custody, stating the police, 'had to move him on' from harassing both him and Dr Janis Hillier, also of Caswell Clinic, at their home when I have no idea where they even live nor do I wish to know.
- 44. My very able private investigator, from Bristol has found the address should I need to call the police psychiatrist as my character witness in the November.
- 45. South Wales Police (at least twelve officers at the incident with four more, no doubt, in the 'paddy wagon' routinely tucked around the corner) are conspiring with the Defendant, in the civil case and with witnesses in 12th November 13 trial best exampled by their threatening a Bristol court appointed HM Bailiff with arrest thereby preventing him carrying out a lawful eviction (see Bailiff's report to IPCC (Wales) and recovery of my own property.
- 46. Police admitted, at the scene, that if it had not been for the owner of the shop to be bearing the same surname as mine the police needed not to have been there! An indictment in itself, I would humbly submit.

- 47. I asked, yesterday, that record of the civil hearings relating to the complainant squatting and for the hoard of police officers be released to me for my cross examination in the trial.
- 48. As a result of the reply, handed down, I now apply for HMCTS Luigi Stranati, currently and without lawful authority, continuing to obstruct my access to any of the Cardiff courts public counters, since 2008, to be **ordered** that I may attend all public counters, as of now and all civil hearings in relation to these eviction proceedings be available to me for me defence.
- 49. Likewise, following your answer to my above request, when considering the matter of jurisdiction, no civil proceedings can undermine any criminal court order nor interfere with the current bail conditions BUT some may say, by obliging the Defendant, still further, the Chief Constable, in further suspending the time period of my damages claim is, with respect, another abuse of process, so commonly accepted by your local community but not by me.
- 50. The Civil Aviation Authority (CAA) have now jumped on the 'band wagon' mistakenly or otherwise and temporarily suspended my recently issued pilots' medical pending another psychiatric assessment despite my 16th June 2010 favourable CAA psychiatric report, carried out by their senior CAA consultant psychiatrist, following my acquittal for 'trading in Lewis machine guns'.
- 51. Neither defence evidence nor 'summing up' to the jury was required for the speedy acquittal, obviously and confirmed by nine of the jury immediately after the trial. They were heard to say their decision, that I had obviously been 'stitched up' by the South Wales police, was made after the first day of evidence in the two week trial. The antique gun disappeared somewhere, for a while, during its nearly 2000 mile journey, whilst being hawked around England and Wales, often by a lone policeman and very contrary to regulations which stipulate a minimum of three.
- 52. It is my submission that I was not 'stitched up' by the majority of the prosecution witnesses, they were simply black mailed just like the Caswell Clinic psychiatrist, as they were only 'acting under orders' from senior police officers immune themselves to Welsh prosecutions.
- 53. Consider the Lynette White Murder Swansea trial scandal and the acquittal of numerous, to be counted, South Wales Police due to their incestuous relationship with the Cardiff judiciary and legal professions. My recent experiences and feedback, when trawling across both Bristol and Somerset in search for independent legal representation, further supports this view of mine that no Englishman is likely to get a fair trial in any Cardiff law court.
- 54. NHS (Wales), Caswell Clinic, MAPPA, HMP Cardiff and two Chief Constables have all, so far, refused me disclosure of my own relevant medical records despite my having also applied three or four times and paid for FOI applications for same. Does it stink?
- 55. Previous CAA doctors and four of my past and present GP practices have also failed, so far, in obtaining correction or clarification as to my :

'Significant brain damage', paranoid delusional disorder and possible brain tumour'

56. This information accepted as true, on numerous occasions by both Cardiff Crown and Magistrates courts, without batting an eye lid, I submit, on Wednesday in Bristol, must be clarified.

- 57. In November 2009, to prevent Your Ladyship granting me bail from Cardiff prison, I was maliciously registered a MAPPA level 3 victim by the Defendant in my currently suspended civil proceedings (BS614159) and no one, contrary to home Office guide lines, notified me.
- 58. During my 2nd December2009 court eventual appearance the stench of criminal negligence and conspiracy by police, CPS (Wales) and NHS (Wales) Caswell Clinic was palpable and not to have the 28th August 2009 Princess of Wales Hospital's brain scan not being followed up and correctly done, this time, remains disgraceful.
- 59. I was eventually released from the court cells to access the hearing, part heard, not only to evidence that the police psychiatrist must have had been present in court but clinical matters had been discussed of significant impropriety.
- 60. This time both police psychiatrist and by now, His Honour Judge Richard Thomolow, then acting as Her Majesty's Representative and prosecuting the ridiculous 'machine gun' case were caught on tape when they all thought it was switched off, with my still having no legal representation in the court in my absence.
- 61. As deemed a mental patient, they both asked the judge, that their victim should be immediately incarcerated into Ashworth high security psychiatric hospital with an expectant life sentence without trial. Fortunately, for me, no other forensic level 12 psychiatrist could be found for the second needed signature.
- 62. On the day before, unbeknown to me, my past Member of Parliament, Mr Walter Sweeney, had managed to fax to the court a Southampton medical report, contrary to that of the police psychiatrist's and establishing the fact the police psychiatrist was neither suitably qualified, to interpret the scans and there was doubt, in any event, that the right soft ware was used, anyway, for a wrong technique to safely detect relevant signs of brain damage.
- 63. Getting back to 2013 and enforcing my legal right in having my second, hopefully, fair trial being moved well outside of South Wales, I enclose earlier Cardiff Crown Court transcripts relating to their latest conspiracy, all indicating a local habit to pervert the course of justice so dependant, now, on the apparent cosy relationship between legal professions, Crown Prosecution Service (Wales), HMP Cardiff and not forgetting the most important major regional player, HM Court &Tribunal Tribunal Service (HMCTS) Area manager, Luigi Stranati.
- 64. Just what would my school boy hero, Owain Glyndŵr, have made of all this? Like so many of my past family, lost in the two world wars, would he also have despaired at the current state of things now going on in his beloved country?
- 65. July 2009, 1st October 2009 and 2010 Crown Court transcripts, I would humbly submit, are examples of a local political flavour reminiscent of Guernsey lawyers maliciously influencing the very cornerstones of Magna Carta, the independence of UK's judiciary.
- 66. Back in the 90s and after reading a jury note of complaint, in my 'dangerous driving' trial before it collapsed in turmoil, His Honour Judge Nicholas Cooke QC should have gaoled that senior police officer, caught signalling from the well of the court to his colleague under my cross examination, but that he did do as he did not have the stomach for it.
- 67. Instead he sent me to prison for 'contempt of court' following my obvious remarks. This was later, that day, commuted to a £50 fine which I swore I would never pay.
- 68. This, then, Recorder of Cardiff, in my July 2010 court room, more than ten years later seriously worried me. I was there with friends simply asking for clarification or

correction of my Caswell Clinic medical records but on seeing that man back in my court was sufficient to know just which side my bread was buttered on.

- 69. Also, following my failure in finding anyone in Wales to even attempt, on my behalf, to ask for the evidence as to why on one day, 17th December 2009, in Cardiff prison, I was registered MAPPA level 3, top 5% terrorist level, in the morning but by 4pm I am being told my name had been expunged from the MAPPA register!
- 70. Why is it, if not criminal intent, that those responsible have repeatedly refused correction or clarification of my medical records, ever since, refusing me access to a follow-up medical examination and brain scan?
- 71. Why is it that GMC (Wales), IPCC (Wales) and Bar Counsel (Wales) all continue to refuse to lift a finger or cause an independent investigation from the compelling evidence in my files?
- 72. Why did not HHJ Cooke QC accept my file in court, back in July 2010, but instead falsely promising me disclosure of evidence of a Caswell Clinic/Swansea University/South Wales Police conspiracy of such magnitude if now, thirteen Cardiff Crown Court judges were not part of the Cardiff cabal?
- 73. Why was it this judge specifically designated the Caswell Clinic forensic psychiatrist to have me sectioned in the first place?
- 74. Why was it this particular judge and Caswell Clinic refused to show me a copy of the Austin, Texas psychiatric hospital reports following my perfectly lawful landing in a cow meadow quite near the then President Bush's ranch?
- 75. Caswell Clinic later acknowledged, as did the Federal Aviation Authority at the time, when telephoning without prior invitation that the US police had mistakenly acted on erroneous South Wales Police data deliberately, no doubt, supplied from Bridgend Police HQ to prolong my time locked up in Waco prison even before I arrived in hand cuffs in Austin, at the Texas main psychiatric hospital some eighty odd miles down the road?
- 76. I am, however, fortunate, this month, whilst again trawling the streets of Cardiff to obtain legal representation, for this trial, to have been approached by a local practising solicitor who witnessed the pivotal July 10 Crown Court incident, of my asking the Recorder of Cardiff for disclosure of evidence of 'significant brain damage, brain tumour and paranoid delusional disorder and relating to an unreasonable aversion to certain police officer in the Cardiff locality.
- 77. Whereas the previous hearing ended in my conviction for 'contempt of court' and one month's imprisonment I again apply on the clear understanding I am to receive a correctly conducted follow-up brain scan as soon as possible.
- 78. The Cardiff based solicitor's evidence contradicts HMCTS staff evidence that was given before His Honour Judge Llewellyn-Jones QC, I think that very same afternoon.
- 79. By allowing me no access to my own witnesses, beside me in court earlier that morning and dismissing the evidence of the police officer, <u>as disallowed</u>, despite his having been specifically placed in court as the incident was, quite rightly, predicted.
- 80. I apply for all court matters to be adjourned sine die and for the CPS to take a statement from the Cardiff solicitor and so have my witnesses called also to get the conviction quashed,
- 81. Judge Llewellyn-Jones QC not only gaoled me, following this disputed 'contempt of court' conviction, in July 10 but had already, on 7th August 2009, had me swiftly

sectioned, just on spurious written evidence for me to be incarcerated in Caswell Clinic prison in the absence, in court, of either appropriate medical or legal representation.

- 82. Judge Llewellyn-Jones QC intervened again, as Recorder of Cardiff this time, in the 15th November 2011 Cardiff magistrates hearing when I faced a charge of harassing the same police doctor over the very same issues.
- 83. The learned judge wrote to the court, before the evidence was given, re iterating the earlier District Judge John Charles order a year earlier that I was not allowed to cross examine any prosecution witnesses on medical grounds. The judge's 14th November 2011 court orders, including sentencing instructions, remain undisclosed to me despite all avenues, except the Criminal Complaints Review Commission, having been exhausted.
- 84. Clerk of court notes, partially disclosed, indicate worrying instructions based on the assumption of guilt, the length of prison sentence already and the handling of their prisoner as to when, where and by whom, the restraining order was to be served.
- 85. When writing to the court on 14th November 2011, with court orders relating to the trial and especially stating what was to be done, it includes, 'when Mr Kirk is convicted'.
- 86. Nothing in my 68 years of my life has ever frightened me so much as those compulsory three months in Caswell Clinic, under section 35, until it expired allowing me to a seemingly 'holiday camp' for the convicted when as a British prison.
- 87. HM Prison Cardiff's conduct over the management of prisoners, forced or otherwise to be Litigant's in Person (LiPs) and not convicted but on remand, is quite another story. It is extremely relevant to the law courts to be made aware of the deplorable conditions I was subjected to.
- 88. The Remand Section of Cardiff prison, for a prisoner not being legally represented, is an affront to those who to put their names to the 10th December 1948 Convention of Human Rights and Fundamental Freedoms, as amended.

In the past year, during numerous incarcerations:

- i. I have been denied access, admitted by the HM wing governor Ms Heidi Murray, permission to telephone a helper, Mrs Sabine McNeill, being told, each time, it was by direct South Wales Police intervention
- ii. I have a written refusal from the prison of a local man, Mr Jeffrey Matthews and others being refused the right to visit an un convicted prisoner on his behalf
- iii. On the last occasion in custody I was refused any visitors at all
- iv. Recently a local solicitor arrived at the prison with a pre booked appointment, regarding this trial and the suspended police civil actions for damages case but he was refused the opportunity to see me despite the nature of the visit being confirmed on video link when I insisted it was far too confidential unless left alone to speak in confidence
- v. On the last occasion there was some bizarre reversal being that only my sister, Mrs C Jeune and Mrs S McNeill could I ring but no one else. This previously included witnesses in both civil trial and criminal matters and four other helpers who had regularly sat in on my cases, taking notes for me and had visited me the prison

- vi. Monies sent in to me, whilst not being legally represented, have been blocked, gone missing or sent back and access to my own money has repeatedly been not allowed, in the past twelve months, despite my being a remand prisoner.
- vii. A cheque, for example, for £20,000 was sent out of the prison to courts, several times, only to go missing or posted back as being sent by the prison to the wrong address. Assistance re communicating with courts, in that prison, was almost nonexistent and on this occasion, on the £20,000 a judgment against me for the full amount was obtained, by default, due to particularly avaricious bunch of solicitors drafting just seven pages of a simple legal document for HM Privy Council. Lost simply due to my inability, over months, for lodging the funds, as security, in the London court against the RCVS.
- 89. The above examples of abuse are recorded on Home Office security procedures or I have original documents as proof. HM Prison Governor, Mr Booty, to date, has flatly refused to disclose any prison records to my requests especially South Wales Police and MAPPA intervention and communications with both Caswell Clinic, my GPs, over the years or post office concerning numerous recorded delivery letter from me failing to arrive at designated destinations.
- 90. From this judge, His Honour Judge Llewellyn Jones QC, on 7th August 2009, simply receiving a fax with no follow up hard copy signed report, purportedly to be from the Caswell Clinic police doctor, currently in the protracted case (Caswell Clinic and Swansea University) 1CF03546, to have had me sectioned, out of hand, was an abuse of process and was, in my view deliberately malicious.
- 91. I now find out, it appears, that the police psychiatrist was too intent in squabbling, for want of a better word, over a fellow Caswell Clinic female doctor, in receipt of purported amorous approaches by a rival, he did not make himself aware of several favourable psychiatric reports, produced at that time, from both Dr Seeley at the prison and Dr Gaynor Jones, as part of Caswell Clinic, unless, of course, he did?
- 92. The psychiatrist had even avoided examining his victim in an apparent attempt not to put his name to any document that might eventually end up before the GMC.
- 93. Later that same month, despite instructions again coming from him, the authority for the 30th August 2009 brain scans were signed off by a forensic psychiatrist who saw no reason for such an intrusive procedure in the first place.
- 94. The facts behind the Chief Constable's conspiracy, to delay or have snuffed out entirely, all my civil damages claims against both her and her predecessor had, up until that moment, been kept well behind MAPPA closed doors with meeting's being held only in Barry police station or in the Clinical Director's very own office in Caswell Clinic.
- 95. Appropriate MAPPA agents were not present at the seven monthly MAPPA meetings.
- 96. By moving their victim out of Cardiff prison and therefore no longer under outside influence, to their own medium secure NHS (Wales) prison was for the purpose of intense observation and the administering of medication with or without their victim's knowledge.
- 97. However it allowed their victim partial access to the medical evidence that made their victim deemed so dangerous by having a Freedom of Information Act application expedited. The records returned indicated no evidence of significant brain damage either way because the relevant portions in time had been pulled. On the third application, paid for, someone let it slip to leave in a deliberately altered Professor

Rodger Wood, of Swansea University's September 2009 psychology report to Dr Ruth Bagshaw and back dated to be in keeping with the adverse findings of the 10th February 2010 jury when they quickly acquitted me for trading in machine guns.

- 98. Evidence in recent High Court hearings and found in magistrate's courts files concerning the police psychiatrist's rival and his eventual temporary incarceration, un convicted, in a remarkably similar manner in which it was achieved needs also to be to addressed by an outside police force.
- 99. CAA psychiatrists concluded, in June 2010, that its suspension, in 2009, of my flying licences, pending the outcome of my protracted machine gun and psychiatric MAPPA proceedings, that it was 'not a medical matter' (see previously enclosed CAA 16th June 2010 letter).
- 100. CAA psychiatrists, only yesterday, requested of me I give written consent to allow the CAA access to the evidence from NHS Caswell Clinic, Welsh Assembly' Health Minister, 2009 MAPPA minutes and police psychiatrist, (on oath if need be), who's 2009 reports, alone, were before Your Ladyship or should have been before Your Ladyship, in November 2009, when I was again refused bail.
- 101. My 'blue card' invalidity badge was stolen, recently, in Barry along with so many legal papers many destined as exhibits etc in the currently suspended damages claim.
- 102. I require, please, funding from which court in order to cross the bridge to England, on Wednesday, to obtain the long overdue brain scan?
- 103. My two computers stolen in the past year contained the transcripts I referred to above and which I ordered from Cardiff Crown Court at the time. I hope to source them from the transcribers as soon as possible to accompany this my **position statement** for Your Ladyship and His Honour Judge Seys Llewellyn QC BS614 159 suspended case.
- 104. I humbly submit, current bail restrictions are draconian and disproportionate to police incidents that, at worst or true, are ridiculously trivial bearing in mind the forensic history of each prosecution witness intent on material gain.
- 105. Police insisted on this to prevent me from expediting the damages claim before we then move on the machine gun case and six others. Now I need to travel further afield in the search of lawyers.
- 106. I ask and wish to take any appeal procedure available to me to London to have all my cases, both civil and criminal, to be heard well outside The Principality.
- 107. If the Crown Prosecution concedes to the criminal proceedings being adjudicated in Bristol Crown Court I will reluctantly concede, subject to conditions, for the two alleged summary offences of common assault being joined to the indictment, 'intimidation of a witness'.
- 108. I apply for the above identified evidence to be disclosed, under PACE and CPIA etc, in order that I may, as soon as possible, eventually fly well away from an environment currently abhorrent to my understanding and unsuited for my current state of mind.

Maurice J Kirk BVSc

Copies to RCVS, CAA, IPCC, GMC, Cardiff Civil Justice Centre and www.kirkflyingvet.com