

19<sup>th</sup> June 2009

**Maurice Kirk v South Wales Police**

- 1<sup>st</sup> Action BS6141159-MC65 delayed by Mr Justice Andrew Collins**
- 2<sup>nd</sup> Action CF101741 delayed by Mr Justice Andrew Collins**
- 3<sup>rd</sup> Action CF204141 delayed by Mr Justice Andrew Collins**
- 4<sup>th</sup> Action 7CF7345 delayed by police failed disclosure**
- 5<sup>th</sup> Action 8CF02269 delayed by His Honour Judge Chambers QC**
- 6<sup>th</sup> Action 9CF delayed by His Honour Judge Seys Llewellyn QC**
- 7<sup>th</sup> Action CO/397/2009 delayed by Mr Justice Goudie QC**

**Witness Statement**

**Name and Address: Maurice J Kirk BVSc, Marl pits, St Donats, Llanwit Major, South Wales CF61 1ZB**

This statement (consisting of 60gf page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing it may be tendered as evidence.

**A thirty year account of malfeasance has to be briefly told to explain this case**

**Avon and Somerset Constabulary**

1. Police harassment of me, which also means my friends and family, matured over a period of years, in the early 1970s, following a number of expensive investigations and police prosecutions involving drug running, firearms, assault on police, theft, fast cars, motor bikes and low flying aeroplanes light on paperwork, allegedly.
2. I recall going before numerous magistrates and at least seven or eight Jury Trials with Crown Court judges sufficient to obtain an informed view as to the integrity or sheer lack of it as I witnessed the daily games lawyers play, driven by avarice, during my apparent success with fifty two criminal charges out of seventy six, far too many trumped up by the Avon and Somerset Police.
3. I say 'apparent success' well I have been proved quite wrong and been made to suffer far beyond the outcome had I, at the time, pleaded guilty to the lot.
4. The British judicial system, I have witnessed in intricate detail, is so sick to the core that if someone wins too many allegations, brought by the British police and HM Crown Prosecution Service he or she is immediately at risk of being short listed on the Police National Commuter for

daily surveillance. From then on he or she is targeted with an apparent endless supply of public recourses set aside for the purpose.

5. No matter where he or she chooses to move away to, whether it is the Channel Islands, South Wales, Highgrove House, Gloucestershire, simply to post a letter or even to apply the legitimate use of a farmer's field near Crawford, Texas, the bureaucratic machine will still follow, fuelled by vengeance.
6. The selected gear kicks in and while seemingly accountable to no one but Their Maker, for what they choose do next, some 'one horse town' police officer arrests and jails the victim.
7. I am a witness to all this conduct as I have experienced it, chapter and verse, all reliant on excessive police time appearing to be always available and a malleable magistrate for convictions, however trivial. Convictions mean profit and promotion even if it all started on a pack of lies.
8. I have researched many other people's cases involving police harassment and victims of police conduct in my capacity as Chairman of the Guernsey Legal Aid Association. Now, through the powers of cyber space, it allows me instant communication on this subject, worldwide.
9. I have witnessed time and time again the same pattern emerge, as set out in my written complaints to my Member of Parliament, John Smith MP, of the widespread deceit right across the British judiciary which, if you are not lucky enough to be in the 'club' or you have not crossed someone in the past, you are liable for daily persecution as I was when I lived in South Wales.
10. The same culprits go on, unpunished, for basic things as **failed disclosure of evidence** all chanting in unison that it is all in the good name of '**Her Majesty's Prerogative**'.
11. In England there was often no compensation, not even enough to cover the bus fares to and from court. Nor could I find a lawyer to take on the police without first depositing huge sums of tax paid money. I tried it once in Bristol only to witness my hard earned money being shared out with '**The HM Partnership**', 'The spoils of war' they call it, even though I had won the Judicial Review hearing against the Gwent Police, in The Royal Courts of Justice, London.
12. Police surveillance and malfeasance by respective public bodies I have witnessed too often. For example, the HM Attorney General's apparent conduct by what I found written on leaked HM internal memos as with other internal memos written by both Privy Council and Home Office staff also indicated a conspiracy of malfeasance once one has obtained a criminal record, justified or otherwise.
13. I was no exception and have the documentation to prove it but who will listen?
14. For example, trivial matters, fabricated by both the Avon and Somerset Constabulary and South Wales Police, were used against me by the Royal College of Veterinary Surgeons, following the South Wales Police complaint of January 2001 by an Inspector Collins, concerning injured dogs believed to have fallen over a cliff.
15. The only purpose of the complaint by the police was in order to have my name removed from the veterinary register.
16. Why, when it was the police who called me to the scene when unable to find another prepared to work on that particular Sunday?
17. In my capacity as a veterinary surgeon in general practice I was privileged in being made aware of confidential matters from within Barry Police Station and the Welsh judicial system from well

wishing and grateful clients attending my surgeries in Cardiff, Barry or Llantwit Major, in the Vale of Glamorgan.

18. This accounted for the unprecedented success rate in quashed convictions, where ever I lived, as long as I remained in veterinary practice. My daily working environment for 'information gathering' about some, invariably, stupid South Wales Police allegation, whether it be from 'qualified' or 'absolute' professional privilege, between veterinary surgeon and client, was immediately prejudiced once my name was removed from the veterinary register on 29<sup>th</sup> May 2002.
19. Conduct by both RCVS and the South Wales Police, between 2001 to 2009, is well documented as proof of a conspiracy reliant on a system entrenched in their own 'cosy' environment, based on, again, malfeasance, far too many within it having a disregard for statute law .
20. Police information about their surveillance came from the most unlikely sources, not all my clientele in the veterinary practice.
21. Police surveillance and 'lose talk in police canteens' etc soon made the Taunton police, back in the 70's, well aware of their problem. There was only one course available to them to subdue the haemorrhage from within.
22. The thirty year police harassment had started and it was to strike my veterinary practice, my income and vocation from whatever quarter a professional man was most vulnerable.
23. Outrageously written inaccurate newspaper reports, for example, dominated. Rarely did they publish the 'wins' and definitely never the corruption from within **HM Partnership**, repeatedly proved in court. A 'national' paper would often write a story I failed to recognise if it had not carried my name in it somewhere.
24. I would invite the Press to attend court, identifying how I would win but far more importantly, indicate how I would prove perjury by the usual small band of police officers you will find in any police force.
25. If the Press were already in court on another case, having received my brief for the makings of 'a good story', I would watch with amusement as the spineless or so I thought early on, would scurry away trying not to look at me straight in the eye. I later found out that well meaning reporters were gagged by the enemy.
26. It was for that reason I set up my own website, [www.kirkflyingvet.com](http://www.kirkflyingvet.com) and [www.wacl.org.uk](http://www.wacl.org.uk) (yet to be loaded) simply to publish the suppressed facts I had stumbled upon, during my defence, which was far more serious than the consequences of some bitter bent bobby burning the mid night oil over me.
27. High Court judges quickly had the website closed down, until I set up again 'offshore', confirming my worst fears of our current politically controlled judiciary especially when it was reported, for example, by the Chartered Institute of Journalists.
28. For me to have disclosed, until now, that I knew my phone was tapped and my practice and private vehicles were under police surveillance, photographed and examined at night, would have been economical suicide. My veterinary practice would have been 'dead in the water'.
29. Identity of 'my sources' confirming this conspiracy would then be at risk. I would have been likened as to an old RAF Shackleton hunter/killer aircraft switching on her 'Active Radar' while closing in on some unsuspecting enemy submarine, lurking somewhere in the North Atlantic.

30. 'Passive Radar, on the other hand,' cannot be detected but the other, although usually more effective, would have immediately been picked on the submarine's own surveillance system for it to take evasive action, leaving far less time for a successful kill.
31. No insider could be called to give evidence on either my behalf the war has only just begun.
32. It could have meant disaster had I done so but now both my wife and I have finally reduced those constraints, by selling up and moving away. This means I am able to speak more freely while maintaining my obligations to my loyal clients and friends divulging evidence only with their clear permission, some of them having become aware as to what the enemy may stoop to do next.
33. Clients included police officers, magistrates, lawyers and civilian staff of the courts, prisons and police stations. Evidence included HM 'internal memos' between HM Privy Council and HM Home Office, jury written 'notes' to judges, and memos of HM Treasury Solicitor's minions or, for example, a note from the court manager of Cardiff County Court revealing the seven year ongoing surveillance just to have me certified in some way or another.
34. **Abuse of Process** was the name of the game.
35. The Defendant's lawyers were aware of this long ago to certify this chronic litigant as a 'vexatious litigant' or have him sectioned by the orders of HM Attorney General, no less.
36. Why? To be banned from any court of law to make further applications of **disclosure**.
37. For this case of harassment to be heard in South Wales, of all places and NOT before a civilian jury, as originally promised, is a travesty of justice.
38. Had I not been so for warned by members of the public I would not have been able to expose the actual truth behind our so called 'British Justice' on cyberspace the royal College of Veterinary surgeons using it as the excuse to never put me back on the veterinary register.
39. I have witnessed, by way of the website, many other 'stories' like mine to cause me to understand how this unfettered use of public funds on police surveillance, on clearly innocent members of the public, is so wide spread.
40. My police harassment will continue to go unchecked until such hard evidence of it is taken seriously, as is in my **Abuse of Process Application**, the current consequences of which are set down in the **Defendant's 25<sup>th</sup> February 2009 False Sworn Affidavit** and my **24<sup>th</sup> April 2009 Position Statement of Truth** to the Cardiff Court.
41. Why?
42. It is more than their job's worth for either a judge or Member of Parliament to intervene with the 'rule of law' because they have already sworn loyalty to '**HM Partnership**', their 'grave train' and in-house insurance policy, by swearing allegiance to it.
43. Working on the premise that it is Parliament that is actually 'sovereign', when not even swearing allegiance to the people who put them there, further proves the existence of the 'can of worms'.
44. More to point, now having become further distant from my family's profession, I can now demand full disclosure of evidence of a more sensitive nature about me, much of it distributed being erroneous, already withheld by respective police forces both here, in Great Britain and elsewhere, including Waco, Texas, in the United States of America.
45. Where the Avon and Somerset Constabulary is concerned in all this is best recounted by what I personally witnessed those years ago. Those police passed on tactics and data relevant to this

South Wales Police case for damages, to Guernsey Police in 1980 who, in turn, passed on still more information to the South Wales Police since 1992 and to the Royal College of Veterinary Surgeons since 1980.

46. One case of Somerset malfeasance particularly comes to mind, in fact, I remember vividly, as I start my witness statement on the track record of the South Wales Police, across the river.
47. It involved a gypsy family or what my father would call, "a thieving bunch of 'didicoys'", not to insult the seemingly innocent 'Romany' with their horses around Somerset. These gypsies were caught red handed with their ponies in my neighbour's field having eaten all the grass from mine. When caught they told the Taunton Police I had 'shown them around' the two fields and rented them for the princely sum of just fifty pounds. I never even met them on the matter.
48. This drawn out Crown Court case for an alleged '£25 fraud' led to a 'hung jury' at the Shire Hall, Taunton, which I regularly visited in those days when trying to get on running my veterinary practice in the area.
49. The Western Circuit HM judge by the name of Neville demanded a retrial despite the overwhelming quite bizarre and wildly contradictory evidence, both on oath and in statement form, from the only two relevant prosecution witnesses. Also, unfortunately for him, the judge was overheard discussing the case, in the Greyhound public house, Staple Fitzpaine, the witness to that conversation, Chris Goss, the owner, I am currently trying to trace.
50. The name on the indictment papers, bringing the allegation, was a Mr Hawkins.
51. The retrial was equally disturbing for me, bearing in mind the learned judge clearly already knew, following at least eight contradictory recorded accounts from the gypsies, that the police clearly had another agenda not on the charge sheet.
52. For example, in the first hearing I put it to the husband, in cross examination, suggesting we all three walked around the said field clockwise, in the pouring rain. He agreed. To the wife it was suggested we walked around anti clock wise in blazing sun shine. She agreed.
53. At the retrial I reversed a few things and included a few extras. I suggested different points where the water needed to be turned on. They both gave different story for the mains water tap. There was no need for mains water due to the stream running by.
54. I decided to lose the case, in order to expose Judge Neville's conduct before the Court of Appeal with the hope the police would then be warned off and get off my back as has occurred, thirty odd years later, in South Wales but only by my name having been removed from the veterinary register for life
55. So I called this 'Mr Hawkins', as the name bringing the indictment, as a 'character witness' which almost did the trick but at least revealed to me there was some other reason, far more dark and sinister, behind this obsession in obtaining convictions at whatever cost.
56. Chief Superintendant Hawkins, on oath, said I was employed for the police dogs and would take his own dog to no other veterinary surgeon in the area other than my father or myself.
57. I, in desperation, for fear now of winning the case, informed the jury I needed to 'reconsider' my plea of 'not guilty' and obtained sufficient time, in my cell, to enjoy a 'roll up' and a cup of tea with my good friends, without exception, the Exeter prison guards.
58. The verdict was appropriate but the judge got away with it, scot free.

59. I had rented them one field only, over the phone, my wife alone receiving the money at our cottage front door. Being clients I did not show them the field as they already knew of it. I did not meet them until they were in the witness box.
60. The answers for this conundrum, Mr Hawkins and what was behind all this police surveillance, came to me ten years later, while I licked my wounds, all soaked in blood, lying on the concrete floor of the ancient unheated prison of Alderney, Channel Islands, once part of a Nazi Concentration Camp. Mr Hawkins had given me a warning, early on and I had failed to take heed.
61. Prison in Alderney led to numerous charges I won, including a charge of, you guessed it, 'Assault on Police', brought by the Guernsey Police. The case was tried on Alderney and not Guernsey which I believed was a reason for my success.
62. Fog, I remember, prevented the police and deceitful HM Comptroller, ACK Day, flying in from Guernsey and a warrant for my arrest was soon issued for my not attending at the Guernsey Airport for the flight. Difficult for them to execute, really, as I was already waiting for the idiots in Alderney for the case to start having motored up in my rigid inflatable. Enid Blyton could not have written better stuff except I was to suffer ten years of this kind of nonsense.
63. A little hard on me, I thought, having offered them all a lift to the court from Guernsey, just twenty five nautical my never ever being known to be stopped for a little inclement weather.
64. Another police case, at about this time in Taunton, was one of alleged 'low flying' interestingly brought by the Taunton police and not the Civil Aviation Authority further supporting the meaning behind this document.
65. This case was quashed in the Crown Court following the uncovering of the fact that the police had knowingly arranged for the only independent eye witness, a lady living in Hamilton Road, Taunton, to turn up to the original magistrate's court hearing on the wrong day, a day too late! I saw her correspondence giving date of attendance.
66. All other witnesses in the Crown Court hearing were police, as usual. Her original police written statement, withheld from me at magistrates, stated the aircraft was seen 'low over Taunton' and was painted 'bright red'.
67. My 1946 J4 military two seat Auster aircraft was painted in 'non sink' canary yellow.
68. The barrister, who I am currently looking for as a witness, upon realising I had traced and obtained her witness summons refused to disclose the fact she had made a written statement.
69. The barrister, when pressed still further, begrudgingly read out her statement to the Crown Court deliberately omitting the very last sentence describing the colour of the aircraft.
70. It must have been four if not five times that I demanded sight of that statement before the HM judge, taking off his wig in the war of words, eventually gave in.
71. I was slowly learning, the laborious way, for the thirty years of this sort of behaviour, so by the time I had been made to face some one hundred and thirty charges in South Wales I realised there is 'nothing new under the sun' where the legal trade is concerned.
72. Another drawn out saga of months of police surveillance concerned both my father and I when we ran short on fuel in the dark, in my old Piper Cub, G-KIRK, near Wellington, Somerset, in '78. All due to a bitterly cold easterly head wind directly on our nose and a little 'get home itis'. We landed without lights and scrounged just five pints of two stroke mix petrol from a farmer's lawn

mower, all that was available to reach the last six miles to Taunton Race Course. We took off and 'all hell' let lose.

73. Blue lights flashing were seen everywhere, all around Taunton, as we approached the landing strip and a lengthy interrogation soon followed by police visiting my home demanding I go to the police station which I refused without sight of a warrant.
74. In the somewhat one sided discourse that then followed, I stood up from answering the telephone but still holding an ancient flintlock, converted to 'percussion cap fire' sometime during the late Nineteenth Century, I was in the process of cleaning.
75. Few understand the enjoyment it is of shooting a wild pigeon with old fashioned black homemade gun powder, father's recipe, the click of the hammer coming down, the pause of the slow burn charge, the protracted follow through because of it, the spurt of flame best seen at night and that special aroma of burnt ingredients still lingering in the air as the old dog retrieves the supper.
76. I turned my back on the two burly policemen standing, in my hall and put the antique muzzle loader back on the gun rack in front of them a rack, incidentally, holding rifles, shot guns and not to forget my trusty catapult. I then left for the pub while my wife finished preparing my supper.
77. The police, on oath, said they had assumed I had gone to put on my coat.
78. That incident led to a charge alleging the 'biggest man hunt Taunton had ever known', to quote what a Mr Hawkins said, later in a court.
79. I walked but a hundred yards from my cottage, that evening and enjoyed a couple of pints of Guinness before supper with a fellow veterinary surgeon from the then Ministry of Agriculture. The court heard that, at this precise time, tracker dogs were let loose and roaming my garden in search of "an extremely violent" Maurice Kirk, an expression to appear on custodial documents for years to come.
80. Chief Superintendant Hawkins, on oath before three magistrates, said the search for me with police dogs had been under 'his personal supervision'.
81. I had been charged for 'assaulting police with a shot gun' and 'holding a shot gun without a licence' but Mr Hawkins was only in the witness box because he had received, with a lesser known but unequivocal effective procedure, a defence witness summons because I considered his name appeared far too often on the bottom of police documents as the man deciding whether or not to arrest, prosecute or phone tap Maurice Kirk.
82. It only took the police six weeks to inform me by posting these summonses to my home address, a regular tactic designed to prejudice a defendant's attempt to gather evidence while it is fresh.
83. This behaviour would be repeated by the South Wales Police, more than once whenever they thought they could get away with it the reason for giving the reader this, my true statement, on distant history of fact.
84. The South Wales Police had the problem of abusing a 'Breach of the Peace' arrest procedure, throwing me in a police cell overnight while frantically delaying the court case for three months to justify the false documents later to be put before a string of unsuspecting judges or were they?
85. The 'shot gun' case in Taunton, following an amusing interlude of high tech police activity brought in from Bristol, far too long a story for this welsh requirement of a statement, collapsed

- when the said police officer, Hawkins, returned to court to say, again on oath, that a photocopy page from his now purported 'missing notebook', I had now produced as an exhibit in the case was in fact the day in question of "the biggest man hunt Taunton had ever known". It involved, we all heard, many more than the eleven uniformed officers milling about at the back of the courtroom, now, waiting to arrest me for a second time for the same offence.
86. A 'note book' was later seen floating out of the first floor courtroom window into the sleet and rain with someone shouting, "Charlie, catch". The contentious, later to be Exhibit 6 in Bristol Crown Court, floated down behind the prison cell dustbins meaning for those anxious to find returned to the court room thoroughly soaked without Charlie Brinson, my old flying mate.
  87. All eleven loyal uniformed officers charged across the previously orderly environment for the prize only to all meet again, somewhat abruptly, at the only small exit door available, a sight just too vivid, for this space and for my level of English ever to give justice.
  88. Our family solicitor had insisted on sitting in the public gallery throughout the resumed magistrate's hearing, never submitting a fee note, incidentally, while national reporters, The Daily Telegraph included, having reported my arrest and grilling throughout the night for the theft of a police note book at the chaotic end of the previous proceedings, just a week before.
  89. The court heard that the man 'in charge' of 'The man hunt' had apparently written nothing in his note book remotely relating to me being more concerned, apparently, in the sensitive strike and public protest with violence going on in Bristol, at around that time, by the media personnel, no less.
  90. The case of 'assault on police with a shot gun' and 'being in the possession of a shot gun without a licence' were summarily dismissed, all witnessed by Mr Burgess, the court clerk, another witness I am trying to locate to confirm 'modus operandi'.
  91. The long Bristol Crown Court trial, for the theft of a police man's note book, was dismissed but not before the irate HM judge had had his pennies worth. First, he refused my application for 'no case to answer' in the absence of the jury, the defence having chosen to give no evidence or call witnesses. Secondly, the judge then refused any costs, a pattern I was to witness throughout more than thirty years of further harassment and stupid court cases indicating to me something far more nasty was brewing. The war of attrition was into a new phase with both sides knowing you do not win any court case, in a British court room, without access to oodles and oodles of ready cash.
  92. Exhibit 6 in the prosecution's case had been labelled as 'note book' but not even referred to by any of the ten or eleven policemen who gave prosecution evidence.
  93. I was refused a copy of Exhibit 6 before, during or after the trial as I expected.
  94. Mr Hawkins was asked to recite to the jury what was written in Exhibit 6, 'The note book', having to ask the judge first if he needed to just because I asked.
  95. It was not until I told the jury I had been refused site of Exhibit 6 that the judge conceded.
  96. There still appeared to be some difficulty in page, I think 62, marked in red in the top left hand corner, being read out. Apparently, it had been written in a foreign language, Latin, something about a tyrant living in Taunton, called 'Curly' Hawkins.
  97. Apart from the next page written in English, some children's nursery rhyme about sheep, Mr Hawkins expressed he was, in court jargon, 'in some difficulties'.

98. Talking of Taunton Race Course, earlier, that provoked the 'shot gun' case, it was where I kept, sometimes, up to four or five aircraft in my business. I remember approaching to land, from France or somewhere equally as interestingly, when we saw policemen crouched behind the fence thinking, we assumed, they could not be seen! I took evasive action and using the excuse to land in a scrap yard, leg in plaster, crutches and all, in cloud enveloped Tredegar, South Wales.
99. On the following day I found all my aircraft on the race course had been tampered with, not 'to endanger flying' but all appeared to have been meticulously searched.
100. And another incident, I now remember, was when I was prosecuted for 'Assault on Police', a choice of charge that was fast becoming a bit of a regular following the police sergeant in Taunton Police HQ, demanding my date of birth, as I stood before him and policeman either side of me. He then smashed his fist straight into my face with full intent to cause injury. He had appeared not to appreciate my quiet reply to his question.
101. The subsequent charge, possibly due to his anger, served on me they lost in court with the original police officer at the scene clearly being proved a liar. No doubt he received immediate promotion, back dated pay and an all expenses paid holiday to recover from the court ordeal.
102. This type of provocation I have regularly suffered is best exemplified during my time in Guernsey, my almost always being assaulted by police, following my arrest for something or other. It was a rare event in Taunton.
103. I had already been accused of an overloaded car, an old VW estate with two Cub aero engines inside and a complete aircraft, less engine, a rare Nord 854, two seat vintage aircraft, on the roof while towing a trailer of engines and Super Cub wings. I was charged, later, for 'driving it whilst disqualified'. I also had received a summons indicating I had 'assaulted a policeman' ( para 100) with, the magistrates had assumed with a nine foot long WW1 De Havilland 4 four bladed wooded propeller in original Royal Flying Corps paint. Bought in the mountains overlooking the beautiful river Usk, in Wales.
104. The police had arrived at my cottage, en masse, as I unloaded the booty from France. While carrying another large four bladed heavy propeller I had to step back to open the garden gate towards me. A blade, I believe, may have touched a policeman standing directly behind me who had clearly already lost his temper. I had no obligation, in law, to listen to his recurring gibberish.
105. He flew at me from behind and we all finished up in the bed of thorny roses, blood streaming now from my face, arms and hands.
106. A young French boy, staying as our guest, stood mesmerised. "Quick, take photos of this and police numbers", I shouted while I lay prostrate, face down on the concrete with three police men on top of me applying handcuffs.
107. He took photographs of the police onslaught.
108. The same policeman, once I was in handcuffs before my screaming young children clutching to their mum, violently assaulted and grappled with the boy as the policeman tried to open the back of his camera to expose the film.
109. A neighbour heard the commotion, crossed the road and looked over the garden gate. "I am watching all this" he simply said which later earned him, a case of good French wine, unless it was a litre of duty free brandy, from the many bottles concealed in the Piper Cub wings.
110. The police immediately let go of the young boy.

111. The French boy's photographs of the police onslaught were saved which I produced later in court, my wife having taken the initiative, from past events, to also grab her camera and take further pictures at the scene before the whole street appeared to be looking over the gate.
112. I was charged with 'Assault on Police', jailed and later bailed, the usual routine, my having been being in Exeter prison more times than I care to remember.
113. In court, if it had not been for the police women, present at the incident, I would have received a lengthy prison sentence for she refused to agree with the two other police that I had assaulted anyone.
114. I doubted her promotion chances from thereon.
115. As for the 'overloaded' car the ring leader in the prosecution case, no doubt a retired Commander or Chief Constable of police by now, when asked, "How heavy is an aircraft when it is flying?" had to admit the 'overload charge' was only relevant whilst the car had been 'moving' at below 30mph down Station Road.
116. The car had been seen, he said, by 'other policemen', conveniently unavailable to be cross examined, the night before but, admittedly, driven by my employed full time driver.
117. The police argued the car was 'under my control' having to call eventually having to call, to achieve a conviction, policeman that had been keeping my house 'under surveillance' before we arrived.
118. The purpose of this account of yesteryear is not just about police harassment but evidence of the prolonged period of police surveillance, 30 years of it. The police prosecuted on the evidence that, in the dead of night, an off duty policeman just happened to be in a car across the quiet suburban road, The Avenue and saw me get out of the passenger seat of the loaded VW and square up the trailer and car tight to the curb as my driver clearly could not manage it. When cross examined as to why he did not arrest me or immediately or call in re enforcements with paddy wagon there was a silence in the court room such that you could have heard a pin drop.
119. All the charges were dismissed, save the charge of 'driving whilst disqualified'.
120. The same police names seemed to appear in court as the witnesses were called to give evidence, a pattern that did not go unnoticed in the South Wales Police prosecutions
121. Some of the same police, in this case, were witnesses in another allegation of 'Assault on Police', this time destined for a Trial by Jury by tagging on a 'Dangerous Driving' allegation, the drop of poison in the tail which proved successful and to my benefit.
122. The police conviction, 'driving whilst disqualified', (para119) was used by the enemy in order to obtain a six month prison sentence for 'flying an aircraft whilst drunk' when I was not drunk, not the pilot nor registered owner of the aircraft.
123. To the contrary, the young inexperienced pilot from Bristol, logging hours for his commercial, had failed to notice that Southampton Radar had transmitted incorrect navigational data causing me to grab the hand microphone, in those days, to transmit back the query immediately.
124. The small two seat single engined Cessna was crossing from Morlaix, Brittany to Bournemouth, on a black stormy winter's night in sleet and driving rain. The pilot was visited later at night by ex Met police who, he told me, threatened his licence if he did not agree to be a prosecution witness against me.
125. I am currently looking for that witness.

126. The six months in prison stretched to nearly a year for each time I was due to be released the Avon and Somerset Police, CAA or HM Customs and Excise achieved, in my absence, 'Remand Orders' from various HM Judges in Chambers, behind closed doors, with me being denied access to each hearing to know what and why was being relied upon, un recorded, to detain me further in custody.
127. The purpose of moving me to six or seven different prisons, scattered around the country, seemed to coincide with my letters requesting visits of potential defence witnesses living in the immediate area. To prevent me obtaining witnesses and documents for a string of allegations, nearly all of which came to nought, even for those few that finally reached a substantive hearing, were blocked by successive prison governors and or trial judges, the same general tactics I have found in the in South Wales Police when chasing for **disclosure of evidence**.
128. I recall, as an example, the Southampton Crown Court trial when both the prison and trial judge refused to have released all my defence papers sent by my brother Michael and my wife, **HM Partnership** excuse being that, although they had arrived by post at the prison and had been censored, there were too many papers for me to have either in the prison cell or be transported to court!
129. There could not have been more than fifty pages, including the Stampe aircraft photographs, to confirm her pristine condition on 'day of sale'. This was all recorded on tape for what it was worth.
130. As another example of the lengths to which vindictive small minded officials will go, I will recite another one, my having plenty more if anyone in court wants them or dares suggest anything thus written is false or misleading.
131. As this statement is being written for more than one purpose I put the South Wales Police on notice that I have attempted and succeeded in safeguarding the records of most of these cases as I was clearly aware of the conspiracy by police to **pervert the course of justice** and would have to have overwhelming evidence to break the media D Notice and those other dark forces still lurking in the gutter.
132. I had been accused of selling an un airworthy 1948 French Stampe aerobatic biplane, in the summer of 1978, the CAA finding a purported 'birds nest' in the lower wing in February 1979.
133. I was charged with 'endangering life' and 'flight for hire and reward' with lesser charges, due to the aircraft been rather 'light on paperwork'.
134. The main charges collapsed before a bemused jury, months later, with the 'nest' proving to be that of a home of a hibernating mouse consisting of old leaves from the hedge the purchasers had stuffed her under. For most of the winter the poor old girl was left waterlogged without a stitch of clothing, even to cover her modesty.
135. The purchasers were not prosecuted, of course, when they flew her with no valid registration or certificate of airworthiness and while attempting low level aerobatics with no previous experience, the court heard, bits fell off the aircraft. No, of course not, they were destined to be star prosecution witnesses. Standard form, when short of material, in any police case I have ever witnessed. The use of Christopher Paul Ebbs being rolled out so often, as a witness against me, is but one example of the pernicious behaviour of the enemy.

136. A sample record, below, from my prison diary would be enough to satisfy any jury which may explain why I have been refused one to fight the South Wales Police for damages. Conditions in a UK prison, without Legal Aid or even a lawyer was, at least, challenging one.

<http://kirkflyingvet.com/files/Default.aspx?Sort=PostDate>

### **CAA Land Maurice in Jail!**

137. I took, without warning, prison officer Clark's clenched fist straight on the face as I was pinned to the wall by two other burly officers, on the stairs down to the bowels of Winchester Prison. I was then thrown, with little ceremony, back through the open door of my Victorian confinement the only natural light coming from a window measuring no more than 6 inches near the ceiling, at ground level.

The big iron door slammed behind me and my bare knees took most of the fall as I was to remain there, bare foot with just tea shirt and pants, for the duration. I was on Remand until Crown Court, there being only a mattress and blanket put through the door when the lights went out at 10pm.

I had only six weeks to try and prepare a defence against the Investigation Branch of the CAA they, in effect, having obtained a custodial sentence without trial, knowing full well that this trumped up charge with the Stampe biplane would collapse, in open court, if only I could get out beforehand..

Prison without Trial was soon to become common feature in my life because, within seven weeks, I would be experiencing the stench, first hand, of the Guernsey's judicial climate.

They had to prevent me from getting witnesses, engineer reports and most of all prevent me from examining one particular piece of evidence, "the birds nest in the wing". The 4 wings were purported to be crumbling and were positively dangerous the Judge in Chambers was told, in my absence, my having been denied an appearance having to settle to smolder in the Remand Wing of Exeter gaol.

This structural damage was due to the 1946 Casein flour and water type glue having failed with age, like me and having been left outside too long. This had caused multiple delaminating of the wood, in both ribs and main spars of this classic aerobatic machine, so advanced in its time, now so few but sought after by so many.

Just then, out from a hole in the corner of the cell, popped by old cellmate Matilda, a house mouse, which appeared to be gaining weight! She now had great difficulty getting through the crack under the water pipe.

Before returning to her den she enjoyed my usual bread crumbs and did her usual quick tour of the concrete floor often sniffing my toes, whilst passing, which appeared to give her some pleasure! It was some days later when she duly presented me with her litter of young ones

who, over the weeks to come, were quite happy to eat sitting in the palm of my hand or on my size eleven feet.

Solitary confinement meant that I was sometimes entitled to an hour's exercise along with others segregated for other reasons such as serious violence or sexual offences, the latter for their own protection, all of which had all my attention. They were not the sort of people I believed I had met or would likely to meet in my life, other than in prison. Oh how naive could I be?

One such muscle bound example, of mixed race, appeared as wide as he was tall and had recently killed again. This time it was a fellow prisoner simply because he had found him in his bath, he having left it filling, whilst away to find a bar of soap. Conversations were often monosyllabic with these individuals but not always, by any means. I was often riveted to the spot by their stories of the underworld and bent lawyers however ever much they may have been embellished over time.

The little mice came out to greet me as soon as the clang of the prison cell door faded away. I sat in the only shaft of sunlight that sometimes penetrated the cell through the slit window enjoying my dog ends. They were found on the exercise yard my having previously hidden two split matches, for such a contingency, in my hair to light them. As I enjoyed a smoke my thoughts went back to the Crown Court indictment of, "Endangering life with an aircraft," Contrary to Article 56 of The Air navigation Order.

Now this bird's nest, the CAA had said, to get me jailed, had been in the wing under the linen covering, a year before they found it. They persuaded the Judge it was there when I had bought it in the previous July, in France, and had gone on to conducted a considerable number of aerobatic sorties, out of a stubble field alongside the annual hang glider competition at Mere, Wiltshire.

But I had sold this aircraft in the September to the CAA's main witnesses against me, they having stuffed the aircraft under a hedge throughout the winter until they could obtain hangarage, sometime after Christmas.

A plan was starting to come together in my head as I sat musing on the cold hard concrete.

I would have to get through three body searches before I got into the courtroom and one of the mice would fit nicely into a well ventilated matchbox.....

(The main witness for the prosecution, later that week, entered the witness box Southampton Crown Court seven months pregnant).

138. In another case to indicate police surveillance I referred to earlier (para138) and was based on the fact I had been seen speeding in Taunton, at the dead of night, to a sick cow suspected of dying of E Coli mastitis, gas gangrene of the mammary tissue. The experienced farmer had told

- me it was 'milk fever' but when I examined her realised it definitely was not and the best drug for the purpose was back on the shelf in my surgery.
139. The police road block I encountered later, after my second drive to the farm, speeding, maybe but not dangerously, I was arrested for 'Assault on Police' as I sat in my car.
  140. By the time this arrived at Crown Court the police had added the charge of 'Dangerous Driving' for which the jury found me guilty.
  141. The policeman said I had assaulted him through the open car window surrounded by his five colleagues.
  142. His colleagues, on cross examination, eventually admitted they saw nothing as they were all nowhere near the car but busily 'directing traffic'! This was at around midnight on a normally quiet road at the best of times, in rush hour, leading out to the countryside.
  143. Before the trial a policeman's girlfriend, a horse client who worked behind the bar of the Black Brook pub, a favourite watering hole of mine, raised the subject of the incident quite out of the blue.
  144. She said, to my utter surprise, she had been driving past when she saw me being stopped and saw what then occurred.
  145. In court she appeared without need of witness summons, a very rare experience for me, my having just suffered the disastrous outcome of defence witnesses in a witness box, both believed to be, at the time, competent, compellable, sane and sober.
  146. This taught me not to forget, next time, to take witness statements before defence evidence.
  147. In both cases witness statements had been taken by the police but not disclosed before trial a tactic repeated by the Royal college of Veterinary Surgeons in 2001, following the complaint by South Wales Police to have me struck off.
  148. The barmaid said there was 'no assault' committed by me, on the contrary, it was a 'bunch of angry coppers' all around the car window watching for the result of the recently introduced road side breath test. As for the 'imaginary traffic' described by four police she confirmed there was not a moving vehicle in sight!
  149. Mention of the Black Brook pub reminds me of the M4 Motorway roundabout just a few hundred yards down the road. I had been taken to court by the same police for driving around the roundabout, I believe around thirty times, followed by a police car with blue lights flashing, apparently. The case was dismissed as there appeared to be some right to drive around a round about as many times as one likes. I had been, again, returning from an animal emergency, a cow calving, in the small hours of the night and was again followed for great distances by this same police, while decisions were being taken at Police HQ. Just as south Wales Police so regularly did.
  150. **1st Action, paragraph 8.12**, my driving around the Barry town roundabout, outside the police station, only two and a half times and at no more than four miles per hour, if any prosecution evidence can ever be believed, is why I have included this history of Taunton police harassment to support my evidence, both as a witness and victim, of both the current state of the welsh police and welsh courts.
  151. Barry Magistrates found me guilty in my absence, of 'driving without due care and attention' for my apparent meander, tight at all times to the inside curb.

152. I had suffered a motor cycle accident causing me to finish up in hospital. Photos of the injuries were subsequently produced at Crown court with, I think, my wife giving evidence or at least submitting a sworn witness affidavit to one of my fifty odd Judicial Review Applications, at huge expense, submitted to the Royal Courts of Justice, The Strand, London.
153. The magistrates ignored my practice secretary's phone call to the court, while they were waiting for me, informing them of what had happened. Nor did they bother to have the court clerk ring the local Accident and Emergency Department at the Princess of Wales Hospital to check.
154. This practice of courts ignoring the seriousness of medical certificates was again repeated in a later similarly farcical motoring incident instigated by the bully boy Kilberg and the RCVS were not slow to ignore the medical facts either using the upheld motoring conviction of refusing roadside breath test, in my absence, to "render Maurice Kirk unfit to practice veterinary surgery".
155. Kilberg features more than once. At Cardiff police station at 2 in the morning, having produced a zero definitive breath test he had my vehicle towed away and hidden for six weeks, unlocked and refused to return me to anywhere near where I had been arrested.
156. (It is very rare for a motorist to be prosecuted for road side sample refusal if no alcohol was detectable at the station because the police would then be pressured in a court to explaining just why did they stop the motorist?)
157. Back to the earlier 'roundabout' case, the magistrates heard HM Crown Prosecution Service solicitor, Ms Jackie Seal, who features heavily in these three Actions, tell the court I was obviously lying and that the case should proceed in my absence. Police, knowing me, actually saw me in the hospital that morning.
158. At Cardiff Crown Court, at the Appeal, HM Judge Evans failed to inform me, despite it being explained, I could have simply had a rehearing, in my presence this time, before different Magistrates.
159. Judge Evans went on to 'accept' new evidence of a policeman, to be named later when I remember it. The policeman said he had seen an unknown car approach the four or five lane roundabout and 'brake violently'. Violently meaning on cross examination, "the bonnet appeared to dip", no screeching of tyres or tread left on the road, no identification of car or driver as a witness! The 'dip' was the only reason given by the judge for the 'careless driving' allegation to be proven.
160. The accepted fact that there were numerous police cars and a police bike all at the scene, all with blue lights flashing, just may have been the reason for a motorist to slow down a little quicker than normal when legally having to give way to me on the roundabout, in any event.
161. The Royal College of Veterinary Surgeons Court Chairman stated, on the 6<sup>th</sup> January 2005, that the motoring conviction 'rendered me unfit to practice veterinary medicine'.
162. A small side matter in Cardiff Crown Court, my being accused by the judge of stealing a policeman's note book during the Appeal proceedings, just may have been a factor for a trial of an Englishman abroad.
163. Subsequent conversations, long after, with both the prosecution barrister, Mr Wallis and my insider police veterinary clients has left me in no doubt that the police evidence to convict was knowingly false and all in that Crown Court, that day, knew it.

164. I was starting to become a bit of a 'regular' at Cardiff Crown Court these days, even considering taking up lodgings nearby while entering into negotiations with the court staff for some designated parking.
165. The original excuse for the police stopping me that day, on a large Barry roundabout, my having just left the police station twenty five yards away, was because the police had 'believed' I was a banned driver, 'an excuse' they repeated for a further three or four incidents involving some of the very same police. My view on the matter was ignored every time for the obvious reasons.
166. The way I was handled in custody was harassment to provoke violence with the hope of a conviction at the end of it, standard police procedure.
167. The reason for my being repeatedly stopped on the road was to prohibit my obtaining motoring insurance, to work, by leaning on either my insurance agent and/or Insurance Company, **as full disclosure of police records will disclose**. I was a witness to all these tactics.
168. The Guernsey police had already achieved this 'end game' just prior to purchasing the Barry veterinary practice in 1992. Their routine was as much violence to provoke, as soon as I was arrested and then warn off any insurance agent on the island in insuring me. I witnessed it.
169. I will refer to yet another Taunton incident of police conspiracy but just how many are needed?
170. It must have been around this time, 1977/1978, when I had arranged a 'Fly-In' to my airstrip on the Quantock Hills, just across the Severn Estuary from Barry, South Wales.
171. I was walking with my bicycle, as banned driver, taking my invitations to Taunton railway station post box when I was jumped on from behind by a policeman.
172. A Land Rover full of belligerent policemen was seen to pull up alongside the curb.
173. As I was violently manhandled into the back of the vehicle I shouted at the top of my voice at a few pedestrians at a bus stop, opposite, asking them to contact me, " My name is Maurice Kirk, veterinary surgeon, just around the corner".
174. From my cell in Exeter Prison I managed to get a note to our family solicitor the same who had quietly sat in the court public gallery earlier, in another case (para 88) of a 'police man's missing note book', only to intervene when ardent police officers, while applying the handcuffs were charging me for the same offence for a second time, he knowing they having charged me already for theft but a few days before!
175. His name is Duncan Adam, last heard of as a District Judge in Bodmin Court, Cornwall but no doubt retired now for his fly fishing. I am currently looking for him as a witness.
176. Duncan employed a private detective to search for eye witnesses of the incident at the Taunton bus stop as I had already received a pretty swift custodial sentence of three months for 'Assault on Police', three if not four police officers giving similar damning evidence.
177. My trusted solicitor had found one, if not two of the bystanders at the bus stop that night only because it was his job and the private detective had persistently revisited Station Road, handing out his cards and asking questions. He finally struck lucky allowing me to walk free.
178. Two strangers found to have been at the bus stop at the time of the incident said they saw "a policeman jump on my back as I was walking towards the railway station. One gave a particularly vivid account of "police wielding heavy torches", pushing me over the low wall and appeared to be hitting me on the head with the torch. What saved the police, for my injuries were obvious, was the nit picking by the judge, the name I forget, fortunately for him, that the witnesses could

- not actually “see the strikes” I received to my head as I lay on the ground just below the level of the two foot low wall. I never met or interviewed these witnesses as I was made to stay in jail.
179. The case finally collapsed when one witness, it transpired worked in the police station or some ancillary organisation and was known and respected by the prosecution. Evidence from each policeman being, as usual, at gross variance once they realised their pensions were on the line.
  180. A Guernsey born prison officer in Dorchester prison, in 1980, had stuck his neck out and shown me the last few pages of my official prison file disclosing a letter to the Prison Governor, a pilot, with a signature at the bottom I instantly recognised.
  181. The letter was from the Taunton Police stating, in unequivocal language, that I was ‘**violent and likely to try and escape**’. The letter was signed by a Chief Superintendant Hawkins.
  182. I was to see this sort of description of me again, much later, hidden from view in a Cardiff police station while I was held for four days on the pretext I could not be ‘identified’.
  183. The prison staff apologised explaining that because of that document I could not work outside the prison or make the governor’s tea. Instead, I was put in the mail bag shop to improve my sewing techniques.
  184. Later that year, when I was on remand, a Mr M R Jones, of Customs and Excise, had succeeded in an application before a judge, in my absence, that I should remain in custody until trial as I had written to a prosecution witness from my cell.
  185. The mere fact the letter contained nothing more than a reminder that a large sum of money for flying tuition to Holland was still outstanding appeared irrelevant to the learned judge as he rubber stamped the application.
  186. As least expected and in the dead of night, I was still a little naive in those days about the enemy, I was awakened by a team of Customs and Excise officers visiting the Bristol prison causing me to be woken up and taken from my bed and interrogated at length just days before the trial, they having now confiscated two valuable aircraft of mine, never to be seen again. More of this Welshman later.
  187. Damn it, now I remember two more farcical cases before a Judge and Jury involving alleged ‘unlawful eviction of tenants’, with Mr Hawkins as a witness, during this time of intense police harassment.
  188. [ I believe this Somerset case in the 70’s relates to Barbara Wilding, Chief of South Wales Police signing a sworn affidavit that the police had ‘no knowledge’ of an incident when I was interviewed by welsh police, following the eviction of a police inspector’s daughter, Alison Jenner, when her worldly belongings were “thrown out on the street”].
  189. Relevant letters of mine to Mr Hawkins had appeared to have gone ‘missing’ concerning the criminal activities of these squatters, witnessed by me, my father and old student flat mate.
  190. The Welsh trial judge was HM Recorder Davies? He eventually ordered, in apparent frustration, that if I said I had written them to him, I had the carbon copies, the court would accept it.
  191. The judge had already thrown out three of the seven charges before the jury had a chance even to be sworn in and actually asked just what this case was really all about?
  192. I remember police saying something about my ‘flying at the squatters wielding a heavy axe’.
  193. The jury caused a local court record to be broken for being out to consider the remaining indictments in under four minutes

194. The Irish squatters who had been escorted to court each day in one of Chief Superintendent's police cars, all the way from Wellington, despite the prosecution having been brought by the local borough council, were never prosecuted nor were I interviewed for my serious allegations against them relating to the IRA, theft and criminal damage.
195. This was to set the pattern and general police tactic I experienced in South Wales, time and time again over the 10 year period.
196. There were many more cases, too many to recount, with some I lost but all relevant to South Wales Police harassment. My driving force from there on in, some would call vengeance, when confronted with their evil work place. My criminal record, some of which I am to blame, has been an inconvenience and that has led to all the consequences originally intended by the enemy within.
197. Serious conspiratorial Harassment from the police, Civil Aviation Authority and 'Uncle John Cobbley and All' really must have started when, I believe, Chief Superintendent Hawkins must have informed the Customs And Excise Drug Squad, basking in the glory, quite rightly, on their recent activities along the Welsh coast.
198. I was to encounter many other such likeminded pernicious vermin in HM court rooms. A Mr M R Jones, springs to mind, referred to earlier as being immune to prosecution due to the mythical powers of 'HM' and what is written in his respective Royal Charter.
199. The RCVS Royal Charter, for example, explicitly orders a presiding judge to look favourably on any RCVS lawyer or their agents. Customs and Excise officers enjoyed a similar immunity to prosecution.
200. To cut a very long story very short Jones's enquiries stretched right across Europe, costing the UK tax payer a small fortune while I was arrested and jailed, my garden being dug up, the floor boards of my house torn out, the contents of my safe removed and little returned.
201. Visitors to my house were stopped and searched. One, I remember, being physically hauled out of his car, he told. Mr Michael Coghlan of Blandford Forum, Dorset, a pilot, was then interrogated on the roadside before being released. Another witness I urgently seek.
202. No apparent reason was given, just down the road from my house but to identify the driver? It appeared a recurrent theme that is to feature heavily in my Actions for damages against the South Wales Police.
203. It transpired from information received from veterinary clients working within the system in Taunton my phone was being tapped and my mail was being intercepted.
204. I could say little or commence any legal redress for my practice would be immediately 'dead in the water' with a young family to keep. I made a decision to sell before my clients were frightened off from visiting any of my premises.
205. Police harassment became so intense I even, later, left the area.
206. HM Customs Drug Squad onslaught could have been avoided if, I believe to this day, I had made alternative decisions as to whether to confide in the police on information received from the underworld.
207. Some years earlier, circa 1972, having informed the Taunton police that I had been approached by a group of males wishing me, for a considerable sum of money, to do a single flight, alone, in

- my Piper Tripacer, at night, from a Cherbourg farmer's field, France, just to deliver a package in Hampshire by parachute, with me attached.
208. Few in the UK had either the knowledge or the 'where with all' to do the flight.
  209. The group of males referred to a front page article of a national newspaper, The Daily Mirror, carrying a story of the first man in the world to parachute to his own wedding.
  210. It further did not help when I realised, later, my phones may now be tapped.
  211. At about this time my dear old friend, an eccentric American aviator, wishing to move his vast wealth of vintage aeroplanes from Blackbush Aerodrome, England to Guernsey, Channel Islands, as a museum, offered me an equally ridiculously large sum of cash just to fly his dog in from Cherbourg, again, without declaring my cargo to HM Customs. The dog, I was told, was later smuggled in by another pilot.
  212. Doug Arnold failed to appreciate my veterinary qualifications not unlike the Welshman who knew damned well, by his extensive enquiries right across Europe where I was buying vintage aeroplanes, the Kirk family were rather unlikely to be mixed up in anything to do with illicit drug running and promote the havoc it has already caused to our community.
  213. Mr M R Jones's overwhelming desire for personal publicity and promotion, no doubt, stirred up the Civil Aviation Authority as well and between them went on to conduct a fruitless enquiry that led to lengthy jury trials, countless appearances in court around the country, my being moved between in no less than six or seven British prisons giving me the idea, at the time, to compose, as the occasional Public Health Inspector, bon vivant and glutton, the 'Egon Roney Guide to British Prison Food'.
  214. Again, the Taunton police did not leave it there, just stirring up the Welshman. They also wrote to the Civil Aviation Authority in attempts stop me flying as a commercial pilot just as my ATPL and Flying Instructor's exams were imminent.
  215. Oh, what a coincidence! I am jailed for six months (minimum four months), out of the blue for a trumped up Civil Aviation Authority offence killing dead any chance of an aviation career with family and friends around me asking, "Is there not something evil behind all this?"
  216. One of the CAA letters, indicating all this, was never returned after being taken from my fire proof safe, in my home in Taunton. Both police and HM Customs searched the property. It was a copy letter from my friends in the CAA Investigation Branch (stuffed with early retired Met police with apparent recurring back problems) addressed to Taunton Police rebuking the police, in no uncertain terms, in their bombardment of material to CAA House, Kingsway, London, wanting me to be quickly prosecuted.
  217. The CAA informed the police that my going about my veterinary commitments, around the Vale of Somerset, by vintage biplane or war time Auster and folding bicycle, as a banned motorist, was perfectly legitimate and nothing whatever to do with the CAA unless they could furnish information to indicate I had infringed the then current Air Navigation Order.
  218. The Customs and Excise's case on 'alleged drug running' never really surfaced during the Crown Court hearing with Judge Vowden, an experience to be before, especially when he ordered a retrial due to the Western Daily Press printing their usual level of journalism
  219. . The HM Customs prosecution case switched at the last moment to indictments of 'reckless book keeping' (Recently introduced VAT) and 'damaging an aircraft' but none of these witnesses

- had experience in VAT! The Kirk Aviation business, under scrutiny, included the importation and trading in aircraft especially lovely old French ladies such as old wooden Stampe biplanes, Jodels, Emerudes, Robins and my most favourite, a Sipa 901.
220. The lengthy trial by jury, Jones et al calling the most obscure and irrelevant witnesses from far afield, finally ended with the dear old judge mumbling to the prosecution barrister, "if the jury do not come back in the next ten minutes I am going to throw this case out".
221. The jury returned minutes later.
222. After the two trials were over and had been before the Criminal Division of the Court of Appeal, my now being eligible for Legal Aid, it was accepted that HM Customs owed me money, not me them! Not unusual in cases brought by HM immune to prosecution government departments.
223. The court fines were slashed to half by their Lordships.
224. No fine was ever paid nor will it ever be which I made very clear to the court at the time.
225. The Sipa had been bought in 1969, for around seven hundred pounds, assisted from the acquisition of King Edward cigars, my then favourite, King Size Number Six cigarettes and many bottles of Standfast Whiskey. Always triangular bottles so, if in a sailing boat, they do not roll around and break.
226. This, my first aeroplane was built to the G forces for a flick roll (but don't tell the PFA that) with an elliptical wing copied from the Supermarine Spitfire when she was built in a French post war competition, circa 1952.
227. To make sure the reader of this witness statement has no misconceived ideas the Sipa and occasional Auster were used, not to deliberately evade 'official Customs clearance'. Customs airfields seemed always in the wrong direction for Ireland, I visited so often.
228. Flying from a stubble field in Somerset direct to a Donegal beach, avoided the harassment I nearly always received when 'clearing out' of Welsh airports to fly 'foreign'. This is all very relevant to Defendant and Claimant behaviour between 1992 and 2002.
229. I remember a trip to Southern Ireland in an old Auster, in the 70s, to drop off my head nurse, Maggie, for a well earned holiday. We had presented ourselves to HM Customs at Exeter airport but had a flat car battery for ancient radio. There was some mix up for we took off once the battery was charged, my being later fined £75 in court for not clearing correctly.
230. Again, remembering incidents relevant to police harassment, it was Exeter Customs and Excise who first confiscated one of my aircraft.
231. My old French wooden built Jodel, up until recently, had been the home of a number of pigeons. She was now inbound from France, via a particularly cow pat covered Somerset field, having just been chased down the Cherbourg runway by firemen grimly clinging on to the sides of an old English built Dennis fire engine.
232. As she sped down the tarmac, while frantically clanging the old hand operated brass bell, also outside, the gesticulating fireman failed to put across the reason for our chance meeting as I rolled to get airborne.
233. Shortly afterwards, over the English Channel the aircraft caught fire.
234. She was confiscated for the winter by HM Customs, in a heated hangar, free of charge, only for her to be released from custody, without reason, to be sold 'as is, where is' for four times I had bought her for.

235. In the same year, I think, I recall re importing a £250 British WW2 Auster aircraft, the fuselage tied to the back bumper by a calving rope.
236. Weymouth Customs demanded tax on the aeroplane despite my explaining the facts of a British product.
237. They refused to take a cheque, my being VAT registered with them.
238. I refused to accept their argument, dropping the aeroplane right there in middle of the concourse, blocking the lane and after further threats, quietly drove away.
239. Months later I received a call from them to collect her. I returned in a different vehicle.
240. Upon collection I was asked the whereabouts of the original vehicle that towed in the fuselage.
241. Upon asking which vehicle it was I was placed again, 'in some difficulties'.
242. Years of police harassment meant I rarely divulged information unless obliged by law.
243. I never drove a car for much more than a month before disposing of it, rarely registered in my name and usually reliant on names of famous aviatrix or aviators to appear on any official document.
244. Never would I have less than four or five available cars and or motor bikes, at any one time, switching them two or three times a day, if need be, when I got wind of a particular bit of clumsy police surveillance.
245. I remember leaving cars parked all around my cottage in Taunton far enough away not to be seen by the police surveillance from right across the street. Many was the time I would do a night visit to some veterinary emergency by clambering over the back of the garden fence, legging it to an awaiting car, two streets away only to return in another vehicle, one I had prepared earlier.
246. I asked the Weymouth Customs officers to describe the car I pulled the aeroplane with that day. They appeared that they could not.
247. Strange that, I thought at the time, for it was an almost brand new French built Citroen 2CF, left hand drive, corrugated roofed bread van. Somewhat a rare a species to be seen in the UK.
248. The English Customs officers' conduct, on each of the above occasions, appeared reasonable, in all the circumstances.
249. It would be appropriate to list, at this stage, some examples of police Customs harassment by the welsh police, not in current Actions, following what I believe were the communications between police forces, across the water, following the ignominious defeat concerning a Somerset police officer's note book, together with a purported temporary loan of one of his police cars, at about this time, in broad daylight, also without a successful conviction.
250. The Welsh police at Swansea, on one of my occasions from returning from the Isle of Man TT Races, had me unload ten or more large boxes of frozen kippers and Queenies onto the tarmac, in the teeming rain, before setting about with screwdrivers and a penknife to attempt to enter the fabric covered fuselage of my ancient Auster, as old as me and still flying. They were purportedly looking for contraband, possibly Pakistanis, they being the premium cargo at about that time in the early 70s. Ah, those heady days of inexpensive flying and lots of fun while not enough listened to Enoch.
251. Another incident was in 1971 when I was en route to Northern Ireland, now subject to the 1969 Terrorism Act, when Welch police at Haverfordwest, Pembrokeshire, deliberately tried to delay my wife and I attending the Enniskillen Hunt Ball and the 'flichting' in of duck immediately after.

252. The aircraft was brisling with 'appropriate' and later, the Irish Royal Ulster Constabulary considered, laughing, 'not so appropriate' armament for the purpose.
253. The Welsh police, clearly tipped off from Taunton, gauged by their questions, at the time, demanded we all wait, a Friday winter's evening with the sun going down, while HM Customs and Excise turned up from Milford Haven. We had 'crossed swords' once before and were to do so again.
254. This was Mr M R Jones's old training ground, I later found out, before we first met, which may be relevant. Customs were to 'clear us', I was told by the police, to a part of the United Kingdom where the IRA were planning to kill still more innocent people on United Kingdom soil, they having already put a gun to my brother's head and all in the name of gratuitous violence seriously funded from the United States of America.
255. It also did not appear to interest them that if that was the only daft reason for detaining me, it was unlawful, we both leaving for week end from a busy veterinary practice.
256. I remember saying something along the lines, "We do not need bloody Customs clearance for Northern Ireland it is my country until such time as a referendum from the legal occupants vote otherwise".
257. I was only too well aware, as I said it, of the daft notion afoot from the minority in Wales, coupled with the regular burning down of Englishmen's cottages, demanding a devolved government from Westminster. I was obviously talking to one, I believed at the time and have now lived long enough to confirm my worst fears of the consequences of such a hair brained scheme.
258. The police car, parked in the middle of the newly licenced airfield, suffered considerable damage to the roof, apparently, purportedly from a passing low flying aircraft, the latter being chased by a Hawker Hunter out of RAF Brawdy, the fighter base nearby. I later become a little overcome by good Irish hospitality, at the dance, forgiving the police for their errors and still hit a few birds down at dawn despite of it all.
259. No criminal proceedings followed the incidents either in South Wales or at St Angelo, Enniskillen, following our late arrival. We had been surrounded by at least five police cars in the dead of night, found only by the luck of a full moon shining on a water soaked runway.
260. Another incident with no charges, no doubt, for fear of revealing prior police surveillance even before Janet and I left that potato field on the edge of Taunton.
261. Some of these incidences may well be out of sequence as I remember them but they all indicate a campaign reliant on police surveillance.
262. Another welsh police incident, comes to mind, earlier in 1970 involving the Sipa flight to Donegal, Ireland.
263. Maps of the area were scarce and mine blew out between canopy and the tired fabric fuselage shortly before we landed armed now only with a set of tide tables for the beach landing, beside my brother Michael's fishing hut.
264. The return journey required a second landing in West Wales at a disused old WW2 airfield at Talbenny, Milford Haven, my having dropped in for jerry can of car fuel on the way out.
265. I hit a pot hole and suffered sufficient damage for it not to be safe to fly with a passenger, wife included.

266. Milford Haven HM Customs were alerted.
267. This incident at Talbenny incurred much driving back and forth from Somerset and a HM Customs and Excise fine of £15 which I paid but only because I believed it was more than reasonable.
268. Another Welsh police incident, I recall. I received police abuse at Cardiff airport, a pattern that continued, almost every time I flew foreign, until I was removed from the veterinary register in May 2002. Since then they have been nothing but 'sweetness and light'.
269. The Barry Magistrates Courts had just been built and before the introduction of the questionable HM Crown Prosecution Service.
270. South Wales Police or whatever they were called in those days had brought a charge of 'obstruction or resisting arrest' for something while we were clearing HM Customs for Dublin in a Cessna 150 two seat aircraft.
271. Yet again the case was riddled with lying policemen while I, a commercial pilot, was locked up for hours leaving my paying passenger, a Dutchman, stranded at Cardiff Airport not knowing what was going on. All part of South Wales Police vindictive culture, given the chance.
272. The magistrates took little time in dismissing the charges.
273. In 1970, being before Exeter Crown Court and represented by a solicitor, for 'theft of an aircraft' I watched, for the first time, the gravy train at full steam, designed to fleece the tax payer. I was half owner with Charlie Brinson of an aging Piper aircraft, his half having been chained up by the Official Receiver.
274. This was not going to get in the way of a planned trip to the Scilly Isles for Auntie Diana, having just lost her husband, Uncle John, as both he and my grandfather had been long standing administrators for the islands for the Duchy of Cornwall.
275. The allegation was withdrawn on the excuse, 'following further enquiries'.
276. I witnessed clear evidence of a distinct decline in the standards of not just police evidence and the bringing of criminal charges but, later in the 70s, also a general decline in the apparent integrity within the magistrates system. Courts above magistrate's level have remained, to this day, about as wicked as they are able and will remain so until such time as the general public are fully informed and have more jury trials and more Members of Parliament with the 'bottle' to stand up and be counted.
277. Police harassment caused me to eventually to sell up the family practice in Somerset and move abroad to a place I misguidedly believed would be far enough away from Chief Superintendent Hawkins's influence. Gosh, how wrong I was and not the last of my mistakes when believing police vindictive harassment would eventually all die down.

### **Guernsey State Police**

278. Guernsey appeared a quiet place to pursue my interests in veterinary surgery but not for long.
279. About a year into my working as a veterinary surgeon in the Channel Islands, having just entered into partnership, I was then seriously assaulted by the police causing the doctor, upon finding me in a police cell in a pool of blood, to rebuke them ordering them to organise an immediate

- ambulance to take me to the hospital casualty department. It required many stitches in my torn away scalp, they having thrown me head long into a granite wall.
280. Overheard conversations that night, in custody and information, later, from my clients and friends caused me to become aware that there was close communication with the UK police, in Wales and England, following the granite wall incident. The first police encounter in a tax haven.
281. Soon after my partner, Nick, entered a psychiatric hospital leaving me to fend off a steady stream of police incidents of harassment following the granite wall incident.
282. There followed countless nonsense court cases, any one suitable as nursery rhyme, with the rule of law appearing to be quite alien to their insular way of life. I was still very naive.
283. Police tactics were to destroy my income I having become a single handed general practice meaning not just cats and dogs but had to be available, day or night, for every creature, great and small.
284. I was put in the ancient island prison no less than 21 times, usually for a couple of days or so until all charges would be dropped.
285. I recall 19 charges being dropped in a single court sitting but not until I had spent considerable time in custody with serious injury to both my veterinary practice and to my sixty ton sailing boat moored, unattended, precariously in St Sampson's harbour.
286. The Insular Authority continued to refuse me but not others, the right to live in a house as an 'essential worker' leaving me no alternative, while my application was subject to Royal Court Appeal, to keep my wife and young children in a dilapidated garden shed hidden in brambles behind the rented surgery premises.
287. The police were regularly seen taking up night residence in the club opposite my surgery, in Nocq Road, St Sampsons, in order to obtain proof of our illegal occupancy.
288. When winter approached I therefore set about breaking into the roof space for the family to live in above the surgery. When suspicion was aroused that we were there I was forced to retreat back to the garden shed. I knew that the adverse publicity to the island's already ailing tourist industry, should we get prosecuted, may save us as it did outweigh their expensive attempts to have me off the island.
289. I was wrong, of course, my being prosecuted, not for living without a licence, I won that on appeal, but by housing those not with licences.
290. Suitably attired in fluorescent orange socks and SS Nazi uniform I quietly reminded the court of its murky origins and what they really did towards the war effort when De Vic Cary's grandfather, then Bailiff of the island, instead of being hanged for collaborating with the enemy was instead knighted in '46, following the General Election victory of the Labour party.
291. There was a genuine need, I believed, for radical change and for Guernsey to be dragged screaming into the real world, the 21<sup>st</sup> Century. I got that bit wrong as well.
292. Whereas the majority of islanders were still being treated somewhat as if they were still in the Dark Ages, expecting a Wat Tyler equivalent to emerge from the masses, I failed to realise, until far too late, what really should have been done instead of writing on my surgery wall, with antibiotic spray, **"The law is only as good as the integrity of those entrusted to administer it"**.

293. I stood, on their behalf, for the States elections obtaining embarrassing good support and continued to self finance the Guernsey Legal Aid Association with a belief it would finally break the incestuous legal cartel, in the name of the Crown.
294. My wife and I decided the Channel Islands, apart from Alderney, was not a fit place to bring up children and so she returned to civilisation leaving me my fight my court cases, re the theft of my practice, freehold and personalty and being refused housing licence.
295. In order to live somewhere, meantime, while still trying to maintain a veterinary service both in Guernsey and Alderney, I bought a sixteen foot rigid inflatable and a an elegant old sixty ton, sixty foot long, Breton Tunney boat and ran her up the St Sampsons' beach on full throttle, on the highest tide of the year, to the minute.
296. Whilst police grappled with me in the cramped wheel house, it appeared they were searching for reverse gear, the opened sea cock down by the keel was quietly filling the fish hold with a temporary few feet of sea water making it impossible to move until she was sold, two years later for a huge profit.
297. I lived on 'Petite Marie Claude' in luxury, fifty plus and jazz group in the fish hold for my fortieth birthday, with two years of free fisherman's electricity that a few squirm.
298. Police surveillance continued in an unprecedented way. Even my regular visits to clients in Alderney, by rigid inflatable, gave reports from radio hams and civilians working from within the police station, itself, that the police were even monitoring my movements at sea!
299. Even a client, a female telephonist on the night rota of the island's telephone exchange, warned me of regular police surveillance on my telephone line.
300. Bernard Decarteret, while working for the States Works Department, while visiting the police station, overheard my voice coming from another room. Upon investigation he saw a loudspeaker connected, he was told, to my surgery telephone number and it had been listened to for the past two years!
301. Another typical example, too many to list today, of police harassment, often by twenty 24/7 surveillance was, when Her Majesty the Queen Mother came to visit in the Royal Yacht Britannia.
302. Fishermen clients quickly tipped me off that same night, that the police launch was in hot pursuit of me as I slowly perambulated around the beautiful vessel, moored in the bay, enjoying all that she signified before she was and never to return. The police never caught up with me, that night, as I put my lights out and made a run for the tide swept rocky shallows off Herm Island.
303. The next thing I hear, from witnesses interviewed, are charges being prepared on my use of the vessel that night without lights. Charges were then dropped on the excuse of 'lack of evidence'.
304. There was plenty of evidence of my infringing the maritime code, switching off my lights on a vessel travelling above the minimum speed for a no light requirement. It was obvious that had the HM Procurer, de Vic Cary, or ACK Day had pressed for a conviction no way could they have hidden the fact I had been under police surveillance every time I left harbour.
305. Relating directly to the South Wales Police's 'end game,' played out for ten years, to have me struck off or at least, be unable to obtain unable to drive, Guernsey State Police also harassed those supplying me with the required compulsory third party insurance.

306. It particularly related to the veterinary ambulance, I drove, needed in order to practice veterinary surgery.
307. Island police repeatedly visited my client and insurance broker demanding intricate details of my insurance for my various motorised forms of transport. My client was visited so many times by the police that in the end I was asked to take my business 'elsewhere' because the police presence in his office and parked outside was damaging his business.
308. The Guernsey insurance broker assured me no other broker in Bailiwick would insure me. I tried. He was right. I took a day trip to Jersey. I am currently trying to locate this witness.
309. I had now beaten the iniquitous Housing Authority in the Royal Court against De Vic Carey, again wearing his tall hat, not worn as criminal prosecutor but in the civil court, this time, on behalf of the insular government! He conceded without a fight again for fear my wife, Janet, or I would disclose the police surveillance tactics he had personally authorised while we lived in the garden shed.
310. There was not a single penny compensation, of course, for the miserable six years for my family, , not even for the puncture outfit for my bicycle to get there.
311. Police harassment was being notched up a few more clicks, moving overnight surveillance onto my house I had recently purchased in the parish of St Martins, on the other side of the island from my surgery in St Sampsons. Who was paying for all this?
312. I had to give up most of my garden for a car park at the rear of the premises and build the surgery, foundations to the roof virtually single handed as word was out and about that my phone was tapped and that it often had night police surveillance so easily witnessed by my neighbours.
313. This meant at least my few loyal clients, not already frightened off, could drive in around the back out of sight, reducing the chances of being identified.
314. It did not stop, however, a few on the island enquiring from my article in the local paper advertising a 'time share' scheme for a nuclear fallout shelter I was proposing to build in the remaining part of the garden.
315. Nor did it stop one such resident, later to tell the Magistrates court £10,000 had been offered to shoot the HM Comptroller. He had read my other advertisement, under Hire Services, if I remember correctly, following a particularly bad day in the Island's Court. The advertisement included the words, "Curtains for A Day".
316. With the effect of police surveillance achieving the damage to my business as intended I eventually made preparation to leave the island, something I have regretted not doing much, much earlier.
317. I was not leaving without first proving my phone was still tapped and having a little bit of fun, at their expense this time.
318. 'Disinformation' was appropriately distributed by my telephone only..
319. This lead to no less than five police cars and a fire appliance, that night, being rushed to Conseillor Chilcott's house, a senior politician, with him and his family to be evacuated and for police and fire services to remain there until dawn when they finally realised they had been 'hoist by their own petard'.

320. I had been studying the black art of disseminating 'disinformation' following my belated revelations during my uncomfortable night in the Alderney prison, referred to earlier, which caused me to win, as it later did again in South Wales, the new onslaught of charges, following De Vic Carey's ignominious defeats in the court both in UK and Guernsey.
321. Mr Chilcott, a butcher on the island, imported meat, on a regular basis, from South America which was almost bound to be infected with Foot and Mouth Disease, knowing he was putting the whole UK farming industry at risk. That might have been the reason he was targeted.
322. But then, again, it may have because of this, below, published in their daily rag, at the time, now off the internet, having forgotten how to spell his stupid name and title... EXTRACT

Association President Conseillor Bob Chilcott says that the play, Theresa, which is about the treatment of Jews in occupied Guernsey is 'disgusting and ...

323. Fun also to be shared with my loyal friends, one being a Mr Oliver Reed, actor, who went so far as writing, with many other clients, to the Royal College of Veterinary Surgeons.
324. In 1987 The Guernsey States dispatched De Vic Cary QC, to the RCVS court in London, the island's 'QC', 'quaintly corrupted', not to be muddled with the UK equivalent initials.
325. Cary gave evidence, on oath, to have me struck off the veterinary register but failed miserably as my barrister, Conrad, proved him a congenital liar before the full court.
326. De Vic Cary knew ACK Day had falsified the police charge book, changing minor 'disorderly conduct' charge for 'contempt of court', with forged photocopy, in the full face of the court and nobody batting an eye lid. What? Bat an eyelid in a tax haven?
327. Many other matters not needed for this, my witness statement against the South Wales Police, could be cited but can be left for trial.
328. What **HM Partnership** will stoop to is no longer a surprise the Claimant.
329. In South Wales, in 1997, the very same thing happened with a complaint of 'Breach of the Peace' being buried to bring up, while they scratched around in the gutters to replace it, for more serious charges, deliberately delaying the serving of summons until months later, until evidence was actually to be heard on oath in the substantive hearing, just to hamper the accused obtaining fresh evidence and preparing his case.
330. My St Martin's second surgery was filled with as many as forty seven visiting UK citizens and EEC workers to maintain their tourism industry, my housing them in rooms, in the broom cupboards below stairs,, vans or tents in garden whilst selling second hand cars off my front lawn, there being no Trade Description Act or effective MOT structure as prosecution on the island was purely based on 'who you were', not based on fact.
331. Guests all had as much free homemade beer on a Sunday night, as they liked, out of two twenty gallon dustbins, the stupid place preventing real workers on the island from having any proper reward for their travails or right to buy a drink on a Sunday.
332. The house was regularly raided by police in the dead of night but only while I was conveniently locked up for a while in the 1811 built prison. Police would smash doors down with sledge hammers and prosecute those they chose did not have the funds to put up a legal argument in rebuttal. No legal Aid existed, heaven forbid, just think of the possible consequences!

333. Those working in the banking industry were never prosecuted as neither were the foreign itinerant manual workers in my house, employed on a scandalous wage by the same handful of privileged few, who doubled up for both the courts and executive.
334. The Guernsey's police obsession in inflicting the maximum financial hardship causes me, as I write, reminds me to put up on my website a newspaper article, one from a large suit case of newspaper cutting from the then State controlled gutter press, all published but for one purpose.
335. It is a picture of police attempting entry to my home with the story underneath with the headlines, **"Vet Detained for Psychiatric Report" 'He may be insane-Police Doctor'**
336. Again I appeared before the permanent all male jury in the notorious Royal Court, new members coming in, from time to time as members died off, being voted on by the HM prosecution. Yes you guessed it, De Vic Cary and ACK Day.
337. No lawyer could be safely employed from their incestuous world of insider dealings to fleece the UK tax payer. They, nearly all, revelled in their ill gotten gains, knowing no UK barrister or solicitor had 'right of audience' in the last reminisce of 12<sup>th</sup> Century Normandy law.
338. The very same tactic of media publicity I encountered when I came to live in Barry, South Wales.
339. One such case, in Guernsey, of alleged 'drink drive' the police doctor, not the afore mentioned but another, altered his notes during the trial leading to my successful application before the Bailiff for a witness summons to be served on his honest partner to confirm police examination procedure of a driver in custody was flawed and based on his erroneous and changed evidence (white pages turning pink overnight).
340. Guernsey ensured there be no breath test or blood test, to secure a guilty verdict, should one of the privileged be in advertently stopped, unrecognised, by an overzealous young constable.
341. The police doctor attempted to overturn his witness summons.
342. Upon us returning from Royal Court, the single magistrate, sitting alone, ignored the Order by the permanent jury of the higher court, he also being a member of the permanent jury, so I informed him we would be arrested if he did not re consider overnight.
343. At the next hearing, having secured the attendance of uniformed police I asked him again but he again refused.
344. This led to a falsified charge sheet , done in the middle of the trial ordered by ACK Day, no less, prosecuting the case, from 'disorderly conduct' carrying a maximum sentence of £200 to one of contempt of court for which I received a prison term of two days under 13 months.
345. They even, one night, threatened my life I believe because I was a threat to their world of drug dealers, insider dealing and, then, an IRA 'safe house'.
346. I feel this is enough history on thirty years of police surveillance, for the purposes of the current damages case against the South Wales Police simply to explain why I have had to remain quiet on the subject on this matter until now.

347. Since I came from Guernsey I embarked on a locum career in my veterinary profession to allow my other pursuits to blossom between engagements.
348. In June 1991 I eventually finished up in Barry, South Wales, on a two week appointment, lost my temper over an idle veterinary assistant, purported to be buying the practice shortly and bought it myself.
349. I was only too well aware that nearly all my previous confrontations with the Welsh, not just on the rugby pitch in Taunton, as a schoolboy, but as a commercial pilot in the 70's had nearly always ended in my being at gross variance to their interpretation of the facts.
350. Police surveillance on me had continued during my locuming around the country, including Northern Ireland, deep in bandit country, being routinely stopped at three in the morning often to and fro from calving a cow or to see a horse with colic, over the Donegal border.
351. First it was the RUC then the Garda that would jump out into my headlights from nowhere to stop and search but what put real fear into me were the brilliantly disciplined British Army, with an SLR or FN pointing in my direction, they appearing to know who I was before I even spoke.
352. Similar incidents of police surveillance occurred during my travelling between locums around England nearly always in a Guernsey registered vehicle or on a foreign registered motorcycle.
353. Where a routine enquiry at the roadside by some unsuspecting traffic police officer would start with a friendly caution, on speeding or whatever, once the driving licence had been checked on the police national computer the expected four minute delay would often entail thirty minutes!
354. The car would be thoroughly examined by one officer while the other grilled me using questions to indicate the origins of their 'interest'.
355. The summer of '92 appeared free of police harassment for me as I paid visits to and from the Vale of Glamorgan in the process of assessing the reality of living in Wales, purchase, renovate, modernise and move on.
356. When the decision was finally made and the purchase took place in January 1992 it was only a matter of weeks before police harassment started up again with a vengeance.
357. I was being stopped around the Vale and vehicles examined and the first or second court case was one of 'failing to supply a specimen of breath'.
358. The court heard a twenty five year old Welsh rugby player called Evans, I think, say I had given two breath tests but he was 'waiting for another breathalyser kit to be brought by another squad car on the M4 Motorway' for a third! He had not obtained a result sufficient to allow me to leave and go about my business!
359. That case went to court in Chepstow, lost but overturned by Judicial Review in the Royal Courts of Justice my having to pay iniquitous costs of several thousands.
360. The case started again, months later, further up a Welsh valley at Cwmbran, Gwent and ended in utter farce, part heard, in order to allow for yet another set of magistrates, not to have heard the damning evidence already extracted by cross examination including the police, first confiscating my Guernsey car and then sabotaging it in their own car park, in Chepstow, in case I came one night and tried to sneak her away.
361. This fourth court case, on this minor single roadside incident, finally arrived at the 'Head of the Valleys' in Tredegar, at an old stamping ground of mine where I used to land my vintage and

- WW2 aircraft, often in dense fog, smack in the middle of Brooksey's scrap yard for a cup of tea or to collect tadpoles for my then five year old, Caspar.
362. I was definitely known to Tredegar police and parochial environment this 'de novo', so called, hearing was going to be heard in was a nonsense.
363. The police man gave totally different account of events to what I recorded in the other courts but he did stick to his original story of my apparent swift departure once I heard on his radio another police car was coming to the scene, presumably to jail me for some yet revealed 'police enquiry'.
364. This fascinated me, the extent to which this policeman was prepared to lie. I put it to him not just x-rays, revealing newly formed callous occluding the joints, fixation screws and serious arthritis but produced the very orthopaedic surgeon, Mr Bunting to confirm it.
365. He had patched me up more than once, in the 70s following 'test flying incidents' for the now modern microlight or ULM, following techniques to break the bonds of Earth such as 'pulling down the string on a modified chainsaw engine attached to the wing above your head, to get propeller spinning and then physically carrying your aircraft as you run over a cliff'.
366. Mr Bunting had pieces of broken condoyle from my ankle free in his hands, at one stage during that 'most of the night' job fighting to save my leg.
367. I even took off my shoe and sock in court to show my swollen scar covered ankle.
368. The policeman's story, I almost forgot to recount, was that I simply 'legged it' he being unable to catch me, apparently along a wall and across the top of a five barred gate.
369. Neither could the tracker dogs and other police in vehicles that raced to the scene, blue lights flashing and sirens blaring.
370. The police man's evidence, 'in chief', was that I had given two negative samples of breath and he 'believed' the equipment was faulty.
371. I believed none of it having suffered similar abuse in the past both in Somerset and incestuous Guernsey. Anyway, I had given what was lawfully required.
372. What worried me most was that the same Welsh HM Crown Prosecution Service had prosecuted on each occasion and were still pursuing for a conviction despite the standard of evidence and at whatever cost.
373. The Royal College of Veterinary Surgeons, in 2001, following the South Wales Police complaint to have me struck off the veterinary register, failed to obtain or so they said, any record of what actually was said on oath, a feature that was to feature in **my attempts for disclosure** from the South Wales Police from the day a damages case was first formulated, following this and other police acts of direct harassment or 'inactivity' to investigate crime I and my family had suffered.
374. By the end of this case, at appeal, in Newport Crown Court, I must of had expenses well exceeding £100,000 with a garage burnt down full of antiques, an aeroplane burnt out, two cars burnt out, two motor cycles stolen, numerous cars stolen, surgeries burgled ALL incidents, without exception, clearly having but a perfunctory recognition by the local constabulary.
375. My policy since the 70's, long before coming to Wales in 1991, was to have any vehicles I commanded rarely be in my name.
376. Clearly, here in Wales as well, police harassment was the 'name of the game' for promotion up the ranks and hitting the vulnerable motorist still remained the easiest conduit for corruption.

377. But I had an advantage the police soon stumbled on despite starting off well in our yoyo visits back and forth to courts about the Principality.
378. Where was I getting my information from to prove time and time again some, at least, in the South Wales Police and Welsh Crown Prosecution Service were thoroughly deceitful people?
379. The requirement to now serve my witness statements on the Defendant has proved not a simple one due to the utter disruption caused by Collins J, manager of the Administrative Court, Royal courts of Justice and the manager of the Cardiff County court where this action lies.
- 380.** Collins J's interference, in an attempt to have me certified as a 'vexatious litigant' with the losing and/or deliberate destruction of court files, over 130 cases, in dribs and drabs, were shipped all over the country, eg one, seen right under my nose in the Cardiff court, labelled- **Maurice J Kirk – Potential Vexatious Litigant**, only to be 'air brushed' out of everybody's memory like my Texan County Court law suit for false imprisonment.
381. Some witness statements have been found, some over 10 years old, with several repeated often due to eventual disclosure of originally withheld police records have eventually been achieved by pressure on, PCA, MP and a succession of judges to so order.
382. The Defendant's deliberate lies, both police and their lawyers now denying several arrests, production of motoring documents or court cases even ever occurred, suggesting their own original court exhibits were false is because they directly involved the police surveillance team not yet admitted to having existed. All this is itemised in Barbara Wilding's 25<sup>th</sup> Feb 2009 Sworn Affidavit and therefore requires criminal law intervention from outside South Wales.
383. As I experienced the very same conduct by those in positions of privilege in Guernsey, when both judges and high ranking police officers also joined in on the act of conspiracy to pervert the course of justice, I must again enter their little world of deceit, driven by avarice and arrest and/or prosecute the culprits myself.

### **1st Action 8.3**

384. I made a detailed statement of this police incident and many others years ago but, to date, not yet available. The main reason is that the desk top computer with eight years work in it is not working, my having presented it to two organisations so far, to try and download data that was created by my then secretary, Mrs Diana Graham, originally employed for this purpose of recording police harassment in South Wales.
385. Numerous contemporaneous notes, typed out shortly after each incident are still locked but much is in print form, already distributed, making preparation of this witness statement and to gather those of others, some also having been contemporaneous notes, an absolute nightmare.
386. But I am in Brittany, amongst friends and the sun is shining and I will run out of time preparing claimant witness statement by 19<sup>th</sup> June 2009 but does it really matter, having been unlawfully denied a **Trial by Jury** some 13 years into this action for damages deliberately delayed by **HM Partnership** to kill evidence?
387. On the 2<sup>nd</sup> Jan 1993 I was stopped by police in the afternoon and made to produce my driving documents, including an MOT for a Guernsey registered car, Ford Escort registration number

- 54925, a car already well known to the police. They expressed particular interest in my insurance company's name. Having had to change it so often, to screw them, even if I had agreed, which was hardly likely, I could remember it anyway
388. Charlie Brinson's daughter, running his insurance agency now, had her work cut out just keeping up with police frequent enquiries on me that I spread the policies elsewhere for a while.
389. She told me later that she had had so much nonsense with the South Wales Police, as with the Guernsey police, she eventually told them to go visit a 'hot place'
390. I am currently trying to trace her in Somerset to put just that on oath, in a witness box.
391. My driving licence was produced at Barry police station, during one of my many visits to complain of harassment as I had no intention of disclosing my insurance records too quickly just to allow pressure again on my current insurance company, as had occurred in Guernsey.
392. Registered keeper of that particular car changed around this time to further harass their intent.
393. My insurance documents, when demanded for no good reason, are often sent to John O' Groats police station, Scotland, within the prescribed time set down by law but to the most northern police station on British soil, I was assured.
394. I may well have delayed production at Barry for the reasons already given. Full record should be available for trial once this computer and memory sticks are uncorrupted.
395. It was rare for me to not be carrying a driving licence that day. One has to visit a police station instead, when ordered to produce at the road side, if not with you at the time of demand.
396. The French have, I notice, a far better system less vulnerable to police abuse as they auction houses here in Brittany, three candles, not one under the influence of the unscrupulous you usually find in an auction room. There is, well, there was no law then, in '93, my requirement to have to waste time in police stations, almost every week, producing proof of one's insurance and fictitious MOTs etc.
397. All documents, other than my licence, could and were, usually, posted.
398. This information is very relevant to the 'modus operandi' of both Claimant and Defendant in several of the incidents in all 5 civil Actions which I may not get time to write about before delivery of this statement of truth.
399. Further, it is rare for me ever to be driving in the UK without at least £400 cash about my person, in order to get a private doctor into a police cell, to take a blood test and/or an examination, following being beaten up whilst in custody.
400. Even when I have produced my passport, for proof of identification and the £450 cash for the very purpose, police have still been known to refuse.
401. The incident on the 2<sup>nd</sup> January 1993 may look trivial but is important in that it was obvious to me I was still under general surveillance and marked accordingly each time my name came up on the PNC in a police station or passing police car.
402. The police car that day was not actually on the same road and it was stationary.
403. Watching them as I neared and passed them clearly led me to believe they had already made their minds up I was going to be stopped.
404. I was then stopped unlawfully.

405. The allegation of no insurance later was fabricated the surveillance team having already established there was no need for a court case yet alone a conviction, my driving documents asked for having been examined and found to be impeccable.
406. I neither attended magistrates nor the Crown Court for very good reason.
407. Why, because I had an equally farcical hearing booked in the Royal Courts of Justice on the very same day as the magistrate's case which the police were well informed about, well in advance, in writing.
408. The purpose of this incident being put in this claim for damages was for a **Jury Trial**, 'document light' and 'street wise' and not for a single judge, sitting alone, far more concerned with retaining his own cosy environment.
409. This case, remember, is all about vengeance and who had the most of it circulating, who had the most resources, who was digging the two graves and who was holding his coat?
410. My refusal by Lord Justice Thomas, first, to be legally represented and secondly, refusing an application he considered 'hopelessly out of time', for a **Jury Trial** taped first, in Cardiff and then at the Court of Appeal indicated just how far the South Wales Police are prepared to go to pervert the course of justice.
411. In The Royal Courts of Justice, both Lord Justice Thomas and Mr Justice Maurice Kaye, earlier, had not even read my application papers, correctly submitted and yes, the application was 'in date', within 21 days and yes, both Cardiff and Swansea Courts, having deliberately assisted in delaying an already Court of Appeal stamped document for 17 months, originating from Swansea court where His Honour Judge Jack, already having adjudicated in this case in Bristol, refusing me police incidents to be in the Action, **reversed** a previous judge, HHJ Nicholas Chambers QC, who had grant me a **Jury Trial**.
412. Exactly the same game of delay and 'treacle treatment', as is going on, as I write, with the Royal College of Veterinary Surgeons Appeal, sitting in the Court of Appeal, for a year now.
413. The case is simple: The RCVS refuse to convene a court, contrary to the 1966 Veterinary surgeons Act, in order for me to apply to practice veterinary surgery. The college lawyers refuse because once I am a member disclosure of evidence will then flow on how the South Wales Police, from 1993 to date, caused, unlawfully, for my name to be removed from the veterinary register.
414. None of the RCVS enquiry contemporaneous notes of evidence gathered by the college, from my clients and South Wales Police, have ever been disclosed, lawyers for the RCVS first pleading 'there are none' for and now switching to a defence of 'professional privilege'!
415. Successive judges continue to refuse to comply with statute law, following my applications for simple disclosure of evidence in all 5 South Wales Police Actions and the 20 odd against the Royal College of Veterinary Surgeons. Disclosure will prove criminal conduct by lawyers and demolition of the house Judge Jack built.
416. No judge in the land will therefore process my currently paid up **Abuse of Process** Application.
417. Hence the race is on to have me certified with the Metropolitan police having now contacted my doctor, in South Wales, in writing, urging for me to seek a psychiatric assessment.
418. Similarly seven years of ongoing sending my case files of these police and RCVS Actions to Mr Justice Andrew Collins and his busy, beaver team of lawyers in Whitehall, only for them to

- lose some so my barrister, for one day, costing me well over £2000, could not even examine them, because the Cardiff court manager refused us.
419. All this just to have me certified as a **Vexatious Litigant**, if the doctors fail.
420. President Bush failed on this very same argument in his Texas court case, last year, the case collapsing with my only needing to plead a 'no case to answer' argument following a doctor falsifying evidence.
421. Austin County Court, in the State Psychiatric Hospital, where they had held me under lock and key for a while, heard the Court Order to 'air brushed out' all record of it but I have witnesses.
422. Meanwhile, back in Wales, the Cardiff court manager, also refusing to process or acknowledge receipt of my correspondence on this current case and other ongoing related and relevant actions, on failed **disclosure**, is about to read, again, those leaked internal memos, under witness subpoena, this time before the recently appointed trial judge, His Honour Judge Seys Llewellyn QC.
423. HM Treasury solicitor and HM Attorney General department internal memos on this public scandal to be published on website, [www.kirkflyingvet.com](http://www.kirkflyingvet.com)
424. All this is about **HM Partnership** is far more important than the local behaviour of common place behaviour within the South Wales Police and Welsh (HM) Crown Prosecution Service.
425. To me, in 1993, it was obvious from the start, by the questions at the roadside from police attending, that police surveillance on me and my business continued while their communications with Guernsey's Insular Authority was in full swing.
426. This I can now prove.
427. The conviction, on my mother's birthday, 19<sup>th</sup> April 1993, with Barry court ignoring the fact I was in the High Court in London that day, despite my writing to the police of the fact, lead to a six months driving ban and £450 fine for no insurance and £90 fine for no MOT, for a car not even eligible for an MOT, must indicate something.
428. Police even withheld their knowledge not just that I had produced documents at the right place and at the appropriate moment but neither no road fund tax nor MOT were relevant to the specific charge before the court.
429. The sentencing also suggested the CPS gave information at variance to truth, a habit they were to maintain in later incidents that finished up in their cosy court.
430. I questioned why Sgt Grabham had taken the trouble to telephone me, personally, just before the magistrates hearing saying the charges were to be withdrawn and I need not attend if there was not some sinister agenda?
431. An agenda as the very same police pretended, a few weeks later, despite my successful appeal, they knew nothing, only what a policeman had put on their PNC, as an alibi, no doubt, to use the excuse to jail me, not once but 7 times.
432. My 10<sup>th</sup> and 20<sup>th</sup> May letters to police sum up the evidence of harassment appropriately.
433. I had been burgled, yet again, stopped yet again, locked up in Cardiff prison that same month, on the pretext the police did not know my name, all a big game to them I clearly witnessed.
434. Why, because in Wales they know they are immune to criminal prosecution.
435. I had written to some police, even wasted more my life visiting Barry police station to complain to Inspectors, Trigg, Price, Manners, Ridon and God knows who else, over the weeks and wrote

to a Superintendent Francis who wrote back a most insulting letter, as if I had just crawled out from under a stone.

436. **Walter Sweeney Esq. MP** wrote on the 2<sup>nd</sup> July 1993 expressing concern for enquiry. His letter was ridiculed by the defendant.

### **1<sup>st</sup> Action 8.4**

437. January 1993 and this was to be just one of many burglaries of my surgeries but on this occasion I caught the burglar myself.

438. No relevant police action to assist me because police surveillance on my surgery was going on as it happened.....see schedule of incidents allowed into court, on most recent downloads [www.kirkflyingvet.com](http://www.kirkflyingvet.com) an exhibit with this witness statement to clarify 'time line' and the conspiracy.

439. This and many other incidents have been blocked by a succession of judges here in Wales from even getting to a substantive hearing to hear the evidence, now I wonder why?

### **1<sup>st</sup> Action 8.5**

440. On 24<sup>th</sup> May 1993 I was driving Ford Escort registration 54925 up Church Road, now a one way street and late for an appointment before afternoon surgery. I had a member of staff with me, Mr Scott Parry.

441. I saw a female police officer driving down the hill towards me at speed. I was following close behind another car and she appeared not to notice me. I usually take careful note of the identity and number in a police car from my experiences in the past.

442. As we arrived at the veterinary surgery in Tynewydd Road, Barry and was about to get out the same police car pulled up alongside and a police officer, I now know to be Ms Lott, quickly alighted and came directly to me, still sitting in the driver's seat.

443. She immediately stated I had no tax and that I had a damaged non roadworthy tyre. I found this amazing because this was all said without her walking sufficiently around to the front of the car to even see the windscreen or walk to the rear of the car to examine the tyres. It was obvious to me the car had been examined before, by the police surveillance team, one night, who checked up with Guernsey as to whether the tax was up to date.

444. The tyre was more interesting to me because I was not aware of a damaged tyre having recently been on the car but I had changed the rear tyre due to a puncture. The punctured tyre may have been damaged but I did not examine it for that purpose, it was flat and I was in a hurry.

445. I was also annoyed I had missed that bit of police surveillance, clearly leading to this bit of nonsense, my having just broken through the roof space in the house opposite, 52, Tynewydd Road, making a window without planning permission, in order to film the police examining my cars, at night, outside the surgery.

446. The roof space is where I currently 'slept' as the rest of the house was rented to local people.

447. These various people were to feature later in my incidents with the police but relevant to this case Paul told me of the feud between the various police stations and it would be amusing (exact words forgotten) to 'produce driving documents at Canton, Cardiff police station, rather than Barry because, he said, " they do not speak to each other".
448. Still in the car I turned to Scott who appeared amazed at the whole episode and what the policewomen had uttered.
449. The police women only then went to the front of the car, as if having forgotten, quickly glanced and never even stooped once to examine the tyre.
450. I asked Scott if he heard 'all that'. "Yes ", he said. Well, when you have time during surgery I want you to go down the back (coffee area) and write it all down, from the moment she came down the hill to the moment she finished speaking in your hearing". As he opened the door I added, "and don't speak to anyone about this until you have written it down".
451. The police officer went on to demand further details in a manner to which, over the next 10 years, I was going to become only too well accustomed.
452. I did not want a new nurse, of tender age and with similar demeanour, subjected to any more of her bullying nor hear what I was about to say back and therefore asked him to unload the car and go help start surgery.
453. She issued a HORT 1 ticket, I remember and saying that I was being reported for having an unlicensed vehicle but NOT one not displaying tax. So who told her it was untaxed, I did not, especially when there was no disc displayed? A further smile to my face came when she then said I was also being reported for no MOT, for a foreign vehicle. Her brief to stop me, if I was seen driving, was clearly not that thorough and caused me to believe, early on in experience in Welsh harassment, March 1993, her conduct was not sanctioned, possibly, by police policy but more likely set up by her husband, also in the force.
454. So who was behind all this? From here on in I decided to fight each case to expose just who was behind my problems in Taunton, Guernsey and now here. This time I was going to sue them in a civil court clearly needed for the Royal College of Veterinary Surgeons interest in all this.
455. I invited the RCVS to witness one of the cases in Crown court I was going to win but, more to the point, show them what I was up against.
456. I could tell virtually no one of this police surveillance and excessive amounts of burglaries, fires and vehicle thefts or my income was gone.
457. I had already been harassed by police many times, since purchasing the veterinary practice in January 92, they also ignoring serious acts of vandalism leading to my repeated complaints visiting the police station like the proverbial yoyo.
458. All the hall marks for a marked man but clients were confidentially tipping me off that I was under police surveillance. I pretended not to believe a word of it, perish the thought, I would say, as I shrugged my shoulders to squeeze an anal gland.
459. The HORT 1 she handed to me, on the road side, read 'rear o/s tyre' under defects section.
460. Back in Barry magistrates again I witnessed confusion with the officer, as was predicted, as to whether the tyre was 'low in tread', my words or just damaged, her words?
461. I laboured the point as to what was on the charge sheet suggesting measurements should have been taken and I given the chance to do the same? Well, I did, photographed and catalogued.

462. I never heard a straight answer from her, either way, as my taped record of events will later confirm.
463. The outcome of the magistrates hearing was fairly predictable, they clearly annoyed at the time the case had taken up on such a trivial matter.
464. Trivial for them but not for me. The RCVS was breathing down my neck.
465. It was quite understandable for me to see angry magistrates hand down yet another vindictive sentence, in the short time I had crossed the Severn Bridge (the old one) to work in Wales, as I already knew a lot more about the true motive behind this police prosecution than the magistrates would ever believe.
466. Anyway, I would have been 'disbelieved', even called a liar, no doubt, if I had shown my knowledge so early on in this new hostile and despicable environment.
467. Not another Guernsey, God help us, I thought and immediately contacted my wife, Janet, in our Bristol house, on more impotent matters, our children saying no way are they, like in Guernsey, coming to school in Wales.
468. I would attempt to turn the practice round in less than two years, give it a lick of paint, flog it and get back out over the bridge for England as soon as capital expenditure was realised.
469. Alas, clients 'grew on me', as they always do, in my family's profession and 'affairs of the heart' seriously influenced my reasoning despite the moving of Cardiff Air Traffic Zone a little further west, to now cover St Donats village in the Vale and my airfield.
470. I stayed sufficiently long enough to sell up and for the enemy to have a bloody nose.
471. At Crown Court Appeal my intentions to leave Wales, as soon as possible were also seriously compromised causing me to leave the building completely bemused and muddle headed.
472. The whole business like attitude to law and order and establishing the truth was like a breath of fresh air, the judge even allowing me to go off and find witnesses, at short notice and to introduce a letter without the witness, my garage for maintenance, left a lasting impression.
473. No, not at all like Guernsey at all, I thought. Perhaps I can enjoy my time in this building, if ever I am invited again.
474. Even the court usher was charming, opening the door for me as I struggled with my law books, 'borrowed' from Jersey law library, Guernsey having locked theirs, strictly lawyers only, once I had been seen, apparently, skulking in the shadows near their iniquitous St Peter Port court building, amusingly called the Royal Court.
475. The prosecution cross examined Mr Scott Parry, not as at magistrates but in the manner on how he had such apparent clear information on what the police women said those months before. Mr Parry then told the court of my instructions to him on creating and retaining contemporaneous note without influence from an interested party, me.
476. I submit, as evidence, his original statement he then handed to the judge of what he wrote down within about an hour of the incident.
477. Nothing in his statement was questioned by the judge or retracted following rigorous cross examination by the prosecution barrister.
478. I swore vengeance, there and then, an unfortunate trait on my side of the family, as the CPS barrister must have known forgeries had already been attempted by the police.

479. Here we were witnessing conduct by someone, once again immune to prosecution as, Withers could lie and cheat, bully and deceive, in any British court room as lawyers, all lawyers are protected under the Legal Services Act, meaning accountable to know one, yes, no one.
480. I was to witness a little more of this conduct later, in other courts, but this time it would also include deceitful judges.
481. The court could clearly see this young boy had never been in a court before and the evil money grubbing world of deceit in which bent lawyers seemed to best thrive.
482. The French might say, "Il a trouvee le bon filon" or something like that.
483. Even the usher appeared shocked at police conduct and gave his opinion to me afterwards.
484. Police officer Lott, in the face of the court, had produced her HORT 1 carbon copy significantly different to the original, retained by me, my having experienced so many such falsified police documents in the past, often laundered through lawyers.
485. The police officer, between magistrates hearing and Crown court, had altered her written records and was made to admit it, tape recorded. The judge seriously rebuked her, but of course, she walked free.
486. At magistrates the 'defects', written on my HORT 1 top copy, had resulted in a laboured explanation as she had told me through my open car window that the tyre was 'damaged'. If so what and where?
487. At Crown she now stated the tyre was "completely bald", not just worn down where she could see the tyre and therefore it did not need measuring!
488. She produced the HORT 1 copy with 'no markings' written on the side leading me, over lunch, to rush back to Barry to my garage, Holmes Bros, Evans St, Barry, (regularly servicing the practice cars) and elsewhere and my regular tyre company, also about 8 miles away, through heavy Cardiff traffic, to not just state I maintain what I drive but that my cars are regularly serviced.
489. The manager of the Tyre Co., actually insisted in coming straight to court, there and then, to bluntly inform them that I tended to wear out his tyres at a "rather high rate" and that road worthiness for speed on my bikes or cars was often emphasised by me when offered a choice in foot wear.
490. I complained once the incident had occurred to the police but wasted still more time once I had witnessed Lott lie in magistrates.
491. I wrote letters to inspectors, visited police stations and telephoned, warning them that I knew I was under surveillance and I would make steps to prosecute by private summons if she and her team were not investigated.
492. Oh, how naive I was. Nothing was done, of course, it only made matters worse.
493. I had spent years in Guernsey boasting their day by day conduct in their police station or Noddy Land courts would never be tolerated in the United Kingdom. So much for a private education.

## **1<sup>st</sup> Action 8.6**

494. On 20<sup>th</sup> May 1993 I had had sufficient nonsense by the Barry police of harassment by now of failed duty to investigate crime and their surveillance on my premises. All for the only one reason

- to cripple my finances. So I arranged for a formal complaint in writing, a copy of which is still under my control.
495. The day before the incident I had used my BMW motorcycle to go to His Royal Highness's farm near the Llantwit Major surgery, Prince Charles having recently purchased the land in the Principality. I had to dehorn some 30 odd frisky, almost fit to kill, beef cattle.
496. I was due for surgery duty at 69 Grand Avenue Ely, Cardiff but having warned Inspector Trigg, more than once, of the harassment and I would sue, decided to stop at the police station just one more time and hand deliver a letter of complaint. I wrote several letters of complaint but I decided no denial of receiving if I went and saw the recipient personally. I forget how many times I saw Inspector Twigg but conversations on the matter were numerous.
497. I was riding the BMW motorcycle again that day. I left the Barry police station and was followed, at a distance by the police car that left the police station immediately after me.
498. On arrival at Ely I waited outside in the sun between clients, sitting on the railings by the motorcycle.
499. Soon several police arrived so I walked away, hands, fists to you, continuously in my pockets, to avoid confrontation and my time wasted. The next thing I hear is someone asking questions from behind, which I ignored. The next thing I know I am knocked to the ground and restrained with handcuffs behind my back.
500. I was arrested for yes, you guessed it, "assault on police".
501. Bundled into a Panda car along with another prisoner already there, also in handcuffs I watch the police load up the bike smashing the fairing off one side. I heard a female client with her dog in her arms ask the police what they were doing to her veterinary surgeon? She said it loud enough for us to hear but the police ignored her.
502. At the police station I saw and heard one police officer say his uncle had a farm and he, the policeman, had seen the equipment, found in my pannier, used there by vets to cut up dead calves within the womb of the cow.
503. Once at the police station I was addressed as 'Mr Kirk' and it was obvious they knew who I was, my having already made complaint on a host of matters including theft from the Ely veterinary surgery premises.
504. I called the duty solicitor who saw my name and address, Tynewydd Rd, clearly attached to the charge or large day book on the bottom by a paper clip when being led from the cell to interview room.
505. I clearly remember making the solicitor read it because the note included the fact I was violent, a pattern latched onto ever since I was beaten up in Yeovil by police and in Taunton police station in the, also in the 70's, when the sergeant did not accept my date of birth was 12345.
506. At the taped interview the police again addressed me as Mr Kirk with identity and occupation never in doubt. Nor was there ever doubt of my 3 surgery sites, Barry, Ely and Llantwit Major all having been burgled by now.
507. What was also in discussion, not necessarily all taped, was the house opposite my surgery, 51-53 Tynewydd Road, my 'home' of 52, Tynewydd Road. Much in the news, this house had just been, following the fire and burning out of my WW2 piper cub in the garage it having been given much

- TV and press coverage. Police, high ranking, had grilled me at length assuming it was an insurance fiddle until they discovered she was not even insured.
508. In the cell I had asked to speak to Inspector Twigg several times, he having received my letter that same morning citing just this sort of police behaviour. I was refused the right to call anybody being told inspector Twigg was 'not available'. At one point police at my door clearly used my name as, Maurice Kirk.
509. I was eventually charged with theft of motor bike despite them being told I had bought it off a Guernsey police man, Mr Farnham, son of the music composer, almost new.
510. I was eventually charged with having an offensive weapon, described on charge sheet as a 'garrotte type instrument'..... simply a piece of expensive wire, dad always reminded me, with two sticks tied on each end!
511. In court next day the police had already withdrawn the charge leaving only one of assault on police and more relevant, they did not know who I was!
512. In court the CPS said the police needed me detained to 'obtain my identity' which needed 'further enquiries, custody being for no other reason.
513. I spoke for about 15 minutes to the court on how they could confirm who I was including:
514. Ask my surgery staff who watched, in horror, as I was bundled into a police car.
515. Ask my Barry surgery and check they knew, secretary typed the letter, my intentions of calling into police station and my surgery appointments in Ely.
516. Ask a girlfriend, another veterinary surgeon, then working in MAFF in Cardiff as to who I was.
517. Ask PC Farman, Inspector Twigg, the hoard of police involved in the fire at my home and recent court cases and refused to interview the people who most likely caused the fire, squatters in number 52 who left the very same day.
518. Examine the contents of my pockets, letter from/to? bank ...ring up my bank manager
519. Ring the council re letter to/from Cardiff Council ....ring them up.
520. Verify cheque(s) made out to me ...ring the bank of signatories.
521. Ring my father and mother giving the court their telephone number 01823442850
522. I remember it vividly when two idiot/idol/deceitful? male magistrates said, in effect, "if the police need you detained in custody for identification you are remanded to prison until the police are satisfied"....NOT "the court is satisfied" or not, which is what I was expecting him to say.
523. This is exactly what I experienced time and time again in Guernsey with the so called magistrate never questioning the reason for my detention in prison when it was highly likely like now, in Cardiff, I was unlikely not to attend a court or run away when I had a local business to maintain as sole proprietor.
524. Yes, I know what you are thinking, the Cardiff police could not cite the recent incident of my failure to attend Barry court on my mother's birthday for my being in the High Court, at the time, for fear the court may suddenly wake up.
525. Surveillance from Guernsey apart, this conduct from the enemy in Cardiff was a very clear warning as to my future and the environment I had chosen to come and live in.
526. As I was taken down to the prison van I remembered, vividly but far too late, of my father's views on my choosing to live in Wales.

527. Having just experienced similar conduct from the Gwent police, over another Guernsey registered vehicle held in their possession, dismantling the ignition under the bonnet, in their own car park, I was not falling for that again. I had sent another veterinary surgeon to collect only for him to discover the sabotage once he was there.
528. Gwent police had had some argument with Barry police because after the incident on the Motorway, that year, when I was supposed to have outran a 25 year old welsh rugby player policeman and evaded a lorry load of police and tracker dogs, a warrant was out my arrest, no one would wander round the corner from Barry police station and simply arrest me.
529. Instead, Gwent police kept ring the surgery and speaking to me, asking me to collect the car.
530. In Cardiff prison evidence of crime being planned, on a large scale, will remain confidential to me following my experiences in the past with police and HM Customs and Excise.
531. My smuggled in bars of milk chocolate, incidentally, carried a higher price than the drugs being passed around the cells each night.
532. I therefore instructed a Mr Powell and another to collect the motor bike from Fairwater police station in Cardiff where they both witnessed the damage and saw written on the records, they told me, the same as I saw, whilst in custody including my name and, underlined, "**believed to be extremely violent**"
533. All charges were dropped eventually but not without much time wasted in courts. Not a penny compensation was offered.

### **1<sup>st</sup> Action 8.7**

534. I was stopped on the M4 motorway, I think, and made to produce documents for driving.
535. I obtained the details from owner of the vehicle, Ms K Webb and produced all at Barry police station within 7 days. The defendant denies documents were produced.

### **1<sup>st</sup> Action 8.9**

536. On 22<sup>nd</sup> September 1993, I was driving my Spitfire car through St Nicholas and was stopped for no good reason having seen the police in a lay by further back near Cardiff.
537. I was made to produce driving documents which I did within 7 days. The same policeman charged me for driving whilst disqualified saying I had no licence. I argued with him saying I had a current driving licence and the police had it produced on the 3<sup>rd</sup> October and the suggestion that Barry Magistrates had banned me was a nonsense as a police sergeant had telephoned me not to attend as the CPS were withdrawing the action. I went onto say, to more than one policeman in the room, the Appeal was similarly processed.
538. I was quite satisfied, by the demeanour of those present, there was an agenda to provoke me into a situation that could allow them to charge me with fresh offences.

### **1<sup>st</sup> Action 8.10 deleted**

539. As with **8.4** blocked by Judge Jack QC?, at about his same time, mid 90s, when first involved.

540. This failure by police to take my witness statement of a horrific road accident, injuring children involving a high speed crash right before my eyes, an up turned car and blood everywhere, is just one of many of my police incidents that have been blocked by a succession of judges even when I took these matters to the Court of Appeal in London (my statement to the insurance company attached to this witness statement, if I can find it!).

### **1<sup>ST</sup> Action 8.11**

541. On 3<sup>rd</sup> October 1993 I was riding my BMW motorcycle, registered in Guernsey, near St Athan, when I was stopped by police and accused of driving whilst disqualified. I flatly denied it. He mentioned a court case in Barry and I remember asking what on earth he was talking about it was court history. I repeated my complaints of harassment when in custody.

### **1<sup>st</sup> Action 8.12**

542. On the 4<sup>th</sup> October 1993 I had to produce my driving documents due to another daft incident the day before, having been accused, again, of driving whilst disqualified. I knew full well my surgery was under surveillance and motorised transport was the usual agenda to harass an individual.

543. Why were they not prosecuting for 5 untaxed Guernsey vehicles?

544. I was busy in the new practice so drove down early before morning surgery.

545. On leaving the station a whole stream of police cars gave chase my entering the roundabout at 4 mph and not exceeding that speed for the two and half circuits to allow the police to pass. I stopped and alighted my vehicle only to be arrested for driving whilst disqualified.

546. This was less than 24 hours from the last arrest when it was bluntly told that some case had taken place in my absence, a Welsh trait to which I was to become accustomed and an appeal had been put in for the vindictive sentence which the CPS begged I need not attend.

547. I found it interesting, the conversations, because it was obvious to me the police and CPS had been communicating with the Guernsey Authorities on the particular subject of ownership, keeper of borrower of my bikes, vans and cars used by me and staff in a shorthanded busy practice, shorthanded as few would cross the bridge to work here.

548. Fact not fiction and had I taken my father's warning I should have left as soon as my locum tenens finished in the July of '92.

549. Loose talk by over excited captors, when I was being finger printed photographed made no mention of a computer stating Barry magistrates had convicted me. The CPS had an office in the police station and the court house was less than a mile away for the police to check.

550. I demanded all custody records, interview tapes and instructed lawyers outside Wales to seize them before shredded as was so often the custom when audit trail, I witnessed was an embarrassment for police accountable to no one.

551. My lawyers wrote to the Chief of Police on 14<sup>th</sup> October 1993 specifically asking for proof of police excuse that it was a computer error but, of course, was refused, just as I had been refused in Fairwater police station the damning interview tape, in front of a lawyer, currently being sought.
552. I have proof of deliberate destruction by police of this evidence.
553. The charges before Barry Magistrates were heard in my absence my having been conveyed to hospital that morning following a motor cycling accident.
554. The court disbelieved my secretary nor had local casualty checked. CPS pressed for a hearing there and then and a nurse, instructed by me to attend failed in her attempts to have the matter adjourned.
555. Miss or Mrs Walker heard no evidence of careless driving introduced, afresh at the Crown Court Appeal.
556. Ms Walker also heard the police say to each other, in the court building, **“Mr Kirk drives around in his white sports car quoting Human Rights, we will eventually get the bastard”**.
557. I arranged for her to make a sworn affidavit of the facts for this Civil Action.
558. At appeal the police again lied, cheated and drummed up a witness at the last moment who was clearly not at the scene when my vehicle was moving. The court heard, only from him, a fictitious vehicle had to beak violently to not enter a 4 lane roundabout with not one car on the roundabout but me, never above the speed of 4mph, confirmed on oath by PC Kerslake at the RCVS hearing and criminal courts more than once and not less, he confirmed than 4 blue lights flashing at 3 of the wide multi lane roundabout junctions at any one time, SEE photos.
559. While in custody in early October 1993 I again demanded an explanation demanding I be taken to the Barry Magistrates court to sort it out. Police refused releasing me to immediately get into my car and continue driving to call their bluff.
560. I could not mention police surveillance to any one, especially to my lawyer writing to the police on my behalf but I did see what he would say when I said that was interesting my being reported, on the roadside, for no road fund tax and MOT, only for the latter never to reach court again since 03/06/93 Crown Court.
561. Why were they not prosecuting for 5 untaxed Guernsey vehicles?
562. Why were they not prosecuting for illegal circulation of foreign cars and motor bikes?
563. Why were they badgering Charlie Brinson’s daughter almost, it seemed, on a daily basis on the intricacies of my compulsory 3<sup>rd</sup> party motoring insurance never to be comprehensive they were told swiftly followed by the mysterious theft of 3 motor bikes , the veterinary ambulance and my car, nearly all never seen to be seen again , all Guernsey registered?
564. Vindictive harassment was the conclusion and on 8<sup>th</sup> December my Bristol solicitor wrote to the Force solicitor to settle for damages.
565. But it did not end there, far from it. Police surveillance appeared to double with clients now regularly informing me of what they heard about me on the police personal radios, during the previous night.
566. Burglaries of my premises, arson and surgery thefts escalated, the incidents, recorded details under police ‘occurrence numbers’, now being refused me by the Defendant for this court action.

567. Repeatedly, burglaries were recorded by South Wales Police as 'criminal damage' despite evidence of 'breaking and entry' I later had explained, by a police man, incidentally, it was to obtain a "good appearance for the Vale"!

568. One police man, Sgt Runnalls, called as defence witness in Cardiff Crown Court actually was prepared to say it on oath my surgery had never been burgled! I am currently trying to find the liar.

### **1<sup>st</sup> Action 8.13**

569. On 16<sup>th</sup> Oct 1993 my next Guernsey registered motorbike was stolen, again right outside the Barry surgery while, no doubt, witnessed by those conducting police surveillance.

570. I was to be some 6 weeks or so for me to be tipped off by a client as to the whereabouts of her, in a Barry garage since the proprietor had been called out by the Barry police, within hours of it being stolen.

571. The number plate was missing, surprise, surprise.

572. So the thieves, upon crashing her so badly, she had to be "written off", instead of legging it down the road we are expected to believe, 'they stopped and looked around for some tools and carefully, without causing further damage, stole the number plate? . A case of redaction, more likely, by my personal police surveillance team radioed, as they had been staked out, but a few hundred yards away, outside my surgery.

573. Their names and statements are known to Barbara Wilding and are unlawfully being withheld from His Honour Judge Seys Llewellyn, the first proposed trial judge, not necessarily the last.

### **1<sup>st</sup> Action 8.14**

574. I was stopped, in the evening, in Manor Way, Cardiff whilst driving Ford Escort Convertible reg „?,, JDW

575. Accompanied by a Miss Kirstie Webb, the owner of vehicle, I was ordered to produce my driving documents at Barry police station which I did within 7 days

576. I received summonses indicating I had not produced documents which were later withdrawn by the CPS but not without my insurance agent being contacted yet again.

### **1st Action 8.15**

577. On the 8<sup>th</sup> August 1994 I was stopped again by police, known to me, on alleged 'driving whilst disqualified' whilst piloting my white Spitfire.

578. I was assaulted, arrested bundled into a police car only to be charged again. These charges were later withdrawn and as with many previous experiences with police harassment, deliberately arrested to then provoke me, often behind bars, to promote further confrontation for but one reason.

579. I made a written complaint to the police in statement form that was buried. I have found a copy of that statement, to my amazement, it having taken me ages to get it out of them in the first place, my being first told, in Barry police station, I was not entitled.
580. I had to raise 'merry hell' to get a copy of my own statement. This deliberate impediment was to become a regular occurrence, when trying to retain evidence.
581. I was released from custody and demanded the release of my dog, Mollie, but they refused I then was assaulted by Inspector Howard Davies and another and re arrested for criminal damage and later released with explanation from the custody sergeant that the complaint by Davies was, quote, "ridiculous".
582. My statement of complaint, with full details of Davies, to PCA et al was also buried. I have a copy.
583. Mollie was finally also released from custody to enjoy an evening of pigeon shooting.

### **1<sup>st</sup> Action 8.17**

584. On 10<sup>th</sup> August, the following day, I was again arrested and jailed for driving whilst disqualified by Sgt Smith who was present with me, in custody, the day before!
585. I was later released without charge, apology or compensation. That statement of complaint to the defunked Police Complaints Authority et al I have also found for this trial.

### **1<sup>st</sup> Action 8.18**

586. In the summer of '94 I called or had called, via veterinary staff, the Barry police to my home, opposite the surgery, at 52 Tynewydd Rd, at least 9 times. (Full and better details later, if I have time to find them).
587. Paul, a resident there was seen smashing the front windows and others in the property. A PC Johnson refused to let me see his note book, sign it or arrange proper investigation.
588. Paul had attacked me by punching and throttling me with both hands. He also head butted me, all witnessed by someone called Burns and a female also living in the building.
589. Later on the same day doors were smashed in but, again, police refused to do anything about it.

### **1<sup>st</sup> Action 8.19**

590. Police were in attendance, the same week, to see Paul attack me and push me down the stairs. I was conveyed to hospital by ambulance.
591. Police again refused to take my complaint telling a Barry court that Paul was being released from their custody without charge, "due to insufficient evidence". I later found out he had been charged for 'actual bodily harm'. I had specifically asked to be notified of any court proceedings

relating to the police and my property. I was never asked to make a statement of complaint re the assaults or the immense damage done by any of the occupants of 52, Tynewydd Road.

592. That same week I remember talking more than once to police and visits later by one, a WPC Bowden, who attended at 09.46 local time 28/7/95, a police sergeant, a PC Jones on 27<sup>th</sup>, an Inspector Price on the 26<sup>th</sup>, the list is endless when I find further records.

593. The next tenant to occupy the house, in 1995, arranged theft and criminal damage, exceeding £2000 but Barry police again refused to even investigate my complaint arresting me instead when I caught a 3<sup>rd</sup> party entering my now vacant property and caught, red handed, stealing my belongings. Convicted of common assault the Barry magistrate sentenced me to 3 months imprisonment.

### **1<sup>st</sup> Action 8.20**

594. Around 24<sup>th</sup> July 1994, Paul tried to gain entry to my surgery armed with a large piece of wood.

595. My clients were clearly frightened we managing to lock the waiting room door just in time.

596. Police refused to attend or protect my staff and clients. Further windows were then smashed.

### **1<sup>st</sup> Action 8.21**

597. On the 6<sup>th</sup> August the same man attacked me threatening to burn the house down and if evicted they would break back in. Mr Fairman heard a Mr T Burns threatening to burn the house down and told me the same day. I informed the police of what I was told and identified neighbours who had heard the threats. Statements were taken and I passed on the information to the police.

598. Paul then was seen smashing more windows, photographs of his damage given to police with a builder's estimate for the cost incurred. Photos and eye witness accounts, in writing, were again gathered by staff and myself and offered to the police.

599. Police, at least twice that day, were called but refused to intervene.

600. Shortly after the house caught fire and I gained entry with 3 fire extinguishers, 2 criminally sold to me as faulty, all on a statement of complaint to PCA, now in my possession, as the police refused to act on either issue the latter or the arson. The fire extinguishers had internal parts missing and still the police refused to prosecute.

601. Fire engines and an ambulance attended the fire leaving an estimated insurance claim of £6,000.

602. At least 30 other police incidents of about this time period between paragraphs **8.3 to 8.21** were complained of to the police by me, further arson, stolen cars and motor bikes, numerous break ins to all 3 surgeries, ALL recorded under police '**occurrence numbers**' the police now refusing to disclose or acknowledge even following my 4<sup>th</sup> Oct 2008 letter to Barbara Wilding, Chief of Police and Barry police Station, citing about 40 incident numbers.

603. Therefore the huge wave of police incidents, following the fire in my house in September 2004, were deferred upon mutual agreement, be Judge Jack et al, by lawyers acting for the police in order that this **1st Action, BS6141159-MC65**, drafted incompetently in 1996 by Bristol lawyers, could be delayed no longer and be set down for trial.

604. I insisted evidence with police and lawyers would be shredded if, at least 2 more incidents were not added. The court failed to understand the significance of **Para 8.23 and 8.26**.
605. It was at about this time I sacked Bobbets Macken, solicitors as I believed, apart from their greed and gross incompetence, there was a clear indication of collusion with the enemy.
606. This was further evidenced when trying to get a representative of the law firm, Kevin Wood, solicitor, to explain to the RCVS Disciplinary Committee in March 2002 that we had evidence of apparent **malfeasance** and a conspiracy within the South Wales Police force to pervert the course of justice. Ist Action 8.23 and 8.26 were at the heart of my RCVS case but I could not have it made public just yet or my veterinary practice would be 'dead in the water', not a client wishing to be simply filmed each time they visit my surgery.
607. Despite all the cash I gave Wood for my own files back Kevin Wood was awarded by the RCJ Master in excess of £4000 for 'not having to attend' the RCVS 2002 hearing, as my main witness.
608. Before parting company with these lawyers and a huge bag of cash, to acquire some of my own files, I managed however to incorporate the two new incidents into **1<sup>st</sup> Action** Barbara Wilding, the Defendant, now denying any knowledge of because each incident involved surveillance police
609. This is why I laid complaint of 'contempt of court', due to her false 26<sup>th</sup> February 2009 affidavit and issued private prosecution proceedings in the criminal court against Adrian Oliver, of Dolmans, solicitors, Cardiff, who appeared to have drafted the affidavit and e-mailed same, for immediate signature, within minutes of my leaving his office leaving clear threats still ringing in his ears.
610. Further, I laid complaint in writing to Barry police against Adrian Oliver not accepting the police argument all lawyers are protected under the Legal Services Act.
611. On the matter of **1<sup>st</sup> Action 8.26**, police smashing their way into my surgery with a sledgehammer, I referred to it before the Administrative Court and Mr Justice Goudie QC on the 15<sup>th</sup> June 2009.
612. I summarised it in my letter to Dolmans in order to show any **Trial by Jury** I could muster, that the police surveillance, even in the high court, would move fast to inform Dolmans of the 'new evidence' found concerning the identity of the police at the scene in **8.26**. Just who had the sledge and who owned the crow bar? I have now established the crowbar, at least came from Ely police station.
613. Due to the lapse of time with no indication what so ever from either Barry Magistrates or South Wales Police that either are doing anything about my complaints on these two it is my intention to find them out and have them arrested for a police force elsewhere to deal with this and my ignored **Abuse of Process** applications filed before courts, the number too many to list dating back to His Honour Judge Gaskell in circa 1998 [**3<sup>rd</sup> Action 2.1**]
614. **{My visit to Police HQ today to arrest the Defendant for 'Contempt of Court' caused me to obtain still further evidence the police are doing nothing with my written complaint with the clear facts of criminal conduct}**
615. I will, as time allows, give witness of what these two incidents were about that the police have, not 'no record of' but couched as 'no memory of'.

## **1<sup>st</sup> Action 8.23**

616. In May 1995 I was stopped by PC O'Brian and his accomplice known to me as one of the surveillance team seen outside my surgery and recorded on film.
617. The detail of his questioning I need not rely on as it was in possession of HM Crown Prosecutor, Mr Stoffa when I arrested him in court later. The latter is my main witness for the fact that, despite we all hearing the police sirens wining all the way from Barry police station to the court house, appearing not to be enough for Barbara to remember, it had to be PC Rice, no less, that arrived as he and PC Kilberg, remember, were so often entwined in bullying me.
618. PC O'Brian questioned me on the veterinary ambulance, featured earlier, with Guernsey registration, while Mollie and the vehicle sat astride a double yellow line my having identified him as taking an interest in me earlier that day.
619. The double yellow line parking was never raised by the policeman.
620. I was later summoned to court for 'no insurance' without the issuing of a traffic ticket, HORT 1. This seemed to me to be a change in tactics as countless times I had produced the insurance documents within the 7 days only for it to be denied, the CPS often having to accept the situation knowing the whole game of harassment would be exposed to a court of so called law.
621. Delay to produce insurance proof was sometimes occasioned as I knew Dawn was getting fed up with the hassle.
622. This Guernsey vehicle was being handled differently now, by the police, because twice this same policeman had stopped the ambulance only to find someone else in the driving seat. On each occasion my staff insisted the PC officer failed to give 'a reason' for stopping the vehicle but at least once, issued an HORT 1 to get to see the name of the current insurance company.
623. The Barry court case collapsed, following cross examination as I had been watching from my house the vehicle being examined with others, when outside my surgery premises. I recognised one of the police as there O'Brian was in difficulties having not being given the full reasoning for his having to stop me. The magistrate will give the details at trial.

## **1<sup>st</sup> Action 8.26**

624. See statements attached and those already in police possession.
625. My neighbour, Mr Peach, informed me by phone as did another neighbour that police were breaking through my roller shutters, the front door of my surgery. At first I thought it was a hoax.
626. I had a description of how it was being done and who was there, all being the figment of my imagination if you wish to believe Barbara.
627. I was later arrested and charged in Barry police station on or around 6<sup>th</sup> June 1995. It was clear one of the officers was not a 'happy bunny' on arresting me on a civil matter especially when I warned I would sue and that the allegation given to me was for the County Council.
628. On the other hand my detailed complaint of criminal damage, written down by the police, received no response what so ever. Damage included flooding out the flat,, ceiling falling in, fusing out all the electrics, breaking furniture and destroying a carpet.

## **2<sup>nd</sup> Action 2.1**

629. See statements

630. I made a statement shortly after my being accused of evading clearance when flying foreign.

631. Christopher Paul Ebbs was implicated once I was told he had telephoned the Cardiff airport police to say I was 'smuggling pigs from Southern Ireland' and in a 2 seat aircraft! The statements are enclosed and were, I suspect, submitted more than once in the numerous court cases he caused me in Cardiff, Bristol and London. 2 letters of warning by a Mr Michael Bennet and Tim Wiltshire to the courts are particularly significant referring to the nefarious activities of Ebbs.

632. PC Murphy was seen to falsify evidence in the face of the court but, as usual, protected by **HM Partnership**, the Stipendiary, Ms Watkins, stopped the case and it is rumoured, swallowed the forged exhibit or flushed it down the loo, as magistrates must do with their own notes of a case, before leaving the building.

633. Either way, no one would let me have a copy of the Crown exhibit but, at least, I saw it and recognised the police officer's writing when the day before he had told the court he was 'not on duty' on the day when I said had telephoned in from the aero club, in front of witnesses (statements enclosed), to obtain clearance for Dublin and a day's fox hunting riding the frightening 'banks' of Meath country.

## 2<sup>nd</sup> Action 3.1

634. Again, I believe I made a statement at the time but it is locked in the computer.

635. This incident was about the police accusing me of 'careless driving' in order, I believed, to examine the car for road worthiness and discover who my latest insurance company was? It was won at Crown Court before HHJ Gaskell.

636. However, I, misguidedly, pleaded guilty for crossing a single white line, at less than 4 mph, to avoid an aging wobbly cyclist. This gave the Royal College of Veterinary Surgeons the opportunity to state in judgment the conviction rendered me "unfit to practice Veterinary Medicine"! Summaries of court cases, written shortly after each hearing or incident may be part of this witness statement as the truth, not so vulnerable to the passage of time but only if we can unlock this aged computer!

## 2<sup>nd</sup> Action 4.1

637. I was stopped in my car by PC Roche, known to me, and given a traffic ticket. I left the scene dissatisfied for the police officer's reasons. In magistrates I was to face charges, see schedule attached, of about 5 traffic offences. [**Detailed schedule of harassment on 'recent downloads'**]

638. The case was conducted in a racist tone throughout with one particular magistrate, name recorded, close on having a seizure from 30 seconds into the case.

639. I was found guilty and immediately stated I was appealing, as one does. Despite putting the Appeal in writing, witnessed by my new secretary and accepted as correct by the clerk of the court, the angry magistrates banned me from driving, on the spot, for 6 months and for it to take immediate effect! Oh dad, why didn't I listen to you?

640. Angry because it took a little bit longer than they had set aside time for. I eventually proved the police officer had given an account that was not 'mistaken' but knowingly false but racism won the day.
641. At Appeal the charges were quashed and the police officer was reprimanded by the fact that all defects on the car, relied on by the police, were not an offence.
642. Clearly I had produced my insurance at Ely police station as the officer at Cowbridge station had let slip in cross examination. A clear air of enthusiasm within the Vale police stations, we noticed, in their concern for my motoring welfare.
643. The policeman was also reprimanded for altering his HORT 1 traffic ticket after I had left the scene of the incident making all allegations of failure to produce, apparently, 'ultra vires'.
644. A small point the police withheld from the RCVS enquiry when they had me struck off for a criminal offence that both parties, South Wales Police and Penningtons, knew did not even exist.
645. Both RCVS and Defendant have barricaded themselves in, with a little help from their friends in **HM Partnership** and have even 'shored up port holes and rolled out the cannon' desperate to prevent release of the 'contemporaneous notes' made between the defendant and RCVS investigators, for the 2001/2002 RCVS enquiry, following South Wales Police complaint to have me struck off.
646. Only last week in the high court were their barristers fighting their respective corners on the issue while pressing and obtaining a 2 year minimum ban on my proving, a my 10 year old Genevieve would say, "Liar, liar, pants on fire".

## **2<sup>nd</sup> Action 5.1**

647. The police photographed a practice vehicle as 'speeding'. I was not the driver but I was the one taken to court despite the fact I gave the name and address of the driver, known to the police, in writing.
648. The CPS refused to let me see the police photograph and the case finally collapsed, amusing detail another time, with my arresting the prosecutor and asking for immediate police assistance to seize the evidence in his CPS file.
649. Sirens could be heard blaring all the way from Barry police station to the court house. Sgt Rice then refused to take custody of the CPS file as evidence, take my statement of complaint or act on the fact that the original photograph
650. In the struggle for him to try and get away shaken, some said, like my Jack Russell would kill a rat, a photograph fell out of the CPS file clearly identifying the real driver, one of my employees.

## **2<sup>nd</sup> Action 6.1**

651. As per statement attached
652. I was stopped accused of careless driving, late at night while who complained and what about being withheld from me throughout and ever since..
653. I had a positive breath test, they said, leading to arrest and, again, a zero reading within minutes back at the police station nearby.

654. I produced documents they later denied. My usual request for evidence and preservation of police records was refused.

## **2<sup>nd</sup> Action 7.1**

655. As per statement attached

656. I was a passenger in G-KIRK Piper Cub when I noticed a police helicopter at Cheltenham airport and police taking 'an interest'. My name spashed across the fuselage in large letters did not help my desire for anonymity.

657. Next thing I hear about them I am being warned of a helicopter "operating in the area" as I was orbiting over Cardiff on ATC instructions. They appeared to have followed us all the way from England.

658. Once the helicopter is in sight we were allowed to transit the zone to my airfield only to be harassed at very close range, less than 60 ft , by a police helicopter prancing from side to side.

659. At no time was I informed of its close presence and it clearly frightened my pilot.

660. It hovered for some time on our landing and despite promises; no record of the incident was kept by ATC by logs or tapes. Complaint by me to retain records and demand a reason achieved no favourable response from either ATC or the police.

## **2<sup>nd</sup> Action 8.1**

661. As per statement attached

662. I was driving back from the surgery at night to be stopped for alleged traffic light infringement.

663. I was told I had a positive breath test and insisted be tested by definitive means immediately.

664. I had a zero reading in custody 20 minutes after the road side test.

665. The police detained me for no good reason while they returned to my car in order to take the registration number. Inspector Lott refused to speed up the process.

666. I asked him for all records to be retained especially of the arresting police officer more concerned from acquiring a broken finger nail during my arrest than the unlawful custody of a motorist who had given no cause to stop me in the first place.

667. I had great difficulty in obtain and getting them to preserve police record. Letter and phone call to next shift proved equally useless as they quickly destroyed the video needed to further prove harassment.

668. At magistrates I was found guilty of the traffic offence and driving with 'no insurance'.

669. At Appeal all convictions were quashed with quite a lot said the case by a Judge Jacobs.

## **2<sup>nd</sup> Action 9.1**

670. As per statements attached.

671. Travelling back late at night after emergency operation in Barry surgery PC Kilberg, known to me, followed with his lights switched off.

672. He later stopped me and accused me of failing to provide a specimen of breath but not before police broke into my car.
673. I was arrested and manhandled into a police car with Kilberg swearing before during and after my arrest. He appeared to be showing off to the considerable number that had attended.
674. Cardiff 20 miles away he reported me for various things my breath test proving negative on the definitive machine. He refused to return me to my car, refused to tell me where it was and it took 6 weeks to trace it in an open public car park, unlocked full of dangerous drugs
675. I had reported it stolen which caused my arrest near Bristol just after I had been tipped off by a police client as to its whereabouts. My young son appeared terrified at my arrest on the Motorway due to Kilberg.
676. In magistrates I was leaned on by CPS to agree an obstruction offence, following a suggestion from the clerk of the court, a Ms Caress, witness of at least six cases in this nonsense, as the alternative to 'refusal of breath test'. I declined, regretfully, making it clear I had not been obstructive. I was found guilty of 'refusing breath test' and for 'no insurance'. I never refused, it is an absolute offence.
677. Kilberg said, on cross examination, on his reason for stopping me, "I would only have warned Mr Kirk about his speed of driving". I believed he would have kicked out a back light if was not for too many witnesses about.
678. At Appeal the judge refused, in my absence, to accepted evidence I was on Class A drugs for pain relief having just been released from hospital following surgery. He dismissed my Appeal.
679. That judge has but one option not to be my witness of that fact. I purchased the Crown court transcript to further safeguard my position.
680. The RCVS pounced on this conviction, as well and on 6<sup>th</sup> January 2006 ruled in open court that because of the only remaining conviction, in the string Kilberg gave me, it rendered me "unfit to practice veterinary surgery".
681. Later the Crown Court accepted I had insurance on the 1<sup>st</sup> Dec 99 but not before bothering at great length insurance companies and my agent between the adjournments.
682. D and K Insurance, Ilchester, Somerset, threatened to stop trading with me if she had any more harassment from the welsh police and welsh CPS. Her exact words I leave for her.
683. Required as witness.

## **2<sup>nd</sup> Action 10.1**

684. See statement attached
685. I was travelling on M4 when stopped for no good reason only to be stopped again within 10 minutes to do, yes, a 'breath test'. No offence had been caused to allow them to stop me and I have reason to believe the first lot, clearly known to the defence, had forgotten to do it, too busy trying to find something wrong with my BMW car.

## **3<sup>rd</sup> Action 11.1**

686. See statement attached
687. I was just leaving Crown Court, where I was spending most days, at the height of police harassment, to see I was again being followed by police.
688. No blue light was flashing confirmed by video contrary to PC Osbourne's evidence on oath.
689. Whilst stationary at a traffic jam, filmed by another camera, I was attacked and dragged out of my car by Osbourne who promptly arrested me and left the door of the police van wide open, I believe deliberately while all police left my line of vision for a long time, hoping, clearly I I would leg it.
690. I never refused a breath test, it is an absolute offence.
691. Osbourne told the court he believed I was a drunk driver. After suffering yet another morning in Crown court made to hear so much gibberish from everybody my demeanour may well have been mistaken for a man under the influence of alcohol or some illicit drug.
692. Later I was taken to 2 police stations knocked about refused, custody videos be retained they leaving, as they do, my car full of drugs, unlocked with the window down...see photos.
693. A negative breath test caused further detention for a drug test and waiting for doctor. I was very frightened as harassment had lately become more dangerous and irrational. I never was tested for drugs and released to drive the car away from the roadside where the b\*\*\*\*\* had left it.
694. Newport judge ordered disclosure of custody material causing the CPS team to laugh at the suggestion in front of my secretary and others. Records ordered for release never materialised.
695. Eventually some video were released with top half of frames redacted so as to retain police anonymity.
696. Incidentally, the trial judge in **3<sup>rd</sup> Action 2.1** a Griffiths Williams, refused to uphold Judges Vosper and Bishop on the matter of disclosure as he appeared to do in another of these cases.
697. I pleaded guilty to 5 or 6 offences still frightened of the violence and inability to get legal representation.
698. The police had already withdrawn the charge from the set list of 'excuse to stop a driver' offences now they had fabricated more.
699. By the time the magistrates' case finished 4 or 5 charges were dismissed with the magistrates refusing my right to change my plea of 'failing to provide a specimen of breath' making it a nonsense when they had just quashed 4 other guilty plea charges. I heard in my ear dad say, "I told you so".
700. Complaint process through IPA was a farce witnessed by my secretary with perfunctory visits to the surgery pretending to investigate perversion of justice.
701. One time I remember them saying they could tape my complaint to them but I could not do likewise.
702. The RCVS pounced on this conviction and, again, on 6<sup>th</sup> January 2006 ruled in open court that because of the only remaining conviction it rendered me "unfit to practice veterinary surgery".

## **2nd Action 12.1**

703. See statements attached

704. I was driving late at night and was arrested for, they said, a positive road side breath test.
705. At police station test proved negative but I was detained and charged with dangerous driving now and later for failing to produce documents. At Crown Court the jury complained of police signalling to their colleagues in the witness box whilst under cross examination....and that is not half of what was going on....see court record, custody record and eye witness account.
706. Jury also complained, in writing, as to the veracity of the main police witness and her being so economical with the truth.
707. The judge, in the absence of the jury, argued from the start this case had little to do with dangerous driving. But as with all judges he had to protect the lucrative industry and would not order the arrest of the conspirators. When things heated up I saw the press signalled to leave the court despite the fact I had already phoned them, as I regularly did, to explain in advance on how the police would lie, get found out, for it all to be covered up and air brushed out as if it had never happened.
708. The Judge stated he could not identify the elements in law for the case to be safe before the jury and therefore ordered them to find me 'not guilty' ....I had other ideas on the conduct of this case and informed HHJ N Cooke in no uncertain terms.
709. Case was quashed with no one arrested and jailed except myself.

## **2nd Action 13.1**

710. See statements attached
711. I was outside my surgery in LLantwit Major only for PC Kilberg, who had been lying in court just a few days before, violently reverse the police car back to where I was standing and jump out and accost me.
712. I was arrested and seriously manhandled by Kilberg to such an extent several witnesses ran to my wife , who had been standing by me, offering to be witnesses.
713. Those witnesses are currently trying to be traced, their names being known as Elaine Alsford, Carol Davies, Patrick Jones and Richard Wellesbury.
714. Whilst being dragged I shouted a £500 reward for witnesses.
715. I raise that to £1000 for a written stement to be supported on oath in court.
716. I offer a £5,000 reward for evidence leading to ther successful criminal prosecution of Inspector Anthony Kilberg.
717. Kilberg had rammed on the cuffs so violently my hands had gone blue.
718. My wife insisted the cuffs be relaxed.
719. At the station Kilberg said I had called him a "F\*\*\*\*\* skunk" in order for his excuse for my arrest.
720. We had one hell of a job obtaining custody records.
721. I eventually obtained written record of both police at scene and what was on police computer.
722. The other policeman present denied I said it with the facts clear for the police officer in charge of custody before I was further detained and charged. CPS later withdrew the charge.

723. My 13/9 statement of complaint of Kilberg was, no doubt, shredded but I demanded a copy and retained same before it could happen.

## **2nd Action 14.1**

724. I was outside Cardiff County Court quietly protesting with giant placards as to the appalling state of the British judicial system when I was arrested but not before serious damage was done to my banner kit was cut to pieces, used for towing appropriate messages about England and Wales for the uninformed.

725. On this day it was my website [www.kirkflyingvet.com](http://www.kirkflyingvet.com)

726. I was detained for either failure to produce documents and/ or obstruction it was never made clear.

**727.** Handcuffs were put on with force but not as violently, leaving heavy marks seen by custody sergeant as when PC Cocksey did it at a similar situation inside the court, this time, on another date( **see 4<sup>th</sup> Action**).

728. My vehicle was driven away whilst in custody parked illegally and then clamped, I was told and then impounded.

729. The police never informed me of any of this so as to prevent me allowing someone, on my behalf, to move it. I had to pay to retrieve the battle wagon once I had found where it was .No police would tell me where the vehicle was.

730. All charge(s) were dropped without reason given.

## **2<sup>nd</sup> Action14.3**

731. I was doing surgery consultations in Cardiff only to be made to do a breath test whilst in my consulting room and accused of a traffic offence.

732. The police refused to divulge the details of the other driver, details of car or his driving documents. They refused to make him take a breath test.

733. I was refused any information in writing other than the issuance of an HORT1.

734. I was later charged with 'failing to produce' document(s) only for all charges to be withdrawn by CPS.

## **3<sup>rd</sup> Action 2.1      A classic example of 'HM Partnership' in action**

735. As per statements attached.

736. I had been on duty as Honorary Veterinary Surgeon, for about the 5<sup>th</sup> year and, on leaving to do evening surgery with my young son and a goldfish, all hell all let lose.

737. With all my exposure to the British judicial system this incident, a seemingly simple one, relating to my complaint to a uniformed police officer sited in the car park as we drove out says it all.

738. I had first been assaulted, slapped violently across the face by Howard Davies, recently retired police inspector, thick into the harassment and then knocked to the ground by Turner, a security guard larger than me before then assaults me again.
739. All this confirmed in their own statements and court record the cake topped off with cherries by the prosecution barrister being deliberately misled on what actually occurred in Barry magistrates with the CPS lying through her back teeth by keeping her mouth shut.
740. It was clear to me following this case the purported reason for the Administrative Court and Judicial Review process is a complete myth.
741. I do not frighten easily but it was clear these incidents were getting more violent and with blatant CPS malfeasance, immune to civil redress, now staring me in the face I had every reason to be.
742. My premonition of what was next to come, following my experiences in Guernsey, now had me really worried.
743. I am jailed following my complaint for investigation, the court admitting no one knows what the complaint was, the CPS blame the police and the police were not even there!
744. The clerk of the court is made on oath to admit no information was before the magistrates that then led to my release without reason or apology.
745. Complaint into police and CPS conduct was ignored.
746. I am later prosecuted and found guilty all in one court case only then to be mention of a 'Breach of the Peace' incident, being told, tape recorded, that it was my complaining of the 2 assaults having caused my arrest!
747. The RCVS pounced on convictions for something else that day and on 6<sup>th</sup> January 2006 ruled in open court that because of the only remaining conviction it rendered me "unfit to practice veterinary surgery".
748. The RCVS refused me any witnesses for these conviction allegations in this Action by arranging for the Registrar, who it now appears to be the one to decide, following a recent Court of Appeal ruling, whether I can have any witnesses...see court transcript.
749. As I said the deceit riddled British judicial system was really ripped open in this case as it went onto the Recorder of Cardiff, a Roderick Evans QC, no doubt, ordering the original documents before the original magistrates to be disclosed....the CPS all laughed.
750. It did not end there. The barrister for the appeal, a new one, was so incensed we overheard him indicate that had he been told of the cause of the arrest and my complaint with the BOP being withdrawn, legal history some were saying, he would never have opposed my Appeal before HHJ Griffiths Williams.
751. He went further and wrote to the RCVS to that effect but Sir John Wood QC, 'seriously indisposed', retired High court judge, refused him as a witness stating his evidence was 'irrelevant' as to the circumstances of my convictions.
752. Yes, the Registrar, a Ms Jane Herne, was again absent in court, I believe on purpose, having been absent for some 20 other witnesses names I had requested to give evidence.
753. But all was, "OK, boys and girls", as the retired judge yawned, "**The Registrar is absent but she will accept my advice**" and promptly refused the lot....see 2002 transcript.

### **3<sup>rd</sup> Action 3.1**

754. See statement attached.

755. I receive a phone call someone known to the police is trying to pass a stolen cheque.

756. The police refuse to let either me or my staff see the video footage as I had previously employed the man and his accomplice, both known to the police, one stealing the cheques with the other cashing them in.

757. Information supplied was not properly investigated as was with all the other acts of vandalism etc during the 10 year period causing a loss, in this case, exceeding £1,500.

758. The handling of this was clearly, to me, just how they dealt with the burglaries and numerous vehicle thefts.

### **3<sup>rd</sup> Action 4.1**

759. See statement attached.

760. I was stopped by police and accused of driving an un road worthy car and prosecuted for no insurance. Made to produce documents

761. Summonses for offences

762. In Court the CPS withdrew the summons

### **3<sup>rd</sup> Action 5.1**

763. See statements attached

764. I was stopped by police having circled a roundabout, in central Cardiff, well over fifty times, displaying banners and distributing information pamphlets on the appalling state of our courts.

765. PC Cocksey, well known to me, arrested me for 'driving whilst disqualified' and later in custody concocted other charges, including, of course, 'no insurance'. One, I remember, without any records at hand was having 'no licence' when I produced it in court for all to see before I was even released.

766. Later the police pursued the remaining charge, 'no insurance' with all others slowly withdrawn or quashed in court.

767. The production of my insurance was, I remember, the 35<sup>th</sup> time I had been ordered to produce, so I refused.

768. Following much argument with a senior CPS prosecutor, brought in especially to deal with this case and the Clerk of the Court, a Mr Dodson, advising the 2 magistrates accordingly, the case was quashed my never needing to produce proof of insurance.

769. On 4 separate occasions since, when an HORT 1 was been served, to prove the point I have refused to so produce.

770. During those 10 years from 1992 to 2002, on the very day of my name was removed from the veterinary register, police harassment appeared to stop.

771. It was abundantly clear that during those 10 years orders had come from above to financially ruin my business by using exactly the same tactics as the Guernsey mafia had done. I was stopped by police purely on a fishing trip which was unlawful.

### **3rd Action 6.1**

772. See statements attached

773. I was returning through Cowbridge, from a Cardiff court protest, in the Battle Wagon covered in placards only to be stopped again in 2 days, by police, accusing me of driving whilst disqualified.

774. The large policeman, forget which was which, said he had recognised my face from a TV series in which I featured, apparently to do with veterinary work which surprised me even more.

775. I immediately wondered how on earth had I found the time to run a practice yet alone be in television documentaries when I had just enough time spare looking for cheap accommodation beside the Cardiff court house, to save bus fares each day to and fro from Barry. A designated parking space alongside the judges had already been declined.

776. I was virtually dragged from the vehicle after I as I tried to telephone the surgery I was being delayed for surgery appointments.

777. Now out of the wagon I realised I needed witnesses so started walking to the police station to get some sense from somebody. I was NOT disqualified and they refused to believe me.. I was knocked to the ground from behind, face on tarmac, saw Volvo number in front of me with to horrified women opening the door.

778. I made police record number and description as they put on handcuffs

779. In court police said they could not trace Volvo or women!

780. Magistrates court, Barry, I am guilty for 'putting fear and distress' into police minds.

781. All other charges dropped or quashed

782. Newport Crown judge stopped trial as 'a nonsense' I think she said but went on to say that she found it impossible to envisage such a situation, given the size of the police officers and what now was being admitted in cross examination.

783. Only this week, as I jot down this rough copy of my witness statement, later for the Court of Appeal, the conduct of the Defendant is being maintained at the Royal Courts of Justice, I believe, with their determination to keep digging that hole in the ground.
784. The Defendant's 'hairy students', as they so described themselves when approached by Patrick Cullinane Esq., all strategically positioned around Court 6 of the Royal Courts of Justice on Monday, know or should know the matters to which the police now referred in their letters of 17<sup>th</sup> Dec 2007 and 17<sup>th</sup> June, from Dolmans, pretending to seek **specific disclosure** when witness statements are already in their possession [**Action 3. 8.26**] leaves me in some difficulties.
785. The Defendant knows Sergeant Rowe was seen wielding a sledge hammer while other police with crow bars broke into my veterinary surgery in Ely, Cardiff, on 6th June 1995.
786. Not less than 8 surgery break-ins I suffered, in those 3 years and Sgt Runnalls in 1996 Cardiff Crown Court denied every one of them,[ see my 22<sup>nd</sup> March 1996 complaint to Chief Superintendent Jones], the sergeant telling the jury each incident, at the Llantwit surgery, especially, had been 'criminal damage' **not** a 'burglary', [God forbid, it could put off the tourists].
787. Sgt Runnalls also had 'a lapse of memory' of the 'break in' into my surgery by Gapheal and Ely police for Inspector's daughter, Alison Jenner, just like Barbara Wilding on the late afternoon of 25th Feb 2009 to falsify her affidavit.
788. The break-in and criminal damage caused on 6<sup>th</sup> June 1995 in the sight of by Sgt Rowe was not on the list of surgery incidents presented to the jury despite being prepared by the police and following my complaint of the incident on police tape.
789. Sgt Runnells contradicted my evidence on oath I had just given. I saw the faces of the jury. I lost + £5000 costs with the RCVS using the conviction being reported to them by John James MRCVS, proprietor of the opposing town surgery.
790. I was convicted for having 'allowed' by persons known or unknown for dumping a small bag of 'clinical waste' on a temporary dump in Llantwit Major car park. No one else was prosecuted.
791. The issue pertinent to this damages claim is that John James wrote an albeit false veterinary certificate, which the RCVS ignored, stating neither he nor his staff dropped the offending clinical waste, signed and dated on practice note paper.
792. It was not until the case had started did the prosecution even know there was another surgery in operation by James not a stone's throw from the fly tip. The fact my surgery had been burgled more than once just before the alleged offence meant Sgt Runnell's evidence denying it was not just quashing the possibility contents from my surgery were first stolen and then discarded but

more to the point, as with the majority of the general public the jury had no reason not to believe a policeman meaning I was a bloody liar.

793. And why was Sgt Rowe smashing his way into my building without first contacting me for the key? In order to put back into my overhead flat a drug dealer, then shackled up with an Alison Jenner, a daughter of a police Inspector he being a long time client of mine. Read the police statements again that Goudie J predictably declined and ask yourself just why Barbara Wilding had to bury the several incidents in these Actions and Goudie J had to quash any chance of an adjournment blocking any further legal process for 'discovery of documents' by handing me down a two year ban using an **Extended Civil Restraint Order**.

794. The police about the court number 6, in plain clothes, may consider wearing white coats next time as it may make me feel more at home.

795. All this evidence of **1<sup>st</sup> Action 8.26** and more has already been given to police relating to this incident highlighted in my 4<sup>th</sup> October 08 letter, yet another to Barbara Wilding, Chief of South Wales Police, listing well over **40 police incidents** caused by the police surveillance team specifically assigned by her predecessor to follow me for evidence.

796. That evidence is unlawfully being withheld but one judge after another hasn't the bottle to knock this case, once and for all, on the head.

797. These 40 odd incidents were relevant to Mr Justice Goudie QC as well as HHJ Seys Llewellyn, my current trial judge. This refused disclosure which is a Contempt of Court, also implicating the gaggle of lawyers representing the Royal College is a matter for the HM Attorney General.

798. But I could not disclose them to Judge Goudie without the police first being forced to admit that the incident records existed and I have suffered consequential damage.

799. As for HM Attorney General, currently five years into attempting to have me 'certified', she did not even bother to send representation to the High Court this week making me wonder what else was discussed with the Defendant and RCVS in my absence.

800. Baroness Scotland QC was needed to answer to the content of the leaked HM internal memos between HM Treasury Solicitor and Cardiff County Court staff and other seemingly undesirable trusts featuring in this seventeen year running litigation causing the loss of so called court records. An ECRO is a poor second to being certified as a **Vexatious Litigant** but will at least successfully block my lawful right to have Section 31 disclosure of the conspiracy between the RCVS and the South Wales Police.

801. The 10 years of unrelenting police harassment I have suffered until, of course, they had me struck off the veterinary register, is compounded in the continuing refusal to disclose, contrary to the Fraud Act.
802. My 7<sup>th</sup> Application, to rejoin my family's profession, to have been refused, awarding £7000 costs with not an ounce of scrutiny for the purported expense for a brief hearing and the photocopying of the same court documents from my previous application before Mr Justice Lloyd Jones last year.
803. That case is still smoldering somewhere in the Court of Appeal, smoldering because statute law states **the college must convene a public hearing for my application.**
804. I have again been refused a public hearing, contrary to 1966 Veterinary Surgeons Act, 2004 rules on procedure and 1297 Magna Carta, the decision having been taken by some girl, I'm told, sitting alone in some gloomy back room of the college's head quarters in London.
805. Despite my 2008 **Abuse of Process Application**, granted by Mr Nicholas Chambers QC, leading to Ms Wilding's falsely sworn 25th February 2009 affidavit, denying court cases and 40 odd police incidents, with my name on, it appears, ever occurred.
806. I was arrested and charged again while police continue to pretend these 40 odd police occurrence numbers are purely a figment of my imagination
807. I need a substantive reply to my 4<sup>th</sup> Oct 2008 request in order to direct Barbara's lawyers to further information on 6<sup>th</sup> June 1995 police break in to my surgery and other incidents to which she refers not to know about.
808. Both Mr Justice Goudie QC and the myriad of lawyers present, for Miss Wilding, witnessed as to just why I raised these matters before the High Court my doing it to obtain yet another 'pretence' letter from her cardiff lawyers, indicating she still has no knowledge of the 40 police incidents listed in my 4<sup>th</sup> October 2008 application for disclosure which, if correct, is a lie. If not correct it is a criminal offence to deny it.
809. Being one of numerous similarly drafted letters my secretary will confirm she typed over many years whilst in my employ for disclosure it is clear to me there is one law for one and one law for another
810. 'Systemic risk' taking, to affect the whole legal industry, by police lawyers may well come to fruition, as it has done with Penningtons, solicitors for the RCVS, the latter now ridiculing the good name of our veterinary profession.

811. I need our current trial judge, His Honour Judge Seys Llewellyn QC, to read Monday's transcript (when I get it for the Appeal).
812. Had I known **HM Partnership** never intended to allow **Trial by Jury I**, like many others denied proper legal representation, would never have started this action for damages in the first place.
813. One of my various secretaries, over the years, only this week reminded me that she would arrive at my surgery each morning only to ask, "What new police incidents do we have today to record?" We would then set about gathering evidence for the latest criminal court pantomime or current JR nonsense between a castration and retained afterbirth, no doubt. Retention of police records by the police was my secretary's paramount policy, writing, telephoning all and sundry. Incident numbers, custody records and where necessary, attending court herself when I have been locked up over night.
814. One such case, your client still refuses to fully disclose, was **Action 3 paragraph 2.1** where she witnessed, from the public gallery, my asking, hemmed in by prison officers, just why was I in prison?
815. Both Jackie Seals, prosecuting and the clerk of the court refused to disclose any information on the matter, saying later there were no documents as to why but instructed the Magistrates, also none the wiser, I assume, to order my immediate release with no apology or bail conditions.
816. Jackie Seals again refused even to tell His Honour Judge Gaskell, in one of my earlier **Abuse of Process Applications**, as to why I had been arrested, jailed and kicked out the door by your client.
817. She went further, having been silent in Magistrates, saying, before the Crown Court, she refused to answer my questions as my witness, "for fear of incriminating myself". Counsel for your client, the South Wales Police was made to admit to Judge Gaskell I had been arrested for refusing to leave the Vale of Glamorgan Agricultural Show where I had been Honorary Veterinary Surgeon for most of the day. The arrest, he admitted, was for 'Breach of the Peace' and nothing else.
818. The RCVS struck me off for it, for life, it appears, now Mr Justice Goudie QC has refused to grant a Judicial Review, while the college's thoroughly deceitful lawyers keep the cash, originally awarded £66,000 costs by HM Privy Council, £12,000 by Mr Justice McComb and your client's HM Crown Prosecution Service, also immune to any 'accountability', awarded £11,000 by Mr Justice Griffiths Williams who was performing, incidentally, in the court next door to Patrick and myself, on Monday.
819. I was therefore at Barry magistrates this week putting the finishing touches on my private criminal prosecution on Ms Wilding for 'Contempt of Court' my intention being to produce tape recordings, gathered over the years depicting, in particular, the demeanor of presiding judges

when I have dared suggest that lawyers and police in UK courtrooms have a signed and sealed arrangement to act with impunity.

820. Should any past indiscretion come to the surface during any subsequent court proceedings, I will remind those culpable it was drawn up by The Law Society to protect police and lawyers from terms of imprisonment and called **The Memorandum of Understanding** to support the already existing **HM Partnership**.

821. I had a chance meeting, this week, of the original lawyer, Mr Dodson, in Cardiff Magistrates, **Action 3 Para 5.1**, my having been ordered by the police to produce motoring insurance for the 35<sup>th</sup> time. I refused winning the case including the 7<sup>th</sup> time police had stopped me as a banned driver only to be proved they knew I was not, all the time.

822. My secretary yesterday, when told of our meeting, remembered my showing the court my driving licence, pressed up against the prison glass for all in court to see, my being imprisoned overnight for "having no valid driving licence"!

823. Also yesterday I went to the South Wales Police HQ in Bridgend only to find nothing what so ever appears to have been done about my Feb 2009 written complaints on how a false sworn affidavit can be originally achieved, then ignored by the signatory and now not investigated by either the IPCC or South Wales Police Authority.

824. Going to John Smith MP appears a waste of time now as he appears to have been nobbled and given early retirement.

All letters, telephone calls, hand written contemporaneous notes and documents for court created by me that appear in this and associated court cases and in the 80 odd leaver arch files, the majority having been served on the defendant as **exhibits**, to prevent any risk of an apparent 'absence of memory' later, are true to the best of my belief.

All above record are exhibits for all 6 Actions and are part of this witness statement by the Claimant for 1, 2 and 3.

Anything relating to the conduct of individuals in court rooms abusing their position of privilege, such as senior police officers, HMCS, lawyers, CPS, magistrates and judges, will have been particularly noted and recorded in those files following my 'vengeance', for want of a better word, on those who were either so dishonest, greedy or plain bone idle to take my complaints seriously that they have now helped ruined my life.

My inappropriate views on 'The rule of law' and other such mythical concepts held by the occasional British citizen were sufficient enough to lower my guard, my being more interested in proving someone a liar than winning yet another stupid court case.

This has left me vulnerable to the consequences of the most 'trivial', as Lord Hoffman put, in 1994, when referring to motoring charges brought by the RCVS. After Monday's experience in the Royal courts of Justice some asking me why I ever bothered to lodge the previous 49 Judicial Review Applications in the first place.

Taking my eye off the ball, once in a while, following the incident in Taunton, was proved regrettable, my knowing all along the enemy would never sleep until I accumulated convictions sufficient to expunge my name from the veterinary register, for life.

Had I been able to obtain independent legal representation, somewhere down the line, my success rate in Taunton, Guernsey and even South Wales would, of course, have been quite different. Some of those cases I bitterly lost I would definitely have won and some 'visa versa'.

Relentless harassment, causing years of my life to be wasted in the stench of British law courts, has done nothing but seriously damage my health and my family's life, first with Janet, Caspar, Belinda and Alex and now with Kirstie and Genevieve.

(**4<sup>th</sup> Action** covers part of the 80 or so police recorded incidents **not included** in these **1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Actions**, for fear the police may say it is a civil action 'document heavy' for a **Trial by Jury**, members of the public, as police lawyers keep saying, being 'unable to come to a safe conclusion').

.

**Signed**

**Date 19<sup>th</sup> June 2009**

**Post script**

**3.05 pm. I have only just been informed by Defendant's lawyers they will not allow a mutual exchange of witness statements by 4 pm this afternoon, as set down by Court Order.**

**3.42 pm. Defendant's e-mail provokes speech from same refusing to give an earliest date refusing me anytime on Monday, 22<sup>nd</sup> June causing me to believe this is another delay tactic.**

