

# BT acts after complaints

**Wings clipped:** Flying vet Maurice Kirk has been told to remove material from his internet site



# FLYING VET IS GIVEN A WEBSITE WARNING

**FLYING vet Maurice Kirk has been forced to remove material from the internet following complaints that it was defamatory.**

by MYRA LEE

BT told him it might shut down his website if he failed to comply.

Mr Kirk's website, [www.kirkflyingvet.co.uk/bv/about.htm](http://www.kirkflyingvet.co.uk/bv/about.htm) included details of more than 20 court cases he has been involved in, both in Bristol and in Guernsey.

Part of the site also includes a taped recording of an interview with police.

In Bristol Magistrates' Court last month, Mr Kirk, aged 54, announced he had "put his grievances on the internet to seek witnesses".

But earlier this week, BT, Mr Kirk's internet service

provider, asked him to remove part of the information following complaints from an individual.

Melvyn Cox, spokesman for BT, said: "BT received a complaint from an individual about certain material on his website which related to this individual.

"We investigated it and asked Mr Kirk by faxing him to remove certain references to this individual from his website, which he did."

Mr Cox said as a last resort BT could have removed the offended page or pages or closed down the website altogether.

He said: "Although BT doesn't police websites, as a

responsible internet service provider we respond to complaints, investigate and, if there is substantiation in the complaint, take appropriate action, which we did in this case.

"Otherwise BT could be held liable in any ensuing legal matters."

Mr Cox said under the contract between the service provider and the user, the service must not be used to cause "annoyance, inconvenience or needless anxiety".

Mr Kirk, who lived in Clifton but now lives in South Wales, said: "This is the thin end of the wedge.

"It is a real warning to the general public across the country."

[m.lee@bepp.co.uk](mailto:m.lee@bepp.co.uk)

## The internet is not above the libel laws

TONY Jaffa, head of the media and newspaper law team at Exeter-based Foot Anstey, Sargeant, said: "The internet is very exciting and innovating but the law of libel remains the same as it always has done for anyone who wants to let off steam.

"It's all right if you want to express a gen-

uine opinion but if you go beyond that and say something which is untrue you can be sued.

"Although damages for libel generally are coming down, there have been two cases recently where people distributed defamatory e-mails which resulted in damages being awarded of £400,000 and £150,000."

**SPECIAL DELIVERY**

**PRIVATE AND CONFIDENTIAL**

Mr M Kirk  
51 Tynewydd Road  
BARRY  
CF62 8AZ

01 July 2008

Ref: 263300L  
10D/006/005/001

Dear Mr Kirk

**PROVISIONAL SUSPENSION OF PRIVATE PILOT'S LICENCE (AEROPLANES) AND FLIGHT RADIO TELEPHONY OPERATOR'S LICENCE**

The CAA is under an obligation to be satisfied on a continuing basis as to the competence of pilots whom it licences. In accordance with the responsibilities placed on it by the Air Navigation Order 2005, the CAA has to consider whether you are a competent person to continue to hold a Private Pilot's Licence (Aeroplanes) and a Flight Radio Telephony Operator's Licence.

On 06 May 2008 I wrote advising you that the CAA was provisionally suspending your Private Pilot's Licence and Flight Radio Telephony Operators' Licence. The reason for that provisional suspension was that you were being deported from the United States on the grounds that you had acted in a manner that constituted a danger to the public. Given that this was a direct consequence of your flight on 25 April 2008, from McGregor Airport to a point in the vicinity of the United States prohibited area P49 associated with Crawford Ranch, private residence of the President of the United States, there were clear implications in allowing you to continue to exercise the privileges of your pilot's licence on your return to the United Kingdom.

It is unlikely that an incident of the nature of that in question would, of its own account, be sufficient to warrant licensing action. However, it has been sufficient to prompt a review of your recent flying history, and this gives the CAA cause for concern about your fitness and competence as a pilot. In reviewing your recent record, the following incidents have been identified –